EXHIBIT SCHEDULE

Exhibit A – Zoning Confirmation Letter, ZCL-2024-100685

Exhibit B – County Zoning Map

Exhibit C – County Economic Development Authority ("EDA") Email following January 31, 2025 Meeting

Exhibit C-1 – County Economic Development Authority Communications to Applicant

Exhibit C-2 – EDA Fareva Site Marketing Materials

Exhibit C-3 – County Planning Department Meetings with Applicant

Exhibit D – Meeting on March 12, 205 with Applicant, County Director of Planning, and EDA

Exhibit E – Board of Supervisors Special Meeting Minutes (May 15, 2025)

Exhibit E-1 – Board of Supervisors Resolution Initiating Zoning Ordinance Amendments

Exhibit E-2 – Public Notice of Joint Public Hearing

Exhibit F – First Submission of Plan of Development, POD-2025-101009

Exhibit G – Draft Zoning Ordinance Amendment – Data Centers, May 1, 2025

Exhibit H – Plan of Development, County Planning Comments I

Exhibit I – Plan of Development, County Planning Comments II

Exhibit J – Subdivision Application

Exhibit J-1 – County Subdivision Plat Review Comments

Exhibit K – Subdivision Plat, SUB-2025-100957

Exhibit L – Subdivision Recording, Deed Book 6664, Page 1100 and Plat Book 140, Page 191

Exhibit M – County Data Center Zoning Ordinance Amendment

Exhibit M-1 – Board of Supervisors Regular Meeting Minutes (June 10, 2025)

Exhibit N – POD-2025-101009, Airport West Data Center Campus

Exhibit N- 1 – Plan of Development, County Planning Comments III

Exhibit O – Deed Book 6722, Page 774

Exhibit P – Vested Rights Determination Request

Exhibit Q – County's Written Determination Letter

Exhibit R – Code of Virginia Section 15.2-2307(A)

Exhibit S – White Oak PropCo, LLC Vested Rights Determination Letter

Exhibit T – Notice of Review of Plan of Development Matter

Exhibit U – Minor Subdivision Application Checklist

Exhibit V – QTS Vested Rights Determination Letter (RIC1, RIC2 and RIC3 Properties)

Exhibit V-1 – QTS Vested Rights Determination Letter (RIC4 and RIC5 Properties)

EXHIBIT
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COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

R. J. Emerson, Jr. AICP
Director of Planning
(804) 501-4602

June 12, 2024

Ms. Kait Bowdler
kbowdler@brightfarms.com

RE: Zoning Confirmation
2248 Darbytown Road
Part of Parcel 812-704-4612
("The Property")

Dear Ms. Bowdler:

At your request we have examined our records with respect to the Property and have determined the following information.

The Property is zoned M-1, Light Industrial District as shown on the attached zoning map. The industrial scale growing of greenhouse products and packaging of those into mixed salad kits is allowed as a principal use in the M-1 district, so long as it occurs indoors (Section 24-4205, Henrico County Zoning Ordinance, excerpt attached). The Property is also located in the Airport Safety Overlay District (excerpt attached).

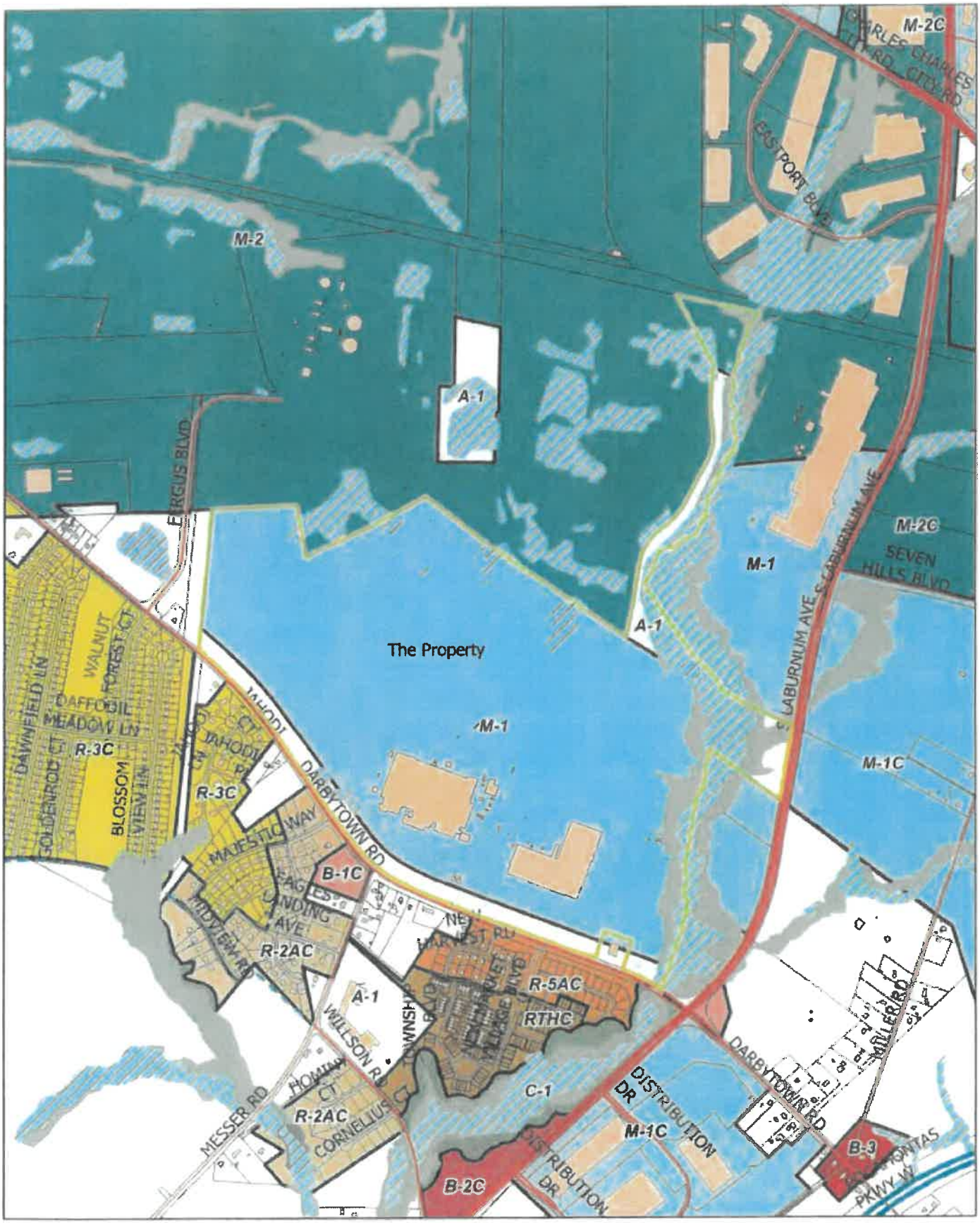
Please note that development of the Property would require the approval of a plan of development. You can apply for a plan of development through our online portal at https://build.henrico.us/.

If you have any questions, please feel free to contact me.

Sincerely yours,

Benjamin W. Blankinship
Zoning Division Manager

Attachments (3)
ZCL-2024-100685
pc: Fareva Richmond Inc. (w/o attachments)



Zoning Map - June 4, 2024

Henrico County, Virginia, Zoning Ordinance

Industrial Districts, Principal Uses (Sec. 24-4205)

Classification	Use Category	Use Type	M-1	M-2	M-3	See Also
Agricultural	Ag Support-Not Directly Related	Agricultural research facility	P	R	R	Sec. 24-4304.B
Agricultural	Ag Support-Not Directly Related	Distribution hub for agricultural products	P	R	R	Sec. 24-4304.A
Agricultural	Ag Support-Not Directly Related	Farm machinery sales, rental, and service	R	R	R	Sec. 24-4304.A
Agricultural	Ag Support-Not Directly Related	Stockyard or Slaughterhouse	-	-	R	Sec. 24-4304.C
Public, Civic	Community Services	Auditorium, conference, and convention center	R	-	-	
Public, Civic	Community Services	Club or lodge	R	R	-	
Public, Civic	Community Services	Cultural facility	R	-	-	
Public, Civic	Community Services	Donation center	R	R	R	Sec. 24-4307.B
Public, Civic	Community Services	Public recreation facility	R	R	-	
Public, Civic	Community Services	Radio or television station	R	R	R	
Public, Civic	Community Services	Religious institution	R	R	R	Sec. 24-4307.C
Public, Civic	Day Care	Adult day care center	R	-	-	
Public, Civic	Day Care	Childcare center	R	-	-	Sec. 24-4308.A
Public, Civic	Educational Facilities	College or university	R	-	-	Sec. 24-4309.A
Public, Civic	Funeral and Mortuary	Crematory	R	R	R	
Public, Civic	Funeral and Mortuary	Funeral home	R	-	-	
Public, Civic	Government Facilities	Correctional facility	-	-	P	
Public, Civic	Government Facilities	Government maintenance, storage, or distribution facility	R	R	R	Sec. 24-4310
Public, Civic	Government Facilities	Government office	R	R	R	
Public, Civic	Government Facilities	Police, fire, or EMS facility	R	R	R	
Public, Civic	Health Care Facilities	Medical treatment facility	R	-	-	Sec. 24-4311.D
Public, Civic	Parks and Open Areas	Community garden	R	R	R	Sec. 24-4312.B
Public, Civic	Parks and Open Areas	Public park	R	R	R	Sec. 24-4312.C
Public, Civic	Parks and Open Areas	Parks and open areas not specified elsewhere	R	R	R	Sec. 24-4312.C
Public, Civic	Transportation	Airport	P	P	P	Sec. 24-4313.A
Public, Civic	Transportation	Helicopter landing facility	P	R	R	Sec. 24-4313.B
Public, Civic	Transportation	Passenger terminal, surface transportation	R	R	R	
Public, Civic	Utilities	Solar array	R	R	R	Sec. 24-4314.A
Public, Civic	Utilities	Utility, major	P	R	R	Sec. 24-4314.B
Public, Civic	Utilities	Utility, minor	R	R	R	Sec. 24-4314.C
Public, Civic	Utilities	Wind energy facility, large	R	R	R	Sec. 24-4314.D
Public, Civic	Utilities	Wireless communications short structure or co-location	R	R	R	Sec. 24-4314.E
Public, Civic	Utilities	Wireless communications tower, freestanding	P	P	P	Sec. 24-4314.F
Commercial	Animal Care	Animal grooming	R	R	R	Sec. 24-4317
Commercial	Animal Care	Kennel or animal shelter	R	R	R	Sec. 24-4317
Commercial	Animal Care	Veterinary hospital or clinic	R	R	R	Sec. 24-4317
Commercial	Eating Establishments	Microbrewery	R	R	R	Sec. 24-4315
Commercial	Eating Establishments	Restaurant other than drive-through	R	R	R	Sec. 24-4316
Commercial	Eating Establishments	Restaurant, drive-through	R	R	R	Sec. 24-4318
Commercial	Eating Establishments	Specialty eating establishment	R	R	R	Sec. 24-4315
Commercial	Offices	Business and sales	R	R	R	Sec. 24-4315
Commercial	Offices	Business school	R	R	R	Sec. 24-4315
Commercial	Offices	Business training and conference facility	R	R	R	Sec. 24-4315
Commercial	Offices	Data center	R	R	R	Sec. 24-4319
Commercial	Offices	Professional services	R	R	R	Sec. 24-4315
Commercial	Parking, Commercial	Parking lot	R	R	R	Sec. 24-4320.A
Commercial	Parking, Commercial	Parking structure	R	R	R	Sec. 24-4320.B
Commercial	Recreation and Entertainment, Indoor	Fitness center	R	-	-	Sec. 24-4321.A

R = allowed by Right, P = Provisional use, "-" = not allowed

Henrico County, Virginia, Zoning Ordinance

Industrial Districts, Principal Uses (Sec. 24-4205)

Classification	Use Category	Use Type	M-1	M-2	M-3	See Also
Commercial	Recreation and Entertainment, Indoor	Shooting range, indoor	R	R	R	Sec. 24-4321.B
Commercial	Recreation and Entertainment, Indoor	Theater	R	R	R	Sec. 24-4315
Commercial	Recreation and Entertainment, Indoor	Indoor Recreation and Entertainment not elsewhere listed	R	R	R	Sec. 24-4315
Commercial	Recreation and Entertainment, Outdoor	Amusement park, sports park, or waterpark	P	P	P	Sec. 24-4322.A
Commercial	Recreation and Entertainment, Outdoor	Arena, amphitheater, or stadium	P	P	P	Sec. 24-4322.A
Commercial	Recreation and Entertainment, Outdoor	Racetrack, outdoor	P	P	R	Sec. 24-4322.A
Commercial	Recreation and Entertainment, Outdoor	Outdoor Recreation and Entertainment not elsewhere listed	P	P	P	Sec. 24-4322.A
Commercial	Retail Sales and Services	Aircraft and aircraft parts sales	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Alternative lending institution	R	-	-	Sec. 24-4315
Commercial	Retail Sales and Services	Artist studio	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Auction house	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Automated teller machine (ATM)	R	R	R	Sec. 24-4323.A
Commercial	Retail Sales and Services	Convenience store	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Drive-through ice machine	R	R	R	Sec. 24-4323.B
Commercial	Retail Sales and Services	Drug store or pharmacy	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Farmers market	R	R	R	Sec. 24-4323.C
Commercial	Retail Sales and Services	Financial institution	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Grocery store	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Laundromat	R	R	R	Sec. 24-4323.D
Commercial	Retail Sales and Services	Personal services establishment	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Repair establishment	R	R	R	Sec. 24-4323.E
Commercial	Retail Sales and Services	Retail sales establishment, not elsewhere listed	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Sign printing and painting	R	R	R	Sec. 24-4315
Commercial	Vehicle Sales and Services	Automobile filling station (fuel only)	R	R	R	Sec. 24-4324.B
Commercial	Vehicle Sales and Services	Automobile rentals	R	R	R	Sec. 24-4324.C
Commercial	Vehicle Sales and Services	Automobile sales	R	R	R	Sec. 24-4324.D
Commercial	Vehicle Sales and Services	Automotive painting and body shop	R	R	R	Sec. 24-4324.A
Commercial	Vehicle Sales and Services	Automotive parts and installation and minor servicing	R	R	R	Sec. 24-4324.A
Commercial	Vehicle Sales and Services	Automotive repair	R	R	R	Sec. 24-4324.A
Commercial	Vehicle Sales and Services	Boat and marine rental, sales, and service	R	R	R	Sec. 24-4324.A
Commercial	Vehicle Sales and Services	Car wash or auto detailing	R	R	R	Sec. 24-4324.E
Commercial	Vehicle Sales and Services	Commercial fuel depot	R	R	R	Sec. 24-4324.A
Commercial	Vehicle Sales and Services	Commercial vehicle repair and maintenance	R	R	R	Sec. 24-4324.A
Commercial	Vehicle Sales and Services	Commercial vehicle sales, rentals, and storage	R	R	R	Sec. 24-4324.F
Commercial	Vehicle Sales and Services	Fleet terminal	R	R	R	Sec. 24-4324.H
Commercial	Vehicle Sales and Services	Towing or wrecker service	R	R	R	Sec. 24-4324.G
Commercial	Visitor Accom-modations	Hotel or Motel	R	R	R	Sec. 24-4325.C
Industrial	Extractive Industry	All Extractive Industry uses	C	R	R	Sec. 24-4327
Industrial	Industrial Services	Contractor services	R	R	R	Sec. 24-4328.A
Industrial	Industrial Services	Fuel oil or bottled gas distributor	R	R	R	Sec. 24-4326
Industrial	Industrial Services	General industrial service and repair	P	R	R	Sec. 24-4326
Industrial	Industrial Services	Heavy equipment sales, rental, and service	-	R	R	Sec. 24-4328.B
Industrial	Industrial Services	Laundry, dry cleaning, and carpet cleaning plants	R	R	R	Sec. 24-4328.C
Industrial	Industrial Services	Manufactured home and prefabricated building sales	R	R	R	Sec. 24-4326
Industrial	Industrial Services	Research and development facility	R	R	R	Sec. 24-4328.D
Industrial	Manufacturing and Production	Manufacturing, artisan	R	R	R	Sec. 24-4326
Industrial	Manufacturing and Production	Manufacturing, heavy	P	R	R	Sec. 24-4329.A
Industrial	Manufacturing and Production	Manufacturing, light	R	R	R	Sec. 24-4329.B

R = allowed by Right, P = Provisional use, "-" = not allowed

Henrico County, Virginia, Zoning Ordinance

Industrial Districts, Principal Uses (Sec. 24-4205)

Classification	Use Category	Use Type	M-1	M-2	M-3	See Also
Industrial	Warehouse and Freight Movement	Cold storage plant	R	R	R	Sec. 24-4330.A
Industrial	Warehouse and Freight Movement	Mini-warehouse	R	R	R	Sec. 24-4330.B
Industrial	Warehouse and Freight Movement	Outdoor storage (as a principal use)	-	R	R	Sec. 24-4330.C
Industrial	Warehouse and Freight Movement	Self-service storage facility	R	R	R	Sec. 24-4330.D
Industrial	Warehouse and Freight Movement	Truck or freight terminal	-	R	R	Sec. 24-4330.E
Industrial	Warehouse and Freight Movement	Warehouse (distribution)	R	R	R	Sec. 24-4330.E
Industrial	Warehouse and Freight Movement					Sec. 24-4330.F
Industrial	Warehouse and Freight Movement	Warehouse (storage)	R	P	R	Sec. 24-4330.E
Industrial	Warehouse and Freight Movement					
Industrial	Waste-Related Services	Landfill, construction and demolition debris	-	P	P	Sec. 24-4331.A
Industrial	Waste-Related Services	Landfill, sanitary	-	-	P	Sec. 24-4331.B
Industrial	Waste-Related Services	Recycling collection center	R	R	R	Sec. 24-4331.C
Industrial	Waste-Related Services	Recycling processing center	P	R	R	Sec. 24-4331.D
Industrial	Waste-Related Services	Salvage and junkyard	-	-	P	Sec. 24-4331.E
Industrial	Waste-Related Services	Solid waste transfer station	R	R	R	Sec. 24-4331.F
Industrial	Waste-Related Services	Waste composting	-	P	P	Sec. 24-4326
Industrial	Wholesale Sales	All wholesale sales	R	R	R	Sec. 24-4326

Sec. 24-3705. AS-O Airport Safety Overlay District

A. Purpose

The purpose of the AS-O Airport Safety Overlay District is to regulate and restrict the height of permanent and temporary structures and other objects, including natural growth, in the vicinity of Richmond International Airport ("the airport") and to restrict the uses of land in the vicinity of the airport by prohibiting any use that would in any way interfere with aircraft landing, taking off, or maneuvering with the intention of using the airport.

B. District Boundaries

The boundaries of the AS-O district are the limits of the airport's horizontal surfaces, conical surfaces, primary surfaces, approach surfaces, and transitional surfaces as defined in §77.19 of Title 14 of the Code of Federal Regulations or successor regulations applicable to the airport. These surfaces will be shown on the Zoning Districts Map to delineate those areas covered by the AS-O district.

C. Height Limitations

No structure or other object or vegetation will be permitted to penetrate the floor of any of the surfaces referenced in Sec. 24-3705.B, District Boundaries.

D. Performance Standards

A use of land or water must not:

1. Create electrical interference with navigational signals or radio communications between the airport and airborne aircraft;
2. Diminish the ability of pilots to distinguish between airport lights and other lights;
3. Result in glare in the eyes of pilot using the airport;
4. Impair visibility in the vicinity of the airport;
5. Increase the potential for bird strike hazards; or
6. Otherwise in any way endanger or interfere with the landing or takeoff or maneuvering of aircraft intending to use the airport.

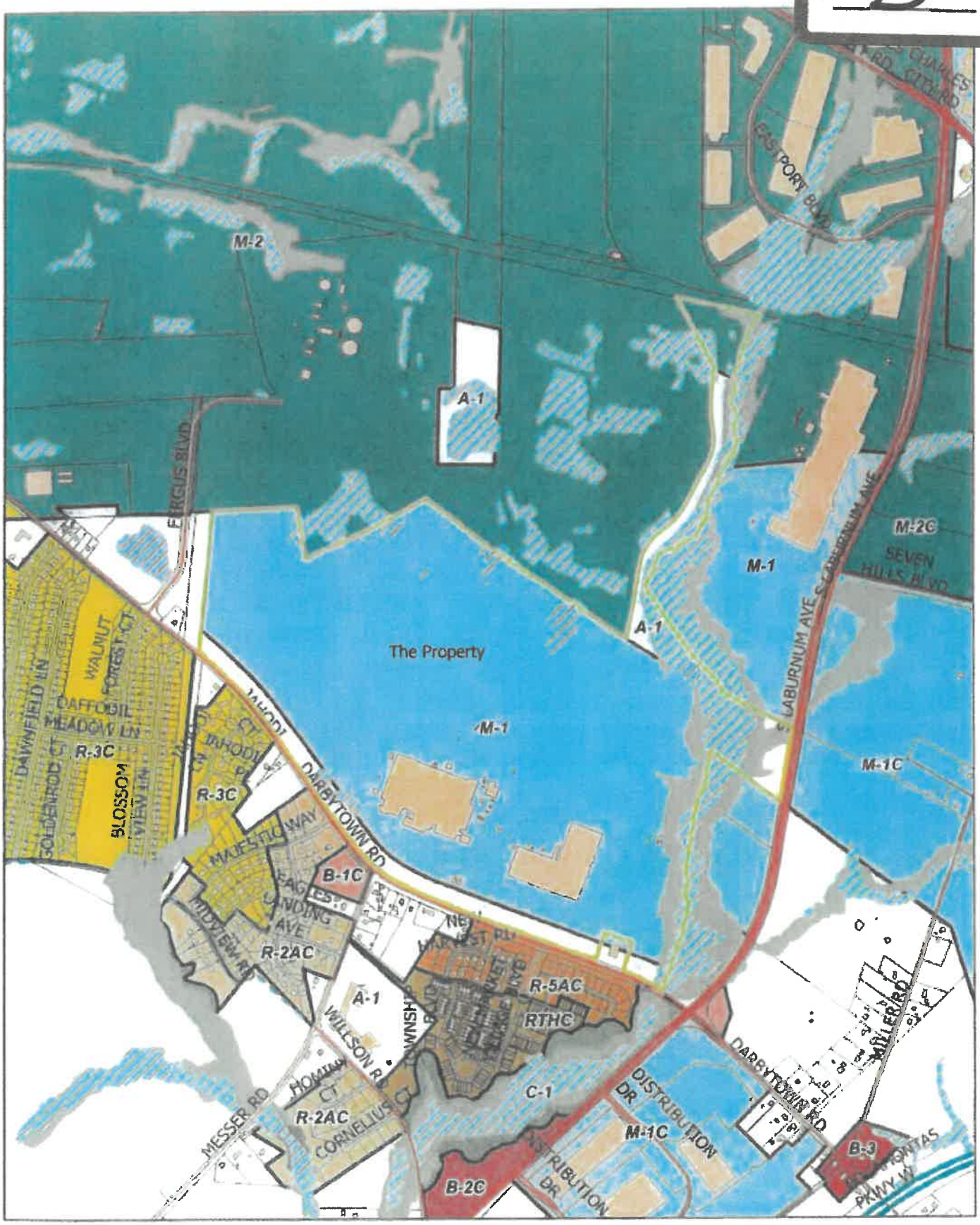
E. Compliance with District Standards

In determining whether proposed development complies with the standards in this section, the Planning Director may consult with the FAA, the state department of aviation, or the airport administration to determine whether any changes are necessary to bring the proposed construction into compliance with the provisions of this section.

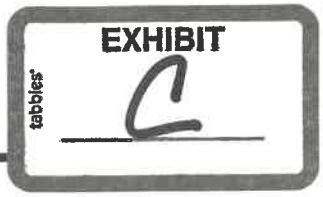
F. Variance from District Standards

If the applicant for a permit which has been denied seeks a variance from the requirements of this section, the variance application must include a determination from the state department of aviation as to whether the proposal will adversely affect the operation of the airport and the safe, efficient use of navigable airspace above and around the airport. A variance may be granted only if the determination is that the proposal will not adversely affect the operation of the airport and the safe, efficient use of navigable airspace above and around the airport.

EXHIBIT
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Zoning Map - June 4, 2024



Katherine Lafayette

From: Smith, Jason <Jason@henrico.com>
Sent: Wednesday, February 5, 2025 2:32 PM
To: David Wagner; John Vithoulkas; Aaron Mullins; brian.tanner@kbcadvisors.com
Cc: Romanello, Anthony
Subject: Fareva
Attachments: Map_Whistler 2.0_Fareva_Utilities_v2.pdf; Map_Whistler 2.0_Fareva_Buildable Area_Wetlands and Floodplains.pdf; Map_Whistler 2.0_Fareva_Zoning.pdf

Good Afternoon,

It was great talking last Friday about the opportunity you all have been working on. I'd be happy to assist from our angle, anyway we can.

Also, I wanted to share some additional maps we've worked on recently when sharing with other prospects. These may or may not come in handy, but wanted to share none the less.

Please don't hesitate to reach back out if we can be of more assistance moving forward.

Thanks,

Jason

Jason Smith
Business Manager
Henrico Economic Development Authority
4300 E. Parham Road, Henrico, Virginia 23228
Direct: 804.501.7654 | Mobile: 804.239.4830

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Book time to meet with me



Katherine Lafayette

From: Smith, Jason <Jason@henrico.com>
Sent: Friday, March 7, 2025 8:22 AM
To: Aaron Mullins
Cc: David Wagner; Ricky Dobson; Brian Tanner; Brian Tanner; david.ellington@kimley-horn.com
Subject: Re: Fareva Parcel

Aaron and Team,

Are you all available for a call with planning any of the following time slots next week:

- Wednesday, 03/12 at 9 or 10 am
- Thursday, 03/13 at 9 or 10 am

Let me know and I can share a calendar invite out to everyone.

Thanks,

Jason

Jason Smith
Business Manager
Henrico Economic Development Authority
4300 E. Parham Road, Henrico, Virginia 23228
Direct: 804.501.7654 | Mobile: 804.239.4830

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Book time to meet with me

From: Aaron Mullins <aaron.mullins@centra-logistics.com>
Sent: Wednesday, March 5, 2025 4:51 PM
To: Smith, Jason <Jason@henrico.com>
Cc: David Wagner <david.wagner@centra-logistics.com>; Ricky Dobson <ricky.dobson@centra-datacenters.com>; Brian Tanner <brian.tanner@kbcadvisors.com>; Brian Tanner <brian.tanner@centra-datacenters.com>; david.ellington@kimley-horn.com <david.ellington@kimley-horn.com>
Subject: Fareva Parcel

Hey Jason,

As discussed, please let us know as soon as you hear back from the planning director. Please include the full team Cc'd on this email and we will respond with our availability to get a meeting on the calendar.

Thanks.

Aaron Mullins
Analyst | Centra Logistics
+1 (804) 837-3245
aaron.mullins@centra-logistics.com

From: Smith, Jason <Jason@henrico.com>
Sent: Thursday, February 6, 2025 11:57 AM
To: David Wagner <david.wagner@centra-logistics.com>; John Vithoulkas <john.vithoulkas@centra-logistics.com>; Aaron Mullins <aaron.mullins@centra-logistics.com>; brian.tanner@kbcadvisors.com
Cc: Romanello, Anthony <Anthony@henrico.com>
Subject: Re: Fareva

That sounds great. I'm happy to set a meeting up with planning or anyone else in the County if needed. Please don't hesitate to reach out if I can assist on this.

Thanks,

Jason

Jason Smith
Business Manager
Henrico Economic Development Authority
4300 E. Parham Road, Henrico, Virginia 23228
Direct: 804.501.7654 | Mobile: 804.239.4830

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Book time to meet with me

From: David Wagner <david.wagner@centra-logistics.com>
Sent: Thursday, February 6, 2025 11:20 AM
To: Smith, Jason <Jason@henrico.com>; John Vithoulkas <john.vithoulkas@centra-logistics.com>; Aaron Mullins <aaron.mullins@centra-logistics.com>; brian.tanner@kbcadvisors.com <brian.tanner@kbcadvisors.com>
Cc: Romanello, Anthony <Anthony@henrico.com>
Subject: Re: Fareva

This is great, thanks Jason - we're going to reach out to planning shortly to set up a meeting to discuss our plans. Will keep you in the loop

David Wagner
Managing Partner | Centra Logistics
+1 (804) 627-3598
david.wagner@centra-logistics.com

From: Smith, Jason <Jason@henrico.com>
Sent: Wednesday, February 5, 2025 2:31 PM

To: David Wagner <david.wagner@centra-logistics.com>; John Vithoulkas <john.vithoulkas@centra-logistics.com>; Aaron Mullins <aaron.mullins@centra-logistics.com>; brian.tanner@kbcadvisors.com <brian.tanner@kbcadvisors.com>
Cc: Romanello, Anthony <Anthony@henrico.com>
Subject: Fareva

Good Afternoon,

It was great talking last Friday about the opportunity you all have been working on. I'd be happy to assist from our angle, anyway we can.

Also, I wanted to share some additional maps we've worked on recently when sharing with other prospects. These may or may not come in handy, but wanted to share none the less.

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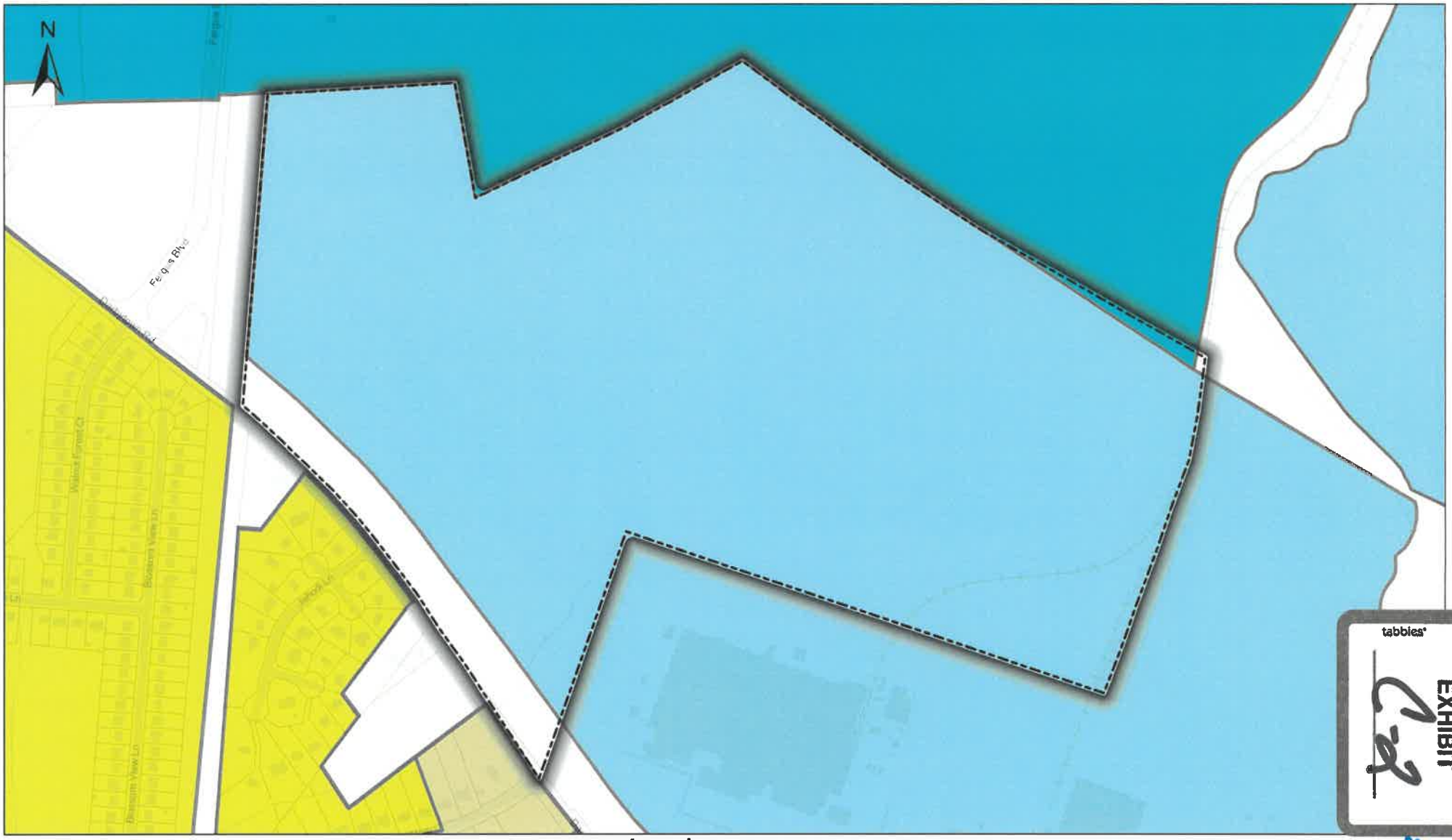
Thanks,

Jason

Jason Smith
Business Manager
Henrico Economic Development Authority
4300 E. Parham Road, Henrico, Virginia 23228
Direct: 804.501.7654 | Mobile: 804.239.4830

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Book time to meet with me



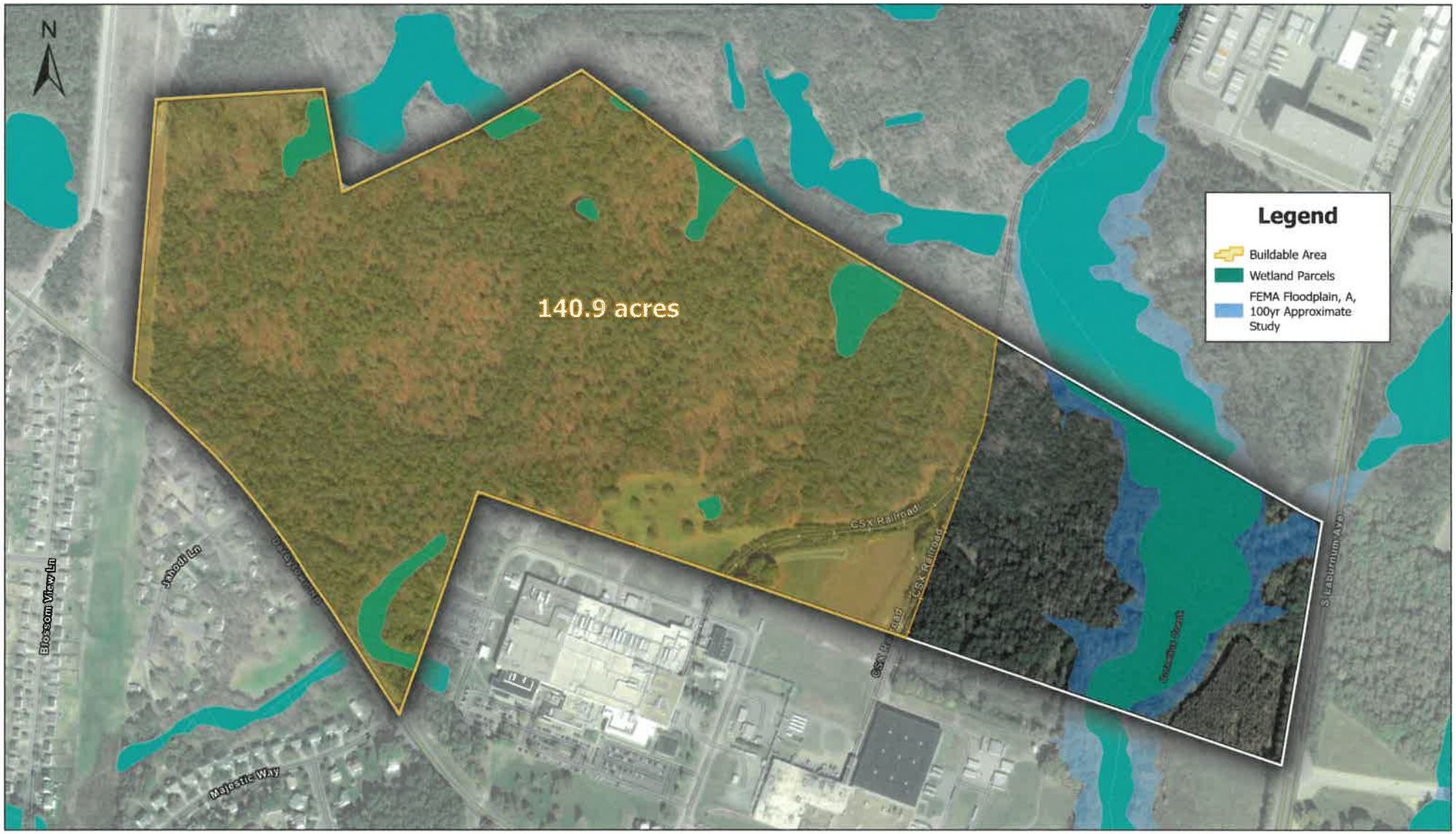
Fareva Site - Zoning

Project Whistler 2.0

Henrico County, VA

Home of the Extra Mile

HENRICOEDA



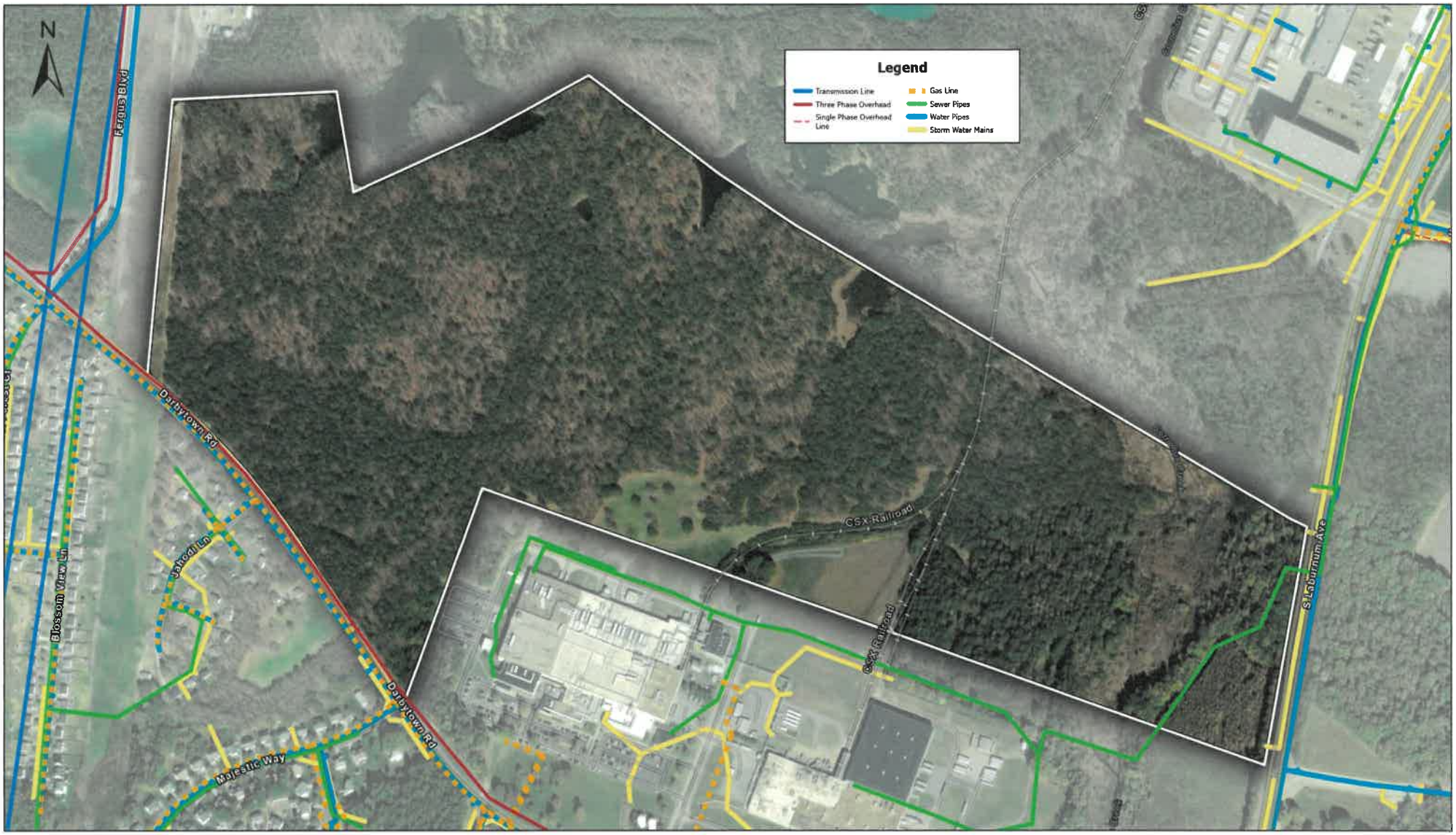
Fareva Site Buildable Area

Project Whistler 2.0

Henrico County, VA

Home of the Extra Mile

HENRICOEDA



Fareva Site Utilities

Project Whistler 2.0

Henrico County, VA

Home of the Extra Mile

HENRICOEDA



Katherine Lafayette

From: Ricky Dobson <ricky.dobson@centra-datacenters.com>
Sent: Friday, April 11, 2025 9:27 AM
To: Aaron Mullins; gre31@henrico.gov; David Wagner; Troy Stephenson; david.ellington@kimley-horn.com; Christopher Gill
Cc: eme@henrico.gov; Smith, Kristin; Brian Tanner; Brian Tanner; Bilal, Mazna
Subject: Fareva Parcel Subdivision and POD - Meeting Minutes

Good morning all,

I wanted to follow up with the below meeting minutes. Please reach out with any comments/revisions.

Meeting Minutes - Henrico County
Attendees:

- Henrico County: Anthony Greulich, Kristin Smith
- Kimley-Horn (KH): David Ellington, Mazna Bilal
- Centra: Ricky Dobson, David Wagner, Aaron Mullins, Brian Tanner

Subdivision Process

- **Who will the reviewer be?**
  - Planning: Kristin Smith
- **What is the expected timeframe for a reviewer to provide comments?**
  - Subdivision plat first, then Plan of Development (POD) plans. This is acceptable for this site, as there is already an approved POD in place.
  - Planning provides comments in 5 business days on each submission
  - Tony provided two suggestions to help expedite the subdivision review process
    - Provide a letter with the subdivision plat explaining that the plat is just for a subdivision and that our future POD will be submitted to the county at a later date
    - Notify all other departments to only comment on the subdivision plat and to hold POD related comments for the future submittal
- **How many submission/comment cycles should be expected before approval?**
  - The County does not expect many cycles of comments to be required
  - Outside date for our agreement with the seller is to have plat finalized by May 13th. That should be no issue and should be finalized well within that timeframe.

Plan of Development (POD)

- **How would the county respond to changes in building SF, assuming locations and drive aisles are not significantly impacted?**
  - Prefer minimal changes to drive aisle, and try to ensure changes to building SF are down rather than up.
- **Can we submit the POD with a range in expected building SF, to include a maximum SF that will not be exceeded in development?**
  - Maximize the building SF now; it's okay to make it smaller later -Tony.
  - The height of the building should also be maximized and reduced later if needed.
- **Additional Items**
  - The county provides comments within a 12-business days window on each submission
  - For a submission prior to May 9th, this will be put on the June Director Agenda. This may be pushed to July if the County has a significant amount of comments, but should not be longer than that.

Thank you!

Ricky Dobson, P.E. (VA)
Associate | Centra Logistics
+1 (571) 499-3403
ricky.dobson@centra-datacenters.com

-----Original Appointment-----
From: Aaron Mullins <aaron.mullins@centra-logistics.com>
Sent: Thursday, April 3, 2025 12:44 PM
To: Aaron Mullins; Aaron Mullins; gre31@henrico.gov; Ricky Dobson; David Wagner; Troy Stephenson; david.ellington@kimley-horn.com; Christopher Gill
Cc: eme@henrico.gov; Smith, Kristin; Brian Tanner; Brian Tanner; Bilal, Mazna
Subject: Fareva Parcel Subdivision and POD
When: Tuesday, April 8, 2025 10:00 AM-10:45 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Meeting to discuss subdivision process and timing and answer specific POD questions.

Microsoft Teams Need help?

Join the meeting now

Meeting ID: 276 378 550 215

Passcode: T8P3tU6Y

Dial in by phone

+1 872-813-1044,,767086786# United States, Chicago

Find a local number

Phone conference ID: 767 086 786#

For organizers: Meeting options | Reset dial-in PIN

From: Aaron Mullins
Sent: Wednesday, April 2, 2025 3:15 PM
To: gre31@henrico.gov
Cc: eme@henrico.gov; Ricky Dobson <ricky.dobson@centra-datacenters.com>; David Wagner <david.wagner@centra-logistics.com>; Troy Stephenson <tstephenson@jspc-va.com>
Subject: Fareva Parcel Subdivision

Hey Anthony,

We are working with Troy Stephenson (Cc'd) with Jennings Stephenson to survey and subdivide the Fareva parcel. We need this subdivision to be recorded with the county ahead of our purchase but have heard from Troy that the process typically takes more than nine weeks. We would like to schedule a call to coordinate this effort and understand if anything can be done from the county's side to expedite the recordation. Please let us know what your availability looks like for a meeting and we will accommodate.

Thanks.

Aaron Mullins
Analyst | Centra Logistics
+1 (804) 837-3245
aaron.mullins@centra-logistics.com

Katherine Lafayette

Subject: Centra Logistics
Location: Planning Conf Room A

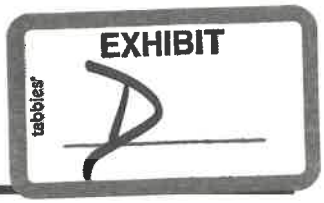
Start: Tue 4/22/2025 12:30 PM
End: Tue 4/22/2025 1:30 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Vulcanoff, Linda

Attendees:
Leslie News
Tony Greulich
Andy Condlin
David Ellington
David Wagner



Katherine Lafayette

Subject:	Fareva Site POD Discussion - Subdivide Parcel
Location:	Microsoft Teams Meeting
Start:	Wed 3/12/2025 10:00 AM
End:	Wed 3/12/2025 11:00 AM
Recurrence:	(none)
Meeting Status:	Not yet responded
Organizer:	Smith, Jason

Microsoft Teams Need help?

Join the meeting now

Meeting ID: 250 120 933 203

Passcode: Zb2d5nD3

Dial in by phone

+1 323-433-2068,,802722709# United States, Los Angeles

Find a local number

Phone conference ID: 802 722 709#

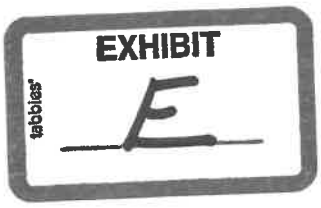
Join on a video conferencing device

Tenant key: henrico@m.webex.com

Video ID: 116 705 045 6

More info

For organizers: Meeting options | Reset dial-in PIN



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
May 15, 2025

The Henrico County Board of Supervisors convened a special joint meeting with the Henrico County Planning Commission at 5:00 p.m. on Thursday, May 15, 2025, in the auditorium of Highland Springs High School, 200 South Airport Drive, Henrico County, Virginia.

Members of the Board Present:

Daniel J. Schmitt, Chair, Brookland District
Roscoe D. Cooper, III, Vice-Chair, Fairfield District
Misty D. Roundtree, Three Chopt District
Jody K. Rogish, Tuckahoe District
Tyrone E. Nelson, Varina District

Members of the Planning Commission Present:

Robert H. Witte, Jr., Chair, Brookland District
Jaron N. Dandridge, Vice-Chair, Fairfield District
Brian Winterhoff, Tuckahoe District
William M. Mackey, Jr., Varina District

Member of the Planning Commission Absent:

Bob Shippee, Three Chopt District

Other Officials Present:

John A. Vithoulkas, County Manager
Andrew R. Newby, County Attorney
Tanya N. Brackett, CMC, Assistant to the County Manager/Clerk to the Board
Joe Emerson, Jr., Director of Planning
Michael Y. Feinmel, Deputy County Manager for Public Safety
W. Brandon Hinton, Deputy County Manager for Administration
Monica Smith-Callahan, Deputy County Manager for Community Affairs
Cari M. Tretina, Deputy County Manager/Chief of Staff
Steven J. Yob, Deputy County Manager for Community Operations
Benjamen A. Sheppard, Director of Public Relations

Mr. Witte and Mr. Schmitt called the Special Joint Meeting of the Planning Commission and the Board of Supervisors to order.

Roscoe D. Cooper, III, Vice-Chair of the Board of Supervisors, offered the invocation.

Mr. Schmitt thanked the members of the media who were present for the meeting, Lyndon German with VPM, Desiree Montilla with NBC 12, and Maggi Marshall with Channel 6.

Mr. Schmitt explained the purpose of the meeting is to hear from the public about proposed data center regulations. In March, the Board of Supervisors requested staff draft regulations. The proposals have been advertised and properly notified for the joint meeting.

Mr. Schmitt recommended the Board, and the Planning Commission designate a member to preside over the joint public hearing.

On motion of Mr. Cooper, seconded by Mr. Rogish, and by unanimous vote, the Board designated Mrs. Roundtree preside over and conduct the joint public hearing:

The vote of the Board was as follows:

Yes: Schmitt, Cooper, Rogish, Roundtree, Nelson

No:

On motion of Mr. Mackey, seconded by Mr. Dandridge, and by unanimous vote, the Planning Commission designated Ms. Roundtree preside over and conduct the joint public hearing:

The vote of the Planning Commission was as follows:

Yes: Witte, Dandridge, Winterhoff, Mackey

Absent: Shippee

Mrs. Roundtree thanked her colleagues and requested an overview from staff.

Joe Emerson, Director of Planning, stated there are two items on the special agenda for the public hearing. The first is a comprehensive plan amendment of a special focus area and data center development objectives and guidelines. The second is a zoning ordinance amendment to establish an overlay district and create new data center regulations.

Mr. Emerson stated once all public comments have been made, the action would require two motions by the Planning Commission and two motions from the Board of Supervisors. He recognized Ben Sehl, Principal Planner with the Department of Planning, to present the brief presentation and noted there were several members of the staff from Planning to answer any questions, as well.

Mr. Sehl gave a presentation on current regulations for data centers and the proposed amendments to increase those regulations.

Mrs. Roundtree thanked Mr. Sehl for his presentation and asked if any members of the Planning Commission had questions from staff. Seeing none, Mrs. Roundtree noted the reason for the meeting is the concern about where the direction of data centers in Henrico is going and as a part of the process, we did a deep dive into the history of data centers, not just in Henrico but across the region. She explained that even the federal government has been trying to catch up with the technology and in good faith effort as a Board we wanted to take a fresh look at data centers and determine where we go from here.

Mr. Cooper reaffirmed his support for economic development. However, he stated progress should not come at the expense of the community's well-being. Mr. Cooper stated it is the Board's duty to ensure that innovation and growth occurs with accountability. He asked if the County was intentionally concentrating data centers in low income or historically marginalized communities. Mr. Emerson stated there is no intentional effort to place data centers in marginalized communities. Mr. Cooper asked if the overlay district formalizes inequities and how the land use is distributed across the County. Mr. Emerson clarified the technology park was established in the 1960's. Over the course of time, the area became enticing for data centers because of the fiber coming into the area and power available. Mr. Cooper asked if the proposed amendments mandated early meaningful engagement with directly impacted communities before provisional use permits are approved. Mr. Emerson stated, yes, the proposal would require public input before an applicant can move forward. Mr. Cooper asked about environmental impacts. Mr. Emerson explained environmental impact assessments would be required for every data center. At the request of Mr. Cooper, Mr. Emerson stated the provisional use permit would require safeguards in regard to health and environmental quality.

Mrs. Roundtree discussed historical reasons for different development in areas across the County. Mr. Emerson agreed with Mrs. Roundtree and noted that the market has played a role because, for instance, Innsbrook exists on portions of industrial land. He continued explaining the different zones throughout the County and agreed there is more industrial land in the eastern part of the County, particularly near the airport area. Mrs. Roundtree asked when White Oak Technology Park was created because it was the most practical area and trying to concentrate development away from residents. There was continued discussion between Mrs. Roundtree and Mr. Emerson regarding the current concentration of data centers.

Mrs. Roundtree acknowledged at some point the County wanted data centers in the County, and incentives were put into place for companies to build data centers. Mr. Emerson explained the County made sure data centers had adequate space, and most of ours are campus oriented. There was further discussion between Mrs. Roundtree and Mr. Emerson regarding data centers being a by-right use in office, business, and industrial districts for over 40 years. Mrs. Roundtree clarified the new amendments would allow for data centers in the overlay district, which is White Oak Technology Park, and the second amendment would require any applicant wanting a data center outside of the overlay district to obtain a provisional use permit from the Board of Supervisors after a public hearing.

Mr. Nelson asked about the current zoning (M-2) and businesses operating in the White Oak Technology Park. Mr. Emerson stated that most of the developable land in the park is already spoken for. Mr. Nelson wanted to clarify that the County is not trying to concentrate all data centers in Varina, but we are trying to protect the areas of Varina outside of the park from further by-right data center development.

Mr. Rogish discussed with Mr. Emerson environmental initiatives, the State's role in regulating and monitoring air quality, and the limits of data centers as accessory uses to another principal use.

Prior to public comments, Mr. Nelson asked Mr. Newby about the options for proceeding. Mr. Newby explained that the Board of Supervisors and the Planning Commission have the option to vote on the proposals presented this evening. The Planning Commission can vote to

recommend the proposals to the Board of Supervisors and the Board can approve the proposals or they can consider amendments. If there are amendments that are fundamental and material to the current proposals, they would have to be readvertised for another public hearing. He further clarified if the Board did not approve the ordinance that would take effect immediately, then there is the opportunity for projects in the pipeline that are not yet vested to become vested in the interim. There was further conversation between Mr. Nelson and Mr. Newby regarding the proposed amendments.

The following individuals spoke regarding the proposed amendments:

- Glen Miller spoke on behalf of Vienna Finance and Atlantic Crossing. He asked the Board to respect the rights of business landowners who would be affected by the proposed amendments, particularly those that had invested with the expectation of developing data centers.

- Aaron Mullins, a resident of the Brookland District, stated he is on the Centra team that intends to develop a data center outside of the White Oak Technology Park. He expressed concern that his company did not have the time or money to pursue a provisional use permit for the project.

- David Wagner, a resident of the Three Chopt District, and owner of Centra that focuses on industrial and data center development. He agreed with the intent behind the proposed amendments but felt the ordinance does not address the good faith developers who have been working with County staff on purchasing land in Henrico for data centers. He asked the Board to reconsider the ordinance proposed tonight.

- Ricky Dobson, a resident of the Varina District and a member of Centra, requested the Board adopt grandfathering language into the proposed amendments for applicants who have already submitted plans and committed funding.

- Stewart Goodwin, a resident of the Varina District, stated she supported the amendments but thinks more should be done to protect the community from pollution.

Mr. Newby responded to questions from Mr. Nelson about what amendments to the proposals would require readvertising and what amendments could be approved without readvertising.

- Aileen Rivera, a resident of the Varina District, thanked the Board and the Planning Commission for tackling this issue and requested the Board take their time in making this decision.

Mrs. Roundtree explained the timeline is in part because immediate action was needed and residents wanted data center development addressed sooner rather than later. Mr. Emerson clarified the overlay district proposal is not loosening any restrictions but making them stronger. Mr. Nelson stated that, if we stop this process, it will allow data centers to continue by-right. He further stated he has been hearing from the community that we want to be able to have a say in what happens regarding data centers in Varina. Mr. Nelson expressed his concern that, if we slow this process down, then there will be no public input process and data centers would continue to be developed by-right.

- Grey Montrose, a resident of the Varina District, raised concerns that the proposed ordinance would concentrate the development of data centers in Varina, and she also expressed concerns about diesel fuels in our community.

- Brox Saunders, a resident of Henrico, requested developers such as Centra be grandfathered into the proposal.

- Brenden McGee, a resident of the Varina District, stated he is concerned about the future developments within the White Oak Technology Park and voiced concerns in regard to health and safety, particularly with water issues.

- Andrew, a resident of the Brookland District, expressed concerns about the resources data centers consume.

- Kathy Walker, a resident of the Varina District, expressed concerns about truck traffic in Varina.

- A Sandston resident requested developers give back to the community.

Mrs. Roundtree reiterated the proposal before the Board is more restrictive of data centers and that is why we have individuals speaking from the data center community: they feel the proposed regulations are too restrictive.

- Michael O'Brien, a resident of the Varina District, noted this has minimal impact on business, wanted to know why there has to be an overlay district, and voiced concerns about air quality.

Mr. Nelson stated this is bigger than White Oak Technology Park. This applies to every data center that would come before the Board. It would require a provisional use permit with public comments. If not approved, data centers would be by-right with no vote or public comments.

- Andy Condlin voiced concerns about the process for considering the proposals.

- Mandy Woodcock voiced concerns about drinking water and environmental impacts.

- John Montgomery, a resident of the Varina District, voiced concerns about conservation, electricity, and water impacts of data centers.

- Brandy, a Henrico resident, voiced concerns about drinking water used in data centers.

- A resident in the Varina District asked what the County is going to do for residents with the funds coming in from data centers.

Mrs. Roundtree discussed the uses of data center revenue, including the affordable housing trust fund.

- Taylor Clemmons, a resident of the Varina District, expressed concerns about the water outage and the impact it had on the eastern portion of the County. She was concerned data centers would exacerbate water issues in the area.

Mrs. Roundtree thanked everyone who spoke or sent written comments. She concluded the joint public hearing and turned it over to Mr. Witte, Chair of the Planning Commission.

Mr. Witte called for discussion from the Planning Commission. Mr. Mackey thanked the staff and those residents who made comments and showed interest in the process. He made a motion for the Board of Supervisors to adopt the proposed amendment to the 2026 Comprehensive Plan. Mr. Winterhoff seconded the motion. The Planning Commission unanimously approved the motion.

Mr. Witte asked for a motion on the second proposal. Mr. Mackey made a motion to recommend the approval of the revisions to the zoning ordinance. Mr. Dandridge seconded the motion. The Planning Commission unanimously approved the motion.

Mr. Schmitt thanked the Planning Commission and recognized Jonathan Spier from Biz Sense who was also present for the meeting.

The Board recessed at 7:31 p.m. and reconvened at 7:45 p.m.

Mr. Schmitt asked for any additional public comment following the Planning Commission's recommendations.

- Karen Klein, a resident of the Varina District, expressed concerns about the power used by data centers and asked the Board to look at the entire picture and all the effects data center development has on the community.

Mr. Schmitt thanked everyone for their comments. Mr. Rogish thanked the staff for all the time and effort they have put into this discussion and acknowledged and thanked Highland Springs High School for hosting us this evening. Mrs. Roundtree noted she is very concerned with slowing down data centers and wanted to make sure we are doing it in the best way possible. She noted the comments from Centra and stated she is sensitive to their comments and stated the dialogue this evening has moved the needle to the best way to approach this process.

Mr. Nelson noted he loves Varina, he lives in the district, his family lives in the district, and he cares passionately about the district. He shared a personal story about his family and their long history in the district.

He noted the history of technology businesses located in Varina preceding his time on the Board. He noted the benefits received from that development, including the $60 million affordable housing trust fund which is funded entirely from data center revenues. He also highlighted the new high schools, the new Taylor Farm Park, new library, and new fire stations, and new police station. He understands the concerns about data centers and Varina being the central location for data centers. He stated he supports the proposed regulations because he feels it is the right of the residents to have the opportunity to speak about development coming to the Varina District. Mr. Nelson reiterated if we don't support the proposal then by-right data center development will continue to be built in the Varina District

without any say by the Board or the residents in the community. The proposed amendments will give the opportunity back to the Board and to the residents.

Mr. Nelson asked Mr. Newby about a deferral to the June 10 meeting. Mr. Newby explained the Planning Commission has approved the proposal to the Board, and the Board of Supervisors is requesting a deferral to its regular June 10 meeting and directing staff to draft an alternate proposal to require a provisional use permit for all data centers, including development in White Oak Technology Park.

On motion of Mr. Nelson, seconded by Mrs. Roundtree, and by unanimous vote, the Board deferred the Comprehensive Plan amendment recommended by the Planning Commission to the regular meeting on June 10, 2025.

The vote of the Board was as follows:

Yes: Schmitt, Cooper, Rogish, Roundtree, Nelson

No:

On motion of Mr. Nelson, and seconded by Mr. Cooper, and by unanimous vote the Board deferred the zoning ordinance amendment recommended by the Planning Commission to the regular meeting on June 10, 2025, and further directed staff to draft and readvertise for public hearing an amended version of the ordinance to remove the proposed overlay district so that a provisional use permit is required for data centers throughout the County.

The vote of the Board was as follows:

Yes: Schmitt, Cooper, Rogish, Roundtree, Nelson

No:

There being no further business, the meeting was adjourned at 8:07 p.m.

Chair, Board of Supervisors
Henrico County, Virginia

EXHIBIT
E-1

COUNTY OF HENRICO, VI
BOARD OF SUPERVISO
MINUTE

Agenda Item No. 98-25
Page No. 1 of 1

Agenda Title: RESOLUTION – Initiating Zoning Ordinance Amendments

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES	NO	OTHER
Date: 3/25/2025	Moved by (1) Roundtree Seconded by (1) Nelson			
(✓) Approved	(2) Cooper (2) Nelson			
( ) Denied	REMARKS: APPROVED			
( ) Amended				
( ) Deferred to:				

Cooper, R.	✓		
Nelson, T.	✓		
Rogish, J.	✓		
Roundtree, M.	✓		
Schmitt, D.	✓		

WHEREAS, effective September 1, 2021, the Board of Supervisors enacted a new zoning ordinance; and,

WHEREAS, Henrico County Code Sec. 24-2302 and Virginia Code Sec. 15.2-2286(A)(7) allow the Board of Supervisors to initiate amendments to the zoning ordinance; and,

WHEREAS, the Board of Supervisors wishes to enact new zoning regulations for data centers based on input from staff and the public; and,

WHEREAS, the Board of Supervisors finds the initiation of amendments to the zoning ordinance to enact new zoning regulations for data centers to be for the public necessity, convenience, general welfare, and good zoning practices, in accordance with Virginia Code Sec. 15.2-2286(A)(7).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors directs County staff to research and prepare zoning ordinance amendments to enact new zoning regulations for data centers following the process specified in Henrico County Code Sec. 24-2302.

Comment: The Director of Planning recommends approval of the Board paper; the County Manager concurs.

By Agency Head _____ By County Manager _____

Copy to: _____

Certified:
A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

HENRICO CITIZEN

EXHIBIT tabbies E-2

PUBLIC NOTICES

NOTICE OF JOINT PUBLIC HEARING

PUBLIC NOTICE

May 1, 2025 . 12:01 AM — 3 min read

THE HENRICO COUNTY PLANNING COMMISSION AND BOARD OF SUPERVISORS WILL HOLD A JOINT PUBLIC HEARING IN THE AUDITORIUM OF HIGHLAND SPRINGS HIGH SCHOOL, 200 S. AIRPORT DRIVE, HIGHLAND SPRINGS, AT 5:00 P.M., THURSDAY, MAY 15, 2025 TO RECEIVE PUBLIC COMMENT AND CONSIDER RECOMMENDING AND ADOPTING THE FOLLOWING:

COMPREHENSIVE PLAN AMENDMENT - TECHNOLOGY BOULEVARD SPECIAL FOCUS AREA AND DATA CENTER DEVELOPMENT OBJECTIVES AND GUIDELINES: The proposed amendment to the 2026 Comprehensive Plan (the "Plan") would designate the Technology Boulevard Special Focus Area and create development objectives and guidelines for data centers. The Special Focus Area boundary, vision, and goals, along with the data center development objectives and guidelines, would become part of the Plan and would be used to guide development standards for data centers in the county. The Special Focus Area generally consists of those properties zoned M-1C Light Industrial District (Conditional), M-2 General Industrial District, and M-2C General Industrial District (Conditional) located generally east of Interstate 295 on the north and south lines of Williamsburg Road (U.S. Route 60), on the east and west lines of Technology Boulevard between Williamsburg Road and Portugee Road, and between the CSX Corporation Railroad and south line of Portugee Road at its intersection with Technology Boulevard. A full description of the parcels located within the proposed Special Focus Area is available in the offices of the Planning Department, 4301 E. Parham Road, Henrico, and such parcels are the same as those listed below as located in the proposed WOTPA-O, White Oak Technology Park Area Overlay District.

Subscribe



ORDINANCE: To Amend and Reordain Section 24-3102 Titled "Districts Established," Section 24-3406 Titled "O-3 Office District," Section 24-3704 Titled "Established Overlay Districts," Section 24-4205 Titled "Principal Use Table," Section 24-4319 Titled "Commercial Uses: Offices," Section 24-4328 Titled "Industrial Uses: Services Uses," Section 24-4402 Titled "Accessory Use or Structure Table," Section 24-5110 Titled "Minimum Number of Off-Street Parking Spaces," Section 24-8405 Titled "Commercial Use Classification," Section 24-8406 Titled "Industrial Use Classification," and Section 24-8501 Titled "Accessory Uses, Temporary Uses, and Other Terms," and to Add New Sections 24-3711 Titled "WOTPA-O, White Oak Technology Park Area Overlay District" and 24-4438 titled "Accessory Data Center (as Accessory to an Office or Industrial Use)" of the Code of the County of Henrico to Create a New Zoning District to Be Known as the White Oak Technology Park Area Overlay District, Require a Provisional Use Permit for Data Centers as a Principal Use Outside of Such District, and Establish Development Standards for Data Centers

The proposed WOTPA-O, White Oak Technology Park Area Overlay District would include GPINs 840-713-3163, 841-710-2304, 841-712-4360, 842-707-8668, 842-709-3425, 842-709-8618, 842-712-1529, 842-712-5063, 843-701-9318, 843-702-3069, 843-702-9297, 843-703-5091, 843-704-1289, 843-704-3694, 843-706-0700, 843-707-0215, 843-708-9028, 843-711-6375, 843-711-6508, 843-712-6388, 844-699-3294, 844-700-7718, 844-700-9856, 844-701-6440, 844-702-9184, 844-703-6378, 844-704-1308, 844-704-7305, 844-705-2341, 844-709-3698, 844-712-3071, 845-699-5625, 845-699-7762, 845-700-2590, 845-701-4739, 845-702-3858, 845-702-7941, 845-704-1165, 845-704-6445, 845-705-3726, 845-705-5713, 845-705-6834, part of 845-706-5092, 846-700-0002, 846-700-5271, 846-702-2619, 846-702-5983, 846-703-0495, 846-704-9972, 847-700-3684, 847-701-1863, 847-701-5040, 847-702-4905, 847-702-7947, 847-703-4371, 847-705-8696, 848-702-0588, 848-703-3326, 848-703-6374, 848-707-0884, 849-701-2260, 849-704-5300, 849-706-0950, 849-707-9930, 849-708-5631, part of 850-698-1623, 850-704-1193, 851-702-4306, 851-702-7298, 851-704-9880, 851-705-5088, 852-700-2714, 852-701-6731, 852-705-5231, 853-699-7240, 854-702-3176, and 854-702-9520 containing approximately 3,090 acres located generally east of

This notice covers the main points of the proposed amendments to the comprehensive plan and zoning ordinance. For more information, contact the Planning Department at (804) 501-4602 or planning@henrico.gov. The full text of the proposed amendments and proposed maps are available at https://henrico.gov/planning and at the County Administration Building, 4301 E Parham Rd, 8:00 am - 4:30 pm each business day.

At the conclusion of the hearing, the Planning Commission may recommend the proposed amendments to the Board of Supervisors, with or without amendments, or continue one or both matters for further deliberation. Should the Planning Commission make a recommendation, the Board of Supervisors may adopt the proposed amendment and ordinance, with or without amendments, or continue the matter for further deliberation.

The meeting will be livestreamed at https://henrico.gov/supervisors/next-meeting/, and the public will be able to participate in person or remotely. Individuals who would like to speak can sign up at https://henrico.gov/services/citizen-participation-registration/. After registering, individuals will receive a confirmation email with instructions. Registration is not required to participate. The meeting is open to the public.

Given under my hand this 28th day of April 2025.
Tanya N. Brackett, Clerk

Comments

IRONWORKS Natural Soap

IRONWORKS, Men's Grooming & Supply Co., located in Short Pump, has launched a new line of soaps for men. These all natural soaps offer a great lather, provide nourishment for skin, and have no synthetic ingredients. Soaps are sold at Shops at 5807, Gild & Ash, Good Foods Grocery, and Ellwood Thompson's.

Lakeside Farmers' Market

The Lakeside Farmers' Market is celebrating its 17th season in operation at 6110 Lakeside Avenue. Beginning Sept.1, market hours are Wednesday 9am-1pm; Thursday & Friday 2pm-5:30pm; Saturday 9am-3pm; Sunday 11am-3pm.

READ RVA

READ RVA provides classroom instruction, one-to-one tutoring, and community programs free of charge to adults who want to improve their reading, writing, basic math, and digital skills. We are committed to creating a culture of respect and safety, acknowledging the everyday challenges and barriers that students may face. Call to learn more: 804-288-9930

elated

BLIC NOTICES

OTICE OF PROPOSED POLLING PLACE HANGE

The Board of Supervisors of Henrico County proposes to change the polling place for the Sandston Precinct in the Varina District from Sandston Baptist Church to Sandston Elementary School (the "Proposed Change"). The Proposed Change would be made by an ordinance amending section 9-2 titled "Precincts and polling places" of

Click here to read more

PUBLIC NOTICE

January 6, 2026

PUBLIC NOTICES

TRUSTEE'S SALE

TRUSTEE'S SALE OF 6711 Glenwood Street, Richmond, VA 23230 In execution of a Deed of Trust in the original principal amount of $235,200.00 dated July 26, 2024 recorded among the land records of the Circuit Court for Henrico County on July 30, 2024 as Instrument Number: 202400018869,

Click here to read more

PUBLIC NOTICE

January 5, 2026

PUBLIC NOTICES

NOTICE OF PUBLIC HEARING

Legal Notice THE HENRICO COUNTY BOARD OF ZONING APPEALS WILL HOLD A PUBLIC HEARING IN THE BOARD ROOM OF THE COUNTY ADMINISTRATION BUILDING AT 4301 E PARHAM ROAD, HENRICO, VA, ON JANUARY 22, 2026, BEGINNING AT 9:00 AM, TO HEAR THE FOLLOWING: CUP-2025-102969 Taylor Combs: conditional use permit to

Click here to read more

PUBLIC NOTICE

January 6, 2026

PUBLIC NOTICES

NOTICE OF PUBLIC HEARING

THE HENRICO COUNTY PLANNING COMMISSION WILL HOLD A PUBLIC HEARING IN THE BOARD ROOM OF THE COUNTY ADMINISTRATION BUILDING IN THE GOVERNMENT CENTER AT PARHAM AND HUNGARY SPRING ROADS, 6:00 P.M.,THURSDAY, JANUARY 15, 2026, TO CONSIDER THE FOLLOWING: TUCKAHOE: PUP-2025-102916 Deep Run Roadhouse:Request for a Provisional

Click here to read more

PUBLIC NOTICE

December 31, 2025

HENRICO CITIZEN

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PUBLIC NOTICES

NOTICE OF JOINT PUBLIC HEARING

PUBLIC NOTICE

May 1, 2025 . 12:01 AM — 3 min read

THE HENRICO COUNTY PLANNING COMMISSION AND BOARD OF SUPERVISORS WILL HOLD A JOINT PUBLIC HEARING IN THE AUDITORIUM OF HIGHLAND SPRINGS HIGH SCHOOL, 200 S. AIRPORT DRIVE, HIGHLAND SPRINGS, AT 5:00 P.M., THURSDAY, MAY 15, 2025 TO RECEIVE PUBLIC COMMENT AND CONSIDER RECOMMENDING AND ADOPTING THE FOLLOWING:

COMPREHENSIVE PLAN AMENDMENT - TECHNOLOGY BOULEVARD SPECIAL FOCUS AREA AND DATA CENTER DEVELOPMENT OBJECTIVES AND GUIDELINES: The proposed amendment to the 2026 Comprehensive Plan (the "Plan") would designate the Technology Boulevard Special Focus Area and create development objectives and guidelines for data centers. The Special Focus Area boundary, vision, and goals, along with the data center development objectives and guidelines, would become part of the Plan and would be used to guide development standards for data centers in the county. The Special Focus Area generally consists of those properties zoned M-1C Light Industrial District (Conditional), M-2 General Industrial District, and M-2C General Industrial District (Conditional) located generally east of Interstate 295 on the north and south lines of Williamsburg Road (U.S. Route 60), on the east and west lines of Technology Boulevard between Williamsburg Road and Portugee Road, and between the CSX Corporation Railroad and south line of Portugee Road at its intersection with Technology Boulevard. A full description of the parcels located within the proposed Special Focus Area is available in the offices of the Planning Department, 4301 E. Parham Road, Henrico, and such parcels are the same as those listed below as located in the proposed WOTPA-O, White Oak Technology Park Area Overlay District.

Subscribe

This notice covers the main points of the proposed amendments to the comprehensive plan and zoning ordinance. For more information, contact the Planning Department at (804) 501-4602 or planning@henrico.gov. The full text of the proposed amendments and proposed maps are available at https://henrico.gov/planning and at the County Administration Building, 4301 E Parham Rd, 8:00 am - 4:30 pm each business day.

At the conclusion of the hearing, the Planning Commission may recommend the proposed amendments to the Board of Supervisors, with or without amendments, or continue one or both matters for further deliberation. Should the Planning Commission make a recommendation, the Board of Supervisors may adopt the proposed amendment and ordinance, with or without amendments, or continue the matter for further deliberation.

The meeting will be livestreamed at https://henrico.gov/supervisors/next-meeting/, and the public will be able to participate in person or remotely. Individuals who would like to speak can sign up at https://henrico.gov/services/citizen-participation-registration/. After registering, individuals will receive a confirmation email with instructions. Registration is not required to participate. The meeting is open to the public.

Given under my hand this 28th day of April 2025.
Tanya N. Brackett, Clerk

Comments



HENRICO CITIZEN

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ORDINANCE: To Amend and Reordain Section 24-3102 Titled "Districts Established," Section 24-3406 Titled "O-3 Office District," Section 24-3704 Titled "Established Overlay Districts," Section 24-4205 Titled "Principal Use Table," Section 24-4319 Titled "Commercial Uses: Offices," Section 24-4328 Titled "Industrial Uses: Services Uses," Section 24-4402 Titled "Accessory Use or Structure Table," Section 24-5110 Titled "Minimum Number of Off-Street Parking Spaces," Section 24-8405 Titled "Commercial Use Classification," Section 24-8406 Titled "Industrial Use Classification," and Section 24-8501 Titled "Accessory Uses, Temporary Uses, and Other Terms," and to Add New Sections 24-3711 Titled "WOTPA-O, White Oak Technology Park Area Overlay District" and 24-4438 Titled "Accessory Data Center (as Accessory to an Office or Industrial Use)" of the Code of the County of Henrico to Create a New Zoning District to Be Known as the White Oak Technology Park Area Overlay District, Require a Provisional Use Permit for Data Centers as a Principal Use Outside of Such District, and Establish Development Standards for Data Centers

The proposed WOTPA-O, White Oak Technology Park Area Overlay District would consist of the Technology Boulevard Special Focus Area identified in a proposed amendment to the 2026 Comprehensive Plan. The Special Focus Area includes GPINs 840-713-3163, 841-710-2304, 841-712-4360, 842-707-8668, 842-709-3425, 842-709-8618, 842-712-1529, 842-712-5063, 843-701-9318, 843-702-3069, 843-702-9297, 843-703-5091, 843-704-1289, 843-704-3694, 843-706-0700, 843-707-0215, 843-708-9028, 843-711-6375, 843-711-6508, 843-712-6388, 844-699-3294, 844-700-7718, 844-700-9856, 844-701-6440, 844-702-9184, 844-703-6378, 844-704-1308, 844-704-7305, 844-705-2341, 844-709-3698, 844-712-3071, 845-699-5625, 845-699-7762, 845-700-2590, 845-701-4739, 845-702-3858, 845-702-7941, 845-704-1165, 845-704-6445, 845-705-3726, 845-705-5713, 845-705-6834, part of 845-706-5092, 846-700-0002, 846-700-5271, 846-702-2619, 846-702-5983, 846-703-0495, 846-704-9972, 847-700-3684, 847-701-1863, 847-701-5040, 847-702-4905, 847-702-7947, 847-703-4371, 847-705-8696, 848-702-0588, 848-703-3326, 848-703-6374, 848-707-0884, 849-701-2260, 849-704-5300, 849-706-0950, 849-707-9930, 849-708-5631, part of 850-698-1623, 850-704-1193, 851-702-4306, 851-702-7298, 851-704-9880, 851-705-5088, 852-700-2714, 852-701-6731, 852-705-5231, 853-699-7240, 854-702-3176, and 854-702-9520 containing approximately 3,090 acres located generally east of Interstate 295 on the north and south lines of Williamsburg Road (U.S. Route 60), on the east and west lines of Technology Boulevard between Williamsburg Road and Portugee Road, and between the CSX Corporation Railroad and south line of Portugee Road at its intersection with Technology Boulevard.

This Board paper would amend the zoning ordinance in Chapter 24 of the County Code to revise regulations for data centers and create the White Oak Technology Park Area Overlay District. The ordinance would create the new overlay district, require a provisional use permit (PUP) for data centers outside the overlay, update necessary cross-references to other applicable ordinance sections, revise definitions related to data centers, and create development standards for data centers as a principal or accessory use.

The amendments will be considered at a joint public hearing with the Planning Commission on May 15, 2025. The Director of Planning recommends approval of the amendments to Chapter 24 that are attached to this Board paper, and the County Manager concurs.

Development Plan Intake Summary

Henrico County Department of Planning, 4301 E. Parham Road, Henrico, VA 23

EXHIBIT F

Design Professional:	Kimley-Horn – David Ellington		
Email:	David.ellington@kimley-horn.com		
Owner:	Fareva Richmond Inc.		
Email:	Cstringer.usa@fareva.com		
Developer:	Centra Logistics – David Wagner		
Email:	David.wagner@centra-logistics.com		
Applicant from Job:	Mazna Bilal		
Email:	Mazna.bilal@kimley-horn.com		
Date:	May 1, 2025	**# of Pages:**	1
Job Reference:	POD-2025-101009	Airport West Data Center Campus	

On April 29, 2025, your firm submitted plans for consideration and approval. A preliminary intake review of the submission has been conducted and we would like to provide the following information:

Plans Acceptance:

X	Submission **does** meet minimum requirements.

	Submission **does not** meet minimum requirements.

Assigned Planner and contact information: Kristin Smith (804) 501-4604 smi120@henrico.gov

Proposed staff/developer meeting date: May 22, 2025

All staff-developer meetings will occur virtually via Teams. Please contact the assigned planner noted above for more information regarding scheduling. The confirmed staff/developer meeting date/time will be provided approximately two weeks prior to the meeting, with an email invitation to follow.

If you have questions/comments on submission requirements or have received this message in error, please contact Kate McMillion (804-501-4611/kate.mcmillion@henrico.gov) or Kristin Smith (804-501-4604/kristin.smith@henrico.gov).



ORDINANCE: To Amend and Reordain Section 24-3102 Titled "Districts Established," Section 24-3406 Titled "O-3 Office District," Section 24-3704 Titled "Established Overlay Districts," Section 24-4205 Titled "Principal Use Table," Section 24-4319 Titled "Commercial Uses: Offices," Section 24-4328 Titled "Industrial Uses: Services Uses," Section 24-4402 Titled "Accessory Use or Structure Table," Section 24-5110 Titled "Minimum Number of Off-Street Parking Spaces," Section 24-8405 Titled "Commercial Use Classification," Section 24-8406 Titled "Industrial Use Classification," and Section 24-8501 Titled "Accessory Uses, Temporary Uses, and Other Terms," and to Add New Sections 24-3711 Titled "WOTPA-O, White Oak Technology Park Area Overlay District" and 24-4438 Titled "Accessory Data Center (as Accessory to an Office or Industrial Use)" of the Code of the County of Henrico to Create a New Zoning District to Be Known as the White Oak Technology Park Area Overlay District, Require a Provisional Use Permit for Data Centers as a Principal Use Outside of Such District, and Establish Development Standards for Data Centers

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The amendments will be considered at a joint public hearing with the Planning Commission on May 15, 2025. The Director of Planning recommends approval of the amendments to Chapter 24 that are attached to this Board paper, and the County Manager concurs.

ORDINANCE — To Amend and Reordain Section 24-3102 Titled "Districts Established," Section 24-3406 Titled "O-3 Office District," Section 24-3704 Titled "Established Overlay Districts," Section 24-4205 Titled "Principal Use Table," Section 24-4319 Titled "Commercial Uses: Offices," Section 24-4328 Titled "Industrial Uses: Services Uses," Section 24-4402 Titled "Accessory Use or Structure Table," Section 24-5110 Titled "Minimum Number of Off-Street Parking Spaces," Section 24-8405 Titled "Commercial Use Classification," Section 24-8406 Titled "Industrial Use Classification," and Section 24-8501 Titled "Accessory Uses, Temporary Uses, and Other Terms," and to Add New Sections 24-3711 Titled "WOTPA-O, White Oak Technology Park Area Overlay District" and 24-4438 titled "Accessory Data Center (as Accessory to an Office or Industrial Use)" of the Code of the County of Henrico to Create a New Zoning District to Be Known as the White Oak Technology Park Area Overlay District, Require a Provisional Use Permit for Data Centers as a Principal Use Outside of Such District, and Establish Development Standards for Data Centers

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 24-3102 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3102. Districts Established

This Ordinance establishes the base, planned development, and overlay zoning districts identified in Table 3102: Establishment of Zoning Districts. Each zoning district established in accordance with this Ordinance will have the boundaries shown on the Zoning Districts Map (see Article 1, Division 3, Zoning Districts Map).

Table 3102: Establishment of Zoning Districts

....
....
Overlay Districts
....
GA-O, Glen Allen Overlay District (Sec. 24-3710)
WOTPA-O, White Oak Technology Park Area Overlay District (Sec. 24-3711)
FBA-O, Form-Based Alternative Overlay District (Article 3, Division 8)

2. That Section 24-3406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3406. O-3 Office District

A. Purpose

The purpose of the O-3 Office District is to provide lands primarily for offices, office buildings and limited retail uses that are generally compatible with higher-density residential development and served by arterial thoroughfares. Allowed uses include:

- Offices including medical, artist studios, and professional services;
- Limited retail such as financial institutions, restaurants, drug stores, theaters, convenience stores;
- Childcare and adult care, hospitals, and funeral homes;
- ~~Data centers;~~
- Trade schools; and
- Hotels

....

3. That Section 24-3704 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3704. Established Overlay Districts

The Overlay districts established by this Ordinance are identified in Table 3704: Established Overlay Districts.

Table 3704: Established Overlay Districts

....
GA-O, Glen Allen Overlay District (Sec. 24-3710)
WOTPA-O, White Oak Technology Park Area Overlay District (Sec. 24-3711)
FBA-O, Form-Based Alternative Overlay District (Article 3, Division 8)

4. That Section 24-3711 be added to the Code of the County of Henrico as follows:

Sec. 24-3711. WOTPA-O, White Oak Technology Park Area Overlay District

A. Purpose

The WOTPA-O, White Oak Technology Park Area Overlay District is hereby created to implement the comprehensive plan and contribute to orderly development of the County by providing a designated area where large-scale data centers as a principal use will be allowed by right. Outside of the White Oak Technology Park Area Overlay District, a data center as a principal use requires a provisional use permit in accordance with Sec. 24-2306, Provisional Use Permit, or an approved PD Master Plan in the LI-PD district.

B. Overlay District Boundaries

The boundaries of the WOTPA-O, White Oak Technology Park Area Overlay District will be those of the "Technology Boulevard Area Study" in the amendment to the

2026 Comprehensive Plan adopted by the Board of Supervisors on [insert effective date of comprehensive plan amendment]. The boundaries are delineated on the Zoning Districts Map.

C. Permitted Uses

In addition to the uses allowed by the underlying zoning districts, a data center as a principal use will be permitted by right within the White Oak Technology Park Area Overlay District, subject to the use-specific standards in Sec. 24-4328.

5. That Section 24-4205 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4205. Principal Use Table

Principal uses are allowed in each of the zoning districts in accordance with 4205: Principal Use Table. The cross-references in the "Use Specific Standards" column are provided for ease of reference and are not exhaustive.

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Table 4205: Principal Use Table

R=Permitted by right | C=Allowed subject to conditional use permit | P=Allowed subject to provisional use permit
- =Prohibited | A=Allowed subject to an approved PD Master Plan and PD Terms and Conditions Document

Use Category Click on category to jump to definitions	Use Type	C&A		Residential														Nonresidential & Mixed-Use										PD				FBA-O Dev. Area							Use-Specific Standards Click on section number to jump to regulations
		C-1	A-1	R-0	R-0A	R-1	R-1A	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
....																																							
Commercial Use Classification																																							
....																																							
Office	....																																							
	~~Data center~~	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	-	-	-	~~A~~	-	-	-	-	-	-	~~R~~	~~Sec. 24-4319~~
	....																																							
....																																							
Industrial Use Classification																																							
....																																							
Industrial Services	Contractor services	....																																					
	Data Center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	-	-	-	**A**	-	-	-	-	-	-	**P**	**Sec. 24-4328**
	Fuel oil or bottled gas distributor	....																																					
	....	....																																					
....																																							

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6. That Section 24-4319 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4319. Commercial Uses: Offices

In addition to the requirements of Sec. 24-4315, All Commercial Uses, the following requirements apply to offices as a principal use.

....

B. ~~Data Centers~~ Reserved

~~For data centers in all districts except the M-1, M-2, and M-3 districts, all equipment necessary for cooling, ventilating, or otherwise operating the facility must be contained within an enclosed building where the use is located. This includes emergency power generators and other emergency power supply equipment.~~

7. That Section 24-4328 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4328. Industrial Uses: Services Uses

In addition to the requirements of Sec. 24-4326, Industrial Uses Generally, the following requirements apply to industrial service uses.

....

B. Data Centers

1. All equipment necessary for operating the data center must be contained within an enclosed building or screened by opaque walls to minimize transmission of sound. This includes equipment for cooling and ventilating, as well as emergency power generators and other emergency power supply equipment.

2. Testing and maintenance of generators for a data center must be conducted only Monday-Friday between 10:00 am and 4:00 pm. This does not include the operation of generators during an emergency power outage.

3. A data center must be served by public water and sewer. Any water cooling must use a closed-loop or recycled water system.

~~B~~C. Heavy Equipment Sales, Rental, and Service

....

~~C~~D. Laundry, Dry Cleaning, and Carpet Cleaning Plants

....

~~D~~E. Research and Development Facility

....

8. That Section 24-4402 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4402. Accessory Use or Structure Table

....

E. Accessory Use or Structure Table

Accessory uses and structures are allowed in each of the zoning districts in accordance with Table 4402: Accessory Use or Structure Table.

Table 4402: Accessory Use or Structure Table
R=Permitted by right | C=Allowed subject to conditional use permit | P=Allowed subject to provisional use permit
- =Prohibited | A=Allowed subject to an approved PD Master Plan and PD Terms and Conditions Document

Accessory Use or Structure	C&A		Residential														Nonresidential & Mixed-Use												PD				FBA-O Dev. Area							Specific Standards for Use or Structure
	C-1	A-1	R-0	R-0A	R-1	R-1A	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
....																																							
Cremation chamber (as accessory to a funeral home or a veterinary hospital or clinic)	....																																						
Data center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	R	R	R	R	R	R	-	-	-	A	-	-	-	-	-	-	R	Sec. 24-4438
Donation box	....																																						
....																																							

9. That Section 24-4438 be added to the Code of the County of Henrico as follows:

Sec. 24-4438. Accessory Data Center (as Accessory to an Office or Industrial Use)

A data center is allowed as an accessory use to an office or industrial use, subject to the following standards in addition to the standards of Sec. 24-4328.B:

A. The accessory data center and the office or industrial use to which it is accessory must be located on the same or adjacent premises.

B. All equipment necessary for operating the data center must be contained within an enclosed building or screened by opaque walls to minimize transmission of sound. This includes equipment for cooling and ventilating, as well as emergency power generators and other emergency power supply equipment.

10. That Section 24-5110 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5110. Minimum Number of Off-Street Parking Spaces

....

Table 5110: Minimum Number of Off-Street Parking Spaces

Principal Use Category	Principal Use Type	Minimum Off-Street Parking Spaces [1, 2]
	....	
Commercial Uses		
....		
Offices	....	....
	Business training and conference facility	4.0 per 1,000 sf training or display space, plus 2 per 1,000 sf office or other administrative space
	~~Data center~~	~~2.0 per 1,000 sf offices~~
	Professional services	2.5 per 1,000 sf
....		
Industrial Uses		
Industrial Services	Contractor services, in addition to spaces required for service vehicles	2.0 per 1,000 sf
	Data center	**2.0 per 1,000 sf of office space**
	Fuel oil or bottled gas distributor	2.0 per 1,000 sf
	....	....

Table 5110: Minimum Number of Off-Street Parking Spaces		
Principal Use Category	**Principal Use Type**	**Minimum Off-Street Parking Spaces [1, 2]**
....		

11. That Section 24-8405 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8405. Commercial Use Classification

....

D. Office

The Office uses category includes office buildings housing activities conducted in a professional setting, generally focusing on the provision of business services, professional services (e.g., lawyers, accountants, engineers, architects), financial services (e.g., lenders, brokerage houses, tax preparers), or medical and dental services. Use types include: business and sales; and professional services. This use category does not include offices that are a component of or accessory to a principal use in another use category, such as administrative government services (categorized in the Government Facilities use category), or banks or other financial institutions (categorized in the Retail Sales and Services use category). Accessory uses may include cafeterias, recreational or fitness facilities, incidental commercial uses, **an accessory data center serving a principal use on the same or adjacent premises,** or other amenities primarily for the use of employees of the office use.

....

~~**Data center**~~
~~A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Typical supporting equipment includes back-up batteries and power generators, cooling units, fire suppression systems, and enhanced security features. A data center typically has few on-site employees.~~

....

....

12. That Section 24-8406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8406. Industrial Use Classification

....

B. Industrial Services

The Industrial Services use category includes use types involving the **support,** repair**,** or servicing of industrial or business machinery equipment, products, or by-products, and firms

that service consumer goods for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. The category also includes use types involving the storage or movement of goods. Use types include: contractor service; **data center;** fuel oil or bottled gas distributor; general industrial service and repair; heavy equipment sales, rental, and service; laundry, dry cleaning, and carpet cleaning plants; manufactured home and prefabricated building construction and sales; research and development; and similar use types.

Contractor services
Offices for landscaping, building, heating, plumbing, or electrical contractors, and related storage facilities.

Data center
A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Typical supporting equipment includes back-up batteries and power generators, cooling units, fire suppression systems, and enhanced security features. A data center typically has few on-site employees.

Fuel oil or bottled gas distributor
An establishment principally engaged in the sale, distribution, and delivery of fuel oil or bottled gases such as propane or liquified petroleum.

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13. That Section 24-8501 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8501. Accessory Uses, Temporary Uses, and Other Terms

The following terms will have the meanings assigned below.

• • • •

Damaged or destroyed building

A damaged or destroyed building or structure is one for which the cost of restoring the building or structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred.

Data center as an accessory use

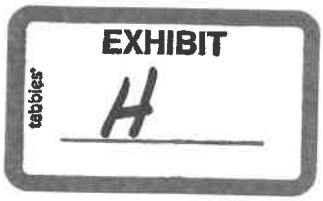
A facility containing computer systems used for data storage and processing that is accessory to an office or industrial use on the same or adjacent premises.

Debris waste

Solid waste resulting from land clearing operations. Debris wastes include stumps, wood, brush, leaves, soil, and road spoils.

• • • •

14. That this ordinance will be in full force and effect on and after its passage as provided by law.



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

R. Joseph Emerson, Jr., AICP
Director of Planning
(804) 501-4602

May 15, 2025

Fareva Richmond Inc
Attn: Charles Stringer
2248 Darbytown Road
Henrico, VA 23231

Centra Logistics
Attn: David Wagner
4000 Kensington Avenue
Richmond, VA 23221

Kimley-Horn
Attn: David Ellington
2035 Maywill Street, Suite 200
Richmond, VA 23230

RE: POD-2025-101009
Airport West Data Center Campus
Plan of Development –
Original Plan Review Comments I

Sir/Madame:

The Planning Department has completed its review of the above-referenced plans, received **May 1, 2025**, and has the following comments:

A. **Plan of Development Approval: The following items must be addressed prior to approval of the plan on the Director's Agenda:**
   1. There is work proposed to the south of the site. Confirm this is in the right of way or within easements. It may be beneficial to reach out to the property owners to alert them of this work.
   2. Provide information regarding the Reserved Water Tanks shown on the plans.
      i. Will these be above ground?
      ii. Provide elevations and indicate the height of the equipment.
   3. For informational purposes, provide data center cooling method.
   4. For informational purposes, provide the number of generators per building.
   5. There appears to be clearing/impacts proposed within the A-1 buffer adjacent to the substation pad and the bmp. Eliminate the proposed clearing within the buffer.
   6. The BMPS must be screened from public view on and off site or developed as an amenity.
      i. Defer to DPW regarding access maintenance easements around BMPs. Any required screening must be located on the exterior of the highest contour.
   7. Provide a rendering for the substation. If this is not included with this POD approval, then it would need to be placed on a future Director's Agenda or review and approval.

8. Have these buildings or similar buildings been located elsewhere? Can images be provided? This would assist in understanding what the constructed buildings will look like and the massing of the development.

B. **Planning Department Comments** – The following Planning comments must be addressed prior to final approval of construction plans:
   1. General
      i. Place POD-2025-101009 and placeholder POD-2025-XXXXXX on the right sides of all pages.
      ii. Provide a sheet within the plan set for all easements that are to be dedicated to the county.
      iii. Relocate easements/utility/draining/storm lines outside of parking lot islands. All parking lot islands are required to have 1 tree and 2 shrubs.
      iv. The property boundary must match the recorded minor subdivision.
   2. Cover page
      i. Note #4 will need to be updated once the Minor Subdivison is recorded
      ii. Note #5 will need to be updated once the Minor Subdivision is recorded
      iii. Note #9 will need to be updated once the Minor Subdivision is recorded
      iv. Note #11C - Are 480 parking spaces necessary?
      v. Note #11F How was 4,901 sf calculated? Only the square footage in the parking spaces should be used for the calculations.
      vi. Note #13 Revise to reflect the actual square footage of the buildings. This appears to reflect the footprint.
      vii. Note #14 –The square footage of the parking spaces should be used for the calculations
         1. Revise calculations
         2. Remove the Total canopy provided
      viii. Note #15 - Revise calculations to reflect the 15% required open space.
   3. ESC Phase 1 - CE-100/Sheet 5
      i. [Section 24-5313] Orange safety fence must be provided adjacent to all protected trees (e.g. the A-1 buffer, impacts adjacent to wetlands). Provide detail of this.
      ii. Provide details of the non-tearable barricade tape and the required signage.
   4. ESC Phase 2 - CE-103/Page 8
      i. Confirm the tree protection measures will remain in place for Phase 2.
   5. Overall Site Plan (CS100/Sheet31)
      i. Clarify the 10' setback label noted throughout the plan.
      ii. Clarify why the sidewalks are provided through the generator yards.
      iii. Clarify the purpose of the 2nd entrance from Darbytown Road. Will this be an emergency access? If so, label as such and refer to Traffic and Fire for comments regarding the emergency access and its location. A detail will need to be provided o the gate.
      iv. [Section 24-5103G] Provide sidewalk to refuse enclosures.
   6. Site Plan (CS-109/Sheet 24)
      i. Provide details of the retaining wall/guardrail.
      ii. [Section 24-5407F] Confirm the distance of the retaining wall to the drive aisle. If this is within 5' of the drive aisle, it must be designed to accommodate dynamic loading of vehicles/emergency vehicles as determined by the County Engineer.
   7. Site Plan(CS-107/108/111/Sheet 22/23/26)
      i. [Section 24-5311B] Loading Docks must be screened from public view on and off site. Provide the screening methods and detail.

8. Site Details(CS-502/Sheet 29)
    i. Specify the height and color of the security fence.
    ii. Provide material for guard house.
9. Site Details (CS-503/Sheet 30)
    i. The substation security fence is proposed at 12' tall. Section 24-5404/Table 5404 permits fencing 10' tall in the side or rear yards for this use.
    ii. Clarify how this the substation security fence is conductive.
    iii. [Section 24-4428] Dumpster enclosure gates must be opaque.
    iv. Provide color of dumpster enclosure.
10. Conceptual Landscape Plan (LP-100/Sheet 62)
    i. The conceptual landscape plan must be removed from the construction plan set. The following comments are informational as they will need to be addressed with the separate Landscape Plan submission.
        1. [Section 24-5312D]Relocate easements easements/utility/draining/storm lines outside of parking lot islands. All parking lot islands are required to have 1 tree and 2 shrubs.
        2. [Section 24-5312C] Perimeter landscaping must be provided along the exterior of the parking lot/drive aisles.
        3. Protected tree replacements must be shown and indicated on the landscape plan.
    ii. Landscape Plan Notes and Details (LP-501/Sheet 74)
        1. Revise interior landscaping calculations to only reflect the square footage of the parking spaces. This comment was made for the Cover Sheet as well.
11. Lighting plan (CL-100/Sheet 75)
    i. Revise the calculation summary to only include one line for sidewalks, one line for parking/drives, and separate lines for the property lines.
    ii. Within 100 of Residential heights are limited for 15'. Indicate the 100' distance across the site on the photometric plan.
    iii. On the Lighting Schedule, USPOM was noted for S1, S2, S3, S5, but this could not be found on the cut sheets.
    iv. On all cutsheets, indicate the options/characteristics selected.

C. See additional comments from other review agencies.

The above comments may be revised based upon discussions at the staff developer conference, scheduled for **Thursday, May 22, 2025** at **TBD**.

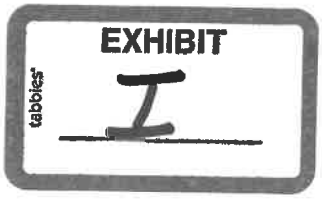
The comments in Section A above must be addressed on a revised plan prior to a recommendation for approval to the Planning Director for the June agenda. Please resubmit the revised plan addressing planning comments via Build Henrico (https://build.henrico.us) under the Job Number noted above by **May 23, 2025,** to allow time for final review.

You may contact me at 804-501-4604 and smi120@henrico.gov if you need any additional information prior to the meeting.

Sincerely,

Kristin Smith

Kristin Smith
County Planner



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

R. Joseph Emerson, Jr., AICP
Director of Planning
(804) 501-4602

June 6, 2025

Fareva Richmond Inc
Attn: Charles Stringer
2248 Darbytown Road
Henrico, VA 23231

Centra Logistics
Attn: David Wagner
4000 Kensington Avenue
Richmond, VA 23221

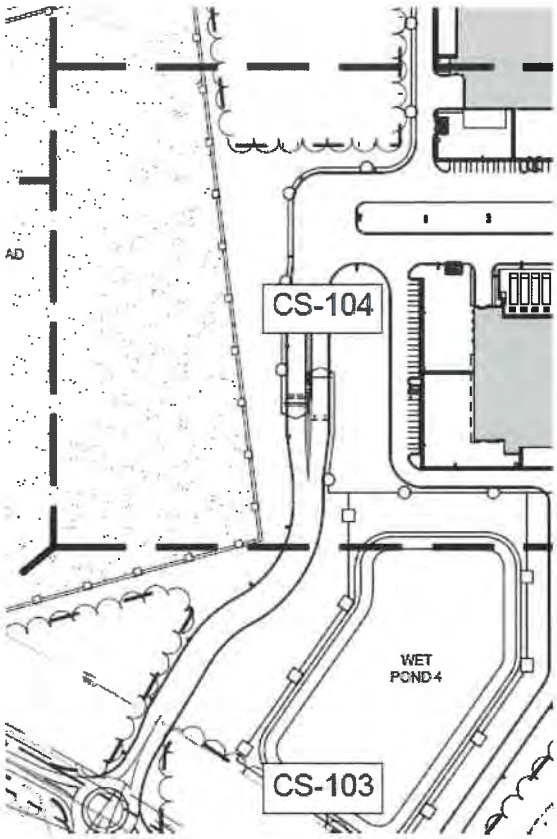
Kimley-Horn
Attn: David Ellington
2035 Maywill Street, Suite 200
Richmond, VA 23230

RE: POD-2025-101009
Airport West Data Center Campus
Plan of Development –
Original Plan Review Comments II

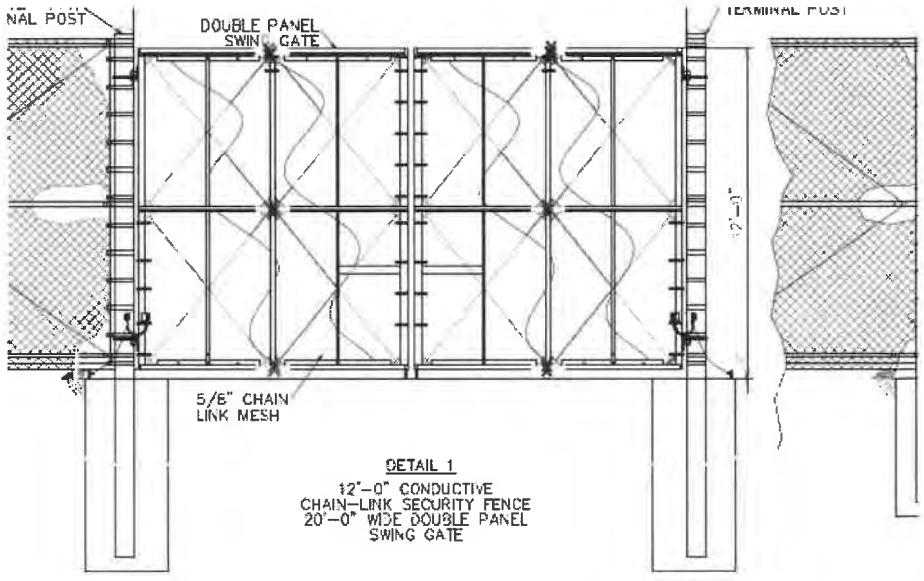
Sir/Madame:

The Planning Department has completed its review of the above-referenced plans, received May 1, 2025 and June 4, 2025, and has the following comments:

A. **Plan of Development Approval: The following items must be addressed prior to approval of the plan on the Director's Agenda:**
   1. There is work proposed to the south of the site. Confirm this is in the right of way or within easements. It may be beneficial to reach out to the property owners to alert them of this work. In the Staff Developer meeting, it was noted that there would be no worked down south of Darbytown Road, however, the response contradicts that. If there is work being proposed south of Darbytown, the existing improvements and proposed improvements must be shown clearly.
   2. Provide information regarding the Reserved Water Tanks shown on the plans.
      i. Confirm the height of the water tank and that it will be fully screened with the proposed wall.
   3. As noted in follow up discussions, the substation must be screened from the public areas (e.g. the entrance drive, adjacent properties).



4. [Section 24-5311B] Loading Docks must be screened from public view on and off site. Provide the screening methods and detail. These must be screened from adjacent properties.
5. The Dominion substation fencing is noted as being conductive on sheet CS-503. Clarify what is meant by conductive. Is the fence being connected to electricity? I believe this is what Police had concerns with during the Staff Developer meeting. Additionally, the height is shown at 12' this will require approval of an alternate fence height due to being taller than 10'.



6. Landscape plan is showing Tree Protection through the A-1 buffer. Confirm that is a label error.
7. BMPS
    i. Pond 3 is not within the high security fenced area. It is unclear whether this is a mistake.
    ii. How are the BMPs being accessed?
    iii. As a note - DPW typically requires access easements for maintenance and the screening must be on the exterior of that. Based on the grading plans, this has not been incorporated and the BMPs will need to be revised to satisfy both DPW and Planning. Staff would strongly suggest addressing these items now to ensure there are no changes needed to the site layout.
    iv. The proposed screening is not consistent with previous approved developments of this type. Staff suggests material that is complimentary of the proposed buildings (Section 24-5311A) and/or a more durable screening such as composite board.

B. **Planning Department Comments** – The following Planning comments must be addressed prior to final approval of construction plans:
1. General
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    iii. On the Lighting Schedule, USPOM was noted for S1, S2, S3, S5, but this could not be found on the cut sheets.
    iv. On all cutsheets, indicate the options/characteristics selected.
    v. Sidewalks required along Darbytown Road and the roundabout will need to be lit.

C. See additional comments from other review agencies.

The comments in Section A above must be addressed on a revised plan prior to a recommendation for approval to the Planning Director for the June agenda. Please resubmit the revised plan addressing planning comments via Build Henrico (https://build.henrico.us) under the Job Number noted above by **June 11, 2025,** to allow time for final review.You may contact me at 804-501-4604 and smi120@henrico.gov if you need any additional information.

Sincerely,

Kristin Smith

Kristin Smith
County Planner

CERTIFICATE OF SUBDIVISION

THIS CERTIFICATE OF SUBDIVISION, MADE THIS 11TH DAY OF APRIL 2025, BY FAREVA RICHMOND, INC ("OWNERS"), WHOSE ADDRESS IS 2248 DARBYTOWN ROAD, HENRICO VA 23231

FREE CONSENT AND DESIRE

THERE IS ATTACHED HERETO AND MADE A PART OF THIS CERTIFICATE OF SUBDIVISION A SUBDIVISION PLAT MADE BY JENNINGSTEPHENSON DATED APRIL 11, 2025 AND TITLED

MINOR SUBDIVISION OF PARCEL 812-704-4612

(THE "PLAT"), WHICH HAS BEEN APPROVED BY THE HENRICO COUNTY PLANNING DEPARTMENT.

THE SUBDIVISION OF LAND SHOWN ON THE PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS(S) AND TRUSTEE(S). THE SOURCE OF TITLE FOR THE LAND EMBRACED WITH THE LIMITS OF THE SUBDIVISION SHOWN ON THE PLAT IS ATTACHED AS EXHIBIT A HERETO AND HEREBY MADE A PART OF THIS CERTIFICATE OF SUBDIVISION.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:
OWNER

_____
FOR FAREVA RICHMOND INC.

_____
PRINT NAME / TITLE

STATE/COMMONWEALTH OF _____

COUNTY/CITY OF _____ *TO WIT:*

I, _____ A NOTARY PUBLIC IN AND FOR THE
(PRINT NAME)
COUNTY/CITY AND STATE/COMMONWEALTH AFORESAID, DO HEREBY CERTIFY THAT:

_____
WHOSE NAME IS SIGNED TO THE SUBDIVISION CERTIFICATE HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY CITY/COUNTY AND STATE/COMMONWEALTH AFORESAID.

GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF _____ 2023.

_____ _____
NOTARY PUBLIC MY COMMISSION EXPIRES

REGISTRATION NO. _____

NOTES

1.) OWNER:
FAREVA RICHMOND INC.
2248 DARBYTOWN ROAD
HENRICO, VA 23231
GPIN: 812-704-4612

2.) TOTAL AREA: 286± ACRES

3.) SEWER: COUNTY SYSTEM
WATER: COUNTY SYSTEM

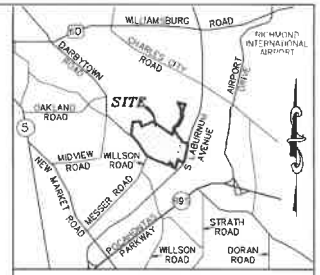
4.) ZONING: MIXED

5.) NUMBER OF LOTS: 2

6) USE: DATA CENTER

7) THIS PROPERTY LIES IN ZONE 'X' AND ZONE "A" OF THE FEMA DEFINED FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 51087C0230D, EFFECTIVE DATE APRIL 25, 2024.

8) CORNERS TO BE SET BY APRIL 15, 2026.

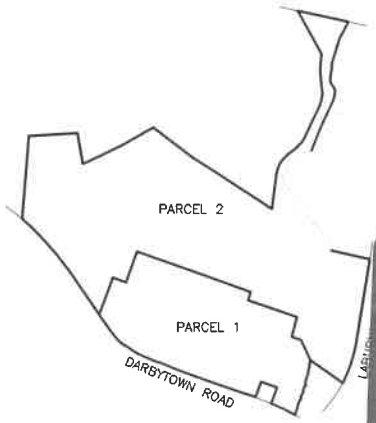


VICINITY MAP
SCALE 1" = 2000'

SOURCE OF TITLE

THE PROPERTY EMBRACED WITHIN THE LIMITS OF THIS MINOR SUBDIVISION WAS CONVEYED TO FAREVA RICHMOND INC. BY DEED FROM WYETH LLC DATED OCTOBER 3, 2021 AND RECORDED APRIL 1, 2023 IN DEED BOOK 5118 PAGE 86 IN THE CLERK'S OFFICE, OF THE CIRCUIT COURT, OF HENRICO COUNTY, VIRGINIA.

_____ _____
BRIAN M. LONG, LS DATE



Specific Property: Undeveloped portion of 2300 Darbytown Road, located in Henrico County, Virginia, with a Parcel ID of 812-704-4612

Specific Project: Data center, as currently permitted in the M-1 District of Henrico County as a principal use, and accessory uses thereto

tabbies
EXHIBIT
7

THE VACATION, RELOCATION, RESUBDIVISION, OR OTHER ALTERATION OF BOUNDARY LINES SHOWN ON THE ATTACHED PLAT HAS BEEN REVIEWED FOR COMPLIANCE WITH THE SUBDIVISION AND ZONING ORDINANCES. ANY PROPOSED USES OF THE PROPERTY, PRIVATE WELLS, ONSITE SEWAGE DISPOSAL SYSTEMS, OR CONNECTIONS TO PUBLIC STREETS OR PUBLIC UTILITIES ARE SUBJECT TO SEPARATE REVIEW AND APPROVAL.

APPROVED BY THE
HENRICO COUNTY PLANNING DEPARTMENT

_____ _____
DATE COUNTY PLANNER

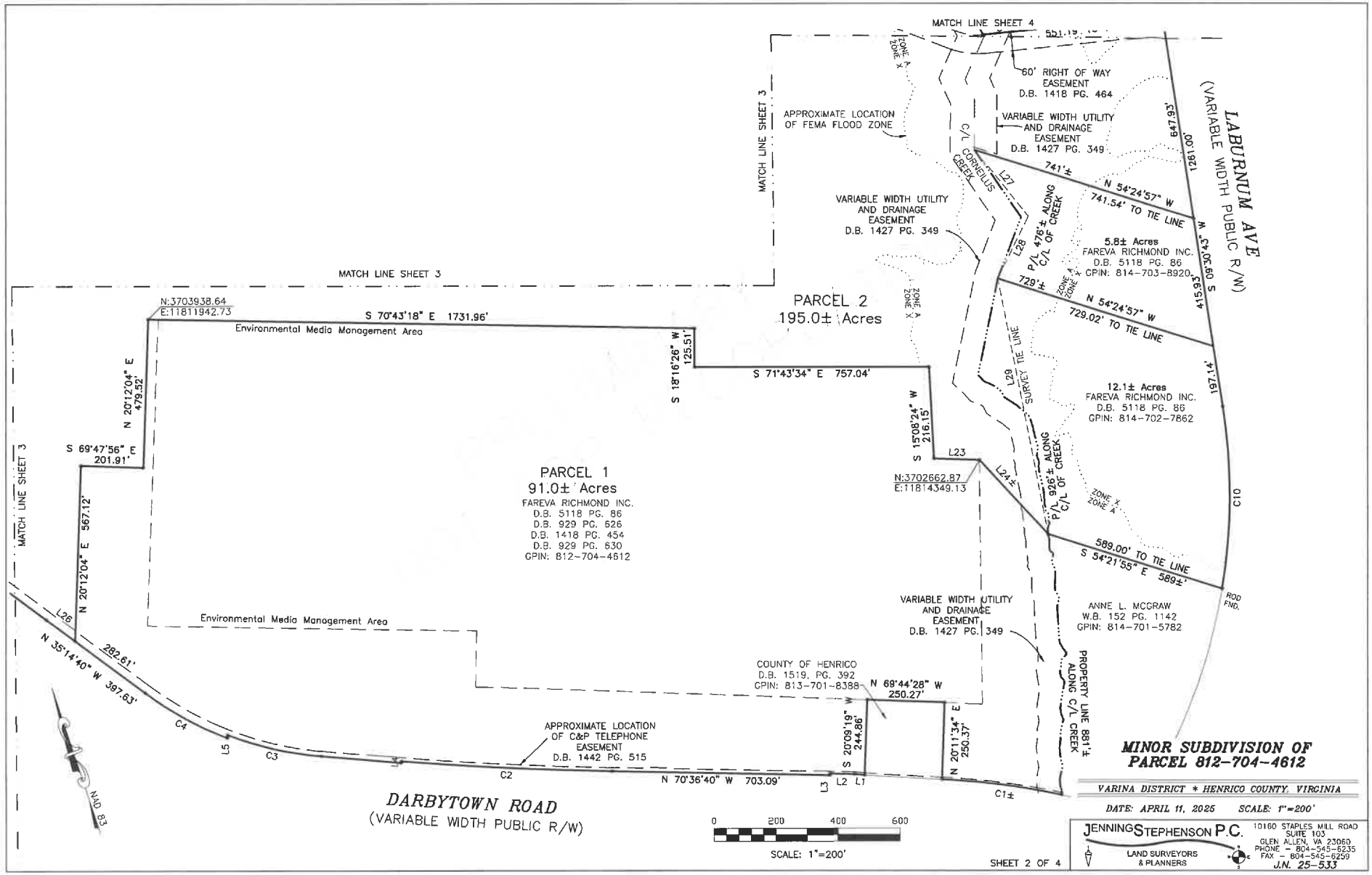
MINOR SUBDIVISION
PARCEL 812-704-4612

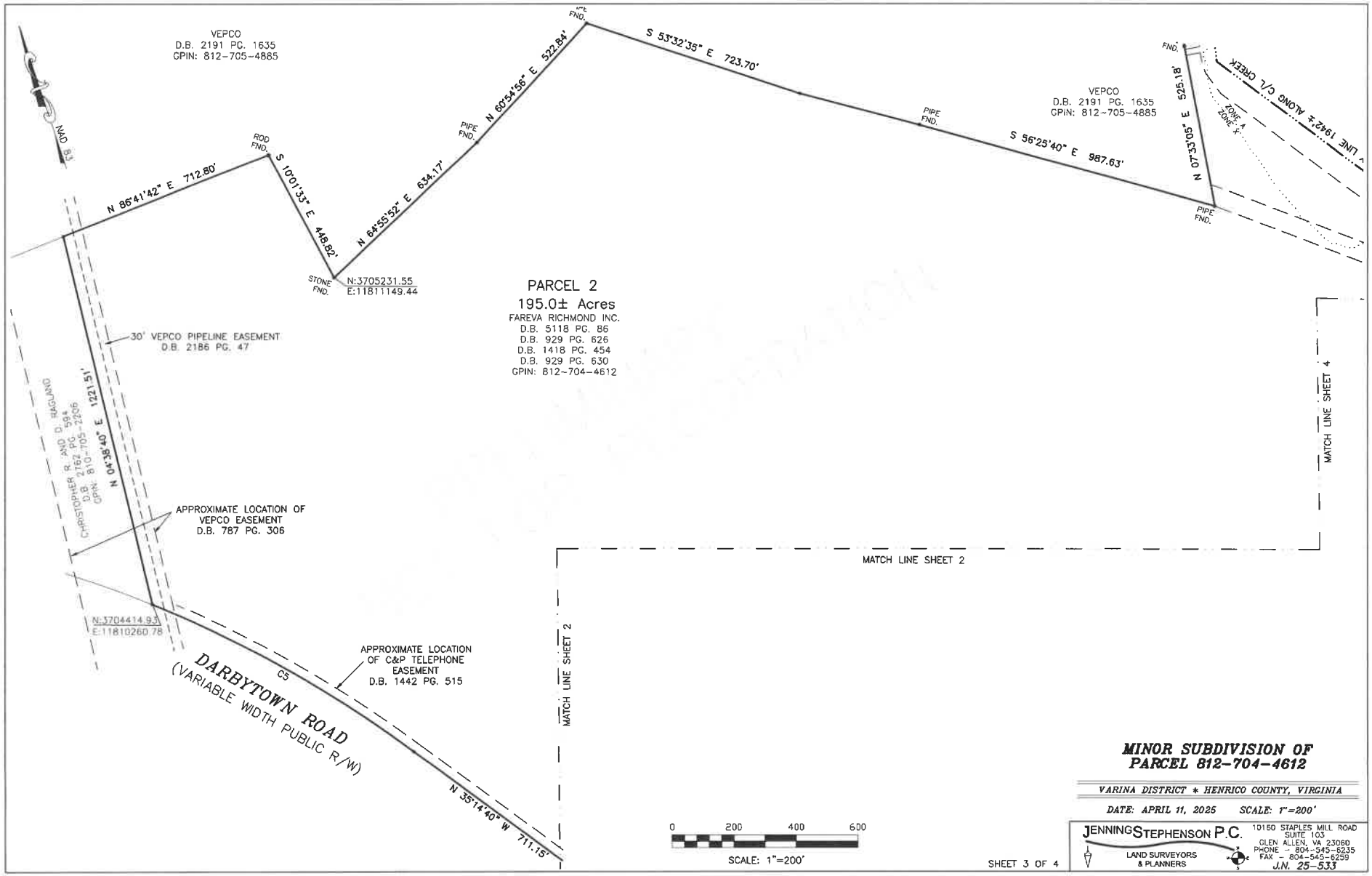
*VARINA DISTRICT * HENRICO COUNTY, VIRGINIA*

DATE: APRIL 11, 2025

JENNINGSTEPHENSON P.C.
LAND SURVEYORS & PLANNERS
10160 STAPLES MILL ROAD
SUITE 103
GLEN ALLEN, VA 23060
PHONE - 804-545-6235
FAX - 804-545-6259

J.N. 25-533


MATCH LINE SHEET 4
MATCH LINE SHEET 3
MATCH LINE SHEET 3
MATCH LINE SHEET 3
60' RIGHT OF WAY EASEMENT D.B. 1418 PG. 464
VARIABLE WIDTH UTILITY AND DRAINAGE EASEMENT D.B. 1427 PG. 349
APPROXIMATE LOCATION OF FEMA FLOOD ZONE
VARIABLE WIDTH UTILITY AND DRAINAGE EASEMENT D.B. 1427 PG. 349
CORNELIUS CREEK
C/L
LABURNUM AVE
(VARIABLE WIDTH PUBLIC R/W)
1251.00'
647.63'
S 09°30'43" W 415.53'
741'±
N 54°24'57" W
741.54' TO TIE LINE
L27
L28
P/L 478'± ALONG C/L OF CREEK
5.8± Acres
FAREVA RICHMOND INC.
D.B. 5118 PG. 86
GPIN: 814-703-8920
729'±
N 54°24'57" W
729.02' TO TIE LINE
197.14'
L29
SURVEY TIE LINE
12.1± Acres
FAREVA RICHMOND INC.
D.B. 5118 PG. 86
GPIN: 814-702-7862
PARCEL 2
195.0± Acres
N:3703938.64
E:11811942.73
S 70°43'18" E 1731.96'
Environmental Media Management Area
S 18°16'26" W 125.51'
S 71°43'34" E 757.04'
S 15°08'24" W 216.15'
L23
L24±
P/L 926'± ALONG C/L OF CREEK
N:3702662.87
E:11814349.13
N 20°12'04" E 479.52'
S 69°47'56" E 201.91'
N 20°12'04" E 567.12'
PARCEL 1
91.0± Acres
FAREVA RICHMOND INC.
D.B. 5118 PG. 86
D.B. 929 PG. 626
D.B. 1418 PG. 454
D.B. 929 PG. 630
GPIN: 812-704-4612
589.00' TO TIE LINE
S 54°21'55" E 589±'
ROD FND.
ANNE L. MCGRAW
W.B. 152 PG. 1142
GPIN: 814-701-5782
VARIABLE WIDTH UTILITY AND DRAINAGE EASEMENT D.B. 1427 PG. 349
Environmental Media Management Area
COUNTY OF HENRICO
D.B. 1519, PG. 392
GPIN: 813-701-8388
N 69°44'28" W 250.27'
S 20°09'19" W 244.86'
N 20°11'34" E 250.37'
PROPERTY LINE 881'± ALONG C/L CREEK
L26
N 35°14'40" W 397.63'
282.61'
C4
L5
C3
C2
APPROXIMATE LOCATION OF C&P TELEPHONE EASEMENT D.B. 1442 PG. 515
N 70°36'40" W 703.09'
L3
L2
L1
C1±
NAD 83
DARBYTOWN ROAD
(VARIABLE WIDTH PUBLIC R/W)
0
200
400
600
SCALE: 1"=200'
SHEET 2 OF 4
MINOR SUBDIVISION OF
PARCEL 812-704-4612
VARINA DISTRICT * HENRICO COUNTY, VIRGINIA
DATE: APRIL 11, 2025
SCALE: 1"=200'
JENNINGSTEPHENSON P.C.
LAND SURVEYORS & PLANNERS
10160 STAPLES MILL ROAD
SUITE 103
GLEN ALLEN, VA 23060
PHONE - 804-545-9235
FAX - 804-545-9259
J.N. 25-533



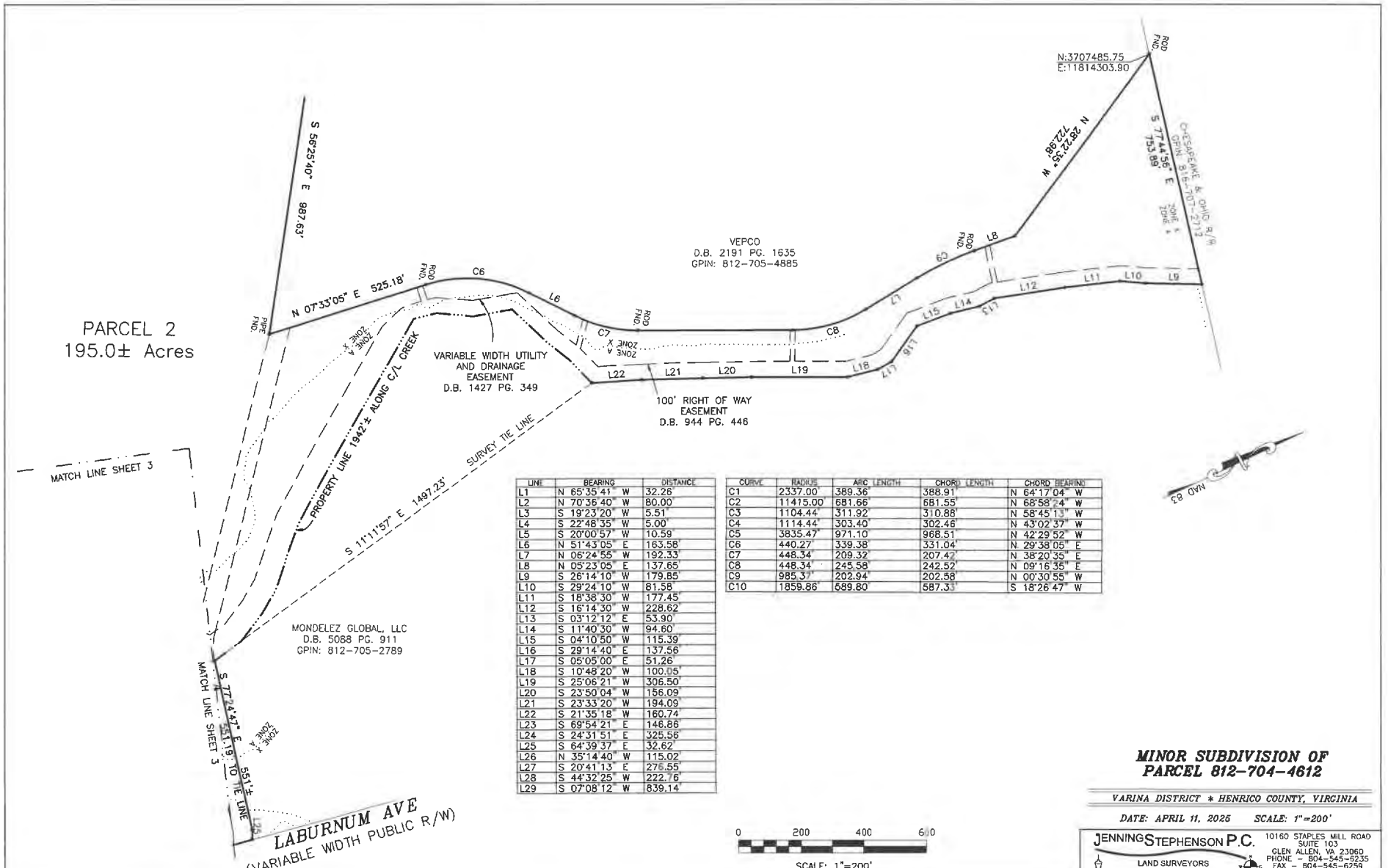
MINOR SUBDIVISION OF
PARCEL 812-704-4612

*VARINA DISTRICT * HENRICO COUNTY, VIRGINIA*

DATE: APRIL 11, 2025 SCALE: 1"=200'

JENNINGSTEPHENSON P.C.
LAND SURVEYORS & PLANNERS
10150 STAPLES MILL ROAD
SUITE 103
GLEN ALLEN, VA 23060
PHONE - 804-545-8235
FAX - 804-545-8259

J.N. 25-533



LINE	BEARING	DISTANCE
L1	N 65°35'41" W	32.26'
L2	N 70°36'40" W	80.00'
L3	S 19°23'20" W	5.51'
L4	S 22°48'35" W	5.00'
L5	S 20°00'57" W	10.59'
L6	N 51°43'05" E	163.58'
L7	N 06°24'55" W	192.33'
L8	N 05°23'05" E	137.65'
L9	S 26°14'10" W	179.85'
L10	S 29°24'10" W	81.58'
L11	S 18°38'30" W	177.45'
L12	S 16°14'30" W	228.62'
L13	S 03°12'12" E	53.90'
L14	S 11°40'30" W	94.60'
L15	S 04°10'50" W	115.39'
L16	S 29°14'40" E	137.56'
L17	S 05°05'00" E	51.26'
L18	S 10°48'20" W	100.05'
L19	S 25°06'21" W	306.50'
L20	S 23°50'04" W	156.09'
L21	S 23°33'20" W	194.09'
L22	S 21°35'18" W	160.74'
L23	S 69°54'21" E	146.86'
L24	S 24°31'51" E	325.56'
L25	S 64°39'37" E	32.62'
L26	N 35°14'40" W	115.02'
L27	S 20°41'13" E	276.55'
L28	S 44°32'25" W	222.76'
L29	S 07°08'12" W	839.14'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	2337.00'	389.36'	388.91'	N 64°17'04" W
C2	11415.00'	681.66'	681.55'	N 68°58'24" W
C3	1104.44'	311.92'	310.88'	N 58°45'13" W
C4	1114.44'	303.40'	302.46'	N 43°02'37" W
C5	3835.47'	971.10'	968.51'	N 42°29'52" W
C6	440.27'	339.38'	331.04'	N 29°38'05" E
C7	448.34'	207.42'	207.42'	N 38°20'35" E
C8	448.34'	245.58'	242.52'	N 09°16'35" E
C9	985.37'	202.94'	202.58'	N 00°30'55" W
C10	1859.86'	589.80'	587.33'	S 18°26'47" W

0 200 400 600
SCALE: 1"=200'

MINOR SUBDIVISION OF PARCEL 812-704-4612

VARINA DISTRICT * HENRICO COUNTY, VIRGINIA

DATE: APRIL 11, 2025 SCALE: 1"=200'

JENNINGSTEPHENSON P.C.
LAND SURVEYORS & PLANNERS
10160 STAPLES MILL ROAD
SUITE 103
GLEN ALLEN, VA 23060
PHONE – 804-545-5235
FAX – 804-545-6259

J.N. 25-533

EXHIBIT
tabbies
J-1

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

R. Joseph Emerson, Jr., AICP
Director of Planning
(804) 501-4602

April 25, 2025

Fareva Richmond Inc
Attn: Charles Stringer
2248 Darbytown Road
Henrico VA 23231

JenningStephenson
Attn: Brian Long
10160 Staples Mill Road
Glen Allen, VA 23060

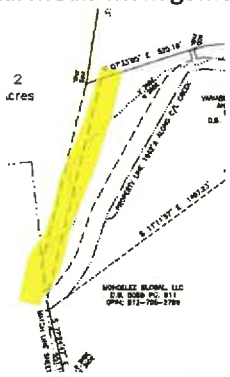
RE: SUB-2025-100957
Parcel Division of GPIN 812-704-4612
Minor Plat Review Comments I

Sir/Madame:

The Planning Department has completed its review of the above-referenced plans, received April 21, 2025, and has the following comments:

❖ **Minor Plat Approval: The following items must be addressed prior to approval of the plat:**

1. Amend the title of the plat to state Parcel Division of GPIN 812-704-4612.
   - Update the plat name throughout the plat set and notes.
2. Revise Note #6 to Industrial.
3. Include the County signature block on each sheet.
4. Remove notes regarding the specific project.
5. The dates notes in the Source of Title are incorrect for DB5118 PG86.
6. Confirm there are no trustees/mortgage companies that will need to sign the plat. If there are, signature lines must be provided for them and their notary.
7. Engineer's or surveyor's seal and signature will be required prior to County signature on plat.
8. Is the intent of the plat also to consolidation GPINs 814-702-7862 and 814-703-8920 with Parcel 2?
9. Remove the "Environmental Media Management Area" label on Sheet 2.
10. What is this easement?



11. The plat must include:
    - Four (4) points with coordinates in the Virginia State Plane Coordinate system must be shown on each sheet. All features shown on the plan must be drawn to scale based on the four (4) reference points
    - The exact location and material of all existing and proposed permanent reference monuments, including any monument of the Geodetic Control Network located on the property. (Existing right-of-way monuments should be shown and hollow diamonds.) If there are no monuments to show, please confirm.
    - Location of all existing structures on the property including setbacks to existing/proposed lot lines.
    - Location of parking and other site improvements including dumpster enclosures and sidewalks.
    - The total lot area (inclusive and exclusive of the Special Flood Hazard Area (100-year floodplain) labeled for each lot, shown on the lots.

❖ See additional comments from other review agencies.

Revised plans and/or plats will need to be submitted to the Department of Planning via Build Henrico (https://build.henrico.us) in order for minor plat approval to be granted. Revised plans and a written response to review comments must be received, and plans recommended for approval by **June 24, 2025,** or a written request for extension of review time must be received by that date, providing a specific timeframe in which the outstanding items will be addressed.

Should you have any questions concerning the Planning comments or need additional information, please contact me at 804-501-4604 and smi120@henrico.gov.

Sincerely,

Kristin Smith

Kristin Smith
County Planner

CERTIFICATE OF SUBDIVISION

THIS CERTIFICATE OF SUBDIVISION, MADE THIS 11TH DAY OF APRIL 2025, BY FAREVA RICHMOND, INC ("OWNERS"), WHOSE ADDRESS IS 2248 DARBYTOWN ROAD, HENRICO VA 23231

FREE CONSENT AND DESIRE

THERE IS ATTACHED HERETO AND MADE A PART OF THIS CERTIFICATE OF SUBDIVISION A SUBDIVISION PLAT MADE BY JENNINGSTEPHENSON DATED APRIL 11, 2025 AND TITLED

PARCEL DIVISION OF PARCEL 812-704-4612

(THE "PLAT"), WHICH HAS BEEN APPROVED BY THE HENRICO COUNTY PLANNING DEPARTMENT.

THE SUBDIVISION OF LAND SHOWN ON THE PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS(S) AND TRUSTEE(S). THE SOURCE OF TITLE FOR THE LAND EMBRACED WITH THE LIMITS OF THE SUBDIVISION SHOWN ON THE PLAT IS ATTACHED AS EXHIBIT A HERETO AND HEREBY MADE A PART OF THIS CERTIFICATE OF SUBDIVISION.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:
OWNER

_____
FOR FAREVA RICHMOND INC.

_____
PRINT NAME / TITLE

SOURCE OF TITLE

THE PROPERTY EMBRACED WITHIN THE LIMITS OF THIS MINOR SUBDIVISION WAS CONVEYED TO FAREVA RICHMOND INC. BY DEED FROM WYETH LLC DATED OCTOBER 3, 2011 AND RECORDED APRIL 1, 2013 IN DEED BOOK 5118 PAGE 86 IN THE CLERK'S OFFICE, OF THE CIRCUIT COURT, OF HENRICO COUNTY, VIRGINIA.

_____ _____
BRIAN M. LONG, LS DATE

STATE/COMMONWEALTH OF _____

COUNTY/CITY OF _____ *TO WIT:*

I, _____ A NOTARY PUBLIC IN AND FOR THE
(PRINT NAME)
COUNTY/CITY AND STATE/COMMONWEALTH AFORESAID, DO HEREBY CERTIFY THAT:

_____
WHOSE NAME IS SIGNED TO THE SUBDIVISION CERTIFICATE HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY CITY/COUNTY AND STATE/COMMONWEALTH AFORESAID.

GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF _____ 2023.

_____ _____
NOTARY PUBLIC MY COMMISSION EXPIRES

REGISTRATION NO. _____

NOTES

1.) OWNER:
FAREVA RICHMOND INC.
2248 DARBYTOWN ROAD
HENRICO, VA 23231
GPIN: 812-704-4612

2.) TOTAL AREA: 286± ACRES

3.) SEWER: COUNTY SYSTEM
WATER: COUNTY SYSTEM

4.) ZONING: MIXED

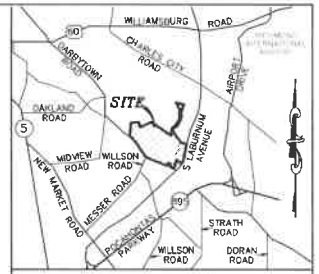
5.) NUMBER OF LOTS: 2

6) USE: INDUSTRIAL

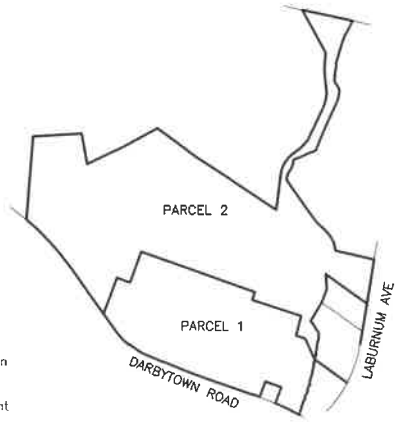
7) THIS PROPERTY LIES IN ZONE 'X' AND ZONE "A" OF THE FEMA DEFINED FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 51087C0230D, EFFECTIVE DATE APRIL 25, 2024.

8) CORNERS TO BE SET BY APRIL 15, 2026.

9) FEMA FLOOD PLAIN PER COUNTY GIS



VICINITY MAP
SCALE 1" = 2000'



Lots marked with a triple asterisk (***) contain RPA and/or SPA. The buffer areas consisting of vegetation that is effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution are to be retained, remain undisturbed, and protected from all construction or land disturbing activities. Permitted activities in the RPA are restricted, and any development or disturbance in the RPA requires prior approval by the County Engineer. See construction plan on file in the Department of Planning for additional details.

THE VACATION, RELOCATION, RESUBDIVISION, OR OTHER ALTERATION OF BOUNDARY LINES SHOWN ON THE ATTACHED PLAT HAS BEEN REVIEWED FOR COMPLIANCE WITH THE SUBDIVISION AND ZONING ORDINANCES. ANY PROPOSED USES OF THE PROPERTY, PRIVATE WELLS, ONSITE SEWAGE DISPOSAL SYSTEMS, OR CONNECTIONS TO PUBLIC STREETS OR PUBLIC UTILITIES ARE SUBJECT TO SEPARATE REVIEW AND APPROVAL.

APPROVED BY THE
HENRICO COUNTY PLANNING DEPARTMENT

_____ _____
DATE COUNTY PLANNER

COMMONWEALTH OF VIRGINIA
BRIAN M. LONG
Lic. No.
002372
LAND SURVEYOR

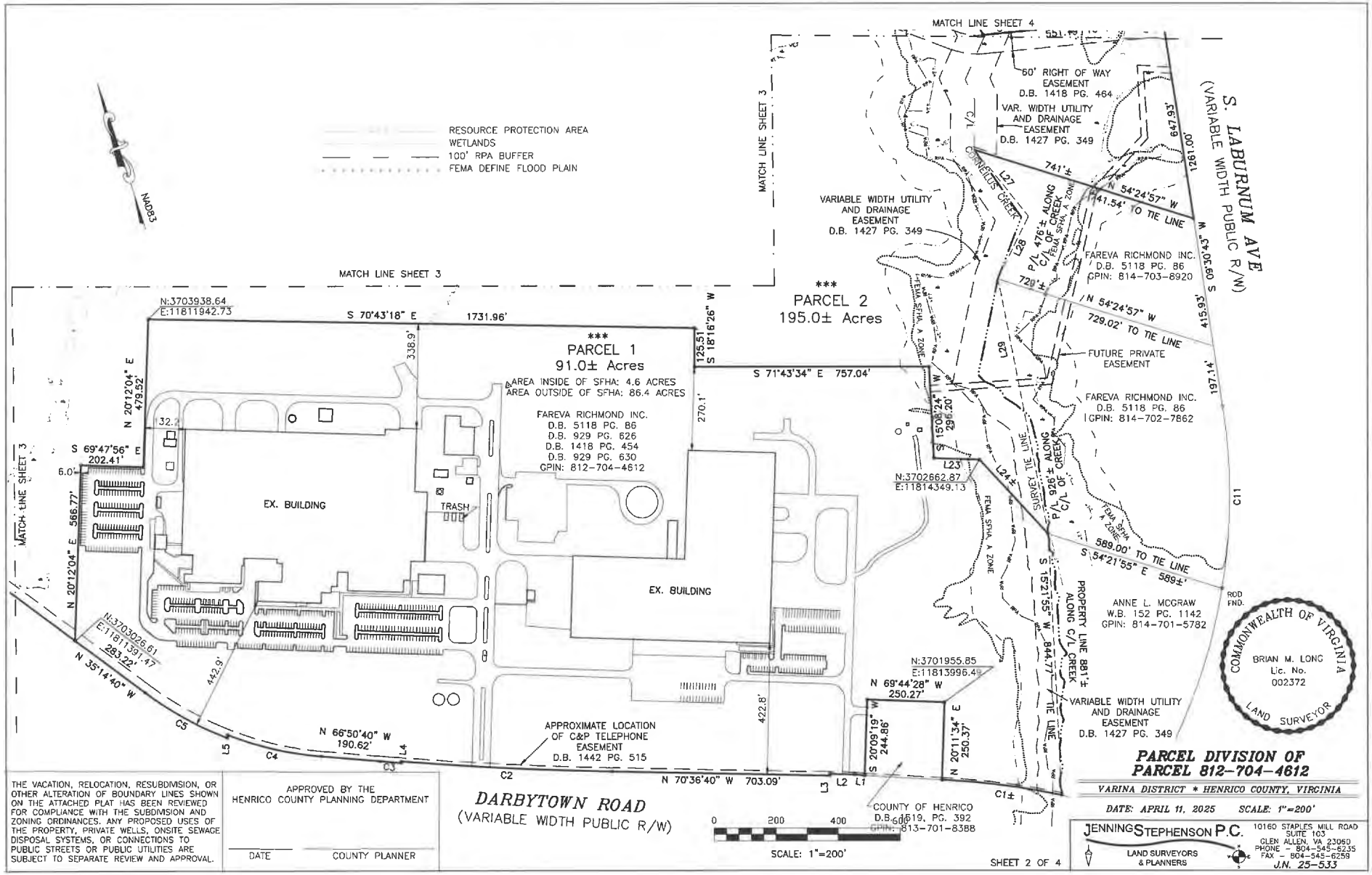
PARCEL DIVISION OF PARCEL 812-704-4612

*VARINA DISTRICT * HENRICO COUNTY, VIRGINIA*

DATE: APRIL 11, 2025

JENNINGSTEPHENSON P.C.
LAND SURVEYORS & PLANNERS
10160 STAPLES MILL ROAD
SUITE 103
GLEN ALLEN, VA 23060
PHONE - 804-545-6235
FAX - 804-545-6259

J.N. 25-533



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APPROVED BY THE HENRICO COUNTY PLANNING DEPARTMENT

DATE COUNTY PLANNER

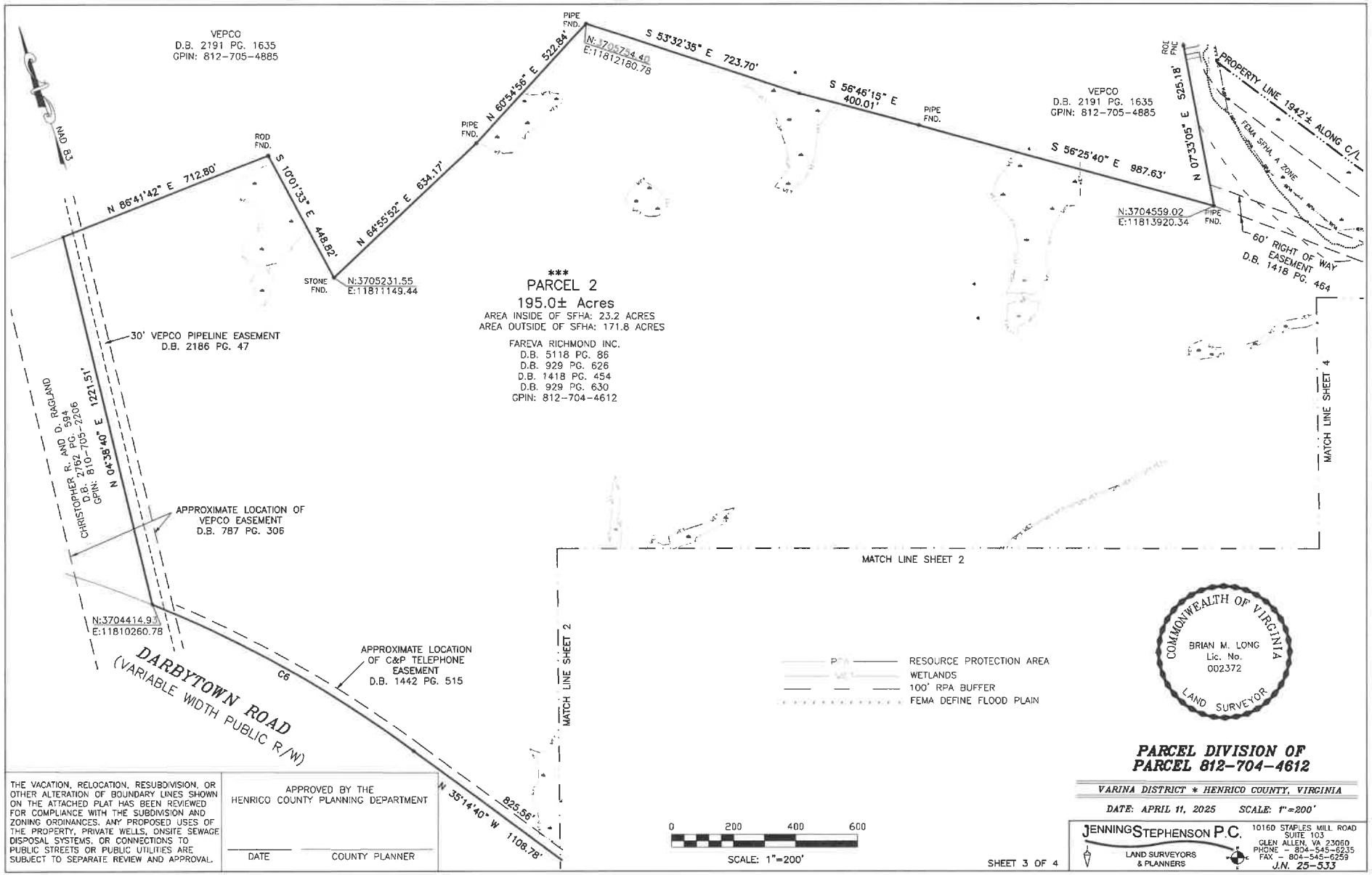
PARCEL DIVISION OF PARCEL 812-704-4612

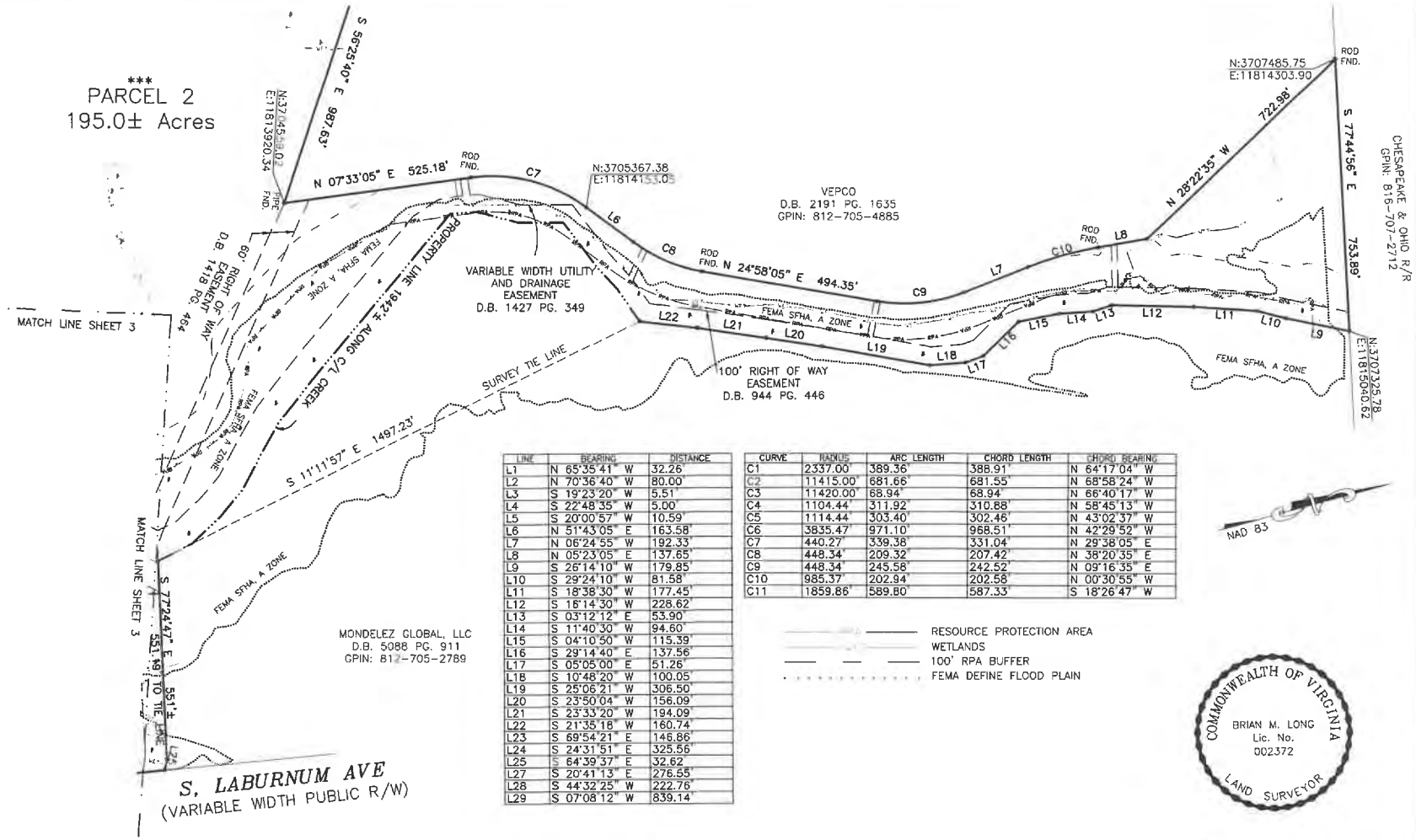
*VARINA DISTRICT * HENRICO COUNTY, VIRGINIA*

DATE: APRIL 11, 2025 SCALE: 1"=200'

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10160 STAPLES MILL ROAD
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FAX - 804-545-6259

J.N. 25-533


VEPCO
D.B. 2191 PG. 1635
GPIN: 812-705-4885
NAD 83
N 86°41'42" E 712.80'
ROD FND.
S 10°01'33" E 448.82'
STONE FND.
N:3705231.55
E:11811149.44
N 64°55'52" E 634.17'
PIPE FND.
N 60°54'56" E 522.84'
PIPE FND.
N:3705754.40
E:11812180.78
S 53°32'35" E 723.70'
S 56°46'15" E 400.01'
PIPE FND.
S 56°25'40" E 987.63'
PIPE FND.
N:3704559.02
E:11813920.34
ROI PNC
N 07°33'05" E 525.18'
PROPERTY LINE 1942'± ALONG C/L
FEMA SFHA, A ZONE
60' RIGHT OF WAY EASEMENT
D.B. 1418 PG. 464
VEPCO
D.B. 2191 PG. 1635
GPIN: 812-705-4885
***
PARCEL 2
195.0± Acres
AREA INSIDE OF SFHA: 23.2 ACRES
AREA OUTSIDE OF SFHA: 171.8 ACRES
FAREVA RICHMOND INC.
D.B. 5118 PG. 86
D.B. 929 PG. 626
D.B. 1418 PG. 454
D.B. 929 PG. 630
GPIN: 812-704-4612
30' VEPCO PIPELINE EASEMENT
D.B. 2186 PG. 47
CHRISTOPHER R. AND D. RAGLAND
D.B. 2762 PG. 2206
GPIN: 810-705-4594
N 04°38'40" E 1221.51'
APPROXIMATE LOCATION OF
VEPCO EASEMENT
D.B. 787 PG. 306
N:3704414.93
E:11810260.78
APPROXIMATE LOCATION
OF C&P TELEPHONE
EASEMENT
D.B. 1442 PG. 515
C6
DARBYTOWN ROAD
(VARIABLE WIDTH PUBLIC R/W)
N 35°14'40" W 1108.78'
825.56'
MATCH LINE SHEET 4
MATCH LINE SHEET 2
MATCH LINE SHEET 2
RESOURCE PROTECTION AREA
WETLANDS
100' RPA BUFFER
FEMA DEFINE FLOOD PLAIN
0 200 400 600
SCALE: 1"=200'
COMMONWEALTH OF VIRGINIA
BRIAN M. LONG
Lic. No.
002372
LAND SURVEYOR
PARCEL DIVISION OF
PARCEL 812-704-4612
VARINA DISTRICT * HENRICO COUNTY, VIRGINIA
DATE: APRIL 11, 2025 SCALE: 1"=200'
JENNINGSTEPHENSON P.C.
LAND SURVEYORS & PLANNERS
10160 STAPLES MILL ROAD
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GLEN ALLEN, VA 23060
PHONE - 804-545-6235
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J.N. 25-533
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APPROVED BY THE
HENRICO COUNTY PLANNING DEPARTMENT
DATE
COUNTY PLANNER
SHEET 3 OF 4



LINE	BEARING	DISTANCE
L1	N 65°35'41" W	32.26'
L2	N 70°36'40" W	80.00'
L3	S 19°23'20" W	5.51'
L4	S 22°48'35" W	5.00'
L5	S 20°00'57" W	10.59'
L6	N 51°43'05" E	163.58'
L7	N 06°24'55" W	192.33'
L8	N 05°23'05" E	137.65'
L9	S 26°14'10" W	179.85'
L10	S 29°24'10" W	81.58'
L11	S 18°38'30" W	177.45'
L12	S 16°14'30" W	228.62'
L13	S 03°12'12" E	53.90'
L14	S 11°40'30" W	94.60'
L15	S 04°10'50" W	115.39'
L16	S 29°14'40" E	137.56'
L17	S 05°05'00" E	51.26'
L18	S 10°48'20" W	100.05'
L19	S 25°06'21" W	306.50'
L20	S 23°50'04" W	156.09'
L21	S 23°33'20" W	194.09'
L22	S 21°35'18" W	160.74'
L23	S 69°54'21" E	146.86'
L24	S 24°31'51" E	325.56'
L25	S 64°39'37" E	32.62'
L27	S 20°41'13" E	276.55'
L28	S 44°32'25" W	222.76'
L29	S 07°08'12" W	839.14'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	2337.00'	389.36'	388.91'	N 64°17'04" W
C2	11415.00'	681.66'	681.55'	N 68°58'24" W
C3	11420.00'	68.94'	68.94'	N 66°40'17" W
C4	1104.44'	311.92'	310.88'	N 58°45'13" W
C5	1114.44'	303.40'	302.46'	N 43°02'37" W
C6	3835.47'	971.10'	968.51'	N 42°29'52" W
C7	440.27'	339.38'	331.04'	N 29°38'05" E
C8	448.34'	209.32'	207.42'	N 38°20'35" E
C9	448.34'	245.56'	242.52'	N 09°16'35" E
C10	985.37'	202.94'	202.58'	N 00°30'55" W
C11	1859.86'	589.80'	587.33'	S 18°26'47" W

RESOURCE PROTECTION AREA
WETLANDS
100' RPA BUFFER
FEMA DEFINE FLOOD PLAIN

COMMONWEALTH OF VIRGINIA
BRIAN M. LONG
Lic. No.
002372
LAND SURVEYOR

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APPROVED BY THE
HENRICO COUNTY PLANNING DEPARTMENT

DATE COUNTY PLANNER

0 200 400 600
SCALE: 1"=200'

PARCEL DIVISION OF PARCEL 812-704-4612

*VARINA DISTRICT * HENRICO COUNTY, VIRGINIA*

DATE: APRIL 11, 2025 SCALE: 1"=200'

JENNINGSTEPHENSON P.C.
LAND SURVEYORS & PLANNERS
10160 STAPLES MILL ROAD
SUITE 103
GLEN ALLEN, VA 23060
PHONE - 804-545-6235
FAX - 804-545-6259

J.N. 25-533

EXHIBIT
tabbies
K

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

R Joseph Emerson, Jr., AICP
Director of Planning
(804) 501-4602

May 15, 2025

Fareva Richmond Inc
Attn: Charles Stringer
2248 Darbytown Road
Henrico VA 23231

RE: SUB-2025-100957
Parcel Division of Parcel 812-704-4612
2 Lots

Sir/Madame:

As designated agent for the review and approval of the subdivision of land in accordance with Section 19-2102, the Director of Planning approved the plat for this minor subdivision on **May 15, 2025**. The approval of this plat is for creation of two lots only, involving existing GPIN(s) 812-704-4612.

The vacation, relocation, resubdivision, or other alteration of boundary lines shown on this plat has been reviewed for compliance with the Subdivision and Zoning Ordinances, Chapters 19 and 24 of the Henrico County Code. Any proposed uses of the property; Health Department review for private wells and/or onsite sewage disposal systems; or connections to public streets or public utilities are subject to separate review and approval. The County has not field verified the information shown on this plat.

This plat should be recorded at the Henrico County Circuit Court Clerk's Office by **July 14, 2025**. If the plat is not recorded by this date, the approval may be deemed void. *Additional documents may be required by the Circuit Court to record this minor subdivision plat. Please note, the Department of Planning does not review these documents. Contact the Henrico County Records Room at 804-501-4249 for more information regarding what documents will be required.* After recordation at the Clerk's Office, please provide proof of recordation to the Planning Department and Real Estate Assessment. Failure to provide the recordation information may delay subsequent or associated permit/development approvals, including creation of new GPIN(s) and addresses.

Sincerely,

For:
R. Joseph Emerson, Jr., AICP
Director of Planning

cc: Public Utilities – Chief Design Engineer
Director of Public Works
Real Estate Assessment
Jenning Stephenson Attn: Brian Long

VIRGINIA LAND RECORD COVER SHEET

Commonwealth of Virginia VA. CODE §§ 17.1-223, -227.1, -249

FORM A – COVER SHEET CONTENT

Instrument Date: 5/16/2025

Instrument Type: AF-PL

Number of Parcels: 1 Number of Pages: 1

[ ] City [X] County HENRICO CIRCUIT COURT

Tax Exempt? VIRGINIA/FEDERAL CODE SECTION

[ ] Grantor:

[ ] Grantee:

RECORDED IN
COUNTY OF HENRICO, VA
HEIDI S. BARSHINGER
CLERK OF CIRCUIT COURT
FILED May 16, 2025
AT 09:28 am
BOOK 06664
START PAGE 1100
END PAGE 1101
INSTRUMENT # 202500012216
MFR

(Area Above Reserved For Deed Stamp Only)

Business/Name

1 X Grantor: FAREVA RICHMOND INC

Grantor:

1 X Grantee: FAREVA RICHMOND INC

Grantee:

Grantee Address

Name: FAREVA RICHMOND INC

Address: 2248 DARBYTOWN ROAD

City: HENRICO State: VA Zip Code: 23231

Consideration: $0.00 Existing Debt: $0.00 Actual Value/Assumed: $0.00

PRIOR INSTRUMENT UNDER § 58.1-803(D):

Original Principal: $0.00 Fair Market Value Increase: $0.00

Original Book No.: Original Page No.: Original Instrument No.:

Prior Recording At: [ ] City [ ] County Percentage In This Jurisdiction: 100%

Book Number: Page Number: Instrument Number:

Parcel Identification Number/Tax Map Number: 812-704-4612

Short Property Description:

Current Property Address: 2248 DARBYTOWN RD

City: HENRICO State: VA Zip Code: 23231

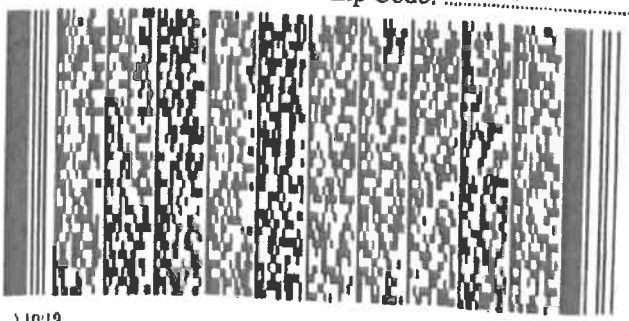
Instrument Prepared By: BRIAN M LONG Recording Paid By: DAVID WAGNER

Recording Returned To: DAVID WAGNER

Address: 5605 GROVE AVE

City: RICHMOND State: VA Zip Code: 23221

Advance



FORM CC-1570 (MASTER, PAGE ONE OF ONE) 10/19

© Copyright 2014 Office of the Executive Secretary, Supreme Court of Virginia All rights reserved.

CERTIFICATE OF SUBDIVISION

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FREE CONSENT AND DESIRE

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PARCEL DIVISION OF PARCEL 812-704-4612

(THE "PLAT"), WHICH HAS BEEN APPROVED BY THE HENRICO COUNTY PLANNING DEPARTMENT.

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WITNESS THE FOLLOWING SIGNATURES AND SEALS:

OWNER

Charles C Stringer

FOR FAREVA RICHMOND INC

Charles Stringer / Finance Director

PRINT NAME / TITLE

STATE/COMMONWEALTH OF Virginia TO WIT:

COUNTY/CITY OF Henrico

I, Laura Marie Arzate (PRINT NAME) A NOTARY PUBLIC IN AND FOR THE COUNTY/CITY AND STATE/COMMONWEALTH AFORESAID, DO HEREBY CERTIFY THAT:

Charles Stringer

WHOSE NAME IS SIGNED TO THE SUBDIVISION CERTIFICATE HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY CITY/COUNTY AND STATE/COMMONWEALTH AFORESAID.

GIVEN UNDER MY HAND AND SEAL THIS 14 DAY OF May 2025 ~~2023~~.

Laura M. Arzate NOTARY PUBLIC

12/31/2026 MY COMMISSION EXPIRES

REGISTRATION NO 8010169

LAURA MARIE ARZATE
NOTARY PUBLIC
REGISTRATION # 8010169
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES 12/31/2026

SOURCE OF TITLE

THE PROPERTY EMBRACED WITHIN THE LIMITS OF THIS MINOR SUBDIVISION WAS CONVEYED TO FAREVA RICHMOND INC. BY DEED FROM WYETH LLC DATED OCTOBER 3, 2011 AND RECORDED APRIL 1, 2013 IN DEED BOOK 5118 PAGE 86 IN THE CLERK'S OFFICE, OF THE CIRCUIT COURT, OF HENRICO COUNTY, VIRGINIA

BRIAN M. LONG, LS

4-11-25
DATE

COMMONWEALTH OF VIRGINIA
BRIAN M LONG
Lic. No. 2372
4-11-25
LAND SURVEYOR

THE VACATION, RELOCATION, RESUBDIVISION, OR OTHER ALTERATION OF BOUNDARY LINES SHOWN ON THE ATTACHED PLAT HAS BEEN REVIEWED FOR COMPLIANCE WITH THE SUBDIVISION AND ZONING ORDINANCES ANY PROPOSED USES OF THE PROPERTY, PRIVATE WELLS, ONSITE SEWAGE DISPOSAL SYSTEMS, OR CONNECTIONS TO PUBLIC STREETS OR PUBLIC UTILITIES ARE SUBJECT TO SEPARATE REVIEW AND APPROVAL

APPROVED BY THE HENRICO COUNTY PLANNING DEPARTMENT

5/15/25
DATE

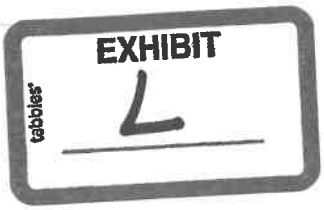
COUNTY PLANNER

Lots marked wi
RPA and/or SF
of vegetation t
runoff, preventi
source pollutior
undisturbed, an
or land disturb
in the RPA are
or disturbance
approval by the
construction pl
Planning for ac



Official Receipt

Henrico Circuit Court
Heidi S. Barshinger
P.O. Box 90775
Henrico, VA 23273-0775
(804) 501-4202



Receipt For : DAVID WAGNER
Cashier : MFR

Instrument Type : AF-PL
Instrument # : 202500012216
Book/Page : 06664 / 1100-01101 Pages : 2
Plat Pages : 4
1st Grantor : FAREVA RICHMOND INC
Description: SEE PLAT BOOK 00140 PG 0191-00194
Consideration: 0.00 Value: 0.00

Receipt # : 2025-477289
Date : 05/16/2025 09:28am

Document : 1 of 1
Grantor Ex : N

Pct : 100.00000000%
1st City: Y

Item #	Description	Qty	Unit Cost	Extended
035	VOF	5	3.00	15.00
301	Clerk 1-10 Pages	1	14.50	14.50
145	VSLA	1	3.50	3.50
106	TTF	1	5.00	5.00
301	Clerk Fee	4	13.50	54.00
145	VSLA	4	3.50	14.00
106	TTF	4	5.00	20.00
423	Paper Document Filing Fee	1	5.00	5.00
236	Copies	2	0.50	1.00
407	CC Processing Fee	1	2.64	2.64
			Document 1	134.64
			Grand Total	134.64
			Debit	-134.64
			Balance	0.00

Customer Copy

VIRGINIA LAND RECORD COVER SHEET

Commonwealth of Virginia VA. CODE §§ 17.1-223, -227.1, -249

FORM A – COVER SHEET CONTENT

Instrument Date: 5/16/2025

Instrument Type: AF-PL

Number of Parcels: 1 Number of Pages: 1

[ ] City [X] County HENRICO
CIRCUIT COURT

Tax Exempt? VIRGINIA/FEDERAL CODE SECTION

[ ] Grantor:

[ ] Grantee:

RECORDED IN
COUNTY OF HENRICO, VA
HEIDI S. BARSHINGER
CLERK OF CIRCUIT COURT
FILED May 16, 2025
AT 09:28 am
BOOK 06664
START PAGE 1100
END PAGE 1101
INSTRUMENT # 202500012216
MFR

(Area Above Reserved For Deed Stamp Only)

Business/Name

1 X Grantor: FAREVA RICHMOND INC

Grantor:

1 X Grantee: FAREVA RICHMOND INC

Grantee:

Grantee Address

Name: FAREVA RICHMOND INC

Address: 2248 DARBYTOWN ROAD

City: HENRICO State: VA Zip Code: 23231

Consideration: $0.00 Existing Debt: $0.00 Actual Value/Assumed: $0.00

PRIOR INSTRUMENT UNDER § 58.1-803(D):

Original Principal: $0.00 Fair Market Value Increase: $0.00

Original Book No.: Original Page No.: Original Instrument No.:

Prior Recording At: [ ] City [ ] County Percentage In This Jurisdiction: 100%

Book Number: Page Number: Instrument Number:

Parcel Identification Number/Tax Map Number: 812-704-4612

Short Property Description:

Current Property Address: 2248 DARBYTOWN RD

City: HENRICO State: VA Zip Code: 23231

Instrument Prepared By: BRIAN M LONG Recording Paid By: DAVID WAGNER

Recording Returned To: DAVID WAGNER

Address: 5605 GROVE AVE

City: RICHMOND State: VA Zip Code: 23221

Advance

FORM CC-1570 (MASTER, PAGE ONE OF ONE) 10/19

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CERTIFICATE OF SUBDIVISION

THIS CERTIFICATE OF SUBDIVISION, MADE THIS 11TH DAY OF APRIL 2025, BY FAREVA RICHMOND, INC ("OWNERS"), WHOSE ADDRESS IS 2248 DARBYTOWN ROAD, HENRICO VA 23231

FREE CONSENT AND DESIRE

THERE IS ATTACHED HERETO AND MADE A PART OF THIS CERTIFICATE OF SUBDIVISION A SUBDIVISION PLAT MADE BY JENNINGSTEPHENSON DATED APRIL 11, 2025 AND TITLED

PARCEL DIVISION OF PARCEL 812-704-4612

(THE "PLAT"), WHICH HAS BEEN APPROVED BY THE HENRICO COUNTY PLANNING DEPARTMENT.

THE SUBDIVISION OF LAND SHOWN ON THE PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS(S) AND TRUSTEE(S). THE SOURCE OF TITLE FOR THE LAND EMBRACED WITH THE LIMITS OF THE SUBDIVISION SHOWN ON THE PLAT IS ATTACHED AS EXHIBIT A HERETO AND HEREBY MADE A PART OF THIS CERTIFICATE OF SUBDIVISION

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

OWNER

Charles C Stringer

FOR FAREVA RICHMOND INC.

Charles Stringer / Finance Director

PRINT NAME / TITLE

STATE/COMMONWEALTH OF Virginia TO WIT:

COUNTY/CITY OF Henrico

I, Laura Marie Arzate (PRINT NAME) A NOTARY PUBLIC IN AND FOR THE COUNTY/CITY AND STATE/COMMONWEALTH AFORESAID, DO HEREBY CERTIFY THAT: Charles Stringer WHOSE NAME IS SIGNED TO THE SUBDIVISION CERTIFICATE HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY CITY/COUNTY AND STATE/COMMONWEALTH AFORESAID.

GIVEN UNDER MY HAND AND SEAL THIS 14 DAY OF May 2025 ~~2023~~.

Laura Marie Arzate
NOTARY PUBLIC

12/31/2026
MY COMMISSION EXPIRES

REGISTRATION NO. 8010169

LAURA MARIE ARZATE
NOTARY PUBLIC
REGISTRATION # 8010169
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES 12/31/2026

SOURCE OF TITLE

THE PROPERTY EMBRACED WITHIN THE LIMITS OF THIS MINOR SUBDIVISION WAS CONVEYED TO FAREVA RICHMOND INC. BY DEED FROM WYETH LLC DATED OCTOBER 3, 2011 AND RECORDED APRIL 1, 2013 IN DEED BOOK 5118 PAGE 86 IN THE CLERK'S OFFICE, OF THE CIRCUIT COURT, OF HENRICO COUNTY, VIRGINIA

BRIAN M. LONG, LS

4-11-25
DATE

THE VACATION, RELOCATION, RESUBDIVISION, OR OTHER ALTERATION OF BOUNDARY LINES SHOWN ON THE ATTACHED PLAT HAS BEEN REVIEWED FOR COMPLIANCE WITH THE SUBDIVISION AND ZONING ORDINANCES ANY PROPOSED USES OF THE PROPERTY, PRIVATE WELLS, ONSITE SEWAGE DISPOSAL SYSTEMS, OR CONNECTIONS TO PUBLIC STREETS OR PUBLIC UTILITIES ARE SUBJECT TO SEPARATE REVIEW AND APPROVAL

APPROVED BY THE HENRICO COUNTY PLANNING DEPARTMENT

5/15/25
DATE

COUNTY PLANNER

COMMONWEALTH OF VIRGINIA
BRIAN M LONG
Lic. No. 2372
4-11-25
LAND SURVEYOR

Lots marked w
RPA and/or SF
of vegetation t
runoff, preventi
source pollution
undisturbed, an
or land disturb
in the RPA are
or disturbance
approval by th
construction pl
Planning for ac

EXHIBIT

tabbies

M

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
June 10, 2025

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, June 10, 2025, at 6:00 p.m. in the Board Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia.

Members of the Board Present:

Daniel J. Schmitt, Chair, Brookland District
Roscoe D. Cooper, III, Vice-Chair, Fairfield District
Jody K. Rogish, Tuckahoe District
Misty D. Roundtree, Three Chopt District
Tyrone E. Nelson, Varina District

Other Officials Present:

John A. Vithoulkas, County Manager
Andrew R. Newby, County Attorney
Tanya N. Brackett, CMC, Assistant to the County Manager/Clerk to the Board
Michael Y. Feinmel, Deputy County Manager for Public Safety
Monica Smith-Callahan, Deputy County Manager for Community Affairs
Cari M. Tretina, Deputy County Manager/Chief of Staff
Steven J. Yob, Deputy County Manager for Community Operations
Benjamen A. Sheppard, Director of Public Relations

Jeanetta Lee, Chaplain for the Henrico County Police Division, delivered the invocation.

On motion of Mr. Cooper, seconded by Mr. Nelson, the Board approved the minutes of the May 27, 2025, Regular and Special Meetings, and May 15, 2025, Special Meeting.

The vote of the Board was as follows:

Yes: Schmitt, Cooper, Rogish, Roundtree, Nelson

No:

MANAGER'S COMMENTS

Mr. Vithoulkas stated the County recognized and celebrated Pride Month for June, emphasizing contributions of individuals – from employees to community members and businesses – who are integral to the way we govern, live, work, and play. He recognized Dexter Davis to provide remarks.

Mr. Davis thanked the Manager for recognizing June as Pride Month and noted he partnered with Henrico Area Mental Health & Developmental Services and Henrico County Public Libraries as a facilitator and panelist providing cultural awareness, . communication training, and community discussion. Mr. Dexter pointed out the significance of including a

124-25 Ordinance - To Amend and Reordain Section 24-3102 Titled "Districts Established," Section 24-3406 Titled "O-3 Office District," Section 24-3704 Titled "Established Overlay Districts," Section 24-4205 Titled "Principal Use Table," Section 24-4319 Titled "Commercial Uses: Offices," Section 24-4328 Titled "Industrial Uses: Services Uses," Section 24-4402 Titled "Accessory Use or Structure Table," Section 24-5110 Titled "Minimum Number of Off-Street Parking Spaces," Section 24-8405 Titled "Commercial Use Classification," Section 24-8406 Titled "Industrial Use Classification," and Section 24-8501 Titled "Accessory Uses, Temporary Uses, and Other Terms," and to Add New Sections 24-3711 Titled "WOTPA-O, White Oak Technology Park Area Overlay District" and 24-4438 Titled "Accessory Data Center (as Accessory to an Office or Industrial Use)" of the Code of the County of Henrico to Create a New Zoning District to Be Known as the White Oak Technology Park Area Overlay District, Require a Provisional Use Permit for Data Centers as a Principal Use Outside of Such District, and Establish Development Standards for Data Centers.

On motion of Mr. Nelson, seconded by Mr. Cooper, and by unanimous vote, the Board denied this item – see attached ordinance.

The vote of the Board was as follows:

Yes: Schmitt, Cooper, Rogish, Roundtree, Nelson

No:

142-25 Resolution - Comprehensive Plan Amendment - Data Center Development Objectives and Guidelines.

Mr. Nelson recommended the setback from 200 feet to 500 feet.

There was further discussion between the Board and Mr. Emerson regarding setbacks and buffers and the difference between the two.

Mr. Nelson explained the history of data centers in the County and the need now for new regulations. He stated he will continue to work with the environmentalists and other interested parties. He stated what the Board is doing tonight is good for the County and for the Varina District. He apologized to the applicants who have come forward, and noted he openly stated last year after the QTS case he didn't want any more data centers in the area. He feels that information was not relayed from staff to new applicants and apologized again for any miscommunication.

Mr. Cooper echoed what Mr. Nelson stated and feels as a Board we have a duty to work hand-in-hand with our community and with the applicants, but also be committed to environmental justice.

Mrs. Roundtree noted she was encouraged by how the meeting went. The Board is committed to having conversations in a civil manner, making sure everyone is heard. She is proud of all the work of the stakeholders. She explained it is not easy to say there was miscommunication with staff because we have the best staff and the work they do is on the back of the staff, but it is a reality that sometimes this happens, and we move forward and make sure we operate on the same page with transparency.

On motion of Mr. Nelson, seconded by Mrs. Roundtree, and by unanimous vote, the Board amended this item by changing the recommended setback on the last page of the document from 200 feet to 500 feet.

The vote of the Board was as follows:

Yes: Schmitt, Cooper, Rogish, Roundtree, Nelson

No:

On motion of Mr. Nelson, seconded by Mrs. Roundtree, and by unanimous vote, the Board approved this item, as amended – see attached resolution.

The vote of the Board was as follows:

Yes: Schmitt, Cooper, Rogish, Roundtree, Nelson

No:

143-25 Ordinance - To Amend and Reordain Section 24-3406 Titled "O-3 Office District," Section 24-4205 Titled "Principal Use Table," Section 24-4319 Titled "Commercial Uses: Offices," Section 24-4328 Titled "Industrial Uses: Services Uses," Section 24-4402 Titled "Accessory Use or Structure Table," Section 24-5110 Titled "Minimum Number of Off-Street Parking Spaces," Section 24-8405 Titled "Commercial Use Classification," Section 24-8406 Titled "Industrial Use Classification," and Section 24-8501 Titled "Accessory Uses, Temporary Uses, and Other Terms," and to Add a New Section 24-4438 Titled "Accessory Data Center (as Accessory to an Office or Industrial Use)" of the Code of the County of Henrico to Require a Provisional Use Permit for Data Centers as a Principal Use and Establish Development Standards for Data Centers.

Mr. Newby advised on the motion for the Board to amend this item based on the prior discussion.

Mr. Emerson clarified for Mr. Rogish on how the current ordinance reads with regards to noise control for generators. There was further discussion regarding sound.

Mr. Newby read the motion to amend the alternate zoning ordinance proposal identified as item 143-25 by replacing the current language in proposed section 24-4328.B.2 with the following:

"Generators for a data center must not be operated other than during emergency power outages and for testing and maintenance. Testing and maintenance of generators for a data center must be conducted only Monday-Friday between 10:00 a.m. and 4:00 p.m."

And by replacing the current language in proposed section 24-4328.B.3. with the following:

"A data center must be served by public water and sewer. Any water cooling must use a closed-loop or recycled water system, unless another cooling system is approved for the data center as part of a provisional use permit."

On motion of Mrs. Roundtree, seconded by Mr. Nelson, and by unanimous vote, the Board approved the amendments to the ordinance 143-25.

The vote of the Board was as follows:

Yes: Schmitt, Cooper, Rogish, Roundtree, Nelson

No:

On motion of Mr. Nelson, seconded by Mr. Cooper, and by unanimous vote, the Board approved the ordinance, as amended – see attached amended ordinance.

The vote of the Board was as follows:

Yes: Schmitt, Cooper, Rogish, Roundtree, Nelson

No:

PUBLIC COMMENTS

Adrienne Tinsley, a resident of the Three Chopt District, voiced concerns about dogs running at large.

Kennith Harvey, Commander for the American Legion Post 233, gave the Board an update on the community job fair and event for the Varina District.

GENERAL AGENDA

144-25 Resolution - Declaration of Local Emergency.

EXHIBIT
tabbies
M-1

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda

Agenda Title: ORDINANCE — See attached

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
Date: _____	Moved by (1) _____ Seconded by (1) _____	Cooper, R. ___ ___ ___
( ) Approved	(2) _____ (2) _____	Nelson, T. ___ ___ ___
( ) Denied	REMARKS: _____	Rogish, J. ___ ___ ___
( ) Amended	_____	Roundtree, M. ___ ___ ___
( ) Deferred to:	_____	Schmitt, D. ___ ___ ___
_____		

After a duly advertised public hearing, the Board of Supervisors of Henrico County adopted the attached ordinance.

Comments: The amendments were considered at a joint public hearing with the Planning Commission on May 15, 2025. The Director of Planning recommends approval of the amendments to Chapter 24 that are attached to this Board paper, and the County Manager concurs.

By Agency Head _____ By County Manager _____

Copy to: _____

Certified:
A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

ORDINANCE — To Amend and Reordain Section 24-3102 Titled "Districts Established," Section 24-3406 Titled "O-3 Office District," Section 24-3704 Titled "Established Overlay Districts," Section 24-4205 Titled "Principal Use Table," Section 24-4319 Titled "Commercial Uses: Offices," Section 24-4328 Titled "Industrial Uses: Services Uses," Section 24-4402 Titled "Accessory Use or Structure Table," Section 24-5110 Titled "Minimum Number of Off-Street Parking Spaces," Section 24-8405 Titled "Commercial Use Classification," Section 24-8406 Titled "Industrial Use Classification," and Section 24-8501 Titled "Accessory Uses, Temporary Uses, and Other Terms," and to Add New Sections 24-3711 Titled "WOTPA-O, White Oak Technology Park Area Overlay District" and 24-4438 titled "Accessory Data Center (as Accessory to an Office or Industrial Use)" of the Code of the County of Henrico to Create a New Zoning District to Be Known as the White Oak Technology Park Area Overlay District, Require a Provisional Use Permit for Data Centers as a Principal Use Outside of Such District, and Establish Development Standards for Data Centers

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 24-3102 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3102. Districts Established

This Ordinance establishes the base, planned development, and overlay zoning districts identified in Table 3102: Establishment of Zoning Districts. Each zoning district established in accordance with this Ordinance will have the boundaries shown on the Zoning Districts Map (see Article 1, Division 3, Zoning Districts Map).

Table 3102: Establishment of Zoning Districts

....
....
Overlay Districts
....
GA-O, Glen Allen Overlay District (Sec. 24-3710)
WOTPA-O, White Oak Technology Park Area Overlay District (Sec. 24-3711)
FBA-O, Form-Based Alternative Overlay District (Article 3, Division 8)

2. That Section 24-3406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3406. O-3 Office District

A. Purpose

The purpose of the O-3 Office District is to provide lands primarily for offices, office buildings and limited retail uses that are generally compatible with higher-density residential development and served by arterial thoroughfares. Allowed uses include:

- Offices including medical, artist studios, and professional services;
- Limited retail such as financial institutions, restaurants, drug stores, theaters, convenience stores;
- Childcare and adult care, hospitals, and funeral homes;
- ~~Data centers;~~
- Trade schools; and
- Hotels

....

3. That Section 24-3704 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3704. Established Overlay Districts

The Overlay districts established by this Ordinance are identified in Table 3704: Established Overlay Districts.

Table 3704: Established Overlay Districts

....
GA-O, Glen Allen Overlay District (Sec. 24-3710)
WOTPA-O, White Oak Technology Park Area Overlay District (Sec. 24-3711)
FBA-O, Form-Based Alternative Overlay District (Article 3, Division 8)

4. That Section 24-3711 be added to the Code of the County of Henrico as follows:

Sec. 24-3711. WOTPA-O, White Oak Technology Park Area Overlay District

A. Purpose

The WOTPA-O, White Oak Technology Park Area Overlay District is hereby created to implement the comprehensive plan and contribute to orderly development of the County by providing a designated area where large-scale data centers as a principal use will be allowed by right. Outside of the White Oak Technology Park Area Overlay District, a data center as a principal use requires a provisional use permit in accordance with Sec. 24-2306, Provisional Use Permit, or an approved PD Master Plan in the LI-PD district.

B. Overlay District Boundaries

The boundaries of the WOTPA-O, White Oak Technology Park Area Overlay District will be those of the "Technology Boulevard Area Study" in the amendment to the

2026 Comprehensive Plan adopted by the Board of Supervisors on [insert effective date of comprehensive plan amendment]. The boundaries are delineated on the Zoning Districts Map.

C. Permitted Uses

In addition to the uses allowed by the underlying zoning districts, a data center as a principal use will be permitted by right within the White Oak Technology Park Area Overlay District, subject to the use-specific standards in Sec. 24-4328.

5. That Section 24-4205 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4205. Principal Use Table

Principal uses are allowed in each of the zoning districts in accordance with 4205: Principal Use Table. The cross-references in the "Use Specific Standards" column are provided for ease of reference and are not exhaustive.

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Table 4205: Principal Use Table

R=Permitted by right | C=Allowed subject to conditional use permit | P=Allowed subject to provisional use permit
- =Prohibited | A=Allowed subject to an approved PD Master Plan and PD Terms and Conditions Document

Use Category Click on category to jump to definitions	**Use Type**	**C&A**		**Residential**														**Nonresidential & Mixed-Use**										**PD**				**FBA-O Dev. Area**							**Use-Specific Standards** Click on section number to jump to regulations
		C-1	A-1	R-0	R-0A	R-1	R-1A	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
....																																								
Commercial Use Classification																																								
....																																								
Office	....																																							
	~~Data center~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~-~~	~~-~~	~~-~~	~~A~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~R~~	~~Sec. 24-4319~~
	....																																							
....																																								
Industrial Use Classification																																								
....																																								
Industrial Services	Contractor services	....																																						
	Data Center	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**-**	**-**	**-**	**A**	**-**	**-**	**-**	**-**	**-**	**-**	**P**	**Sec. 24-4328**
	Fuel oil or bottled gas distributor	....																																						
	....	....																																						
....																																								

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6. That Section 24-4319 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4319. Commercial Uses: Offices

In addition to the requirements of Sec. 24-4315, All Commercial Uses, the following requirements apply to offices as a principal use.

....

B. ~~Data Centers~~ Reserved

~~For data centers in all districts except the M-1, M-2, and M-3 districts, all equipment necessary for cooling, ventilating, or otherwise operating the facility must be contained within an enclosed building where the use is located. This includes emergency power generators and other emergency power supply equipment.~~

7. That Section 24-4328 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4328. Industrial Uses: Services Uses

In addition to the requirements of Sec. 24-4326, Industrial Uses Generally, the following requirements apply to industrial service uses.

....

B. Data Centers

1. All equipment necessary for operating the data center must be contained within an enclosed building or screened by opaque walls to minimize transmission of sound. This includes equipment for cooling and ventilating, as well as emergency power generators and other emergency power supply equipment.

2. Testing and maintenance of generators for a data center must be conducted only Monday-Friday between 10:00 am and 4:00 pm. This does not include the operation of generators during an emergency power outage.

3. A data center must be served by public water and sewer. Any water cooling must use a closed-loop or recycled water system.

~~B~~C. Heavy Equipment Sales, Rental, and Service

....

~~C~~D. Laundry, Dry Cleaning, and Carpet Cleaning Plants

....

~~D~~E. Research and Development Facility

....

8. That Section 24-4402 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4402. Accessory Use or Structure Table

....

E. Accessory Use or Structure Table

Accessory uses and structures are allowed in each of the zoning districts in accordance with Table 4402: Accessory Use or Structure Table.

Table 4402: Accessory Use or Structure Table
R=Permitted by right | C=Allowed subject to conditional use permit | P=Allowed subject to provisional use permit
- =Prohibited | A=Allowed subject to an approved PD Master Plan and PD Terms and Conditions Document

Accessory Use or Structure	C&A		Residential														Nonresidential & Mixed-Use											PD				FBA-O Dev. Area							Specific Standards for Use or Structure
	C-1	A-1	R-0	R-0A	R-1	R-1A	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
....																																							
Cremation chamber (as accessory to a funeral home or a veterinary hospital or clinic)	....																																						
Data center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	R	R	R	R	R	R	-	-	-	A	-	-	-	-	-	-	R	Sec. 24-4438
Donation box	....																																						
....																																							

9. That Section 24-4438 be added to the Code of the County of Henrico as follows:

Sec. 24-4438. Accessory Data Center (as Accessory to an Office or Industrial Use)

A data center is allowed as an accessory use to an office or industrial use, subject to the following standards in addition to the standards of Sec. 24-4328.B:

A. The accessory data center and the office or industrial use to which it is accessory must be located on the same or adjacent premises.

B. All equipment necessary for operating the data center must be contained within an enclosed building or screened by opaque walls to minimize transmission of sound. This includes equipment for cooling and ventilating, as well as emergency power generators and other emergency power supply equipment.

10. That Section 24-5110 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5110. Minimum Number of Off-Street Parking Spaces

....

Table 5110: Minimum Number of Off-Street Parking Spaces

Principal Use Category	Principal Use Type	Minimum Off-Street Parking Spaces [1, 2]
	....	
Commercial Uses		
....		
Offices	....	....
	Business training and conference facility	4.0 per 1,000 sf training or display space, plus 2 per 1,000 sf office or other administrative space
	~~Data center~~	~~2.0 per 1,000 sf offices~~
	Professional services	2.5 per 1,000 sf
....		
Industrial Uses		
Industrial Services	Contractor services, in addition to spaces required for service vehicles	2.0 per 1,000 sf
	Data center	**2.0 per 1,000 sf of office space**
	Fuel oil or bottled gas distributor	2.0 per 1,000 sf
	....	....

Table 5110: Minimum Number of Off-Street Parking Spaces		
Principal Use Category	**Principal Use Type**	**Minimum Off-Street Parking Spaces [1, 2]**
....		

11. That Section 24-8405 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8405. Commercial Use Classification

....

D. Office

The Office uses category includes office buildings housing activities conducted in a professional setting, generally focusing on the provision of business services, professional services (e.g., lawyers, accountants, engineers, architects), financial services (e.g., lenders, brokerage houses, tax preparers), or medical and dental services. Use types include: business and sales; and professional services. This use category does not include offices that are a component of or accessory to a principal use in another use category, such as administrative government services (categorized in the Government Facilities use category), or banks or other financial institutions (categorized in the Retail Sales and Services use category). Accessory uses may include cafeterias, recreational or fitness facilities, incidental commercial uses, **an accessory data center serving a principal use on the same or adjacent premises,** or other amenities primarily for the use of employees of the office use.

....

~~**Data center**~~

~~A facility containing one or more large scale computer systems used for data storage and processing for off-site users. Typical supporting equipment includes back up batteries and power generators, cooling units, fire suppression systems, and enhanced security features. A data center typically has few on site employees.~~

....

....

12. That Section 24-8406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8406. Industrial Use Classification

....

B. Industrial Services

The Industrial Services use category includes use types involving the **support,** repair, or servicing of industrial or business machinery equipment, products, or by-products, and firms

that service consumer goods for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. The category also includes use types involving the storage or movement of goods. Use types include: contractor service; **data center;** fuel oil or bottled gas distributor; general industrial service and repair; heavy equipment sales, rental, and service; laundry, dry cleaning, and carpet cleaning plants; manufactured home and prefabricated building construction and sales; research and development; and similar use types.

Contractor services
Offices for landscaping, building, heating, plumbing, or electrical contractors, and related storage facilities.

Data center
A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Typical supporting equipment includes back-up batteries and power generators, cooling units, fire suppression systems, and enhanced security features. A data center typically has few on-site employees.

Fuel oil or bottled gas distributor
An establishment principally engaged in the sale, distribution, and delivery of fuel oil or bottled gases such as propane or liquified petroleum.

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• • • •

13. That Section 24-8501 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8501. Accessory Uses, Temporary Uses, and Other Terms

The following terms will have the meanings assigned below.

• • • •

Damaged or destroyed building

A damaged or destroyed building or structure is one for which the cost of restoring the building or structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred.

Data center as an accessory use

A facility containing computer systems used for data storage and processing that is accessory to an office or industrial use on the same or adjacent premises.

Debris waste

Solid waste resulting from land clearing operations. Debris wastes include stumps, wood, brush, leaves, soil, and road spoils.

• • • •

14. That this ordinance will be in full force and effect on and after its passage as provided by law.

AIRPORT WEST DATA CENTER CAMPUS

SITE, UTILITY, AND LIGHTING PLAN

2248 DARBYTOWN RD
HENRICO, VA 23231

VARINA MAGISTERIAL DISTRICT
HENRICO COUNTY, VIRGINIA

SITE DATA

1. OWNER/DEVELOPER
FARIEVA RICHMOND INC.
2248 DARBYTOWN RD
HENRICO, VA 23231

2. DEVELOPER
CENTRA LOGISTICS
4000 KENSINGTON AVE
RICHMOND, VA 23221
CONTACT: DAVID WAGNER
EMAIL: DAVID.WAGNER@CENTRA-LOGISTICS.COM
PHONE (804) 627-3668

3. ENGINEER
KIMLEY-HORN AND ASSOCIATES, INC.
2035 MAYWILL STREET, SUITE 200
RICHMOND, VA 23230
CONTACT: DAVID ELLINGTON, P.E.
EMAIL: DAVID.ELLINGTON@KIMLEY-HORN.COM
PHONE (804) 673-3882

4. GPIN #(S)
813-704-4812

5. ADDRESS
2248 DARBYTOWN ROAD
HENRICO, VIRGINIA 23231

6. ACREAGE
TOTAL PARCEL AREA: 185.00 ACRES

7. ZONING
A-1 THE AGRICULTURAL DISTRICT
M-1 LIGHT INDUSTRIAL DISTRICT

8. PROPOSED USE
DATA CENTER

9. PREVIOUS APPROVAL
A. POD #
B. ADMINISTRATIVE #
C. ZONING CASE #
D. VARIANCE (BZA) CASE #
E. PROVISIONAL USE PERMIT #
F. CONSITIONAL USE #
G. SUBDIVISION #

10. UTILITIES

	YES	NO
COUNTY WATER	☒	☐
COUNTY SEWER	☒	☐
WELL	☐	☒
SEPTIC	☐	☒
OTHER	☐	☒

11. PARKING SCHEDULE
A. # SPACES REQUIRED: 206 SPACES
B. BASIS FOR PARKING CALCULATIONS: 2 PER 1,000 SF OFFICE SPACE
14,600 OFFICE SPACE/ 1000 SF | X 2 X 7 | BUILDINGS | = 205
C. # SPACES PROVIDED: 420 SPACES
D. # ACCESSIBLE SPACES PROVIDED: 20
INCLUDING 20 VAN ACCESSIBLE
E. # LOADING SPACES PROVIDED: 14
F. INTERIOR GREENSPACE CALCULATIONS
4,158 SF S.F. REQUIRED
10,509 SF S.F. PROVIDED

12. FLOODPLAIN INFORMATION (CHECK ALL THAT APPLY)
☒ YES ☐ NO
☐ FEMA SFHA ☐ COMMUNITY SFHA
☒ A ZONE ☐ AE ZONE ☐ FLOODWAY ☐ 500 YEAR

13. BUILDING INFORMATION
A. SQ. FOOTAGE OF BUILDING: 115,800 SF
B. NUMBER OF STORIES: 2 - STORIES
C. NUMBER OF UNITS: 7
D. CONSTRUCTION TYPE: IIB
E. SPRINKLED: ☒ YES ☐ NO
F. USE GROUP(S): DATA CENTER, LIGHT INDUSTRIAL M-1
G. MEDICAL OFFICE: ☐ YES ☒ NO

14. TREE CANOPY CALCULATIONS

TOTAL SITE AREA	8,484,200 SF (195.00 AC)
BUILDING AREA	810,725 SF (18.61 AC)
PARKING AREA	68,040 SF (1.56 AC)
ADJUSTED SITE AREA	7,615,435 SF (174.82 AC)
10 PERCENT CANOPY REQUIRED	761,543 SF (17.48 AC)
TOTAL CANOPY PROVIDED	7,686,393 SF (176.50 AC)

15. OPEN SPACE
649,420 SF S.F. REQUIRED
7,886,393 SF S.F. PROVIDED

16. VIRGINIA HYDROLOGIC UNIT CODE
VAHUB JL03, HUC8 02080206

SHEET INDEX

SHEET NO.	DESCRIPTION
CA-100	COVER SHEET
CA-101	GENERAL NOTES
CV-101 THRU CV-102	EXISTING CONDITIONS
CE-100	OVERALL PHASE I E&SC AND DEMOLITION PLAN
CE-101 THRU CE-102	PHASE I E&SC AND DEMOLITION PLAN
CE-103	OVERALL PHASE II E&SC PLAN
CE-104 THRU CE-105	PHASE II E&SC PLAN
CE-501	EROSION SEDIMENT CONTROL NARRATIVE
CE-502	HENRICO COUNTY EROSION CONTROL DETAILS
CE-503	HENRICO COUNTY EROSION CONTROL NOTES
CE-504	HENRICO COUNTY POLLUTION PREVENTION PLAN
CS-100	OVERALL SITE PLAN
CS-101 THRU CS-111	SITE PLAN
CS-201	SIGHT DISTANCE PLAN
CS-501	HENRICO COUNTY STANDARD DETAILS
CS-502 THRU CS-503	SITE DETAILS
CG-100	OVERALL GRADING PLAN
CG-101 THRU CG-111	GRADING PLAN
CG-201 THRU CG-202	STORMWATER QUANTITY PLAN
CG-203	STORMWATER QUALITY PLAN
CG-204	STORMWATER DETAILS
CU-100	OVERALL UTILITY PLAN
CU-101 THRU CU-111	UTILITY PLAN
CU-501 THRU CU-502	UTILITY DETAILS
LP-100	OVERALL LANDSCAPE PLAN
LP-101 THRU LP-111	LANDSCAPE PLAN
LP-501	LANDSCAPE NOTES
LP-502	LANDSCAPE DETAILS
CL-100	OVERALL LIGHTING PLAN
CL-101 THRU CL-111	LIGHTING PLAN
CL-501 THRU CL-502	LIGHTING DETAILS



VICINITY MAP
SCALE 1" = 2000'

TRAFFIC DATA

1. AM PEAK HOUR WEEKDAY TRIP GENERATION: (ENTER/EXIT) (66/54)
2. PM PEAK HOUR WEEKDAY TRIP GENERATION: (ENTER/EXIT) (11/27)
3. VEHICLE TRIPS PER DAY: 953

☒ **DOES NOT** REQUIRE SUBMISSION OF A TRAFFIC STUDY FOR THIS PROPOSED PLAN

☐ **DOES** REQUIRE SUBMISSION OF A TRAFFIC STUDY FOR THIS PROPOSED PLAN PER TRAFFIC ENGINEERING

EROSION CONTROL QUANTITIES
(FOR BOND PURPOSES ONLY)

SAFETY FENCE	730 LF
CONSTRUCTION ENTRANCE	2 EA
SILT FENCE	6226 LF
INLET PROTECTION	53 EA
DIVERSION DIKE	7510 LF
SEDIMENT BASIN	5 EA
OUTLET PROTECTION	4 EA
TEMPORARY SEEDING	33.11 AC
PERMANENT SEEDING	33.11 AC
TREE PROTECTION	14,110 LF
LIMITS OF DISTURBANCE	112.13 AC
STOCKPILE	8 EA

ALL WATER SERVICE ACCESSORIES AND FITTINGS SHALL BE LEAD-FREE IN COMPLIANCE WITH SECTION 1417 OF THE SAFE DRINKING WATER ACT, AND NSF 61 APPROVED.

6TH ORDER HUC: 02080206

TOPOGRAPHY

SOURCE: ALTA SURVEY

SURVEY DATE: OCTOBER 23,2023

RESPONSIBLE PARTY: JENNINGSTEPHENSON P.C.

EXCEPTIONS GRANTED

DATE	DEPT(S)	DESCRIPTION

ENGINEER'S CERTIFICATION

TO THE BEST OF MY KNOWLEDGE, THIS PLAN SATISFIES ALL ZONING CODE REQUIREMENTS, CONDITIONS OF APPROVAL, AND PROFFERS.

SIGNATURE

☐ AS INDICATED IN RED

☐ THIS PLAN REQUIRES COMPLETE RE-SCANNING

IN ACCORDANCE WITH SEC. 10-38 OF THE CODE OF THE COUNTY OF HENRICO, I HEREBY CERTIFY THAT I AM THE RESPONSIBLE LAND DISTURBER FOR THIS PROJECT AND THAT I HAVE A VALID CERTIFICATION FROM THE STATE OF VIRGINIA.

SIGNATURE

NAME (PRINT) DATE

REVISIONS TO APPROVED PLANS

NO.	DATE	DESCRIPTION

DEPARTMENT OF PLANNING APPROVAL BLOCK

APPROVED BY: THE HENRICO COUNTY BOARD OF SUPERVISORS
B.O.S. DATE — COUNTY MANAGER — DATE

APPROVED BY: THE HENRICO COUNTY PLANNING COMMISSION
P.C. DATE — ACTING SECRETARY — DATE

APPROVED BY: THE HENRICO COUNTY DIRECTOR OF PLANNING
DIRECTORS APPROVAL DATE — ACTING SECRETARY — DATE

APPROVED BY: HENRICO COUNTY PLANNING
DATE
☐ COUNTY PLANNER
☐ PRINCIPAL PLANNER
☐ DIRECTOR

☐ THIS APPROVAL ENCOMPASSES ONLY THOSE REVISIONS NOTED IN THE LETTER OF APPROVAL

DEPARTMENT OF PUBLIC UTILITIES POD APPROVAL

FOR WATER AND SANITARY SEWER ONLY, SUBJECT TO COUNTY SPECIFICATIONS.

APPROVED BY: _____ DATE: _____

APPROVAL FOR WATER AND SEWER EXPIRES: _____

THESE PLANS ARE NOT APPROVED FOR WATER AND SANITARY SEWER CONSTRUCTION UNTIL THIS BLOCK IS SIGNED.

NOTE:
WATER AND SEWER SYSTEMS FOR THIS PROJECT WILL BE ACCEPTED AND WATER METERS WILL BE SET AFTER ADJACENT UTILITIES TO WHICH THEY CONNECT HAVE BEEN ACCEPTED BY THE COUNTY FOR OPERATION.

D.P.U. #

DEPARTMENT OF PUBLIC WORKS APPROVAL BLOCK

DIRECTOR OF PUBLIC WORKS
DATE

DATE: REVIEW ENGINEER

DATE: SENIOR ENGINEER

DATE: TRAFFIC ENGINEER

DATE: ENVIRONMENTAL INSPECTOR

D.P.W. #

DISTRIBUTION BY DPW:

_____ PUBLIC UTILITIES (6)
_____ ENGINEER
_____ OWNER

REVISED SEPTEMBER 6, 2024

NO.	REVISIONS	DATE	BY

Kimley»Horn
© 2025 KIMLEY-HORN AND ASSOCIATES, INC.
2035 MAYWILL ST, SUITE 200, RICHMOND, VA 23230
PHONE: 804-673-3882
WWW.KIMLEY-HORN.COM

COMMONWEALTH OF VIRGINIA
B. ELLINGTON
Lic. No. 043906
04/04/2025
PROFESSIONAL ENGINEER

KHA PROJECT	113564000
DATE	08/06/2025
SCALE	AS SHOWN
DESIGNED BY	MFB
DRAWN BY	MFB
CHECKED BY	DBE

tabbies
EXHIBIT
A

AIRPORT WEST DATA CENTER CAMPUS
PREPARED FOR
CENTRA LOGISTICS
HENRICO COUNTY

SHEET NUMBER
CA-100

Plotted By: Scott, Justin Scott.Sell.Kho Last Saved By: Scott, Justin Scott.Sell.Kho Last Saved On: June 10, 2025 08:34:36pm K:\RIC_Civ\113564000 - Farieva Site - Henrico County\CAD\PlanSheets\CA-100 COVER SHEET.dwg
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Plotted By: mma Sheet Sections Layout: GENERAL NOTES June 10, 2025 06:08:15pm K:\RIC_CW\113564000 - Forest Site - Henrico County\CAD\PlanSheets\CA-101 GENERAL NOTES.dwg
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KIMLEY-HORN AND ASSOCIATES, INC. STD. NOTES

CONSTRUCTION STANDARDS

1. ALL CONSTRUCTION METHODS AND MATERIALS SHALL CONFORM WITH THESE DRAWINGS, PROJECT SPECIFICATIONS, WITH ALL CURRENT APPLICABLE CODES, AND, UNLESS OTHERWISE SPECIFIED, WITH THE LATEST REVISIONS OF THE FOLLOWING REFERENCE DOCUMENTS

   A. HENRICO COUNTY CONSTRUCTION STANDARDS AND SPECIFICATIONS
   B. VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) ROAD & BRIDGE SPECIFICATIONS
   C. VDOT ROAD AND BRIDGE STANDARDS
   D. MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD)
   E. VIRGINIA WORK AREA PROTECTION MANUAL
   F. VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK (VESCH)
   G. VIRGINIA DEPARTMENT OF HEALTH (VDH) SPECIFICATIONS
   H. VIRGINIA STORMWATER MANAGEMENT HANDBOOK

CONSTRUCTION NOTES

1. ALL CONSTRUCTION SHALL CONFORM WITH APPLICABLE STATE (INCLUDING VDOT) AND LOCAL CONSTRUCTION STANDARDS AS IDENTIFIED IN THESE PLANS. THE CONTRACTOR SHALL OBTAIN ALL APPLICABLE PERMITS AND LICENSES AND MAINTAIN COPIES OF THEM ON-SITE AT ALL TIMES DURING CONSTRUCTION. THE CONTRACTOR SHALL MAINTAIN A SET OF CONSTRUCTION DOCUMENTS, SPECIFICATIONS, AND A STORMWATER POLLUTION PREVENTION PLAN (SWPPP) ON-SITE AT ALL TIMES DURING CONSTRUCTION.
2. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THE PROJECT WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR THE RELATIVE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF WORK AS DEFINED BY THE DRAWINGS AND IN FULL COMPLIANCE WITH LOCAL REGULATIONS AND CODES.
3. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
4. ALL PAINT STRIPING, PAVEMENT MARKINGS, AND SIGNAGE SHALL CONFORM TO THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES," MOST CURRENT REVISION OR AS OTHERWISE SPECIFIED. ALL REFERENCED SIGN STANDARDS ARE TAKEN FROM THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES". ALL NEW SIGNS SHALL BE MOUNTED ON GALVANIZED POSTS AND IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
5. THE CONTRACTOR IS RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL EXISTING UTILITIES ASSOCIATED WITH THE PROJECT WORK SCOPE DURING CONSTRUCTION. AT LEAST 48 HOURS PRIOR TO ANY DEMOLITION, GRADING, OR CONSTRUCTION ACTIVITY THE CONTRACTOR SHALL NOTIFY "MISS UTILITY" OF VIRGINIA @ 811 FOR PROPER IDENTIFICATION OF EXISTING UTILITIES WITHIN THE PROJECT SITE.
6. ANY DAMAGE OCCURRING TO THE EXISTING SITE INFRASTRUCTURE ON THIS OR THE ADJACENT SITE DURING THE CONSTRUCTION OPERATIONS AND/OR MOBILIZATION, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. ALL EXISTING DAMAGED ITEMS INCLUDING CONCRETE AND/OR PAVEMENT SECTIONS SHALL BE RESTORED TO THEIR ORIGINAL CONDITIONS PRIOR TO PROJECT COMPLETION AT THE EXPENSE OF THE CONTRACTOR.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING WITH MATCHING MATERIALS ANY PAVEMENT, DRIVEWAYS, WALKS, CURBS, ETC. THAT MUST BE CUT OR THAT ARE DAMAGED DURING CONSTRUCTION INSIDE AND OUTSIDE OF THE LIMITS OF CONSTRUCTION.
8. ANY AND ALL UTILITIES AND/OR OBSTRUCTIONS (POWER POLES, TELEPHONE PEDESTALS, GUY WIRES, WATER METERS, ETC.) THAT ARE REQUIRED TO BE RELOCATED OR ADJUSTED DUE TO CONSTRUCTION SHALL BE DONE SO AT THE OWNER/DEVELOPERS EXPENSE.
9. SLOPES WITHIN THE LIMITS OF THE HANDICAPPED PARKING AREAS SHALL NOT EXCEED 1.5% IN ANY DIRECTION. CROSSWALKS AND SIDEWALKS SHALL HAVE A MAXIMUM CROSS SLOPE OF 1.5% AND A MAXIMUM LONGITUDINAL SLOPE OF 5% IN DIRECTION OF TRAVEL. SLOPES IN HANDICAP RAMPS SHALL BE BUILT IN CONFORMANCE WITH LATEST ADA CRITERIA AND LOCAL DESIGN STANDARDS.
10. THE CONTRACTOR IS RESPONSIBLE TO REMOVE ALL THE REMOVED/DEMOLISHED MATERIAL FROM THE PROJECT SITE AND DISPOSE OF SAME IN A LEGAL MANNER.
11. TYING TO EXISTING PAVEMENT: EXISTING PAVEMENT SHALL BE NEATLY SAW CUT TO A STRAIGHT LINE AND ALL PAVING ON THE NEW PAVEMENT SIDE OF THE CUT SHALL BE COMPLETELY REMOVED AND REPLACED WITH SPECIFIED MATERIALS. THE CUT LINE SHALL BE FULL-DEPTH AND COATED WITH A TACK COAT TO FURNISH A BOND BETWEEN THE EXISTING SURFACE COURSE AND THE NEW SURFACE COURSE.
12. TYING TO EXISTING CURB/GUTTER: THE EXISTING PAVEMENT SHALL BE NEATLY SAW CUT AND REMOVED FOR A DISTANCE OF 2'0" FROM FACE OF THE CURB AND 2'0" FROM THE EDGE OF CURB AND GUTTER AND THE SUBGRADE, BASE COURSE, AND PAVING REPLACED WITH NEW PRODUCTS.
13. THESE PLANS ARE BASED ON INFORMATION PROVIDED TO KIMLEY-HORN & ASSOCIATES, INC. AT THE TIME OF PLAN PREPARATION. CONTRACTOR SHALL FIELD VERIFY EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY KIMLEY-HORN & ASSOCIATES, INC. IF ACTUAL SITE CONDITIONS DIFFER FROM THOSE SHOWN ON THE PLAN, OR IF THE PROPOSED WORK WOULD BE INHIBITED BY ANY OTHER SITE FEATURES.
14. ANY DISCREPANCIES ON THE DRAWINGS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE ARCHITECT AND ENGINEER BEFORE COMMENCING WORK. NO FIELD CHANGES OR DEVIATIONS FROM DESIGN ARE TO BE MADE WITHOUT PRIOR APPROVAL OF THE OWNER AND NOTIFICATION TO THE ENGINEER. CONSIDERATION WILL BE GIVEN TO CHANGE ORDERS FOR WHICH THE OWNER AND ENGINEER WERE NOT CONTACTED PRIOR TO CONSTRUCTION OF THE AFFECTED ITEM.
15. ALL DIMENSIONS SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY ENGINEER AND OWNER IN WRITING IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR WORK HAVING TO BE REDONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
16. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL/BUILDING PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF ENTRY/EXIT POINTS, ELEVATIONS, PRECISE BUILDING DIMENSIONS, EXACT BUILDING UTILITY LOCATIONS.
17. IF THE CONTRACTOR DEVIATES FROM THE PLANS AND SPECIFICATIONS, INCLUDING THE NOTES CONTAINED THEREON, WITHOUT FIRST OBTAINING WRITTEN AUTHORIZATION FOR SUCH DEVIATIONS FROM THE OWNER AND ENGINEER, IT SHALL BE RESPONSIBLE FOR THE PAYMENT OF ALL COSTS TO CORRECT ANY WORK DONE, ALL FINES OR PENALTIES ASSESSED WITH RESPECT THERETO AND ALL COMPENSATORY OR PUNITIVE DAMAGES RESULTING THEREFROM. THE CONTRACTOR SHALL INDEMNIFY AND HOLD THE OWNER AND ENGINEER HARMLESS FROM ALL SUCH COSTS TO CORRECT ANY SUCH WORK AND FROM ALL SUCH FINES AND PENALTIES, COMPENSATION AND PUNITIVE DAMAGES AND COSTS OF ANY NATURE RESULTING THEREFROM.
18. BRACING OF UTILITY POLES MAY BE REQUIRED BY UTILITY COMPANIES WHEN TRENCHING OR EXCAVATION IS IN CLOSE PROXIMITY TO THE POLES. THE COST OF BRACING POLES WILL BE BORNE BY THE CONTRACTOR. THERE IS NO SEPARATE PAY ITEM FOR THIS WORK. THE COST IS INCIDENTAL TO THE VARIOUS PAY ITEMS FOR INSTALLATION OF PIPE.
19. ALL EXISTING TRAFFIC AND STREET SIGNS DISTURBED SHALL BE REINSTALLED WHERE APPLICABLE BY THE CONTRACTOR.
20. UNLESS THE PLANS SPECIFICALLY DICTATE TO THE CONTRARY, ON-SITE AND OTHER DIRECTIONAL SIGNS SHALL BE LOCATED OUT OF THE PEDESTRIAN AND AUTOMOBILE ROUTES AND SHALL BE LOCATED BETWEEN THREE TO FIVE FEET BEHIND THE NEAREST BACK OF CURB. SIGN HEIGHT, LOCATION, AND STRUCTURE SHALL BE SUCH THAT THE SIGNS POSE NO THREAT TO PUBLIC SAFETY.

DEMOLITION / LAND DISTURBANCE NOTES

1. PRIOR TO STARTING ANY DEMOLITION CONTRACTOR IS RESPONSIBLE FOR/TO:
   A. ENSURING THAT COPIES OF ALL APPLICABLE PERMITS AND APPROVALS ARE MAINTAINED ON SITE AND AVAILABLE FOR REVIEW.

   B. INSTALLING THE REQUIRED SOIL EROSION AND SEDIMENT CONTROL AND/OR TREE PROTECTION MEASURES PRIOR TO SITE DISTURBANCE.

   C. LOCATING (VERTICALLY AND HORIZONTALLY) ALL UTILITIES AND SERVICES, INCLUDING, BUT NOT LIMITED TO GAS, WATER, ELECTRIC, SANITARY AND STORM SEWER, TELEPHONE, CABLE, FIBER OPTIC CABLE, ETC. WITHIN THE LIMITS OF DISTURBANCE. THE CONTRACTOR SHALL USE AND COMPLY WITH THE REQUIREMENTS OF THE APPLICABLE UTILITY NOTIFICATION SYSTEM TO LOCATE ALL THE UNDERGROUND UTILITIES.

   E. FAMILIARIZING THEMSELVES WITH THE APPLICABLE UTILITY SERVICE PROVIDER AND IS RESPONSIBLE FOR ALL COORDINATION REGARDING UTILITY DEMOLITION REQUIRED FOR THE PROJECT. THE CONTRACTOR SHALL PROVIDE THE OWNER WRITTEN NOTIFICATION THAT THE EXISTING UTILITIES AND SERVICES HAVE BEEN TERMINATED AND ABANDONED IN ACCORDANCE WITH JURISDICTION AND UTILITY COMPANY REQUIREMENTS.

   F. COORDINATION WITH UTILITY COMPANIES & ADJACENT LANDOWNERS/BUSINESSES REGARDING WORKING "OFF-PEAK" HOURS OR ON WEEKENDS AS MAY BE REQUIRED TO MINIMIZE THE IMPACT ON THE AFFECTED PARTIES.
2. NEITHER KIMLEY-HORN & ASSOCIATES, INC. NOR THE OWNER IS RESPONSIBLE FOR JOB SITE SAFETY OR SUPERVISION. CONTRACTOR IS TO PROCEED WITH THE DEMOLITION IN A SYSTEMATIC AND SAFE MANNER, FOLLOWING ALL OSHA REQUIREMENTS, TO ENSURE PUBLIC AND CONTRACTOR SAFETY.
3. THE CONTRACTOR SHALL PROVIDE ALL THE "MEANS AND METHODS" NECESSARY TO PREVENT MOVEMENT, SETTLEMENT, OR COLLAPSE OF EXISTING STRUCTURES, AND ANY OTHER IMPROVEMENTS THAT ARE REMAINING ON OR OFF SITE. THE DEMOLITION CONTRACTOR IS RESPONSIBLE FOR ALL REPAIRS OF DAMAGE TO ALL ITEMS THAT ARE TO REMAIN AS A RESULT OF HIS ACTIVITIES.
4. IN THE ABSENCE OF SPECIFICATIONS, THE CONTRACTOR SHALL PERFORM EARTH MOVEMENT ACTIVITIES, DEMOLITION AND REMOVAL OF ALL FOUNDATION WALLS, FOOTINGS, AND OTHER MATERIALS WITHIN THE LIMITS OF DISTURBANCE WITH DIRECTION BY OWNER'S STRUCTURAL OR GEOTECHNICAL ENGINEER.
5. CONTRACTOR SHALL PROVIDE TRAFFIC CONTROL AND GENERALLY ACCEPTED SAFE PRACTICES IN CONFORMANCE WITH: THE "MANUAL ON UNIFORM TRAFFIC CONTROL," AS WELL AS FEDERAL, STATE, AND LOCAL REGULATIONS WHEN DEMOLITION RELATED ACTIVITIES IMPACT ROADWAYS OR ROADWAY RIGHTS - OF - WAY.
6. CONDUCT DEMOLITION ACTIVITIES IN SUCH A MANNER TO ENSURE MINIMUM INTERFERENCE WITH ROADS, STREETS, SIDEWALKS, WALKWAYS, AND OTHER ADJACENT FACILITIES. STREET CLOSURE PERMITS MUST BE RECEIVED FROM THE APPROPRIATE GOVERNMENTAL AUTHORITY.
7. USE DUST CONTROL MEASURES TO LIMIT AIRBORNE DUST AND DIRT RISING AND SCATTERING IN THE AIR IN ACCORDANCE WITH FEDERAL, STATE, AND/OR LOCAL STANDARDS. AFTER THE DEMOLITION IS COMPLETE, ADJACENT STRUCTURES AND IMPROVEMENTS SHALL BE CLEANED OF ALL DUST AND DEBRIS CAUSED BY THE DEMOLITION OPERATIONS. THE CONTRACTOR IS RESPONSIBLE FOR RETURNING ALL ADJACENT AREAS TO THEIR "PRE-DEMOLITION" CONDITION.
8. CONTRACTOR IS RESPONSIBLE TO SAFEGUARD SITE AS NECESSARY TO PERFORM THE DEMOLITION IN SUCH A MANNER AS TO PREVENT THE ENTRY OF UNAUTHORIZED PERSONS AT ANY TIME.
9. THIS DEMOLITION PLAN IS INTENDED TO IDENTIFY THOSE EXISTING ITEMS/CONDITIONS WHICH ARE TO BE REMOVED, IT IS NOT INTENDED TO PROVIDE DIRECTION OTHER THAN THAT ALL METHODS AND MEANS ARE TO BE IN ACCORDANCE WITH STATE, FEDERAL, LOCAL, AND JURISDICTIONAL REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL OSHA AND OTHER SAFETY PRECAUTIONS NECESSARY TO PROVIDE A SAFE WORK SITE.
10. DEBRIS SHALL NOT BE BURIED ON THE SUBJECT SITE. ALL DEMOLITION WASTES AND DEBRIS (SOLID WASTE) SHALL BE DISPOSED OF IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL LAWS AND APPLICABLE CODES.

UTILITY NOTES

1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES OR UTILITIES BY OTHERS AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
2. THE CONTRACTOR SHALL FAMILIARIZE THEMSELVES WITH THE APPLICABLE UTILITY SERVICE PROVIDER REQUIREMENTS AND IS RESPONSIBLE FOR ALL COORDINATION REGARDING UTILITY DEMOLITION AS IDENTIFIED OR REQUIRED FOR PROJECT. THE CONTRACTOR SHALL PROVIDE THE OWNER WRITTEN NOTIFICATION THAT THE EXISTING UTILITIES AND SERVICES HAVE BEEN TERMINATED AND ABANDONED IN ACCORDANCE WITH JURISDICTION AND UTILITY COMPANY REQUIREMENTS.
3. CONTRACTOR IS RESPONSIBLE FOR COORDINATION OF SITE PLAN DOCUMENTS AND ARCHITECTURAL DESIGN FOR EXACT BUILDING UTILITY CONNECTION LOCATIONS, DOOR ACCESS, AND EXTERIOR GRADING. THE UTILITY SERVICE SIZES ARE TO BE DETERMINED BY THE ARCHITECT. THE CONTRACTOR SHALL COORDINATE INSTALLATION OF UTILITIES/SERVICES WITH THE INDIVIDUAL COMPANIES, TO AVOID CONFLICTS AND ENSURE PROPER DEPTHS ARE ACHIEVED. THE JURISDICTION UTILITY REQUIREMENTS SHALL ALSO BE MET, AS WELL AS COORDINATING THE UTILITY TIE-INS/CONNECTIONS PRIOR TO CONNECTING TO THE EXISTING UTILITY/SERVICE. WHERE CONFLICTS EXIST WITH THESE SITE PLANS, ENGINEER IS TO BE NOTIFIED PRIOR TO CONSTRUCTION TO RESOLVE.
4. THE CONTRACTOR SHALL PERFORM WHATEVER TEST EXCAVATION OR OTHER INVESTIGATION IS NECESSARY TO VERIFY TIE-IN INVERTS, LOCATIONS AND CLEARANCES, AND SHALL REPORT IMMEDIATELY ANY DISCREPANCIES TO KIMLEY- HORN AND ASSOCIATES, INC. AT (804) 873-3382.
5. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES TO REMAIN IN PLACE.
6. MAINTAIN A MINIMUM OF 18" OF VERTICAL CLEARANCE BETWEEN STORM, SANITARY, AND ALL UTILITIES (UNLESS OTHERWISE NOTED).
7. CROSS CONNECTION CONTROL AND BACK FLOW PREVENTION SHALL BE IN ACCORDANCE WITH THE UNIFORM STATEWIDE BUILDING CODE.
8. CONTRACTOR SHALL COORDINATE WITH THE FIRE MARSHAL BEFORE INSTALLING FIRE LANE SIGNS AND MARKINGS.
9. ALL CLEANOUTS WITHIN VEHICULAR AREAS SHALL BE TRAFFIC BEARING.
10. CONTRACTOR SHALL SAW CUT, REMOVE, AND REPLACE ASPHALT PAVEMENT AS NECESSARY TO INSTALL UNDERGROUND ELECTRIC, TELEPHONE, SANITARY SEWER, WATER, AND COMMUNICATION CONDUITS.
11. UNDERGROUND UTILITIES INSTALLED ON PRIVATE PROPERTY OR IN PRIVATE UTILITY EASEMENTS AND BUILDING RELATED STORM DRAINS SHALL BE DESIGNED AND INSTALLED PER THE CURRENT EDITION OF THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE.
12. PROPOSED CROSSINGS WITH EXISTING UNDERGROUND UTILITIES SHALL BE FIELD VERIFIED BY TEST PIT PRIOR TO COMMENCEMENT OF CONSTRUCTION.
13. THE RIM ELEVATIONS OF EXISTING MANHOLES, INLET STRUCTURES, AND SANITARY CLEANOUT TOPS SHALL BE ADJUSTED, IF REQUIRED, TO MATCH PROPOSED GRADES IN ACCORDANCE WITH ALL APPLICABLE STANDARDS.

DRAINAGE / STORMWATER NOTES

1. ALL STORM SEWER PIPES, MANHOLES, AND CURB INLETS SHALL BE CLEANED OF DEBRIS AND ERODED MATERIALS AT THE LAST STAGES OF CONSTRUCTION.
2. STORM DRAIN PIPE AND FLARED END SECTIONS ARE TO BE FURNISHED AND INSTALLED IN ACCORDANCE WITH SECTION 302 OF VDOT ROAD AND BRIDGE SPECIFICATIONS AND SHALL CONFORM TO THE REQUIREMENTS OF ASTM DESIGNATION C-76 FOR REINFORCED CONCRETE CULVERT AND STORM DRAIN PIPE. ALL PIPE FOR STORM DRAINS SHALL BE REINFORCED CONCRETE CLASS III UNLESS INDICATED OTHERWISE ON THE PLANS. THE CONTRACTOR SHALL USE A PREFORMED FLEXIBLE PLASTIC SEALING COMPOUND OF BUTYL MASTIC ROPE SEALER - 1" SIZE. "EZ STICK" AS MANUFACTURED BY CONCRETE PRODUCTS SUPPLY OR AN APPROVED EQUAL FOR SEALING WATER-TIGHT JOINTS. VERTICAL CLEARANCE OF 12" BETWEEN STORM AND OTHER UTILITIES IS REQUIRED UNLESS OTHERWISE NOTED.
3. ALL EXISTING STORM SEWER PIPES, DROP INLETS, AND CURB INLETS BEING UTILIZED BY A PART OF THE DRAINAGE SYSTEM SHALL BE CLEANED OF ERODED MATERIAL AT ALL STAGES OF CONSTRUCTION, AS DIRECTED BY THE ENGINEER. THE COST INCIDENTAL TO THIS IS TO BE INCLUDED IN THE CONTRACT PRICE FOR THE OTHER DRAINAGE ITEMS.
4. STORM SEWER PIPES AS SHOWN ON THE PLANS ARE MEASURED FROM THE CENTERLINE OF EACH STRUCTURE AND INVERT ELEVATIONS ARE ESTABLISHED BASED ON THIS CENTER LINE DISTANCE. LENGTH CALL OUTS FOR PIPES WITH FLARED END SECTIONS WILL BE MEASURED TO THE JOINT. CONTRACTOR SHALL LOCATE ALL END SECTIONS TO MATCH THE BANK SLOPE AND THE PIPE SLOPE SHALL BE ADJUSTED AS NECESSARY.
5. ALL DROP INLETS AND CURB INLETS SHALL HAVE VDOT STD. IS-1 SHAPING AND ST-1 STEPS, WHERE APPLICABLE.
6. BOOT CONNECTIONS SHALL BE PROVIDED FOR ALL PLASTIC PIPES THAT TIE INTO A CONCRETE STRUCTURE.
7. GENERAL CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES HAVING UNDERGROUND UTILITIES ON SITE OR IN RIGHT-OF-WAY PRIOR TO EXCAVATION. CONTRACTOR SHALL CONTACT UTILITY LOCATING COMPANY AND LOCATE ALL UTILITIES PRIOR TO GRADING START. SEE EXISTING CONDITIONS SHEET FOR UTILITY CONTACT INFORMATION.
8. SITE GRADING SHALL NOT PROCEED UNTIL EROSION CONTROL MEASURES HAVE BEEN INSTALLED AND APPROVED BY APPLICABLE AUTHORITY.
9. ALL ELEVATIONS ARE IN REFERENCE TO THE BENCHMARK, AND THIS MUST BE VERIFIED AND LOCATED BY THE GENERAL CONTRACTOR PRIOR TO GROUND BREAKING.
10. CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE SO THAT RUNOFF WILL DRAIN BY GRAVITY FLOW ACROSS NEW PAVEMENT AREAS TO NEW OR EXISTING DRAINAGE INLETS OR SHEET FLOW OVERLAND.
11. THE CONTRACTOR SHALL ADHERE TO ALL TERMS & CONDITIONS AS OUTLINED IN THE GENERAL V.S.M.P. PERMIT FOR STORMWATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITIES.
12. ALL DRAINAGE STRUCTURES AND STORM SEWER PIPES SHALL MEET HEAVY DUTY TRAFFIC (H20) LOADING AND BE INSTALLED ACCORDINGLY.
13. IF ANY EXISTING STRUCTURES TO REMAIN ARE DAMAGED DURING CONSTRUCTION IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO REPAIR AND/OR REPLACE THE EXISTING STRUCTURE AS NECESSARY TO RETURN IT TO EXISTING CONDITIONS OR BETTER.
14. AFTER PLACEMENT OF SUBGRADE AND PRIOR TO PLACEMENT OF PAVEMENT, CONTRACTOR SHALL TEST AND OBSERVE PAVEMENT AREAS FOR EVIDENCE OF PONDING. ALL AREAS SHALL ADEQUATELY DRAIN TOWARDS THE INTENDED STRUCTURE TO CONVEY STORM RUNOFF. CONTRACTOR SHALL IMMEDIATELY NOTIFY OWNER AND ENGINEER IF ANY DISCREPANCIES ARE DISCOVERED.

TRAFFIC CONTROL NOTES

1. WHENEVER CONSTRUCTION OPERATIONS ENCROACH ON THE RIGHT-OF WAY OF ADJACENT ROADWAYS, TRAFFIC CONTROL SHALL BE PROVIDED IN ACCORDANCE WITH LOCAL AND STATE STANDARDS.
2. NO MATERIALS OR EQUIPMENT SHALL BE STORED OR STOCKPILED WITHIN THE RIGHT-OF-WAY OF ADJACENT ROADWAYS.
3. THE CONTRACTOR WILL BE SOLELY RESPONSIBLE FOR COMPLETING AND IMPLEMENTING TRAFFIC CONTROL PLAN.

REQUIRED SHOP DRAWING SUBMITTALS:

1. IF REQUIRED FOR THE PROJECT, THE CONTRACTOR SHALL SUBMIT TO THE ENGINEER THE FOLLOWING SHOP DRAWINGS: DETENTION SYSTEM, RETAINING WALLS, STORMWATER QUALITY DEVICES.

No.	REVISIONS	DATE	BY

Kimley»Horn
© 2025 KIMLEY-HORN AND ASSOCIATES, INC.
2805 MAYWILL ST, SUITE 200, RICHMOND, VA 23230
PHONE: 804 873 3382
WWW.KIMLEY-HORN.COM

COMMONWEALTH OF VIRGINIA
DAVID B. ELLINGTON
Lic. No. 043605
06/06/2025

KHA PROJECT	113564000
DATE	06/06/2025
SCALE	AS SHOWN
DESIGNED BY	MFB
DRAWN BY	MFB
CHECKED BY	DBE

AIRPORT WEST DATA CENTER CAMPUS
PREPARED FOR
CENTRA LOGISTICS
HENRICO COUNTY VA

GENERAL NOTES

SHEET NUMBER
CA-101

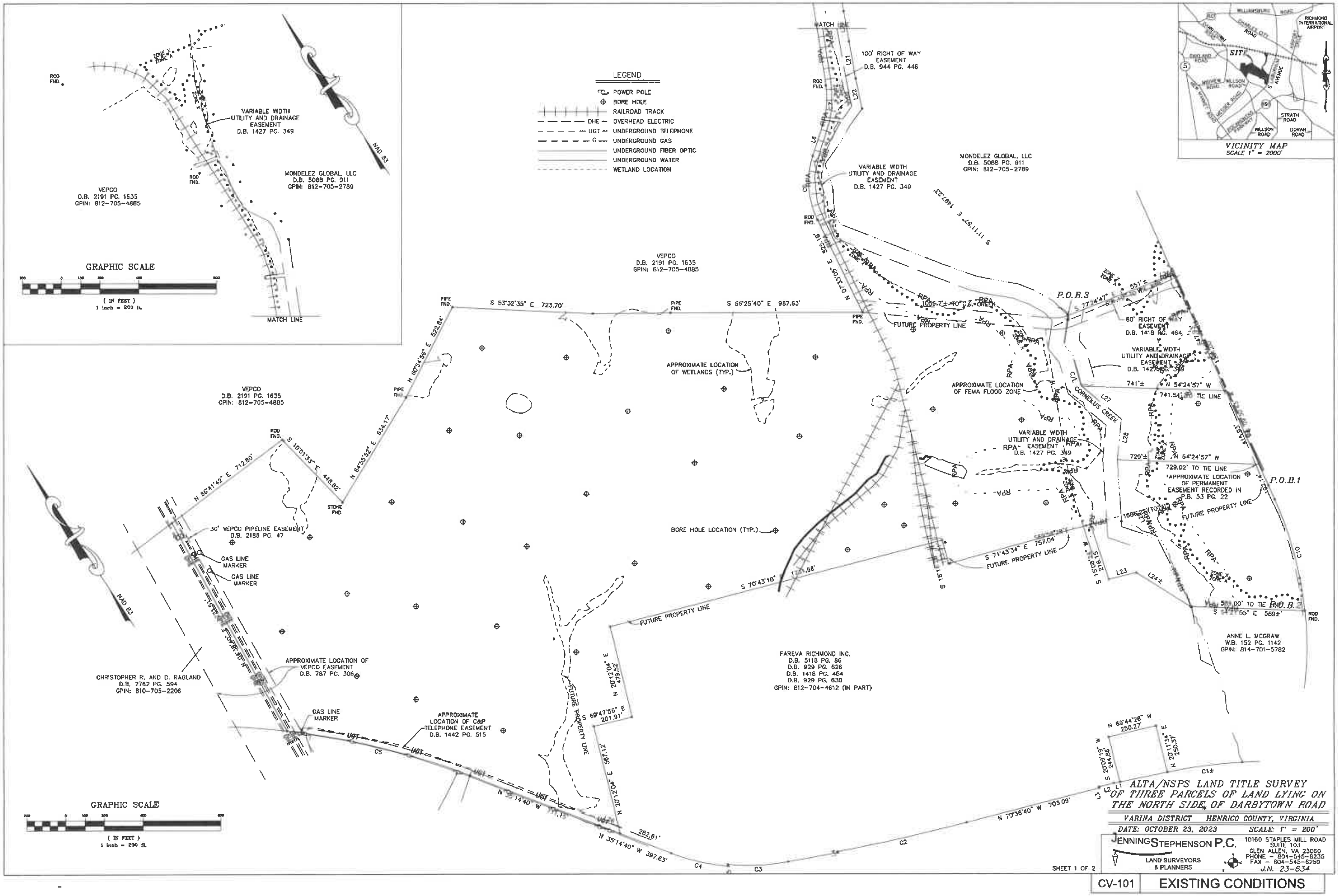

ALTA/NSPS LAND TITLE SURVEY OF THREE PARCELS OF LAND LYING ON THE NORTH SIDE OF DARBYTOWN ROAD
VARINA DISTRICT HENRICO COUNTY, VIRGINIA
DATE: OCTOBER 23, 2023 SCALE: 1" = 200'
JENNINGSTEPHENSON P.C.
LAND SURVEYORS & PLANNERS
10160 STAPLES MILL ROAD SUITE 103
GLEN ALLEN, VA 23060
PHONE - 804-545-6235
FAX - 804-545-6259
J.N. 23-634
SHEET 1 OF 2
CV-101
EXISTING CONDITIONS
VICINITY MAP
SCALE 1" = 2000'
LEGEND
POWER POLE
BORE HOLE
RAILROAD TRACK
OVERHEAD ELECTRIC
UNDERGROUND TELEPHONE
UNDERGROUND GAS
UNDERGROUND FIBER OPTIC
UNDERGROUND WATER
WETLAND LOCATION
MONDELEZ GLOBAL, LLC
D.B. 5088 PG. 911
GPIN: 812-705-2789
VEPCO
D.B. 2191 PG. 1635
GPIN: 812-705-4885
FAREVA RICHMOND INC.
D.B. 5118 PG. 86
D.B. 929 PG. 626
D.B. 1418 PG. 454
D.B. 929 PG. 630
GPIN: 812-704-4612 (IN PART)
ANNE L. MCGRAW
W.B. 152 PG. 1142
GPIN: 814-701-5782
CHRISTOPHER R. AND D. RAGLAND
D.B. 2762 PG. 594
GPIN: 810-705-2206
100' RIGHT OF WAY EASEMENT
D.B. 944 PG. 446
VARIABLE WIDTH UTILITY AND DRAINAGE EASEMENT
D.B. 1427 PG. 349
60' RIGHT OF WAY EASEMENT
D.B. 1418 PG. 464
APPROXIMATE LOCATION OF FEMA FLOOD ZONE
APPROXIMATE LOCATION OF WETLANDS (TYP.)
BORE HOLE LOCATION (TYP.)
30' VEPCO PIPELINE EASEMENT
D.B. 2188 PG. 47
APPROXIMATE LOCATION OF VEPCO EASEMENT
D.B. 787 PG. 306
APPROXIMATE LOCATION OF C&P TELEPHONE EASEMENT
D.B. 1442 PG. 515
GAS LINE MARKER
FUTURE PROPERTY LINE
P.O.B.1
P.O.B.2
P.O.B.3
C/L CORNELIUS CREEK
S 53°32'35" E 723.70'
S 56°25'40" E 987.63'
N 60°54'56" E 522.84'
N 64°55'52" E 634.17'
S 10°01'33" E 448.82'
N 86°41'42" E 712.80'
N 07°33'05" E 525.18'
S 11°11'57" E 1497.23'
S 70°43'18" E
S 71°43'34" E 757.04'
N 20°12'04" E 479.52'
S 69°47'56" E 201.91'
N 20°12'04" E 567.12'
N 35°14'40" W 397.63'
282.81'
N 70°36'40" W 703.09'
N 69°44'26" W 250.27'
N 20°11'34" E 250.37'
S 20°09'19" W 244.86'
N 54°24'57" W
729.02' TO TIE LINE
741.54' TIE LINE
APPROXIMATE LOCATION OF PERMANENT EASEMENT RECORDED IN P.B. 53 PG. 22
S 15°08' W 216.15'
589±'
551'±
741'±
729'±
ROD FND.
PIPE FND.
STONE FND.
MATCH LINE
GRAPHIC SCALE
(IN FEET)
1 inch = 200 ft.
NAD 83
RPA
ZONE X

EXHIBIT
tabbies
N-1

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

R. Joseph Emerson, Jr., AICP
Director of Planning
(804) 501-4602

June 24, 2025

Fareva Richmond Inc
Attn: Charles Stringer
2248 Darbytown Road
Henrico, VA 23231

Centra Logistics
Attn: David Wagner
4000 Kensington Avenue
Richmond, VA 23221

Kimley-Horn
Attn: David Ellington
2035 Maywill Street, Suite 200
Richmond, VA 23230

RE: POD-2025-101009
Airport West Data Center Campus
Plan of Development –
Original Plan Review Comments III

Sir/Madame:

The Planning Department has completed its review of the above-referenced plans, received May 1, June 4, and June 12, 2025, and has the following comments:

A. **Plan of Development Approval: The following items must be addressed prior to approval of the plan on the Director's Agenda:**
   1. Due to Zoning Ordinance amendments, a Provisional Use Permit must be approved by the Board of Supervisors prior to placement on the Director's Agenda. Additionally, if revisions are required based on the conditions of the PUP, a full review by all review agencies may be required prior to Director's Agenda placement.

B. **Planning Department Comments [All comments are repeated as the previous review was solely to address Director's Agenda comments] –** The following Planning comments must be addressed prior to final approval of construction plans:
   1. General
      i. Place POD-2025-101009 and placeholder POD-2025-XXXXXX on the right sides of all pages.
      ii. Provide a sheet within the plan set for all easements that are to be dedicated to the county.
      iii. Relocate easements/utility/draining/storm lines outside of parking lot islands. All parking lot islands are required to have 1 tree and 2 shrubs.
      iv. The property boundary must match the recorded minor subdivision.

2. Cover page
    i. Note #4 will need to be updated once the Minor Subdivison is recorded
    ii. Note #5 will need to be updated once the Minor Subdivision is recorded
    iii. Note #9 will need to be updated once the Minor Subdivision is recorded
    iv. Note #11C - Are 480 parking spaces necessary?
    v. Note #11F How was 4,901 sf calculated? Only the square footage in the parking spaces should be used for the calculations.
    vi. Note #13 Revise to reflect the actual square footage of the buildings. This appears to reflect the footprint.
    vii. Note #14 –The square footage of the parking spaces should be used for the calculations
        1. Revise calculations
        2. Remove the Total canopy provided
    viii. Note #15 - Revise calculations to reflect the 15% required open space.
3. ESC Phase 1 - CE-100/Sheet 5
    i. [Section 24-5313] Orange safety fence must be provided adjacent to all protected trees (e.g. the A-1 buffer, impacts adjacent to wetlands). Provide detail of this.
    ii. Provide details of the non-tearable barricade tape and the required signage.
4. ESC Phase 2 - CE-103/Page 8
    i. Confirm the tree protection measures will remain in place for Phase 2.
5. Overall Site Plan (CS100/Sheet31)
    i. Clarify the 10' setback label noted throughout the plan.
    ii. Clarify why the sidewalks are provided through the generator yards.
    iii. Clarify the purpose of the 2nd entrance from Darbytown Road. Will this be an emergency access? If so, label as such and refer to Traffic and Fire for comments regarding the emergency access and its location. A detail will need to be provided o the gate.
    iv. [Section 24-5103G] Provide sidewalk to refuse enclosures.
6. Site Plan (CS-109/Sheet 24)
    i. Provide details of the retaining wall/guardrail.
    ii. [Section 24-5407F] Confirm the distance of the retaining wall to the drive aisle. If this is within 5' of the drive aisle, it must be designed to accommodate dynamic loading of vehicles/emergency vehicles as determined by the County Engineer.
7. Site Details(CS-502/Sheet 29)
    i. Specify the height and color of the security fence.
    ii. Provide material for guard house.
8. Site Details (CS-503/Sheet 30)
    i. The substation security fence is proposed at 12' tall. Section 24-5404/Table 5404 permits fencing 10' tall in the side or rear yards for this use.
    ii. Clarify how this the substation security fence is conductive.
    iii. [Section 24-4428] Dumpster enclosure gates must be opaque.
    iv. Provide color of dumpster enclosure.
9. Conceptual Landscape Plan (LP-100/Sheet 62)
    i. The conceptual landscape plan must be removed from the construction plan set. The following comments are informational as they will need to be addressed with the separate Landscape Plan submission.
        1. [Section 24-5312D]Relocate easements easements/utility/draining/storm lines outside of parking lot islands. All parking lot islands are required to have 1 tree and 2 shrubs.

2. [Section 24-5312C] Perimeter landscaping must be provided along the exterior of the parking lot/drive aisles.
3. Protected tree replacements must be shown and indicated on the landscape plan.

ii. Landscape Plan Notes and Details (LP-501/Sheet 74)
1. Revise interior landscaping calculations to only reflect the square footage of the parking spaces. This comment was made for the Cover Sheet as well.

10. Lighting plan (CL-100/Sheet 75)
i. Revise the calculation summary to only include one line for sidewalks, one line for parking/drives, and separate lines for the property lines.
ii. Within 100 of Residential heights are limited for 15'. Indicate the 100' distance across the site on the photometric plan.
iii. On the Lighting Schedule, USPOM was noted for S1, S2, S3, S5, but this could not be found on the cut sheets.
iv. On all cutsheets, indicate the options/characteristics selected.
v. Sidewalks required along Darbytown Road and the roundabout will need to be lit.

C. See additional comments from other review agencies.

The comments in Section A above must be addressed on a revised plan prior to a recommendation for approval to the Planning Director.

You may contact me at 804-501-4604 and smi120@henrico.gov if you need any additional information.

Sincerely,

Kristin Smith

Kristin Smith
County Planner



Prepared by and Return To:

R. Joseph Noble (VSB No. 77138)
Williams Mullen
200 S. 10th Street, Suite 1600
Richmond, Virginia 23219

Tax Map Nos.: 812-704-4612 (portion), 814-702-7862, and 814-703-8920

Consideration: $13,500,000.00

Assessed Value: 812-704-4612 (not individually assessed)
814-703-8920 ($253,400.00)
814-702-7862 ($535,900.00)

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (this "Deed") is made as of the 14th day of November 2025, by and between **FAREVA RICHMOND INC.**, a Delaware corporation ("Grantor"), with an address of 2248 Darbytown Road, Henrico, VA 23231, and **DARBYTOWN ROAD, LLC**, a Delaware limited liability company ("Grantee"), with an address of c/o Christian & Barton, LLP, 901 E. Cary Street, Suite 1800, Richmond, VA 23219.

W I T N E S S E T H:

THAT FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS ($10.00), and other good and valuable consideration not set forth herein, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby GRANT, BARGAIN, SELL AND CONVEY unto Grantee, in fee simple WITH SPECIAL WARRANTY OF TITLE, the following described real estate, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

The conveyance of the real estate described in Exhibit A (the "Property") is made expressly subject to such recorded restrictions, conditions and easements as may lawfully apply to the Property, taxes accrued but not yet due and payable, and to such state of facts as would be shown by a current survey and inspection thereof.

TO HAVE AND TO HOLD the Property unto the said Grantee, its successors and assigns forever, in fee simple.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE TO SPECIAL WARRANTY DEED]

IN WITNESS WHEREOF, Grantor has executed this Deed as of the day, month, and year first above written, with the intention of creating an instrument under seal.

GRANTOR:

FAREVA RICHMOND INC.,
a Delaware corporation

By: _____ (SEAL)
Name: Tosh Patterson
Title: President

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO, to-wit:

The foregoing instrument was acknowledged before me in the city/county and state/commonwealth aforesaid this 13 day of November 2025, by Tosh Patterson, who is personally known to me, as President of Fareva Richmond Inc., a Delaware corporation, on behalf of the corporation.

My Commission expires: 12/31/2026.

Registration Number: 8010169.

_____
Notary Public

LAURA MARIE ARZATE
NOTARY PUBLIC
REGISTRATION # 8010169
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES 12/31/2026

EXHIBIT A

Legal Description

PARCEL I (Portion of Tax Map No. 812-704-4612)

ALL that certain lot, piece or parcel of land lying and being in the Varina District, County of Henrico, Virginia, known and designated as Parcel 2, containing 195 acres more or less, shown on that certain plat of survey made by JenningStephenson P.C., dated April 11, 2025, entitled, "Parcel Division of Parcel 812-704-4612," and duly recorded in the Clerk's Office, Circuit Court, County of Henrico, Virginia in Plat Book 140, Page 191.

PARCEL II (Tax Map No. 814-702-7862)

ALL that certain parcel of land lying in the County of Henrico, shown as Parcel "A", containing 11.50 acres, more or less, on plat of survey by Chas. H. Fleet &Assocs., Certified Surveyors, dated May 17, 1972, and according to which plat such parcel is described as follows:

BEGINNING at a rod on the western line of Laburnum Avenue which rod is approximately 0.15 mile, more or less, from a point at the intersection of the western line of Laburnum Avenue with the northern line of Darbytown Road; thence from such beginning point along the western line of Laburnum Avenue in a northerly direction along a curve to the left with a radius of 1,859.86 feet a distance of 589.81 feet to a stone; thence N. 16° 08' 10" E. 197.14 feet to a point; thence N, 47° 47' 20" W. 729 feet, more or less, to a point in the center line of Cornelius Creek; thence along the center line of Cornelius Creek as it meanders ~~in a southerly direction 850 feet, more or less, to a point; thence S. 47° 47' 20" E. 583 feet, more or less, to~~ the point of beginning.

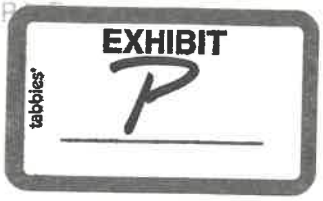
PARCEL III (Tax Map No. 814-703-8920)

ALL that certain parcel of land lying in Henrico County, Virginia, shown as Parcel "B", containing 6.36 acres, more or less, on plat of survey by Chas. H. Fleet and Assocs., Certified Surveyors, dated May 17, 1972, and according to which plat such parcel is described as follows:

BEGINNING at a point in the western line of Laburnum Avenue which point is N. 16° 08' 10" E, 197.14 feet from a stone in the western line of Laburnum Avenue which stone is 589.81 feet from a rod which rod is on the western line of Laburnum Avenue approximately 0.15 mile, more or less, from a point at the intersection of the western line of Laburnum Avenue with the northern line of Darbytown Road; thence from such beginning point N. 47° 47' 20" W. 729 feet, more or less, to a point in the center line of Cornelius Creek; thence along the center line of Cornelius Creek as it meanders in a northerly direction 426 feet, more or less, to a point; thence S. 47° 27' E. 746 feet, more or less, to a rod in the western line of Laburnum Avenue; thence S. 16° 08' 10" W. 415.93 feet to the point of beginning.

BEING a portion of the same real estate conveyed to Fareva Richmond Inc. by Deed from Wyeth LLC, a Delaware limited liability company, dated October 3, 2011, recorded April 1, 2013, in the Clerk's Office, Circuit Court, County of Henrico, Virginia in Deed Book 5118, Page 86.

INSTRUMENT # 202500030864
E-RECORDED IN THE CLERK'S OFFICE OF
HENRICO COUNTY ON
NOVEMBER 14, 2025 AT 11:38AM
$13,500.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: $6,750.00 LOCAL: $6,750.00
HEIDI S. BARSHINGER, CLERK
RECORDED BY: MFR



October 1, 2025

Andrew M. Condlin
Richmond Office
(804) 977-3373 (direct)
acondlin@rothjackson.com

VIA EMAIL

Henrico County Planning Department
R. Joseph Emerson, Jr., Director of Planning
4301 East Parham Road
Henrico, VA 23228

Dear Mr. Emerson:

I am writing to you on behalf of Wagner Urban Logistics, LLC (the "Applicant"), who is the contract purchaser of the Property (defined below). This letter is to confirm the vested right to develop a data center project on the Property despite the approval by the Henrico County, Virginia (the "County"), Board of Supervisors on June 10, 2025, of the amendment to the County's Comprehensive Plan and the County's Zoning Ordinance (collectively, the "Amendments"), that would require, with certain exceptions, any data center use in the County to obtain a Provisional Use Permit ("PUP"), even when such use has previously been by-right. We formally request that an authorized agent of the County confirm in writing that data centers, as defined by the County, are a "by-right" use on County Parcel 812-704-4612 (the "Property"), despite approval of the Amendments by the County Board of Supervisors, and therefore the Property is not subject to the Amendments, and development and operation of a data center on the Property is by right without need to obtain a PUP. This request is made for the County Zoning Administrator to issue a **binding vested rights determination, and not merely a zoning confirmation, pursuant to Va. Code §15.2-2307 (1950), as amended. We understand that such a binding determination is subject to the statutory appeal procedure and that the zoning determination must so state this fact.**[1]

The current zoning of the Property is M-1 (with no conditions), the location address of the Property is on Darbytown Road and is shown as "SUBJECT PROPERTY" on Exhibit A hereto.

[1] Virginia law provides zoning administrators with the following authority: "specific cases, making findings of fact and, with concurrence of the attorney for the governing body, conclusions of law regarding determinations of rights accruing under §15.2-2307 or subsection C of §15.2-2311," which are the vested rights statutes. Va. Code §15.2-2286(A)(4)(iii). When a zoning administrator exercises this authority, it is referred to as a "vested rights determination."

A. **Relevant Facts**

1. **Plan of Development Application**

The County Economic Development Authority recruited the Applicant to consider the Property for development specifically for a data center project. The Applicant proceeded to investigate the potential development of a data center project on the Property and ultimately placed the Property under contract. In the course of its due diligence investigations on the Property, the Applicant's representatives had numerous meetings with the County, including with representatives of the Planning Office, which confirmed to the Applicant that data center use at that time was permitted by right on the Property. The County Zoning Ordinance of course then permitted data centers by right on any property zoned M-1 without conditions. In fact, the letter attached hereto as Exhibit B was sent by the County to a prior contract purchaser of the Property, and was provided by the County Planning Office to the Applicant to confirm the Property was in fact zoned M-1 without conditions.

Based on all of this information, the Applicant engaged Kimley Horn to draft a Plan of Development for development of a data center project on the Property (the "POD Application") in keeping with the County Zoning Ordinance in existence at that time. The POD Application was submitted to the County on April 28, 2025, and comments from the County were fully received on May 20, 2025. The 2nd submission of the POD Application was on June 3, 2025, with the second round of comments being received on June 6, 2025, with such comments only being received from the Planning Department, with all other departments having provided approval. The third submission of the POD Application occurred on June 11, 2025, with the third round of comments being received on June 24, 2025, with approval subject to the approval by the County of a PUP required pursuant to the newly approved Amendments (approved June 10, 2025).

2. **Subdivision**

As part of preparing the POD Application for review by the County, it was determined that the Property needed to be subdivided from that parcel identified as Parcel ID 812-702-9474 located at 2248 Darbytown Road (the "Parent Tract"). The Applicant then submitted to the County on April 18, 2025, a proposed subdivision plat to subdivide the Property from the Parent Tract. The County gave final approval of the subdivision of the Property (SUB-2025-100957) from the Parent Tract (the "Subdivision"), as evidenced by the approval letter, dated May 15, 2025, attached hereto as Exhibit C (the "Subdivision Approval"), and the final subdivision plat was executed by the necessary parties, including the designated agent of the County, in final form and recorded in the Clerk's Office of the Circuit Court of the County on May 16, 2025, in Plat Book 06664, page 1100 (the "Subdivision Plat"), with the recording information of the recorded final subdivision plat attached hereto as Exhibit C.

The Subdivision was approved by the County on May 15, 2025 by the Subdivision Approval and the final Subdivision Plat was recorded on May 16, 2025. The Amendments were subsequently approved by the County on June 10, 2025.

B. **Overview of Vested Rights Statutory Law**

In 1998, the General Assembly enacted substantial changes to Va Code §15.2-2307 that established certain criteria which, when satisfied, conclusively vest property rights in a landowner regardless of changes in an otherwise applicable zoning ordinance.

Va Code §15.2-2307 provides, in relevant part that [emphasis added]:

> *A. Nothing in this article shall be construed to authorize the impairment of any vested right. Without limiting the time when rights might otherwise vest, a landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner (i) obtains or is the beneficiary of a significant affirmative governmental act which remains in effect allowing development of a specific project, (ii) relies in good faith on the significant affirmative governmental act, and (iii) incurs extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the significant affirmative governmental act.*
>
> *B. For the purposes of this section and without limitation, the following are deemed to be significant affirmative governmental acts allowing development of a specific project: (i) the governing body has accepted proffers or proffered conditions which specify use related to a zoning amendment; (ii) the governing body has approved an application for a rezoning for a specific use or density; (iii) the governing body or board of zoning appeals has granted a special exception or use permit with conditions; (iv) the board of zoning appeals has approved a variance; (v) the governing body or its designated agent has approved a preliminary subdivision plat, site plan or plan of development for the landowner's property and the applicant diligently pursues approval of the final plat or plan within a reasonable period of time under the circumstances; or (vi) **the governing body or its designated agent has approved a final subdivision plat, site plan or plan of development for the landowner's property**.*

Va Code §15.2-2307(B)(vi) specifically provides, as is well known, that a Plan of Development approved prior to passage of an ordinance in question is deemed a significant affirmative governmental act. Less well known, but on equal footing as it is also specifically enumerated in this same Va Code §15.2-2307(B)(vi), is that a subdivision approved prior to the ordinance in question, just like a plan of development, is deemed a significant affirmative governmental act. The Subdivision was therefore a significant governmental act as prescribed Va Code §15.2-2307(B)(vi), given final approval by the County on May 15, 2025 pursuant to the Subdivision Approval, and the County's confirmation on the Subdivision Plat that the Subdivision was in compliance with the County Subdivision Ordinance, which was recorded on May 16, 2025.

The County's Subdivision Ordinance[2] applies to any division of land in the County (§19-1105 of the County Subdivision Ordinance). In general terms, a subdivision is defined in the County Subdivision Ordinance as one of a family subdivision, a minor subdivision, or a subdivision via a preliminary plat and final plat approval.[3]

All three types of subdivisions are deemed to be a subdivision in the County Subdivision Ordinance, but each of the three types of subdivisions have their own process needed for approval, all as set forth in Article 2, Divisions 2 and 3 of the County Subdivision Ordinance.

[2] The Code of Virginia defers to the local definition of "subdivision" pursuant to VA Code §15.2-2201. In County of Chesterfield v. Tetra Assocs., LLC (2010) 689 S.E.2d 647 (Va. 2010), the Virginia Supreme Court held that by enacting Va Code §15.2-2201, the General Assembly conferred upon localities the power to enact their own definition of "subdivision". Further, the County Subdivision Ordinance in §19-1102 specifically references the Code of Virginia as the enabling authority for the County Subdivision Ordinance.

Va Code §15.2-2254(2) provides that no plat of any subdivision shall be recorded unless and until it has been submitted to and approved by the designated agent of the locality wherein the land to be subdivided is located. Henrico designates the Planning Director as the designated agent for approval of a final subdivision plat in County Subdivision Ordinance §§19-2101 and 2102.

[3] See §19-7301 of the County Subdivision Ordinance.

The Subdivision was approved by the County as a Minor Subdivision[4] pursuant to the Approval Letter, which specifically references that the Subdivision was approved as a Minor Subdivision.[5] Finally, the Subdivision Plat was approved by the County Planning Department, as evidenced by the signature on behalf of the County Planning Department, with such signature on the Subdivision Plat dated May 15, 2025 and the Subdivision Plat recorded on May 16, 2025.

C. **Virginia Case Law**

Unsurprisingly, there has been very little case law with respect to subdivisions as a significant affirmative governmental act in the context of vesting rights.[6]

As in Andleton, referenced below, the Applicant received the final approval of the Subdivision from the County specifically to develop a data center project on the Property pursuant to the POD and to transfer ownership to the Applicant.

[4] Minor Subdivision is defined in the County Subdivision Ordinance §§19-7301 and 19-2304 as division or alteration of land if no relocation streets, alleys, easements for public passage, or public utilities, or other public areas is involved. The Applicant requested the Subdivision (dividing the Parent Tract into two parcels, one of which was the Property) and no public streets, alleys, easements for public passage or public utilities, or other public areas were involved.

Minor Subdivision. Any of the following (see Sec. 19-2304, Minor Subdivision):

- Family subdivision that does not require construction plans;
- Division of a lot or parcel of land pursuant to a plan of development approved in accordance with the requirements of Chapter 24 of the County Code, if the division does not involve a new public street or an extension of an existing public street; or
- Vacation, relocation, resubdivision, or other alteration of individual lots, if no relocation or alteration of streets, alleys, easements for public passage or public utilities, or other public areas is involved.

[5] The Subdivision Plat specifically references the Subdivision being a subdivision in compliance with the County Subdivision Ordinance via numerous references on the Subdivision Plat, including, without limitation, a "CERTIFICATE OF SUBDIVISION", "THE SUBDIVISION OF LAND SHOWN ON THE PLAT …", "…THE LIMITS OF THE SUBDIVISION SHOWN ON THE PLAT …", "THE PROPERTY EMBRACED WITHIN THE LIMITS OF THIS MINOR SUBDIVISION …" and "THE VACATION, RELOCATION, RESUBDIVISION, OR OTHER ALTERATION OF BOUNDARY LINES SHOWN ON THE ATTACHED PLAT HAS BEEN REVIEWED FOR COMPLIANCE WITH THE SUBDIVISION AND ZONING ORDINANCES …".

[6] A few cases relate to whether a preliminary plat is deemed an approved preliminary plat for purposes of Va Code §15.2-2307(B). In Andleton v. Thompson 74 Va. Cir. 513 (2008), the Court reviewed multiple definitions of subdivisions, including Black's Law and Model Subdivision Regulations, as well as State law and reached a definition that looks to the action proposed – finding that the action proposed is what defines a subdivision. In that case, the Court held that the purpose of the action in question was to divide a parcel of land into two smaller parcels for the purpose of transferring title of one of the parcels to an adjoining landowner, and thus met the definition of a subdivision in all respects.

D. Analysis of Va Code §15.2-2307 and the Facts of this Case

1. Significant Affirmative Governmental Act

The Subdivision Approval dated May 15, 2025 evidenced final approval by the County of the Subdivision. The Subdivision was submitted by the Applicant specifically with the intent to develop a specific project (the development of a data center) on the Property and as needed for meeting the then existing development standards of the County Zoning Ordinance, consistent with and in response to discussions with the County, including preparing the submission of the POD Application. The Subdivision Approval is a significant affirmative governmental act pursuant to Va Code §15.2-2307(A) and (B).

The Subdivision Plat specifically references the Subdivision Plat is in compliance with the County Subdivision Ordinance, was given final approval by the County Planning Office, as evidenced by the signature on the Subdivision Plat by the designated agent of the County, and recorded in the Clerk's Office of the County Circuit Court on May 16, 2025. The approval by the County of the Subdivision Plat is a significant affirmative governmental act pursuant to Va Code § 15.2-2307(A) and (B).

2. Good Faith Reliance

Data centers were clearly contemplated as a use permitted by-right on the Property in pursuing the approval of the POD and the Subdivision as well as the numerous discussions the Applicant and its representatives had with County representatives about the use of the Property as a data center development. The Applicant relied on approval of the Subdivision to create a separate lot to transfer ownership of the Property in order to develop a data center project on the Property, all pursuant to Va Code § 15.2-2307(A).

3. Incurring Substantial Expenses

The Applicant incurred substantial expenses in diligent pursuit specifically of a data center project on the Property in reliance on the significant affirmative governmental act (the approval of the Subdivision), as evidenced by the list of expenses set forth on Exhibit D attached hereto (the "Data Center Expenditures") pursuant to Va Code § 15.2-2307(A).

E. Conclusion

The approval of the Subdivision via the Subdivision Approval and the Subdivision Plat, the pursuit of the POD and the Subdivision in order to develop a data center project on the Property, all in reliance on the significant affirmative governmental act and as evidenced by the Data Center Expenditures, vests the right to use of the Property for development of a data center project and protects the rights and interests of the Applicant to develop a data center project by right on the Property regardless of the Amendments and without the need to obtain further legislative approval for such a use on the Property.

We hereby request a binding written determination pursuant to Va Code §15.2-2307 as to this vesting claim. We agree to be responsible for the payment of any fees associated with this determination.

Please do not hesitate to reach out to discuss these matters.

Sincerely,

Andrew M. Condlin

cc: Andrew R. Newby, Esq. (via Email)

Exhibit A

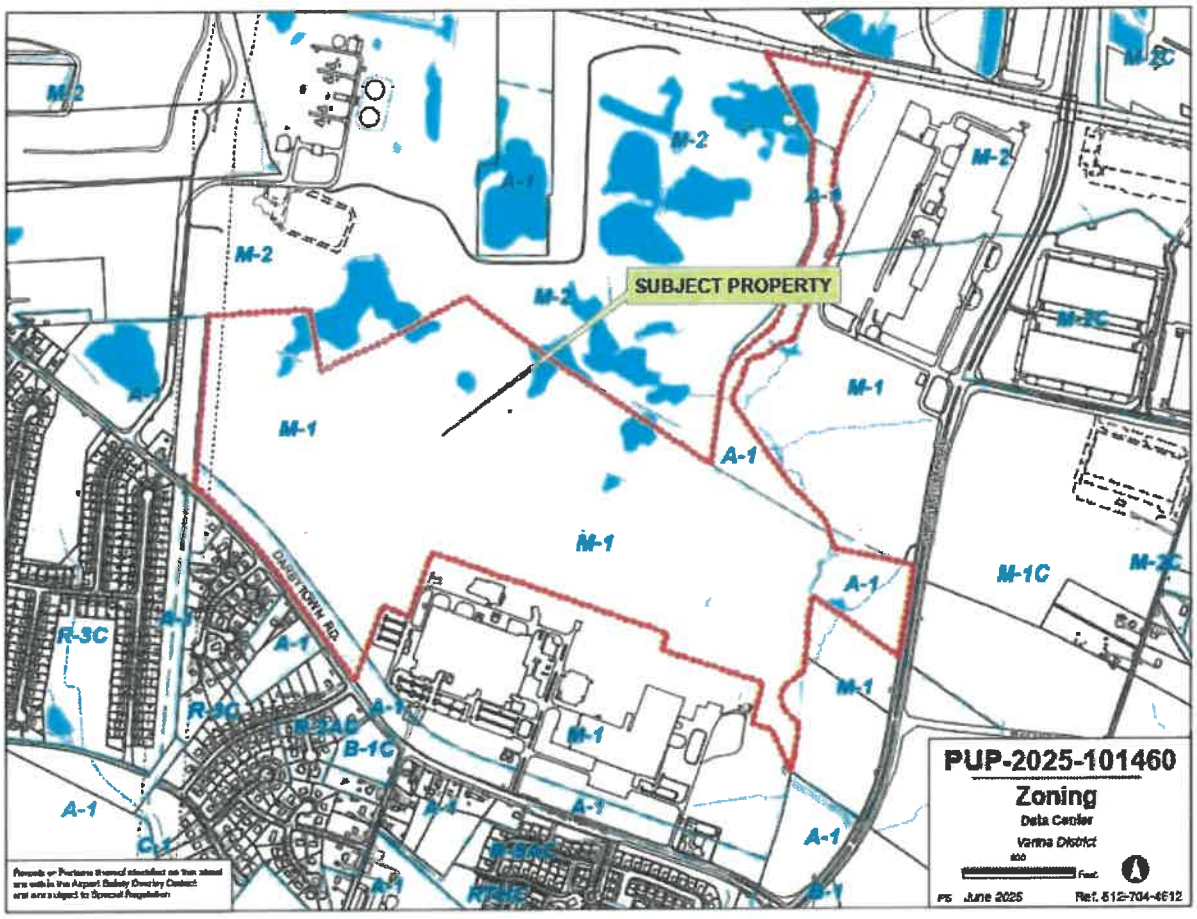

SUBJECT PROPERTY
M-2
M-1
A-1
R-3C
B-1C
M-1C
DARBYTOWN RD.
PUP-2025-101460
Zoning
Data Center
Varina District
PS June 2025
Ref. 812-704-4612

Exhibit B
[Prior Zoning Conformance Letter]

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

R. J. Emerson, Jr. AICP
Director of Planning
(804) 501-4602

June 12, 2024

Ms. Kait Bowdler
kbowdler@brightfarms.com

RE: Zoning Confirmation
2248 Darbytown Road
Part of Parcel 812-704-4612
("The Property")

Dear Ms. Bowdler:

At your request we have examined our records with respect to the Property and have determined the following information.

The Property is zoned M-1, Light Industrial District as shown on the attached zoning map. The industrial scale growing of greenhouse products and packaging of those into mixed salad kits is allowed as a principal use in the M-1 district, so long as it occurs indoors (Section 24-4205, Henrico County Zoning Ordinance, excerpt attached). The Property is also located in the Airport Safety Overlay District (excerpt attached).

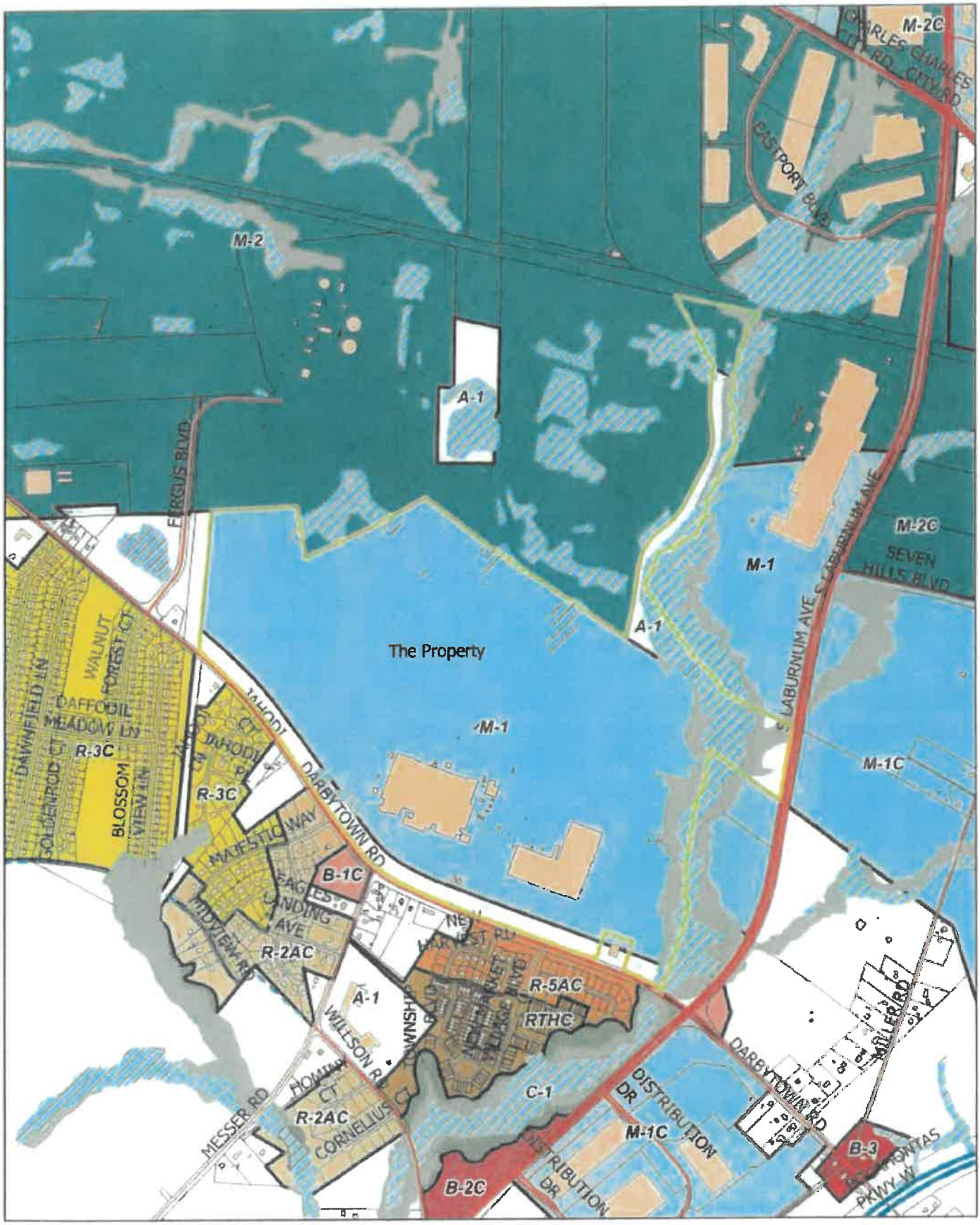
Please note that development of the Property would require the approval of a plan of development. You can apply for a plan of development through our online portal at https://build.henrico.us/.

If you have any questions, please feel free to contact me.

Sincerely yours,

Benjamin W. Blankinship
Zoning Division Manager

Attachments (3)
ZCL-2024-100685
pc: Fareva Richmond Inc. (w/o attachments)



Zoning Map - June 4, 2024

Henrico County, Virginia, Zoning Ordinance

Industrial Districts, Principal Uses (Sec. 24-4205)

Classification	Use Category	Use Type	M-1	M-2	M-3	See Also
Agricultural	Ag Support-Not Directly Related	Agricultural research facility	P	R	R	Sec. 24-4304.B
Agricultural	Ag Support-Not Directly Related	Distribution hub for agricultural products	P	R	R	Sec. 24-4304.A
Agricultural	Ag Support-Not Directly Related	Farm machinery sales, rental, and service	R	R	R	Sec. 24-4304.A
Agricultural	Ag Support-Not Directly Related	Stockyard or Slaughterhouse	-	-	R	Sec. 24-4304.C
Public, Civic	Community Services	Auditorium, conference, and convention center	R	-	-	
Public, Civic	Community Services	Club or lodge	R	R	-	
Public, Civic	Community Services	Cultural facility	R	-	-	
Public, Civic	Community Services	Donation center	R	R	R	Sec. 24-4307.B
Public, Civic	Community Services	Public recreation facility	R	R	-	
Public, Civic	Community Services	Radio or television station	R	R	R	
Public, Civic	Community Services	Religious institution	R	R	R	Sec. 24-4307.C
Public, Civic	Day Care	Adult day care center	R	-	-	
Public, Civic	Day Care	Childcare center	R	-	-	Sec. 24-4308.A
Public, Civic	Educational Facilities	College or university	R	-	-	Sec. 24-4309.A
Public, Civic	Funeral and Mortuary	Crematory	R	R	R	
Public, Civic	Funeral and Mortuary	Funeral home	R	-	-	
Public, Civic	Government Facilities	Correctional facility	-	-	P	
Public, Civic	Government Facilities	Government maintenance, storage, or distribution facility	R	R	R	Sec. 24-4310
Public, Civic	Government Facilities	Government office	R	R	R	
Public, Civic	Government Facilities	Police, fire, or EMS facility	R	R	R	
Public, Civic	Health Care Facilities	Medical treatment facility	R	-	-	Sec. 24-4311.D
Public, Civic	Parks and Open Areas	Community garden	R	R	R	Sec. 24-4312.B
Public, Civic	Parks and Open Areas	Public park	R	R	R	Sec. 24-4312.C
Public, Civic	Parks and Open Areas	Parks and open areas not specified elsewhere	R	R	R	Sec. 24-4312.C
Public, Civic	Transportation	Airport	P	P	P	Sec. 24-4313.A
Public, Civic	Transportation	Helicopter landing facility	P	R	R	Sec. 24-4313.B
Public, Civic	Transportation	Passenger terminal, surface transportation	R	R	R	
Public, Civic	Utilities	Solar array	R	R	R	Sec. 24-4314.A
Public, Civic	Utilities	Utility, major	P	R	R	Sec. 24-4314.B
Public, Civic	Utilities	Utility, minor	R	R	R	Sec. 24-4314.C
Public, Civic	Utilities	Wind energy facility, large	R	R	R	Sec. 24-4314.D
Public, Civic	Utilities	Wireless communications short structure or co-location	R	R	R	Sec. 24-4314.E
Public, Civic	Utilities	Wireless communications tower, freestanding	P	P	P	Sec. 24-4314.F
Commercial	Animal Care	Animal grooming	R	R	R	Sec. 24-4317
Commercial	Animal Care	Kennel or animal shelter	R	R	R	Sec. 24-4317
Commercial	Animal Care	Veterinary hospital or clinic	R	R	R	Sec. 24-4317
Commercial	Eating Establishments	Microbrewery	R	R	R	Sec. 24-4315
Commercial	Eating Establishments	Restaurant other than drive-through	R	R	R	Sec. 24-4316
Commercial	Eating Establishments	Restaurant, drive-through	R	R	R	Sec. 24-4318
Commercial	Eating Establishments	Specialty eating establishment	R	R	R	Sec. 24-4315
Commercial	Offices	Business and sales	R	R	R	Sec. 24-4315
Commercial	Offices	Business school	R	R	R	Sec. 24-4315
Commercial	Offices	Business training and conference facility	R	R	R	Sec. 24-4315
Commercial	Offices	Data center	R	R	R	Sec. 24-4319
Commercial	Offices	Professional services	R	R	R	Sec. 24-4315
Commercial	Parking, Commercial	Parking lot	R	R	R	Sec. 24-4320.A
Commercial	Parking, Commercial	Parking structure	R	R	R	Sec. 24-4320.B
Commercial	Recreation and Entertainment, Indoor	Fitness center	R	-	-	Sec. 24-4321.A

R = allowed by Right, P = Provisional use, "-" = not allowed

Henrico County, Virginia, Zoning Ordinance

Industrial Districts, Principal Uses (Sec. 24-4205)

Classification	Use Category	Use Type	M-1	M-2	M-3	See Also
Commercial	Recreation and Entertainment, Indoor	Shooting range, indoor	R	R	R	Sec. 24-4321.B
Commercial	Recreation and Entertainment, Indoor	Theater	R	R	R	Sec. 24-4315
Commercial	Recreation and Entertainment, Indoor	Indoor Recreation and Entertainment not elsewhere listed	R	R	R	Sec. 24-4315
Commercial	Recreation and Entertainment, Outdoor	Amusement park, sports park, or waterpark	P	P	P	Sec. 24-4322.A
Commercial	Recreation and Entertainment, Outdoor	Arena, amphitheater, or stadium	P	P	P	Sec. 24-4322.A
Commercial	Recreation and Entertainment, Outdoor	Racetrack, outdoor	P	P	R	Sec. 24-4322.A
Commercial	Recreation and Entertainment, Outdoor	Outdoor Recreation and Entertainment not elsewhere listed	P	P	P	Sec. 24-4322.A
Commercial	Retail Sales and Services	Aircraft and aircraft parts sales	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Alternative lending institution	R	-	-	Sec. 24-4315
Commercial	Retail Sales and Services	Artist studio	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Auction house	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Automated teller machine (ATM)	R	R	R	Sec. 24-4323.A
Commercial	Retail Sales and Services	Convenience store	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Drive-through ice machine	R	R	R	Sec. 24-4323.B
Commercial	Retail Sales and Services	Drug store or pharmacy	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Farmers market	R	R	R	Sec. 24-4323.C
Commercial	Retail Sales and Services	Financial institution	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Grocery store	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Laundromat	R	R	R	Sec. 24-4323.D
Commercial	Retail Sales and Services	Personal services establishment	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Repair establishment	R	R	R	Sec. 24-4323.E
Commercial	Retail Sales and Services	Retail sales establishment, not elsewhere listed	R	R	R	Sec. 24-4315
Commercial	Retail Sales and Services	Sign printing and painting	R	R	R	Sec. 24-4315
Commercial	Vehicle Sales and Services	Automobile filling station (fuel only)	R	R	R	Sec. 24-4324.B
Commercial	Vehicle Sales and Services	Automobile rentals	R	R	R	Sec. 24-4324.C
Commercial	Vehicle Sales and Services	Automobile sales	R	R	R	Sec. 24-4324.D
Commercial	Vehicle Sales and Services	Automotive painting and body shop	R	R	R	Sec. 24-4324.A
Commercial	Vehicle Sales and Services	Automotive parts and installation and minor servicing	R	R	R	Sec. 24-4324.A
Commercial	Vehicle Sales and Services	Automotive repair	R	R	R	Sec. 24-4324.A
Commercial	Vehicle Sales and Services	Boat and marine rental, sales, and service	R	R	R	Sec. 24-4324.A
Commercial	Vehicle Sales and Services	Car wash or auto detailing	R	R	R	Sec. 24-4324.E
Commercial	Vehicle Sales and Services	Commercial fuel depot	R	R	R	Sec. 24-4324.A
Commercial	Vehicle Sales and Services	Commercial vehicle repair and maintenance	R	R	R	Sec. 24-4324.A
Commercial	Vehicle Sales and Services	Commercial vehicle sales, rentals, and storage	R	R	R	Sec. 24-4324.F
Commercial	Vehicle Sales and Services	Fleet terminal	R	R	R	Sec. 24-4324.H
Commercial	Vehicle Sales and Services	Towing or wrecker service	R	R	R	Sec. 24-4324.G
Commercial	Visitor Accom-modations	Hotel or Motel	R	R	R	Sec. 24-4325.C
Industrial	Extractive Industry	All Extractive Industry uses	C	R	R	Sec. 24-4327
Industrial	Industrial Services	Contractor services	R	R	R	Sec. 24-4328.A
Industrial	Industrial Services	Fuel oil or bottled gas distributor	R	R	R	Sec. 24-4326
Industrial	Industrial Services	General industrial service and repair	P	R	R	Sec. 24-4326
Industrial	Industrial Services	Heavy equipment sales, rental, and service	-	R	R	Sec. 24-4328.B
Industrial	Industrial Services	Laundry, dry cleaning, and carpet cleaning plants	R	R	R	Sec. 24-4328.C
Industrial	Industrial Services	Manufactured home and prefabricated building sales	R	R	R	Sec. 24-4326
Industrial	Industrial Services	Research and development facility	R	R	R	Sec. 24-4328.D
Industrial	Manufacturing and Production	Manufacturing, artisan	R	R	R	Sec. 24-4326
Industrial	Manufacturing and Production	Manufacturing, heavy	P	R	R	Sec. 24-4329.A
Industrial	Manufacturing and Production	Manufacturing, light	R	R	R	Sec. 24-4329.B

R = allowed by Right, P = Provisional use, "-" = not allowed

Henrico County, Virginia, Zoning Ordinance

Industrial Districts, Principal Uses (Sec. 24-4205)

Classification	Use Category	Use Type	M-1	M-2	M-3	See Also
Industrial	Warehouse and Freight Movement	Cold storage plant	R	R	R	Sec. 24-4330.A
Industrial	Warehouse and Freight Movement	Mini-warehouse	R	R	R	Sec. 24-4330.B
Industrial	Warehouse and Freight Movement	Outdoor storage (as a principal use)	-	R	R	Sec. 24-4330.C
Industrial	Warehouse and Freight Movement	Self-service storage facility	R	R	R	Sec. 24-4330.D
Industrial	Warehouse and Freight Movement	Truck or freight terminal	-	R	R	Sec. 24-4330.E
Industrial	Warehouse and Freight Movement	Warehouse (distribution)	R	R	R	Sec. 24-4330.E
Industrial	Warehouse and Freight Movement					Sec. 24-4330.F
Industrial	Warehouse and Freight Movement	Warehouse (storage)	R	R	R	Sec. 24-4330.E
Industrial	Warehouse and Freight Movement					
Industrial	Waste-Related Services	Landfill, construction and demolition debris	-	P	P	Sec. 24-4331.A
Industrial	Waste-Related Services	Landfill, sanitary	-	-	P	Sec. 24-4331.B
Industrial	Waste-Related Services	Recycling collection center	R	R	R	Sec. 24-4331.C
Industrial	Waste-Related Services	Recycling processing center	P	R	R	Sec. 24-4331.D
Industrial	Waste-Related Services	Salvage and junkyard	-	-	P	Sec. 24-4331.E
Industrial	Waste-Related Services	Solid waste transfer station	R	R	R	Sec. 24-4331.F
Industrial	Waste-Related Services	Waste composting	-	P	R	Sec. 24-4326
Industrial	Wholesale Sales	All wholesale sales	R	R	R	Sec. 24-4326

Sec. 24-3705. AS-O Airport Safety Overlay District

A. Purpose

The purpose of the AS-O Airport Safety Overlay District is to regulate and restrict the height of permanent and temporary structures and other objects, including natural growth, in the vicinity of Richmond International Airport ("the airport") and to restrict the uses of land in the vicinity of the airport by prohibiting any use that would in any way interfere with aircraft landing, taking off, or maneuvering with the intention of using the airport.

B. District Boundaries

The boundaries of the AS-O district are the limits of the airport's horizontal surfaces, conical surfaces, primary surfaces, approach surfaces, and transitional surfaces as defined in §77.19 of Title 14 of the Code of Federal Regulations or successor regulations applicable to the airport. These surfaces will be shown on the Zoning Districts Map to delineate those areas covered by the AS-O district.

C. Height Limitations

No structure or other object or vegetation will be permitted to penetrate the floor of any of the surfaces referenced in Sec. 24-3705.B, District Boundaries.

D. Performance Standards

A use of land or water must not:

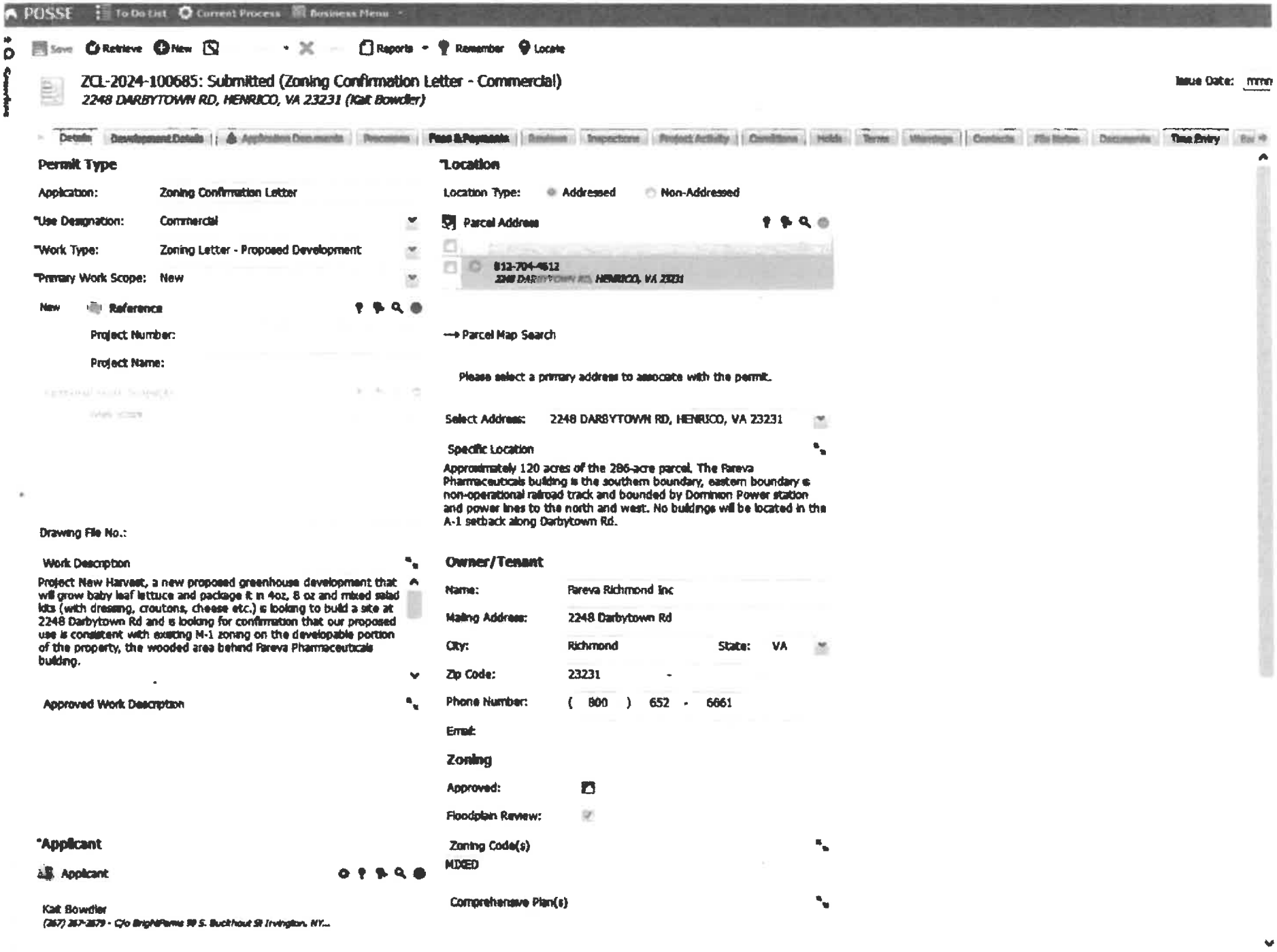
1. Create electrical interference with navigational signals or radio communications between the airport and airborne aircraft;
2. Diminish the ability of pilots to distinguish between airport lights and other lights;
3. Result in glare in the eyes of pilot using the airport;
4. Impair visibility in the vicinity of the airport;
5. Increase the potential for bird strike hazards; or
6. Otherwise in any way endanger or interfere with the landing or takeoff or maneuvering of aircraft intending to use the airport.

E. Compliance with District Standards

In determining whether proposed development complies with the standards in this section, the Planning Director may consult with the FAA, the state department of aviation, or the airport administration to determine whether any changes are necessary to bring the proposed construction into compliance with the provisions of this section.

F. Variance from District Standards

If the applicant for a permit which has been denied seeks a variance from the requirements of this section, the variance application must include a determination from the state department of aviation as to whether the proposal will adversely affect the operation of the airport and the safe, efficient use of navigable airspace above and around the airport. A variance may be granted only if the determination is that the proposal will not adversely affect the operation of the airport and the safe, efficient use of navigable airspace above and around the airport.


POSSE To Do List Current Process Business Menu

Save Retrieve New Reports Remember Locate

ZCL-2024-100685: Submitted (Zoning Confirmation Letter - Commercial)

2248 DARBYTOWN RD, HENRICO, VA 23231 (Kait Bowdler)

Issue Date: mmm

Details | Development Details | Application Documents | Processes | Fees & Payments | Reviews | Inspections | Project Activity | Conditions | Holds | Terms | Warnings | Contacts | File Notes | Documents | Time Entry

Permit Type

Application: Zoning Confirmation Letter

*Use Designation: Commercial

*Work Type: Zoning Letter - Proposed Development

*Primary Work Scope: New

New Reference

Project Number:

Project Name:

Drawing File No.:

Work Description

Project New Harvest, a new proposed greenhouse development that will grow baby leaf lettuce and package it in 4oz, 8 oz and mixed salad kits (with dressing, croutons, cheese etc.) is looking to build a site at 2248 Darbytown Rd and is looking for confirmation that our proposed use is consistent with existing M-1 zoning on the developable portion of the property, the wooded area behind Pareva Pharmaceuticals building.

Approved Work Description

Location

Location Type: Addressed Non-Addressed

Parcel Address

812-704-4612

2248 DARBYTOWN RD, HENRICO, VA 23231

→ Parcel Map Search

Please select a primary address to associate with the permit.

Select Address: 2248 DARBYTOWN RD, HENRICO, VA 23231

Specific Location

Approximately 120 acres of the 286-acre parcel. The Pareva Pharmaceuticals building is the southern boundary, eastern boundary is non-operational railroad track and bounded by Dominion Power station and power lines to the north and west. No buildings will be located in the A-1 setback along Darbytown Rd.

Owner/Tenant

Name: Pareva Richmond Inc

Mailing Address: 2248 Darbytown Rd

City: Richmond State: VA

Zip Code: 23231 -

Phone Number: (800) 652 - 6661

Email:

Zoning

Approved:

Floodplain Review:

Zoning Code(s)

MIXED

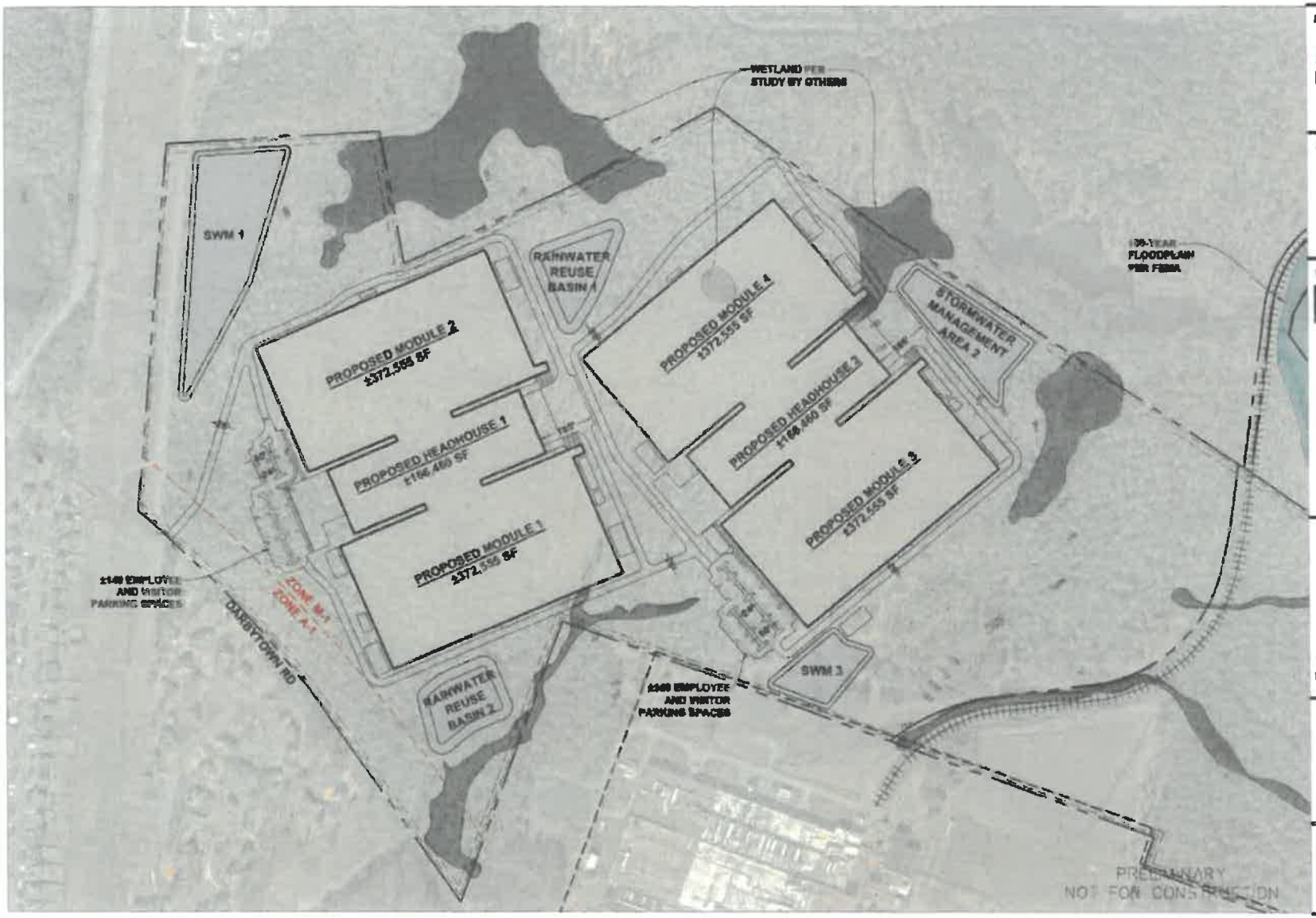
Comprehensive Plan(s)

Applicant

Applicant

Kait Bowdler

(267) 357-2879 - C/o BrightFarms 99 S. Buckhout St Irvington, NY...



DESIGN BUILDER:

ARCO MURRAY | DESIGN BUILD

[redacted]

PROJECT:

[redacted]

ADDRESS:

2248 DARBYTOWN RD, HENRICO, VA

DATE

6/5/2024

SCALE

1" = 300'

0 150 300 N

PRELIMINARY SITE PLAN

SHEET NUMBER:

C.01

Gidley, Paul

From: Blankinship, Benjamin
Sent: Wednesday, June 12, 2024 8:28 AM
To: Gidley, Paul
Subject: Fw: Zoning determination letter - Project New Harvest, Fareva site
Attachments: Project Frontier

FYI

Thanks, Ben

Benjamin W. Blankinship, AICP
Zoning Division Manager
Henrico County Planning Dept.
P.O. Box 90775, Henrico, VA 23273
(804) 501-4286 | bla26@henrico.us
BuildHenrico | HenricoNext

From: Larsen, Andrew <Andrew@henrico.com>
Sent: Tuesday, June 11, 2024 12:27 PM
To: Blankinship, Benjamin <bla26@henrico.us>
Cc: Emerson, Joe <eme@henrico.us>; News, Leslie <new04@henrico.us>; Romanello, Anthony <Anthony@henrico.com>
Subject: Zoning determination letter - Project New Harvest, Fareva site

Ben,

I wanted to let you know that Project New Harvest has submitted a zoning determination letter for their large scale, industrial greenhouse and manufacturing operation. My contact said she sent it yesterday, so I wanted to make sure I flagged it to you all. Per Joe's email (attached) several months ago, this operation is being interpreted as light manufacturing under the zoning code.

Please reach out with any questions or clarifications. Thanks!

Andrew Larsen
Managing Director

Henrico Economic Development Authority
4300 E. Parham Road, Henrico, Virginia 23228
Direct: 804-501-7523 | Mobile: 804-339-5497
Andrew@henrico.com | www.henrico.com



HENRICOEDA

Starting July 1, 2024, all communications coming from Henrico County general government employees will be from an @henrico.gov domain. Please ensure you update your contact information

Print Friendly

COUNTY OF HENRICO - FINANCE DEPARTMENT
REAL ESTATE ASSESSMENT DIVISION

Address: 4301 E. Parham Rd.
Henrico, VA 23273-2745
Phone: 804-501-4300
Fax: 804-501-5420

There are Multiple Addresses for this Parcel (View Multiple Addresses)

Location Address 2248 DARBYTOWN RD

(Plat) (Multiple Old Property Cards)

Image

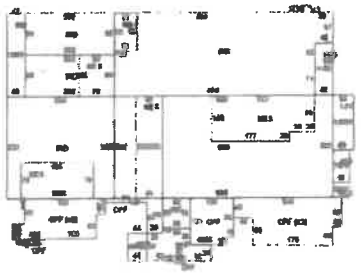
Photo Not Available

Last Photo Update Unknown

Base Information

Parcel ID	812-704-4612
Vision PID #	93886
State Code	C Comm & Ind
Use Code	495 Indl Manufacturing
Tax Type	Taxable
Zoning	MIXED
Tax Dist	Regular
Magisterial	Varina
Subdivision	Acreage
Section	
Block	
Lot	286.1175 acres
Floodplain	FEMA

Parcel Address	2248 DARBYTOWN RD
Appraiser	H
Neighborhood	09465 - Industrial Manufacturing
Acreage	286.1175
Owner (Jan 1)	FAREVA RICHMOND INC
Owner (Cur)	FAREVA RICHMOND INC
Mailing Address	2248 DARBYTOWN RD HENRICO VA
Zip	23231
Old Map #	01930A0000 0002
Pre 1992 Map #	28 A2 3
Map Page #	307



(Large Image) (Large Sketch) (Multiple Images)

Multiple Buildings (First) (Previous) 1 of 2 (Next) (Last)

Commercial Information

Building Name	Bldg #	Section	Year Built	Stories	Height	Occupancy	Sqft
FAREVA	1	Building	1980	1	20	344 - Office Building	76,622
FAREVA	1	Building	1980	1	25	406 - Storage Warehouse	88,226
FAREVA	1	Building	1980	1	30	495 - Industrials, Heavy Mfg.	181,120
FAREVA	1	Building	1980	1	30	496 - Laboratory	26,880
Report Total:							372,848
							1-4

Last Transfer

(Additional Transfer & Assessments)

Sale Date	Sale Price	Deed Book	Page	Previous Owner	Sale Comment
04/01/2013	$3,878,004	5118	0086	AMERICAN HOME PRODUCTS	Split/Multi-parcel Sale

Sketch Details

Code	Desc	Gross
IND	Indl Manufacturing	306,842
LDC	Load Dock, Covered	7,280
MES	Mezzanine, Stg	64,500
OFF	Office (Comm)	100,383
		1 - 4

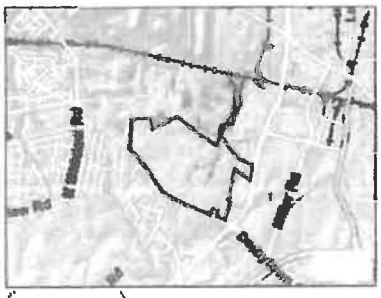
Current Assessment

Year	Date	Land	Land Use	Improvements	Total
2024	01/24/2024	$8,377,100		$28,177,400	$36,554,500

Extras, Features and Outbuildings

Type	Description	Units/Area
Extra	C.U.B. (10328sf)	1
Extra	Site Impr (35 acres)	1
Extra	TLA Bldg.(1,564sf)	1
Extra	Water Control (864sf	1
Extra	Water Tanks	1
Feature	Mezzanines-Office	15,889
Feature	Mezzanines-Office	21,205
Feature	Mezzanines-Storage	65,722
		1 - 8

Map



(View Large Map)

Land Information

Type	# Units	Unit Type	Sqft	Zoning
A2	212.92	ACREAGE	9,274,795	MIXED
A9	41	ACREAGE	1,785,960	MIXED
A9	28.5	ACREAGE	1,241,460	M-1
A9	3.7	ACREAGE	161,172	M-1

Notes

1) 1970; PARCEL 28-A2-2 (104.75 ACRES, 4/3/59 DB-929/638), 28-A2-12 (15.96 ACRES, 4/3/59 DB-929/626), 30-A1-14 (7.49 AC, 1/27/67 DB-1297/57) ALL CONSOLIDATED WITH THIS PARCEL AS REQUESTED FOR 1971 2) 1970: DB-1418/245 3.03 ACRES FROM LABURNUM INDUSTRIAL CORP CONSOLIDATED WITH THIS PARCEL 3) 1970: DB-1427/372 0.77 ACRE TO COUNTY OF HENRICO FOR DARBYTOWN RD WIDENING 4) 1972 DB-1519/392 1.427 ACRES TO COUNTY OF HENRICO FOR PROPOSED FIRE STATION 5) 5/29/80 DB-1808/552 0.131 AC TO HENRICO COUNTY FOR DARBYTOWN RD WIDENING 6) 8/26/95 DB-2589/1247 0.0825 AC TO HENRICO COUNTY FOR DARBYTOWN RD WIDENING

4/1/2013 G-PIN ON DEED ERRONEOUSLY LISTED AS 814-704-4612. COVER SHEET HAS CORRECT G-PIN OF 812-704-4612 PER DB5118/86.

ORIGINALLY A H ROBBINS COMPANY, ACQUIRED BY AND MERGED INTO AMERICAN HOME PRODUCTS IN 1989, CHANGED NAME TO WYETH IN 2002, ACQUIRED BY PFIZER IN 2009, SOLD TO FAREVA IN 2011 (DEED NOT RECORDED UNTIL 2013) 1) MIXED ZONING: M-1 AND A-1 2) 98,700SF ADDED TO BUILDING #2 IN 1999 3) FORMER PLANT A BUILDING (94,082 SF PET PRODUCTS MANUFACTURING BUILDING LOCATED BEHIND DISTRIBUTION CENTER) WAS DEMOLISHED 2001. 4) NEW 2 STORY OFFICE AND CAFETERIA ADDITION ADDED IN 2002. 5) 6/1/09 NEW 27' X 16' (432SF) ADDITION IN FRONT OF CAFETERIA FOR CREDIT UNION.

Legal Disclaimer: Non-confidential real estate assessment records are public information under Virginia law, and internet display of non-confidential property information is specifically authorized by Virginia Code 58.1-3122.2. While the Real Estate Division has worked to ensure that the assessment data contained herein is accurate, Henrico County assumes no liability for any errors, omissions, or inaccuracies in the information provided or for any reliance on any maps or data provided herein. Please consult County records in the Real Estate Division for official information.

Click Real_Estate_Comments to submit comments or corrections.

Exhibit C

[Subdivision Approval Letter and Plat Recordation Page]

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

R Joseph Emerson, Jr., AICP
Director of Planning
(804) 501-4602

May 15, 2025

Fareva Richmond Inc
Attn: Charles Stringer
2248 Darbytown Road
Henrico VA 23231

RE: SUB-2025-100957
Parcel Division of Parcel 812-704-4612
2 Lots

Sir/Madame:

As designated agent for the review and approval of the subdivision of land in accordance with Section 19-2102, the Director of Planning approved the plat for this minor subdivision on **May 15, 2025**. The approval of this plat is for creation of two lots only, involving existing GPIN(s) 812-704-4612.

The vacation, relocation, resubdivision, or other alteration of boundary lines shown on this plat has been reviewed for compliance with the Subdivision and Zoning Ordinances, Chapters 19 and 24 of the Henrico County Code. Any proposed uses of the property; Health Department review for private wells and/or onsite sewage disposal systems; or connections to public streets or public utilities are subject to separate review and approval. The County has not field verified the information shown on this plat.

This plat should be recorded at the Henrico County Circuit Court Clerk's Office by **July 14, 2025**. If the plat is not recorded by this date, the approval may be deemed void. *Additional documents may be required by the Circuit Court to record this minor subdivision plat. Please note, the Department of Planning does not review these documents. Contact the Henrico County Records Room at 804-501-4249 for more information regarding what documents will be required.* After recordation at the Clerk's Office, please provide proof of recordation to the Planning Department and Real Estate Assessment. Failure to provide the recordation information may delay subsequent or associated permit/development approvals, including creation of new GPIN(s) and addresses.

Sincerely,

For:
R. Joseph Emerson, Jr., AICP
Director of Planning

cc: Public Utilities – Chief Design Engineer
Director of Public Works
Real Estate Assessment
Jenning Stephenson Attn: Brian Long

VIRGINIA LAND RECORD COVER SHEET

Commonwealth of Virginia VA. CODE §§ 17.1-223, -227.1, -249

FORM A – COVER SHEET CONTENT

Instrument Date: 5/16/2025

Instrument Type: AF-PL

Number of Parcels: 1 Number of Pages: 1

[ ] City [X] County HENRICO
CIRCUIT COURT

Tax Exempt? VIRGINIA/FEDERAL CODE SECTION

[ ] Grantor:

[ ] Grantee:

Business/Name

RECORDED IN
COUNTY OF HENRICO, VA
HEIDI S. BARSHINGER
CLERK OF CIRCUIT COURT
FILED May 16, 2025
AT 09:28 am
BOOK 06664
START PAGE 1100
END PAGE 1101
INSTRUMENT # 202500012216
MFR

(Area Above Reserved For Deed Stamp Only)

1 X Grantor: FAREVA RICHMOND INC

Grantor:

1 X Grantee: FAREVA RICHMOND INC

Grantee:

Grantee Address

Name: FAREVA RICHMOND INC

Address: 2248 DARBYTOWN ROAD

City: HENRICO State: VA Zip Code: 23231

Consideration: $0.00 Existing Debt: $0.00 Actual Value/Assumed: $0.00

PRIOR INSTRUMENT UNDER § 58.1-803(D):

Original Principal: $0.00 Fair Market Value Increase: $0.00

Original Book No.: Original Page No.: Original Instrument No.:

Prior Recording At: [ ] City [ ] County Percentage In This Jurisdiction: 100%

Book Number: Page Number: Instrument Number:

Parcel Identification Number/Tax Map Number: 812-704-4612

Short Property Description:

Current Property Address: 2248 DARBYTOWN RD

City: HENRICO State: VA Zip Code: 23231

Instrument Prepared By: BRIAN M LONG Recording Paid By: DAVID WAGNER

Recording Returned To: DAVID WAGNER

Address: 5605 GROVE AVE

City: RICHMOND State: VA Zip Code: 23221

Advance

FORM CC-1570 (MASTER, PAGE ONE OF ONE) 10/19

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CERTIFICATE OF SUBDIVISION

THIS CERTIFICATE OF SUBDIVISION, MADE THIS 11TH DAY OF APRIL, 2025, BY FAREVA RICHMOND, INC ("OWNERS"), WHOSE ADDRESS IS 2248 DARBYTOWN ROAD, HENRICO VA 23231

FREE CONSENT AND DESIRE

THERE IS ATTACHED HERETO AND MADE A PART OF THIS CERTIFICATE OF SUBDIVISION A SUBDIVISION PLAT MADE BY JENNINGSTEPHENSON DATED APRIL 11, 2025 AND TITLED

PARCEL DIVISION OF PARCEL 812-704-4612

(THE "PLAT"), WHICH HAS BEEN APPROVED BY THE HENRICO COUNTY PLANNING DEPARTMENT.

THE SUBDIVISION OF LAND SHOWN ON THE PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS(S) AND TRUSTEE(S). THE SOURCE OF TITLE FOR THE LAND EMBRACED WITH THE LIMITS OF THE SUBDIVISION SHOWN ON THE PLAT IS ATTACHED AS EXHIBIT A HERETO AND HEREBY MADE A PART OF THIS CERTIFICATE OF SUBDIVISION.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

OWNER

Charles C Stringer

FOR FAREVA RICHMOND INC

Charles Stringer / Finance Director

PRINT NAME / TITLE

STATE/COMMONWEALTH OF Virginia TO WIT:

COUNTY/CITY OF Henrico

I, Laura Marie Arzate (PRINT NAME) A NOTARY PUBLIC IN AND FOR THE COUNTY/CITY AND STATE/COMMONWEALTH AFORESAID, DO HEREBY CERTIFY THAT:

Charles Stringer

WHOSE NAME IS SIGNED TO THE SUBDIVISION CERTIFICATE HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY CITY/COUNTY AND STATE/COMMONWEALTH AFORESAID. 2025 ~~2023~~.

GIVEN UNDER MY HAND AND SEAL THIS 14 DAY OF May

Laura M. Arzate NOTARY PUBLIC

12/31/2026 MY COMMISSION EXPIRES

REGISTRATION NO 8010169

LAURA MARIE ARZATE
NOTARY PUBLIC
REGISTRATION # 8010169
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES 12/31/2026

SOURCE OF TITLE

THE PROPERTY EMBRACED WITHIN THE LIMITS OF THIS MINOR SUBDIVISION WAS CONVEYED TO FAREVA RICHMOND INC. BY DEED FROM WYETH LLC DATED OCTOBER 3, 2011 AND RECORDED APRIL 1, 2013 IN DEED BOOK 5118 PAGE 86 IN THE CLERK'S OFFICE, OF THE CIRCUIT COURT, OF HENRICO COUNTY, VIRGINIA

BRIAN M. LONG, LS

4-11-25 DATE

COMMONWEALTH OF VIRGINIA
BRIAN M LONG
Lic. No. 2372
4-11-25
LAND SURVEYOR

THE VACATION, RELOCATION, RESUBDIVISION, OR OTHER ALTERATION OF BOUNDARY LINES SHOWN ON THE ATTACHED PLAT HAS BEEN REVIEWED FOR COMPLIANCE WITH THE SUBDIVISION AND ZONING ORDINANCES ANY PROPOSED USES OF THE PROPERTY, PRIVATE WELLS, ONSITE SEWAGE DISPOSAL SYSTEMS, OR CONNECTIONS TO PUBLIC STREETS OR PUBLIC UTILITIES ARE SUBJECT TO SEPARATE REVIEW AND APPROVAL

APPROVED BY THE HENRICO COUNTY PLANNING DEPARTMENT

5/15/25 DATE

COUNTY PLANNER

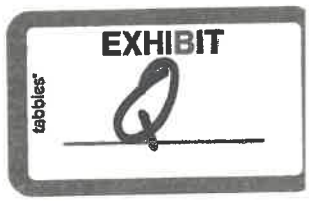
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or land disturb
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or disturbance
approval by th
construction pl
Planning for ac

Exhibit D

[Data Center Expenditures]

Vendor	Task	Contract Amount	Invoiced To Date	Contract Start Date
Christian and Barton	Legal Fees - Purchase and Sale Agreement	$ 34,653.23	$ 34,653.23	1/29/2025
WireGill	Legal Fees - Environmental	$ 21,241.50	$ 21,241.50	2/17/2025
Fareva	Non-Refundable Deposit	$ 200,000.00	$ 200,000.00	3/14/2025
Roth-Jackson	Legal Fees - Zoning*	$ 54,524.32	$ 54,524.32	3/25/2025
Jenning Stephenson	Subdivision and Survey	$ 53,120.00	$ 36,480.00	4/2/2025
Gensler	POD	$ 30,000.00	$ 30,000.00	4/8/2025
ECS	Phase I/Phase II	$ 39,308.00	$ 38,532.00	4/11/2025
Kimley-Horn	POD	$ 285,000.00	$ 212,700.00	4/29/2025
Fareva	Non-Refundable Deposit	$ 300,000.00	$ 300,000.00	6/4/2025
	Subtotal	**$ 1,017,847.05**	**$ 928,131.05**	**1/29/2025**

*denotes hourly contract with costs still accumulating



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

December 10, 2025

R.J. Emerson, Jr., AICP
Director of Planning
(804) 501-4602

Wagner Urban Logistics, LLC
c/o ROTH JACKSON GIBBONS CONDLIN, PLC
1519 Summit Avenue, Suite 102
Richmond, Virginia 23230
Attention: Andrew M. Condlin, Esquire

GPIN: 812-704-4612
2248 and 2300 Darbytown Road
Varina District, Henrico County, Virginia

Re: Vested Rights Determination

This is in response to your request on behalf of Wagner Urban Logistics, LLC ("Wagner") for a vested rights determination concerning the property known as GPIN 812-704-4612 and located along Darbytown Road (the "Property").

On June 10, 2025, the Board of Supervisors of Henrico County amended the County's Zoning Ordinance. A copy of the amendments is attached as Exhibit A (the "Amendments"). The Amendments change the zoning regulations for data centers. Most notably, the Amendments require a provisional use permit for data centers as a principal use in the M-1 district.

Determination

With the concurrence of the County Attorney, I have determined that Wagner does not have a vested right to develop and operate a data center project on the Property as a principal use by right. Any data center development as a principal use of the Property requires a provisional use permit and must comply in all other respects with the requirements of the Amendments.

Findings of Fact and Conclusions of Law

I make the following findings of fact and conclusions of law in support of my determination:

1. Code of Virginia § 15.2-2286(A)(4) provides that zoning ordinances may provide for the "appointment or designation of a zoning administrator" whose authority includes "in specific cases, making findings of fact and, with concurrence of the attorney for the governing body, conclusions of law regarding determinations of rights accruing under § 15.2-2307 or subsection C of § 15.2-2311."

2. Pursuant to Henrico Code § 24-2105, I am designated to serve as the "zoning administrator" for the County in my position as Planning Director.

3. The Office of the County Attorney was created by the Board of Supervisors, pursuant to Code of Virginia § 15.2-633, and the County Attorney serves as counsel to the Board.

4. Pursuant to Henrico Code § 24-2317(B)(5), I am "responsible for making.... [i]nterpretations of whether rights have been vested, with the concurrence of the County Attorney."

5. Code of Virginia § 15.2-2307(A) provides that a "landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner (i) obtains or is the beneficiary of a significant affirmative governmental act which remains in effect allowing development of a specific project, (ii) relies in good faith on the significant affirmative governmental act, and (iii) incurs extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the significant affirmative governmental act."

6. Code of Virginia § 15.2-2307(B) provides that "the following are deemed to be significant affirmative governmental acts allowing development of a specific project: (i) the governing body has accepted proffers or proffered conditions which specify use related to a zoning amendment; (ii) the governing body has approved an application for a rezoning for a specific use or density; (iii) the governing body or board of zoning appeals has granted a special exception or use permit with conditions; (iv) the board of zoning appeals has approved a variance; (v) the governing body or its designated agent has approved a preliminary subdivision plat, site plan or plan of development for the landowner's property and the applicant diligently pursues approval of the final plat or plan within a reasonable period of time under the circumstances; (vi) the governing body or its designated agent has approved a final subdivision plat, site plan or plan of development for the landowner's property; or (vii) the zoning administrator or other administrative officer has issued a written order, requirement, decision or determination regarding the permissibility of a specific use or density of the landowner's property that is no longer subject to appeal and no longer subject to change, modification or reversal under subsection C of § 15.2-2311."

7. Code of Virginia § 15.2-2311(C) provides that "[i]n no event shall a written order, requirement, decision or determination made by the zoning administrator or other administrative officer be subject to change, modification or reversal by any zoning administrator or other administrative officer after 60 days have elapsed from the date of the written order, requirement, decision or determination where the person aggrieved has materially changed his position in good faith reliance on the action of the zoning administrator or other administrative officer unless it is proven that such written order, requirement, decision or determination was obtained through malfeasance of the zoning administrator or other administrative officer or through fraud. The 60-day limitation period shall not apply in any case where, with the

concurrence of the attorney for the governing body, modification is required to correct clerical errors."

Significant Affirmative Governmental Act

8. Wagner has not obtained a significant affirmative governmental act for the development and operation of data centers on the Property. Without a significant affirmative governmental act for the development and operation of data centers on the Property, Wagner cannot establish vested rights.

    a. Factor (i) of Code of Virginia § 15.2-2307(A) provides that a "landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner (i) obtains or is the beneficiary of a significant affirmative governmental act which remains in effect allowing development of a specific project. . . ."

    b. Code of Virginia § 15.2-2307(B) provides that "the following are deemed to be significant affirmative governmental acts allowing development of a specific project: . . . (vi) the designated agent has approved a final subdivision plat, site plan or plan of development for the landowner's property . . . ."[1]

    c. Wagner claims a "minor subdivision" of the Property is a significant affirmative governmental act for its proposed data center project. Fareva Richmond Inc., the landowner, received approval of the minor subdivision on May 15, 2025, before the effective date of the Amendments but after the amendments had been advertised for a public hearing before the Planning Commission and Board of Supervisors. The minor subdivision approval did not reference data centers or approve any particular use of the Property, and it expressly reserved consideration of specific uses for subsequent review.[2]

    d. Code of Virginia § 15.2-2201 authorizes the County to enact its own definition of "subdivision." *County of Chesterfield v. Tetra Assocs., LLC*, 279

[1] Although a plan of development application was submitted to the County on April 28, 2025, the application was not approved before the effective date of the Amendments and has been deferred. The application has not been approved. Accordingly, applicant cannot rely on the plan of development application to constitute a significant affirmative governmental act. *See Board of Supervisors v. McQueen*, 287 Va. 122, 131 (2014) (finding that a compliance letter did not constitute clear, express, and unambiguous affirmative approval); *Board of Zoning Appeals v. Caselin Sys.*, 256 Va. 206, 212 (1998) (stating that "partial processing" of an application does not constitute approval).

[2] Fareva Richmond Inc. was eligible to receive approval of a minor subdivision for the Property because Fareva Richmond Inc. had a valid plan of development for its current pharmaceutical use.

Va. 500, 506 (2010). As Wagner recognizes, state code defers to the local definition of "subdivision." Letter to R. Joseph Emerson, Jr., Director of Planning, October 1, 2025, at 4 n.2.

e. The County defines "subdivision" as "a division of a lot or parcel of land situated wholly or partly within the county that (1) divides the lot or parcel of land into two or more lots or parcels for the purpose of transferring ownership or building development, or (2) involves a new street or an extension of an existing street, except for a Minor Subdivision or a division of land ordered by a court." Henrico Code § 19-7301 (definition of "subdivision") (emphasis added).

f. The County's definition of "subdivision" excludes minor subdivisions, which removes the approval from the ambit of Code of Virginia § 15.2-2307(B)(vi). Therefore, the minor subdivision approval is not a significant affirmative governmental act.

g. Even if the approval of the minor subdivision were to fall within the ambit of Code of Virginia § 15.2-2307(B)(vi), a significant affirmative governmental act allows only "development of a specific project." The "specific project" must be the subject of the alleged significant affirmative governmental act. *See Town of Leesburg v. Long Lane Assocs. Ltd. P'ship*, 284 Va. 127, 135 (2012) ("A landowner acquires a vested right to a land use that is the subject of a significant affirmative governmental act.").

h. The minor subdivision approval did not approve or even reference a data center project for the property. As the approval of the minor subdivision explicitly states: "The vacation, relocation, resubdivision, or other alteration of boundary lines shown on this plat has been reviewed for compliance with the Subdivision and Zoning Ordinances, Chapters 19 and 24 of the Henrico County Code. **Any proposed uses of the property . . . are subject to separate review and approval.**" Letter to Fareva Richmond Inc., attn: Charles Stringer, May 15, 2025 (emphasis added). The proposed use of the Property for the development and operation of data centers was the subject of a separate application for a plan of development, which was deferred on June 25, 2025 because of the requirement to obtain a provisional use permit pursuant to the Amendments. Wagner applied for a provisional use permit on June 17, 2025, and that application was pending staff review and referral to the County's Planning Commission at the time of the June 25, 2025 deferral. Accordingly, to approve the minor subdivision, it was not necessary to determine whether the Property could be used for the development and operation of data centers.

i. The "specific project" addressed by the approval of the minor subdivision was the vacation, relocation, resubdivision, or other alteration of boundary lines necessary to divide the parent tract. Consequently, assuming for the sake of

argument that the minor subdivision was a "subdivision" within the meaning of Code of Virginia § 15.2-2307(B)(vi), that statute would offer protection against a subsequent amendment to the zoning ordinance that would otherwise render the division impermissible but nothing more. *See Hale v. Bd. of Zoning Appeals*, 277 Va. 250, 274 (2009) ("In short, when vested rights accrue to a landowner as the result of a significant affirmative governmental act, the rights that vest are only those that the government affirmatively acts upon, and the evidence to support the claim to those rights must be clear, express, and unambiguous.").

j. Finally, Code of Virginia § 15.2-2307 vests rights only to the **landowner** and only when the **landowner** obtains or is the beneficiary of a significant affirmative governmental act allowing development of a specific project, relies in good faith on the significant affirmative governmental act, and incurs extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the significant affirmative governmental act. Wagner is not the landowner. Fareva Richmond Inc. owns the Property.

k. Code of Virginia § 15.2-2307 is a limited exception to the general rule that there is no property right in the anticipated use of land. *See Hale v. Bd. of Zoning Appeals*, 277 Va. 250, 271 (2009) ("[I]n limited circumstances, private landowners may acquire a vested right in planned uses of their land . . ."). Code of Virginia § 15.2-2307 permits **landowners**, in limited circumstances, to acquire a vested right in planned uses of their land notwithstanding the general rule. If the General Assembly had intended to permit others to acquire a vested right in planned uses of land, it easily could have done so. *See Va. Elec. & Power Co. v. State Corp. Comm'n*, 300 Va. 153, 163 (2021) ("We presume that the legislature chose, with care, the specific words of the statute and that the act of choosing carefully some words necessarily implies others are omitted with equal care.") (internal quotation marks omitted). Because Wagner is not the landowner, Wagner is not within the class of persons protected by Code of Virginia § 15.2-2307. *See Town of Leesburg v. Long Lane Assocs. Ltd. P'ship*, 284 Va. 127, 136 (2012) (concluding that a party cannot claim a vested right to a use of property it does not own).

Good Faith Reliance and Diligent Pursuit

9. Wagner cannot demonstrate that it relied in good faith on the approval of the minor subdivision in its pursuit of a data center project at the Property. Without good faith reliance on a significant affirmative governmental act, Wagner cannot establish vested rights in the use of the Property for the development and operation of data centers.

a. Factor (ii) of Code of Virginia § 15.2-2307(A) provides that a "landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the

landowner. . . . (ii) relies in good faith on the significant affirmative governmental act, and (iii) incurs extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the significant governmental act. . . ."

b. First, Wagner applied for a provisional use permit for a data center project on June 17, 2025—merely one month after the approval of the minor subdivision and days after approval of the Amendments. Clearly, Wagner was not relying on the minor subdivision approval when it chose to pursue the provisional use permit for its project. If Wagner was relying on the minor subdivision approval, there would be no reason to pursue the provisional use permit. Wagner did not request a determination of vested rights until after the County's Planning Commission recommended denial of Wagner's application for a provisional use permit on September 11, 2025. In short, to the extent it continued pursuing a data center project on the Property after the Amendments, Wagner plainly believed that it required a provisional use permit and was not relying on the approval of the minor subdivision plat.

c. Second, Wagner could not rely on the minor subdivision approval in good faith because that approval did not authorize any specific use of the Property: "Any proposed uses of the property . . . are subject to separate review and approval." Letter to Fareva Richmond Inc., attn: Charles Stringer, May 15, 2025. Data centers are not mentioned anywhere on the approved minor subdivision plat or in the approval. Therefore, Wagner could not reasonably rely on the minor subdivision to proceed with the development of data centers on the Property—the minor subdivision merely divided a piece of land without approving any use of the Property.

d. Third, Wagner did not take any actions in reliance on the minor subdivision plat in pursuit of a data center project. The approval of the minor subdivision occurred on May 15, 2025. The only actions identified by Wagner following approval of the minor subdivision was recordation of the plat. *See Hale v. Bd. of Zoning Appeals*, 277 Va. 250, 271 (2009) (rejecting argument that terms of approval applicable to any use of the subject property create a vested right to a particular permissible use of such property); Letter to R. Joseph Emerson, Jr., Director of Planning, October 1, 2025, at 5-6. Actions taken prior to approval of the minor subdivision were plainly not taken in reliance on such approval. In other words, Wagner did not move the ball on its data center project after the minor subdivision was approved. Instead, Wagner paused to apply for the provisional use permit required by the Amendments.

e. Fourth, Wagner primarily relies on its claim that it was recruited by the Economic Development Authority of Henrico County, Virginia ("EDA") to consider the Property for data center development. The EDA disputes Wagner's characterization, but Wagner's assertion is immaterial to the analysis under Code of Virginia § 15.2-2307 because "recruitment" is not a

"significant affirmative governmental act." *See Board of Supervisors v. McQueen*, 287 Va. 122, 131 (2014) (finding that a compliance letter did not constitute clear, express, and unambiguous affirmative approval); *Board of Zoning Appeals v. Caselin Sys.*, 256 Va. 206, 212 (1998) (stating that informal assurances of future approval made by individual board members and the county administrator were insufficient to demonstrate approval that could be relied upon). The EDA is a separate political subdivision from the County of Henrico and cannot bind the Henrico Board of Supervisors or zoning administrator. Therefore, even if the EDA "recruited" Wagner, that would not form the basis for any legal property rights for Wagner to develop data centers.[3]

f. Finally, Wagner attaches a letter from the Henrico Department of Planning as Exhibit B to its request for a vested rights determination and suggests it relied in good faith on that letter. However, the letter merely affirms that the Property is zoned M-1, Light Industrial District, and the only use specifically addressed in the letter is the "industrial scale growing of greenhouse products and packaging of those into mixed salad kits." Letter to Kait Bowdler, June 12, 2024. Wagner could not rely "in good faith" on a letter affirming a greenhouse as authorization for a data center project.

Notice of Right to Appeal

Any person aggrieved or any officer, department, board or bureau of the locality affected by this determination has the right to appeal this determination to the Board of Zoning Appeals within 30 days in accordance with Code of Virginia § 15.2-2311. The appeal fee is $300. Additional information regarding the filing of an appeal may be obtained from the Planning Department, 4301 East Parham Road, Henrico, VA 23228 (804.501.4602), which is open 8:00 a.m. to 4:30 p.m., Monday through Friday. If this determination is not appealed within 30 days in accordance with Code of Virginia § 15.2-2311, this determination will be final and unappealable.

Sincerely,

R. Joseph Emerson, Jr., AICP
Director of Planning

Concur:

[3] The flaw in Wagner's argument is apparent from any number of examples. For instance, if the EDA "recruited" a solar array (which requires a provisional use permit) to the County tomorrow, that would not require the Board of Supervisors to approve it or be the foundation for any property rights.

Andrew R. Newby, Esq.
County Attorney

Exhibit A

Zoning Ordinance Amendments Approved June 10, 2025

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 143-25
Page No. 1 of 1

Agenda Title: ORDINANCE — See attached

For Clerk's Use Only:
Date: 6/10/2025
( ) Approved
( ) Denied
( ) Amended
( ) Deferred to:

BOARD OF SUPERVISORS ACTION
1.) amend
2) approve as amended
Moved by (1) Nelson Seconded by (1) Roundtree
(2) Nelson (2) Cooper
REMARKS: APPROVED

	YES	NO	OTHER
Cooper, R.	✓		
Nelson, T.	✓		
Rogish, J.	✓		
Roundtree, M.	✓		
Schmitt, D.	✓		

After a duly advertised public hearing, the Board of Supervisors of Henrico County adopted the attached ordinance.

Comments: This ordinance was considered at a public hearing on June 10, 2025. The Director of Planning recommends approval of the ordinance, and the County Manager concurs.

By Agency Head _____ By County Manager _____

Copy to: _____

Certified:
A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

As Amended and Approved by the Board of Supervisors on June 10, 2025

ORDINANCE — To Amend and Reordain Section 24-3406 Titled "O-3 Office District," Section 24-4205 Titled "Principal Use Table," Section 24-4319 Titled "Commercial Uses: Offices," Section 24-4328 Titled "Industrial Uses: Services Uses," Section 24-4402 Titled "Accessory Use or Structure Table," Section 24-5110 Titled "Minimum Number of Off-Street Parking Spaces," Section 24-8405 Titled "Commercial Use Classification," Section 24-8406 Titled "Industrial Use Classification," and Section 24-8501 Titled "Accessory Uses, Temporary Uses, and Other Terms," and to Add a New Section 24-4438 Titled "Accessory Data Center (as Accessory to an Office or Industrial Use)" of the Code of the County of Henrico to Require a Provisional Use Permit for Data Centers as a Principal Use and Establish Development Standards for Data Centers

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 24-3406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3406. O-3 Office District

A. Purpose

The purpose of the O-3 Office District is to provide lands primarily for offices, office buildings and limited retail uses that are generally compatible with higher-density residential development and served by arterial thoroughfares. Allowed uses include:

- Offices including medical, artist studios, and professional services;
- Limited retail such as financial institutions, restaurants, drug stores, theaters, convenience stores;
- Childcare and adult care, hospitals, and funeral homes;
- ~~Data centers;~~
- Trade schools; and
- Hotels

....

2. That Section 24-4205 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4205. Principal Use Table

Principal uses are allowed in each of the zoning districts in accordance with 4205: Principal Use Table. The cross-references in the "Use Specific Standards" column are provided for ease of reference and are not exhaustive.

Table 4205: Principal Use Table

R=Permitted by right | C=Allowed subject to conditional use permit | P=Allowed subject to provisional use permit
- =Prohibited | A=Allowed subject to an approved PD Master Plan and PD Terms and Conditions Document

Use Category Click on category to jump to definitions	**Use Type**	**C&A**		**Residential**														**Nonresidential & Mixed-Use**										**PD**				**FBA-O Dev. Area**							**Use-Specific Standards** Click on section number to jump to regulations
		C-1	**A-1**	**R-0**	**R-0A**	**R-1**	**R-1A**	**R-2**	**R-2A**	**R-3**	**R-3A**	**R-4**	**R-4A**	**R-5A**	**R-5B**	**R-5**	**R-6**	**RTH**	**CMU**	**O-1**	**O-2**	**O-3**	**O/S**	**B-1**	**B-2**	**B-3**	**M-1**	**M-2**	**M-3**	**SMX-PD**	**TND-PD**	**UMU-PD**	**LI-PD**	**Mixed-use Corridor**	**Mixed-use Core**	**Walkable Corridor**	**Walkable Center**	**Neighborhood Gen.**	**Connected Edge**	**Highway Edge**	
	....																																						
Commercial Use Classification																																							
....																																							
Office	....																																						
	~~Data center~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~-~~	~~-~~	~~-~~	A	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~R~~	~~Sec. 24-4319~~
	....																																						
....																																							
Industrial Use Classification																																							
....																																							
Industrial Services	Contractor services	....																																					
	Data Center	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**-**	**-**	**-**	**A**	**-**	**-**	**-**	**-**	**-**	**-**	**P**	**Sec. 24-4328**
	Fuel oil or bottled gas distributor	....																																					
	....	....																																					
....																																							

3. That Section 24-4319 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4319. Commercial Uses: Offices

In addition to the requirements of Sec. 24-4315, All Commercial Uses, the following requirements apply to offices as a principal use.

....

B. ~~Data Centers~~ Reserved

~~For data centers in all districts except the M-1, M-2, and M-3 districts, all equipment necessary for cooling, ventilating, or otherwise operating the facility must be contained within an enclosed building where the use is located. This includes emergency power generators and other emergency power supply equipment.~~

4. That Section 24-4328 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4328. Industrial Uses: Services Uses

In addition to the requirements of Sec. 24-4326, Industrial Uses Generally, the following requirements apply to industrial service uses.

....

B. Data Centers

1. All equipment necessary for operating the data center must be contained within an enclosed building or screened by opaque walls to minimize transmission of sound. This includes equipment for cooling and ventilating, as well as emergency power generators and other emergency power supply equipment.

2. Generators for a data center must not be operated other than during emergency power outages and for testing and maintenance. Testing and maintenance of generators for a data center must be conducted only Monday-Friday between 10:00 a.m. and 4:00 p.m.

3. A data center must be served by public water and sewer. Any water cooling must use a closed-loop or recycled water system, unless another cooling system is approved for the data center as part of a provisional use permit.

~~B~~C. Heavy Equipment Sales, Rental, and Service

....

~~C~~D. Laundry, Dry Cleaning, and Carpet Cleaning Plants

....

~~D~~E. Research and Development Facility

....

5. That Section 24-4402 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4402. Accessory Use or Structure Table

....

E. Accessory Use or Structure Table

Accessory uses and structures are allowed in each of the zoning districts in accordance with Table 4402: Accessory Use or Structure Table.

Table 4402: Accessory Use or Structure Table
R=Permitted by right | C=Allowed subject to conditional use permit | P=Allowed subject to provisional use permit
- =Prohibited | A=Allowed subject to an approved PD Master Plan and PD Terms and Conditions Document

Accessory Use or Structure	C&A		Residential													Nonresidential & Mixed-Use										PD				FBA-O Dev. Area							Specific Standards for Use or Structure
	C-1	A-1	R-0	R-0A	R-1	R-1A	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
....																																							
Cremation chamber (as accessory to a funeral home or a veterinary hospital or clinic)	....																																						
Data center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	-	R	R	R	R	R	-	-	-	A	-	-	-	-	-	-	R	Sec. 24-4438
Donation box	....																																						
....																																							

6. That Section 24-4438 be added to the Code of the County of Henrico as follows:

Sec. 24-4438. Accessory Data Center (as Accessory to an Office or Industrial Use)

A data center is allowed as an accessory use to an office or industrial use, subject to the following standards in addition to the standards of Sec. 24-4328.B:

A. The accessory data center and the office or industrial use to which it is accessory must be located on the same or adjacent premises.

B. All equipment necessary for operating the data center must be contained within an enclosed building or screened by opaque walls to minimize transmission of sound. This includes equipment for cooling and ventilating, as well as emergency power generators and other emergency power supply equipment.

7. That Section 24-5110 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5110. Minimum Number of Off-Street Parking Spaces

....

Table 5110: Minimum Number of Off-Street Parking Spaces

Principal Use Category	Principal Use Type	Minimum Off-Street Parking Spaces [1, 2]
	....	
Commercial Uses		
....		
Offices	....	....
	Business training and conference facility	4.0 per 1,000 sf training or display space, plus 2 per 1,000 sf office or other administrative space
	~~Data center~~	~~2.0 per 1,000 sf offices~~
	Professional services	2.5 per 1,000 sf
....		
Industrial Uses		
Industrial Services	Contractor services, in addition to spaces required for service vehicles	2.0 per 1,000 sf
	Data center	**2.0 per 1,000 sf of office space**
	Fuel oil or bottled gas distributor	2.0 per 1,000 sf
	....	....

Table 5110: Minimum Number of Off-Street Parking Spaces		
Principal Use Category	**Principal Use Type**	**Minimum Off-Street Parking Spaces [1, 2]**
....		

8. That Section 24-8405 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8405. Commercial Use Classification

....

D. Office

The Office uses category includes office buildings housing activities conducted in a professional setting, generally focusing on the provision of business services, professional services (e.g., lawyers, accountants, engineers, architects), financial services (e.g., lenders, brokerage houses, tax preparers), or medical and dental services. Use types include: business and sales; and professional services. This use category does not include offices that are a component of or accessory to a principal use in another use category, such as administrative government services (categorized in the Government Facilities use category), or banks or other financial institutions (categorized in the Retail Sales and Services use category). Accessory uses may include cafeterias, recreational or fitness facilities, incidental commercial uses, **an accessory data center serving a principal use on the same or adjacent premises,** or other amenities primarily for the use of employees of the office use.

....

~~**Data center**~~

~~A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Typical supporting equipment includes back-up batteries and power generators, cooling units, fire suppression systems, and enhanced security features. A data center typically has few on-site employees.~~

....

....

9. That Section 24-8406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8406. Industrial Use Classification

....

B. Industrial Services

The Industrial Services use category includes use types involving the **support,** repair**,** or servicing of industrial or business machinery equipment, products, or by-products, and firms

that service consumer goods for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. The category also includes use types involving the storage or movement of goods. Use types include: contractor service; **data center;** fuel oil or bottled gas distributor; general industrial service and repair; heavy equipment sales, rental, and service; laundry, dry cleaning, and carpet cleaning plants; manufactured home and prefabricated building construction and sales; research and development; and similar use types.

Contractor services
Offices for landscaping, building, heating, plumbing, or electrical contractors, and related storage facilities.

Data center
A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Typical supporting equipment includes back-up batteries and power generators, cooling units, fire suppression systems, and enhanced security features. A data center typically has few on-site employees.

Fuel oil or bottled gas distributor
An establishment principally engaged in the sale, distribution, and delivery of fuel oil or bottled gases such as propane or liquified petroleum.

....

....

10. That Section 24-8501 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8501. Accessory Uses, Temporary Uses, and Other Terms

The following terms will have the meanings assigned below.

....

Damaged or destroyed building

A damaged or destroyed building or structure is one for which the cost of restoring the building or structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred.

Data center as an accessory use

A facility containing computer systems used for data storage and processing that is accessory to an office or industrial use on the same or adjacent premises.

Debris waste

Solid waste resulting from land clearing operations. Debris wastes include stumps, wood, brush, leaves, soil, and road spoils.

....

11. That this ordinance will be in full force and effect on and after its passage as provided by law.



Code of Virginia
Title 15.2. Counties, Cities and Towns
Subtitle II. Powers of Local Government
Chapter 22. Planning, Subdivision of Land and Zoning
Article 7. Zoning

§ 15.2-2307. Vested rights not impaired; nonconforming uses

A. Nothing in this article shall be construed to authorize the impairment of any vested right. Without limiting the time when rights might otherwise vest, a landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner (i) obtains or is the beneficiary of a significant affirmative governmental act which remains in effect allowing development of a specific project, (ii) relies in good faith on the significant affirmative governmental act, and (iii) incurs extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the significant affirmative governmental act.

B. For purposes of this section and without limitation, the following are deemed to be significant affirmative governmental acts allowing development of a specific project: (i) the governing body has accepted proffers or proffered conditions which specify use related to a zoning amendment; (ii) the governing body has approved an application for a rezoning for a specific use or density; (iii) the governing body or board of zoning appeals has granted a special exception or use permit with conditions; (iv) the board of zoning appeals has approved a variance; (v) the designated agent has approved a preliminary subdivision plat, site plan or plan of development for the landowner's property and the applicant diligently pursues approval of the final plat or plan within a reasonable period of time under the circumstances; (vi) the designated agent has approved a final subdivision plat, site plan or plan of development for the landowner's property; or (vii) the zoning administrator or other administrative officer has issued a written order, requirement, decision or determination regarding the permissibility of a specific use or density of the landowner's property that is no longer subject to appeal and no longer subject to change, modification or reversal under subsection C of § 15.2-2311.

C. A zoning ordinance may provide that land, buildings, and structures and the uses thereof which do not conform to the zoning prescribed for the district in which they are situated may be continued only so long as the then existing or a more restricted use continues and such use is not discontinued for more than two years, and so long as the buildings or structures are maintained in their then structural condition; and that the uses of such buildings or structures shall conform to such regulations whenever, with respect to the building or structure, the square footage of a building or structure is enlarged, or the building or structure is structurally altered as provided in the Uniform Statewide Building Code (§ 36-97 et seq.). If a use does not conform to the zoning prescribed for the district in which such use is situated, and if (i) a business license was issued by the locality for such use and (ii) the holder of such business license has operated continuously in the same location for at least 15 years and has paid all local taxes related to such use, the locality shall permit the holder of such business license to apply for a rezoning or a special use permit without charge by the locality or any agency affiliated with the locality for fees associated with such filing. Further, a zoning ordinance may provide that no nonconforming use may be expanded, or that no nonconforming building or structure may be moved on the same lot or to any other lot which is not properly zoned to permit such nonconforming use.

D. Notwithstanding any local ordinance to the contrary, if (i) the local government has issued a building permit, the building or structure was thereafter constructed in accordance with the building permit, and upon completion of construction, the local government issued a certificate of occupancy or a use permit therefor, (ii) a property owner, relying in good faith on the issuance of a building permit, incurs extensive obligations or substantial expenses in diligent pursuit of a building project that is in conformance with the building permit and the Uniform Statewide Building Code (§ 36-97 et seq.), or (iii) the owner of the building or structure has paid taxes to the locality for such building or structure for a period of more than the previous 15 years, a zoning ordinance shall not provide that such building or structure is illegal and subject to removal solely due to such nonconformity. Such building or structure shall be nonconforming. A zoning ordinance may provide that such building or structure be brought in compliance with the Uniform Statewide Building Code, provided that to do so shall not affect the nonconforming status of such building or structure. If the local government has issued a permit, other than a building permit, that authorized construction of an improvement to real property and the improvement was thereafter constructed in accordance with such permit, the ordinance may provide that the improvements are nonconforming, but not illegal. If the structure is one that requires no permit, and an authorized local government official informs the property owner that the structure will comply with the zoning ordinance, and the improvement was thereafter constructed, a zoning ordinance may provide that the structure is nonconforming but shall not provide that such structure is illegal and subject to removal solely due to such nonconformity. In any proceeding when the authorized government official is deceased or is otherwise unavailable to testify, uncorroborated testimony of the oral statement of such official shall not be sufficient evidence to prove that the authorized government official made such statement.

E. A zoning ordinance shall permit the owner of any residential or commercial building damaged or destroyed by a natural disaster or other act of God to repair, rebuild, or replace such building to eliminate or reduce the nonconforming features to the extent possible, without the need to obtain a variance as provided in § 15.2-2310. If such building is damaged greater than 50 percent and cannot be repaired, rebuilt or replaced except to restore it to its original nonconforming condition, the owner shall have the right to do so. The owner shall apply for a building permit and any work done to repair, rebuild or replace such building shall be in compliance with the provisions of the Uniform Statewide Building Code (§ 36-97 et seq.) and any work done to repair, rebuild or replace such building shall be in compliance with the provisions of the local flood plain regulations adopted as a condition of participation in the National Flood Insurance Program. Unless such building is repaired, rebuilt or replaced within two years of the date of the natural disaster or other act of God, such building shall only be repaired, rebuilt or replaced in accordance with the provisions of the zoning ordinance of the locality. However, if the nonconforming building is in an area under a federal disaster declaration and the building has been damaged or destroyed as a direct result of conditions that gave rise to the declaration, then the zoning ordinance shall provide for an additional two years for the building to be repaired, rebuilt or replaced as otherwise provided in this paragraph. For purposes of this section, "act of God" shall include any natural disaster or phenomena including a hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, earthquake or fire caused by lightning or wildfire. For purposes of this section, owners of property damaged by an accidental fire have the same rights to rebuild such property as if it were damaged by an act of God. Nothing herein shall be construed to enable the property owner to commit an arson under § 18.2-77 or 18.2-80, and obtain vested rights under this section.

F. Notwithstanding any local ordinance to the contrary, an owner of real property shall be permitted to replace an existing on-site sewage system for any existing building in the same general location on the property even if a new on-site sewage system would not otherwise be permitted in that location, unless access to a public sanitary sewer is available to the property. If access to a sanitary sewer system is available, then the connection to such system shall be required. Any new on-site system shall be installed in compliance with applicable regulations of the Department of Health in effect at the time of the installation.

G. Nothing in this section shall be construed to prevent a locality, after making a reasonable attempt to notify such property owner, from ordering the removal of a nonconforming sign that has been abandoned. For purposes of this section, a sign shall be considered abandoned if the business for which the sign was erected has not been in operation for a period of at least two years. Any locality may, by ordinance, provide that following the expiration of the two-year period any abandoned nonconforming sign shall be removed by the owner of the property on which the sign is located, if notified by the locality to do so. If, following such two-year period, the locality has made a reasonable attempt to notify the property owner, the locality through its own agents or employees may enter the property upon which the sign is located and remove any such sign whenever the owner has refused to do so. The cost of such removal shall be chargeable to the owner of the property. Nothing herein shall prevent the locality from applying to a court of competent jurisdiction for an order requiring the removal of such abandoned nonconforming sign by the owner by means of injunction or other appropriate remedy.

H. Nothing in this section shall be construed to prevent the land owner or home owner from removing a valid nonconforming manufactured home from a mobile or manufactured home park and replacing that home with another comparable manufactured home that meets the current HUD manufactured housing code. In such mobile or manufactured home park, a single-section home may replace a single-section home and a multi-section home may replace a multi-section home. The owner of a valid nonconforming mobile or manufactured home not located in a mobile or manufactured home park may replace that home with a newer manufactured home, either single- or multi-section, that meets the current HUD manufactured housing code. Any such replacement home shall retain the valid nonconforming status of the prior home.

Code 1950, §§ 15-843, 15-848, 15-968.6; 1962, c. 407, § 15.1-492; 1966, c. 202; 1975, c. 641; 1997, c.; 1998, c. 801;2002, c. 823;2003, cc. 21, 53, 189;2004, c. 538;2006, c. 244;2008, cc. 377, 411; 2009, c. 782;2010, cc. 315, 698;2014, c. 648;2016, c. 584;2017, c. 404;2024, c. 605;2025, c. 594.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

EXHIBIT
tabbies
S

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

R.J. Emerson, Jr., AICP
Director of Planning
(804) 501-4602

September 11, 2025

White Oak PropCo, LLC
c/o ROTH JACKSON GIBBONS CONDLIN, PLC
1519 Summit Avenue, Suite 102
Richmond, Virginia 23230
Attention: Andrew Condlin, Esquire

Parcels 843-707-0215 and 843-706-0700
Varina District, Henrico County, Virginia

Re: Vested Rights Determination

This is in response to your request on behalf of White Oak PropCo, LLC (the "Owner") for a vested rights determination concerning certain real estate known as Parcel A (GPIN 843-707-0215) and Parcel B (GPIN 843-706-0700) (collectively, the "Properties").

Parcel A is zoned M-1C, Light Industrial District (Conditional), and is subject to the proffered conditions approved in Conditional Rezoning Case REZ2022-00015 (the "2022 Rezoning").

Parcel B is zoned M-1C, Light Industrial District (Conditional), and is subject to the proffered conditions approved in Conditional Rezoning Case C-47C-00 (the "2000 Rezoning").

On June 10, 2025, the Board of Supervisors of Henrico County amended the County's Zoning Ordinance. A copy of the amendments is attached as Exhibit A (the "Amendments"). The Amendments change the zoning regulations for data centers. Most notably, the Amendments require a provisional use permit for data centers as a principal use in the M-1 district.

Prior to the Amendments, Owner received approval of a concept plan for data centers and related infrastructure (the "Project") on the Properties as part of the 2022 Rezoning (attached as Exhibit B). Owner has pursued the Project in good faith reliance on this approval and has incurred substantial expenses in diligent pursuit of the Project in accordance with the approval.

Determination

With the concurrence of the County Attorney, I have determined that Owner has a vested right under Code of Virginia § 15.2-2307 to develop and operate the Project on the Properties as a principal use without a provisional use permit in accordance with the regulations applicable to the Project under the Henrico County Zoning Ordinance in effect prior to the Amendments. Owner remains responsible for obtaining all other necessary permits and development approvals required by law and the Zoning Ordinance in effect prior to the Amendments. This includes, without limitation, building permits for any development of the Properties, and compliance with

the proffered conditions applicable to the Properties. Owner and its successors in interest will retain this vested right for as long as the Properties are used for the Project.

Findings of Fact and Conclusions of Law

I make the following findings of fact and conclusions of law in support of my determination:

1. Code of Virginia § 15.2-2286(A)(4) provides that zoning ordinances may provide for the "appointment or designation of a zoning administrator" whose authority includes "in specific cases, making findings of fact and, with concurrence of the attorney for the governing body, conclusions of law regarding determinations of rights accruing under § 15.2-2307 or subsection C of § 15.2-2311."

2. Pursuant to Henrico Code § 24-2105, I am designated to serve as the "zoning administrator" for the County in my position as Planning Director.

3. The Office of the County Attorney was created by the Board of Supervisors, pursuant to Code of Virginia § 15.2-633, and the County Attorney serves as counsel to the Board.

4. Pursuant to Henrico Code § 24-2317(B)(5), I am "responsible for making.... [i]nterpretations of whether rights have been vested, with the concurrence of the County Attorney."

5. Code of Virginia § 15.2-2307(A) provides that a "landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner (i) obtains or is the beneficiary of a significant affirmative governmental act which remains in effect allowing development of a specific project, (ii) relies in good faith on the significant affirmative governmental act, and (iii) incurs extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the significant affirmative governmental act."

6. Code of Virginia § 15.2-2307(B) provides that "the following are deemed to be significant affirmative governmental acts allowing development of a specific project: (i) the governing body has accepted proffers or proffered conditions which specify use related to a zoning amendment; (ii) the governing body has approved an application for a rezoning for a specific use or density; (iii) the governing body or board of zoning appeals has granted a special exception or use permit with conditions; (iv) the board of zoning appeals has approved a variance; (v) the governing body or its designated agent has approved a preliminary subdivision plat, site plan or plan of development for the landowner's property and the applicant diligently pursues approval of the final plat or plan within a reasonable period of time under the circumstances; (vi) the governing body or its designated agent has approved a final subdivision plat, site plan or plan of development for the landowner's property;

or (vii) the zoning administrator or other administrative officer has issued a written order, requirement, decision or determination regarding the permissibility of a specific use or density of the landowner's property that is no longer subject to appeal and no longer subject to change, modification or reversal under subsection C of § 15.2-2311."

Significant Affirmative Governmental Act

7. Owner obtained a significant affirmative governmental act prior to the Amendments for the development and operation of the Project, which consist of data centers and related improvements.

    a. Factor (i) of Code of Virginia § 15.2-2307(A) provides that a "landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner (i) obtains or is the beneficiary of a significant affirmative governmental act which remains in effect allowing development of a specific project. . . ."

    b. Code of Virginia § 15.2-2307(B) provides that "the following are deemed to be significant affirmative governmental acts allowing development of a specific project: (i) the governing body has accepted proffers or proffered conditions which specify use related to a zoning amendment. . . ."

    c. The Board of Supervisors approved the 2022 Rezoning on June 14, 2022, and that rezoning included proffered conditions approving development in general conformance with the "DATA CENTER CONCEPT PLAN, WHITE OAK" for the Project. The concept specifically showed data center development on both Properties. I find this approval to be a significant affirmative governmental act for the Project on the Properties under Code of Virginia § 15.2-2307(B)(i).

Good Faith Reliance

8. Factor (ii) of Code of Virginia § 15.2-2307(A) provides that a "landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner. . . . (ii) relies in good faith on the significant affirmative governmental act. . . ."

9. In reliance on the significant affirmative governmental acts, you report that Owner has:

    a. Purchased the Properties;

    b. Engaged engineering consultants to conduct due diligence and produce a plan of development for the Properties;

c. Engaged architectural consultants for architectural plans; and

d. Incurred legal fees related to the Project.

10. I find that Owner undertook these steps in good faith reliance on the approval of the 2022 Rezoning because (i) the approval occurred prior to the Amendments and (ii) the approval has not been changed, modified, reversed, or appealed.

Diligent Pursuit

11. Factor (iii) of Code of Virginia § 15.2-2307(A) provides that a "landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner. . . . (iii) incurs extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the significant affirmative governmental act."

12. You report (and the public land records largely confirm) that Owner has incurred millions of dollars in expenses and obligations for the Project while undertaking the activities described in ¶ 9.

13. Accordingly, I find that Owner has incurred extensive obligations and substantial expenses in diligent pursuit of the Project in good faith reliance on the significant affirmative governmental acts.

Notice of Right to Appeal

Any person aggrieved or any officer, department, board or bureau of the locality affected by this determination has the right to appeal this determination to the Board of Zoning Appeals within 30 days in accordance with Code of Virginia § 15.2-2311. The appeal fee is $300. Additional information regarding the filing of an appeal may be obtained from the Planning Department, 4301 East Parham Road, Henrico, VA 23228 (804.501.4602), which is open 8:00 a.m. to 4:30 p.m., Monday through Friday. If this determination is not appealed within 30 days in accordance with Code of Virginia § 15.2-2311, this determination will be final and unappealable.

Sincerely,

R. Joseph Emerson, Jr., AICP
Director of Planning

Concur:

Deputy County Attorney

for Andrew R. Newby, Esq.
County Attorney

Exhibit A

Zoning Ordinance Amendments Approved June 10, 2025

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 143-25
Page No. 1 of 1

Agenda Title: ORDINANCE — See attached

For Clerk's Use Only
Date 6/10/2025
( ) Approved
( ) Denied
( ) Amended
( ) Deferred to:

BOARD OF SUPERVISORS ACTION
1.) amend
2) approve as amended
Moved by (1) Nelson Seconded by (1) Roundtree
(2) Nelson (2) Cooper
REMARKS: APPROVED

	YES	NO	OTHER
Cooper, R.	✓		
Nelson, T.	✓		
Rogish, J.	✓		
Roundtree, M.	✓		
Schmitt, D.	✓		

After a duly advertised public hearing, the Board of Supervisors of Henrico County adopted the attached ordinance.

Comments: This ordinance was considered at a public hearing on June 10, 2025. The Director of Planning recommends approval of the ordinance, and the County Manager concurs.

By Agency Head _____ By County Manager _____

Copy to: _____

Certified.
A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

As Amended and Approved by the Board of Supervisors on June 10, 2025

ORDINANCE — To Amend and Reordain Section 24-3406 Titled "O-3 Office District," Section 24-4205 Titled "Principal Use Table," Section 24-4319 Titled "Commercial Uses: Offices," Section 24-4328 Titled "Industrial Uses: Services Uses," Section 24-4402 Titled "Accessory Use or Structure Table," Section 24-5110 Titled "Minimum Number of Off-Street Parking Spaces," Section 24-8405 Titled "Commercial Use Classification," Section 24-8406 Titled "Industrial Use Classification," and Section 24-8501 Titled "Accessory Uses, Temporary Uses, and Other Terms," and to Add a New Section 24-4438 Titled "Accessory Data Center (as Accessory to an Office or Industrial Use)" of the Code of the County of Henrico to Require a Provisional Use Permit for Data Centers as a Principal Use and Establish Development Standards for Data Centers

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 24-3406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3406. O-3 Office District

A. Purpose

The purpose of the O-3 Office District is to provide lands primarily for offices, office buildings and limited retail uses that are generally compatible with higher-density residential development and served by arterial thoroughfares. Allowed uses include:

- Offices including medical, artist studios, and professional services;
- Limited retail such as financial institutions, restaurants, drug stores, theaters, convenience stores;
- Childcare and adult care, hospitals, and funeral homes;
- ~~Data centers;~~
- Trade schools; and
- Hotels

....

2. That Section 24-4205 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4205. Principal Use Table

Principal uses are allowed in each of the zoning districts in accordance with 4205: Principal Use Table. The cross-references in the "Use Specific Standards" column are provided for ease of reference and are not exhaustive.

Table 4205: Principal Use Table

R=Permitted by right | C=Allowed subject to conditional use permit | P=Allowed subject to provisional use permit
- =Prohibited | A=Allowed subject to an approved PD Master Plan and PD Terms and Conditions Document

Use Category Click on category to jump to definitions	Use Type	C&A		Residential													Nonresidential & Mixed-Use										PD				FBA-O Dev. Area							Use-Specific Standards Click on section number to jump to regulations
		C-1	A-1	R-0	R-0A	R-1	R-1A	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
....																																								
Commercial Use Classification																																								
....																																								
Office	....																																							
	~~Data center~~	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	R	R	R	R	R	-	-	-	A	-	-	-	-	-	-	R	~~Sec. 24-4319~~
	....																																							
....																																								
Industrial Use Classification																																								
....																																								
Industrial Services	Contractor services	....																																						
	Data Center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	A	-	-	-	-	-	-	P	Sec. 24-4328
	Fuel oil or bottled gas distributor	....																																						
	....	....																																						
....																																								

3. That Section 24-4319 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4319. Commercial Uses: Offices

In addition to the requirements of Sec. 24-4315, All Commercial Uses, the following requirements apply to offices as a principal use.

....

B. ~~Data Centers~~ Reserved

~~For data centers in all districts except the M-1, M-2, and M-3 districts, all equipment necessary for cooling, ventilating, or otherwise operating the facility must be contained within an enclosed building where the use is located. This includes emergency power generators and other emergency power supply equipment.~~

4. That Section 24-4328 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4328. Industrial Uses: Services Uses

In addition to the requirements of Sec. 24-4326, Industrial Uses Generally, the following requirements apply to industrial service uses.

....

B. Data Centers

1. All equipment necessary for operating the data center must be contained within an enclosed building or screened by opaque walls to minimize transmission of sound. This includes equipment for cooling and ventilating, as well as emergency power generators and other emergency power supply equipment.

2. Generators for a data center must not be operated other than during emergency power outages and for testing and maintenance. Testing and maintenance of generators for a data center must be conducted only Monday-Friday between 10:00 a.m. and 4:00 p.m.

3. A data center must be served by public water and sewer. Any water cooling must use a closed-loop or recycled water system, unless another cooling system is approved for the data center as part of a provisional use permit.

BC. Heavy Equipment Sales, Rental, and Service

....

CD. Laundry, Dry Cleaning, and Carpet Cleaning Plants

....

DE. Research and Development Facility

....

5. That Section 24-4402 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4402. Accessory Use or Structure Table

....

E. Accessory Use or Structure Table

Accessory uses and structures are allowed in each of the zoning districts in accordance with Table 4402: Accessory Use or Structure Table.

Table 4402: Accessory Use or Structure Table
R=Permitted by right | C=Allowed subject to conditional use permit | P=Allowed subject to provisional use permit
- =Prohibited | A=Allowed subject to an approved PD Master Plan and PD Terms and Conditions Document

Accessory Use or Structure	C&A		Residential														Nonresidential & Mixed-Use										PD				FBA-O Dev. Area							Specific Standards for Use or Structure
	C-1	A-1	R-0	R-0A	R-1	R-1A	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
....																																							
Cremation chamber (as accessory to a funeral home or a veterinary hospital or clinic)	....																																						
Data center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	**R**	**R**	**R**	-	**R**	**R**	**R**	**R**	**R**	-	-	-	**A**	-	-	-	-	-	-	**R**	Sec. 24-4438
Donation box	....																																						
....																																							

6. That Section 24-4438 be added to the Code of the County of Henrico as follows:

Sec. 24-4438. Accessory Data Center (as Accessory to an Office or Industrial Use)

A data center is allowed as an accessory use to an office or industrial use, subject to the following standards in addition to the standards of Sec. 24-4328.B:

A. The accessory data center and the office or industrial use to which it is accessory must be located on the same or adjacent premises.

B. All equipment necessary for operating the data center must be contained within an enclosed building or screened by opaque walls to minimize transmission of sound. This includes equipment for cooling and ventilating, as well as emergency power generators and other emergency power supply equipment.

7. That Section 24-5110 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5110. Minimum Number of Off-Street Parking Spaces

....

Table 5110: Minimum Number of Off-Street Parking Spaces

Principal Use Category	Principal Use Type	Minimum Off-Street Parking Spaces [1, 2]
	....	
Commercial Uses		
....		
Offices	....	....
	Business training and conference facility	4.0 per 1,000 sf training or display space, plus 2 per 1,000 sf office or other administrative space
	~~Data center~~	~~2.0 per 1,000 sf offices~~
	Professional services	2.5 per 1,000 sf
....		
Industrial Uses		
Industrial Services	Contractor services, in addition to spaces required for service vehicles	2.0 per 1,000 sf
	Data center	**2.0 per 1,000 sf of office space**
	Fuel oil or bottled gas distributor	2.0 per 1,000 sf
	....	....

Table 5110: Minimum Number of Off-Street Parking Spaces		
Principal Use Category	**Principal Use Type**	**Minimum Off-Street Parking Spaces [1, 2]**
....		

8. That Section 24-8405 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8405. Commercial Use Classification

....

D. Office

The Office uses category includes office buildings housing activities conducted in a professional setting, generally focusing on the provision of business services, professional services (e.g., lawyers, accountants, engineers, architects), financial services (e.g., lenders, brokerage houses, tax preparers), or medical and dental services. Use types include: business and sales; and professional services. This use category does not include offices that are a component of or accessory to a principal use in another use category, such as administrative government services (categorized in the Government Facilities use category), or banks or other financial institutions (categorized in the Retail Sales and Services use category). Accessory uses may include cafeterias, recreational or fitness facilities, incidental commercial uses, **an accessory data center serving a principal use on the same or adjacent premises,** or other amenities primarily for the use of employees of the office use.

....

~~**Data center**~~

~~A facility containing one or more large scale computer systems used for data storage and processing for off site users. Typical supporting equipment includes back up batteries and power generators, cooling units, fire suppression systems, and enhanced security features. A data center typically has few on site employees.~~

....

....

9. That Section 24-8406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8406. Industrial Use Classification

....

B. Industrial Services

The Industrial Services use category includes use types involving the **support,** repair, or servicing of industrial or business machinery equipment, products, or by-products, and firms

that service consumer goods for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. The category also includes use types involving the storage or movement of goods. Use types include: contractor service; **data center;** fuel oil or bottled gas distributor; general industrial service and repair; heavy equipment sales, rental, and service; laundry, dry cleaning, and carpet cleaning plants; manufactured home and prefabricated building construction and sales; research and development; and similar use types.

Contractor services
Offices for landscaping, building, heating, plumbing, or electrical contractors, and related storage facilities.

Data center
A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Typical supporting equipment includes back-up batteries and power generators, cooling units, fire suppression systems, and enhanced security features. A data center typically has few on-site employees.

Fuel oil or bottled gas distributor
An establishment principally engaged in the sale, distribution, and delivery of fuel oil or bottled gases such as propane or liquified petroleum.

••••

••••

10. That Section 24-8501 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8501. Accessory Uses, Temporary Uses, and Other Terms

The following terms will have the meanings assigned below.

••••

Damaged or destroyed building

A damaged or destroyed building or structure is one for which the cost of restoring the building or structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred.

Data center as an accessory use

A facility containing computer systems used for data storage and processing that is accessory to an office or industrial use on the same or adjacent premises.

Debris waste

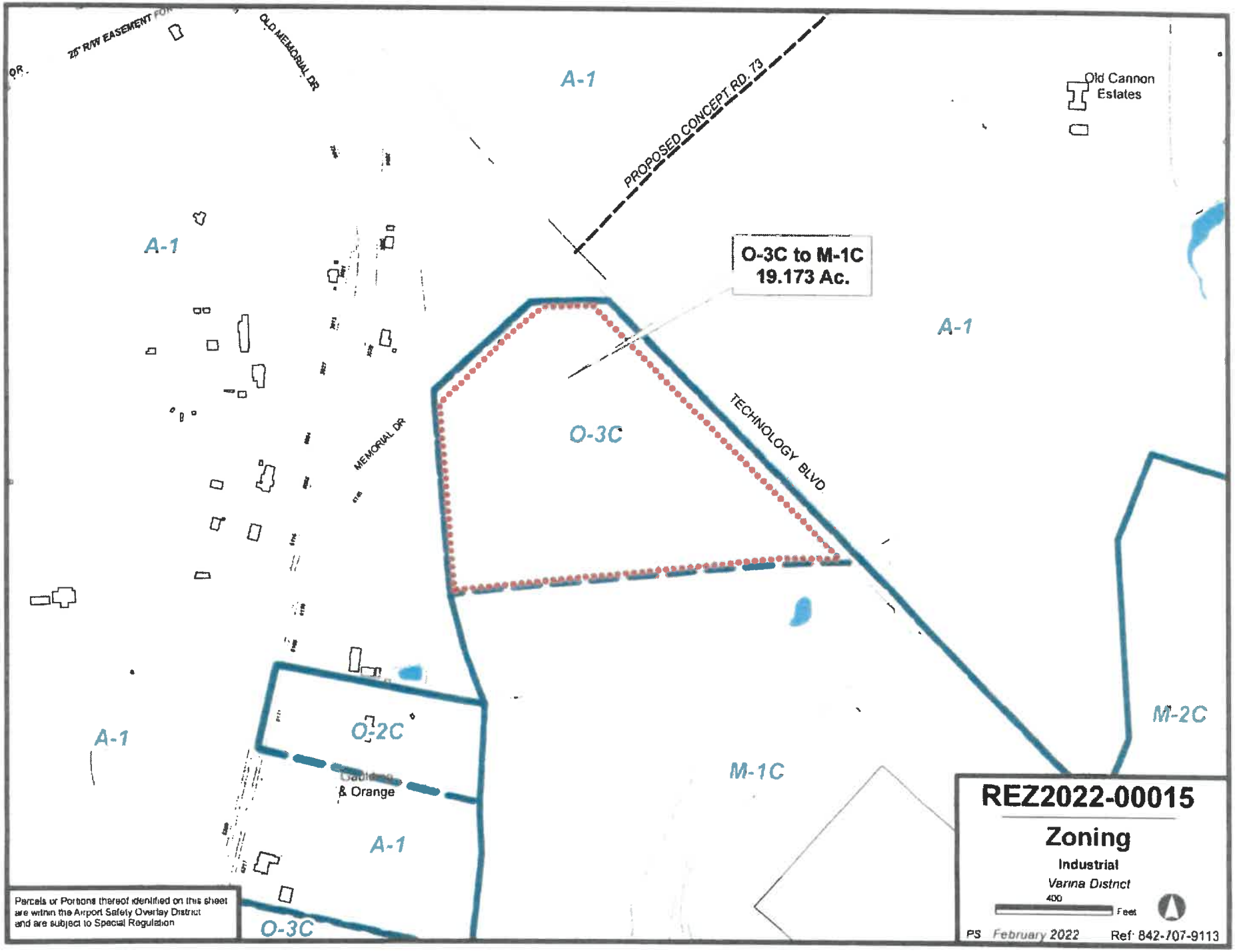
Solid waste resulting from land clearing operations. Debris wastes include stumps, wood, brush, leaves, soil, and road spoils.

••••

11. That this ordinance will be in full force and effect on and after its passage as provided by law.

Exhibit B

REZ2022-00015


A-1
PROPOSED CONCEPT RD. 73
Old Cannon Estates
O-3C to M-1C
19.173 Ac.
A-1
A-1
O-3C
TECHNOLOGY BLVD
MEMORIAL DR
OLD MEMORIAL DR
M-2C
A-1
O-2C
M-1C
& Orange
A-1
O-3C
Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation
REZ2022-00015
Zoning
Industrial
Vanna District
400
Feet
PS February 2022
Ref: 842-707-9113

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

John A. Vithoulkas
County Manager

June 21, 2022

Franklin RE Partners, LLC
Joseph Marchetti, Jr.
6641 West Broad Street, Ste. 101
Richmond, Virginia 23230

Re. Rezoning Case REZ2022-00015

Dear Mr. Marchetti..

The Board of Supervisors at its meeting on June 14. 2022, approved your request to conditionally rezone from O-3C Office District (Conditional) to M-1C Light Industry District (Conditional) part of Parcel 842-707-9113 containing 19.173 acres located at the southwest intersection of Technology Boulevard and Memorial Drive, described as follows:

Beginning at a point located on the south right-of-way line of Technology Boulevard, being 1,323.15 feet south of the intersection of Memorial Drive and Technology Boulevard, said point being the true point and place of beginning; thence leaving the south right-of-way line of Technology Boulevard, N 89°55'18" W for a distance of 182.35 feet to a point; thence, S 84°20'42" W for a distance of 798.84 feet to a point; thence, S 82°12'53" W for a distance of 361.02 feet to a point; thence, N 5°25'52" W for a distance of 635 47 feet to a point located on the south right-of-way line of Memorial Drive; thence continuing along Memorial Drive, N 45°45'51" E for a distance of 377.62 feet to a point: thence, N 52°36'25" E for a distance of 101.72 feet to a point; thence, N 45°45'51" E for a distance of 89.89 feet to a point; thence, leaving the south right-of-way line of Memorial Drive, S 88°29'59" E for a distance of 112.64 feet to a point located on the south right-of-way line of Technology Boulevard; thence continuing along Technology Boulevard, S 44°14'09" E for a distance of 1,242.49 feet to a point, said point being the true point and place of beginning. Containing: 19.173 acres of land, more or less.

The Board of Supervisors accepted the following proffered conditions, dated April 25, 2022, which further regulate the above-described property in addition to all applicable provisions of Chapter 24. Code of Henrico (Zoning Ordinance).

1 **Concept Plan.** The Property shall be developed in general conformance with the concept plans attached hereto as "DISTRIBUTION CENTER CONCEPT PLAN, WHITE OAK" prepared by Timmons Group and dated April 22. 2022 (see case file), and "DATA CENTER CONCEPT PLAN. WHITE OAK" prepared by Timmons Group and dated April 22. 2022 (collectively, the "Concept Plan") (see case file)

both of which are conceptual in nature and may vary in massing, height, elevations, design, layout, final density, and other details shown therein. The specific design, general layout, elevations and other details may vary from the Concept Plan as required for final plan approval, engineering reasons, design or compliance with governmental regulations, or as approved during any Plan of Development review.

2. **Access.** Vehicular ingress and egress to and from the Property shall be only via Technology Boulevard and Techpark Way in a configuration and in the approximate locations as shown on the Concept Plan (see case file) or as otherwise approved at the time of Plan of Development review of the Property. No vehicular access to and from Memorial Drive shall be permitted.

3. **Loading Areas.** All loading areas shall be screened from public view at the public rights of way. Further, the alignment of the roadways providing vehicular access to and from the Property will be in a configuration and in the approximate location as shown on the Concept Plan (see case file), as approved at the time of Plan of Development review, to screen the tractor and trailer loading areas from public view at ground level from Technology Boulevard

4 **Building Materials**. Exposed exterior wall surfaces (above finished grade) of all individual buildings (excluding rooftop screening materials for mechanical equipment) shall be constructed with one or more of the following siding materials: decorative concrete block (including, without limitation, split face block, smooth face block, fluted block, and ground face block), tilt-up or pre-cast concrete, brick, brick veneer, glass, metal (other than corrugated metal), stone, cast stone, stone veneer, granite, marble, stucco, synthetic stucco, glass block, cementitious siding, composite-type siding, engineered wood (e.g. LP Smartside), insulated panels, concrete tile, or ceramic tile, unless other material is approved at the time of Plan of Development review. In no case shall unpainted concrete block, unfinished corrugated metal, or unfinished sheet metal be permitted. For purposes of these proffers, "wall surfaces" shall not be deemed to include columns, pilasters, trim, gutters, accent materials, architectural features, trim, windows, doors, bay doors, piers, wall sections and headers near roll up doors and loading doors.

5. **Height.** No building on the Property shall exceed a height of seventy-five (75) feet.

6. **Underground Utilities.** Except for junction boxes, meters and existing overhead utility lines and any utility lines crossing wetlands, if any, all new utility lines shall be underground.

7 **Buffers.** A landscaped and natural buffer area a minimum of fifty (50) feet in width shall be maintained along (a) the right-of-way line of Technology Boulevard and Memorial Drive, and (b) the western boundary of the Property, which such buffers

shall be planted to a minimum of a Transitional Buffer 50 and may include supplemental plantings, signage, berms and other purposes as approved at the time of landscape plan review. Best tree preservation practices shall be followed within the aforesaid buffer areas to minimize large tree clearing. Roads, sidewalks, utility easements (including drainage), drainage facilities, fencing/walls adjacent to any roads or drives, and signage shall be permitted within such buffer; provided. any such road or utility easements shall be extended generally perpendicular through such buffer unless otherwise approved at the time of plan of development review Landscaped buffer areas on the Property shall be served by an underground irrigation system

8 **Uses.**

a Uses on the Property shall be limited to the following uses permitted in the M-1 District as set forth in Table 4205 of the County Zoning Ordinance:

i. Uses in the "Government Facilities" use category.

ii Uses in the "Utilities" use category.

iii Uses in the "Offices" use category.

iv Uses in the "Recreation and Entertainment Indoor" use category. provided such uses shall be permitted only as an accessory use to other permitted uses and limited in hours of operation to 7 am to 9 pm.

v. Uses in the "Industrial" use category

b Notwithstanding the foregoing. the following uses shall be restricted as noted

i The following uses shall be prohibited
1. Correctional Facility
2. Shooting Range. Indoor
3. Theater
4. Solid Waste Transfer Station
5. Self-Service Storage Facilities
6. Laundry, dry cleaning and carpet cleaning plants, and

ii. Any use that is not conducted within a building shall be limited in hours of operation from 7 am to 9 pm.

iii. Any bay doors facing Memorial Drive or the western boundary of the property shall be closed from 9 pm to 7 am

9. **Setbacks.** No building or any portion thereof shall be constructed within one hundred (100) feet from (a) the right-of-way line of Technology Boulevard and Memorial Drive, and (b) the western boundary of the Property. No portion of a building exceeding two (2) stories in height shall be constructed within one hundred fifty (150) from (a) the right-of-way line of Technology Boulevard and Memorial Drive. and (b) the western boundary of the Property. Minimum paving setback for parking will be fifty feet from (a) the right-of-way line of Technology Boulevard and Memorial Drive, and (b) the western boundary of the Property. Mailboxes, newspaper boxes, overnight mailboxes, and similar structures shall not be permitted within such pavement setback.

10. **Safe Conduct of Operations.** All industrial uses shall be conducted so as not to (a) create any danger to the health, safety or welfare of the citizens of Henrico County or (b) cause any material adverse impact on the Property or surrounding areas by creating any excessive noise, vibration. smoke. dust, link, odor, heat or glare beyond the boundaries of the Property.

11 **Cultural Resources.** In the case any cultural resources or other item of historical significance is found on the Property, such recourse shall be preserved, dedicated. donated. or relocated.

12 **Exterior Alarms.** No exterior alarms or speaker systems shall be permitted, provided alarms or beepers located on vehicles and emergency alarms shall be permitted.

13. **Hours of Construction.** The hours of any land disturbance activities, including operation of bulldozers and other earthmoving equipment, within 500 feet of any existing single-family home, and exterior building construction, shall be 7:00 a.m. and 8:00 p.m. Monday through Saturday and none on Sunday, except in emergencies or where unusual circumstances require extending the specific hours in order to properly complete such work, such as concrete pours or utility connections. Signs, in both English and Spanish, stating the above referenced provisions shall be posted and maintained at all construction entrances to the Property prior to any land disturbances activities thereon.

14. **Detached Signage.** Detached signage along Technology Boulevard and Memorial Drive shall be monument style and landscaped. The height of any such detached sign shall be limited to ten (10) feet.

15. **Parking Lot Lighting.** Parking lot lighting fixtures located in the parking lots shall not exceed 30 feet in height above grade level. Such parking lot lighting shall be produced from concealed sources of light (i.e., shoebox type) and shall be reduced to no more than a security level following the close of business operations

16. **No Burning.** There shall be no on-site open burning of stumps, limbs, trees or other debris during site work or the construction of any buildings on the Property.

17. **Trash Enclosures.** Any proposed enclosure area for dumpsters on the Property, if provided, shall be constructed of masonry on three (3) sides that is complementary to the buildings. The fourth side shall be gated with an opaque material.

18 **HVAC.** Heating and air conditioning equipment shall be screened from public view at ground level at the Property lines

19 **BMPs/Retention Ponds.** Any retention pond or BMP facilities on the Property shall be maintained in accordance with all applicable laws, rules, and regulations and any wet pond shall be aerated.

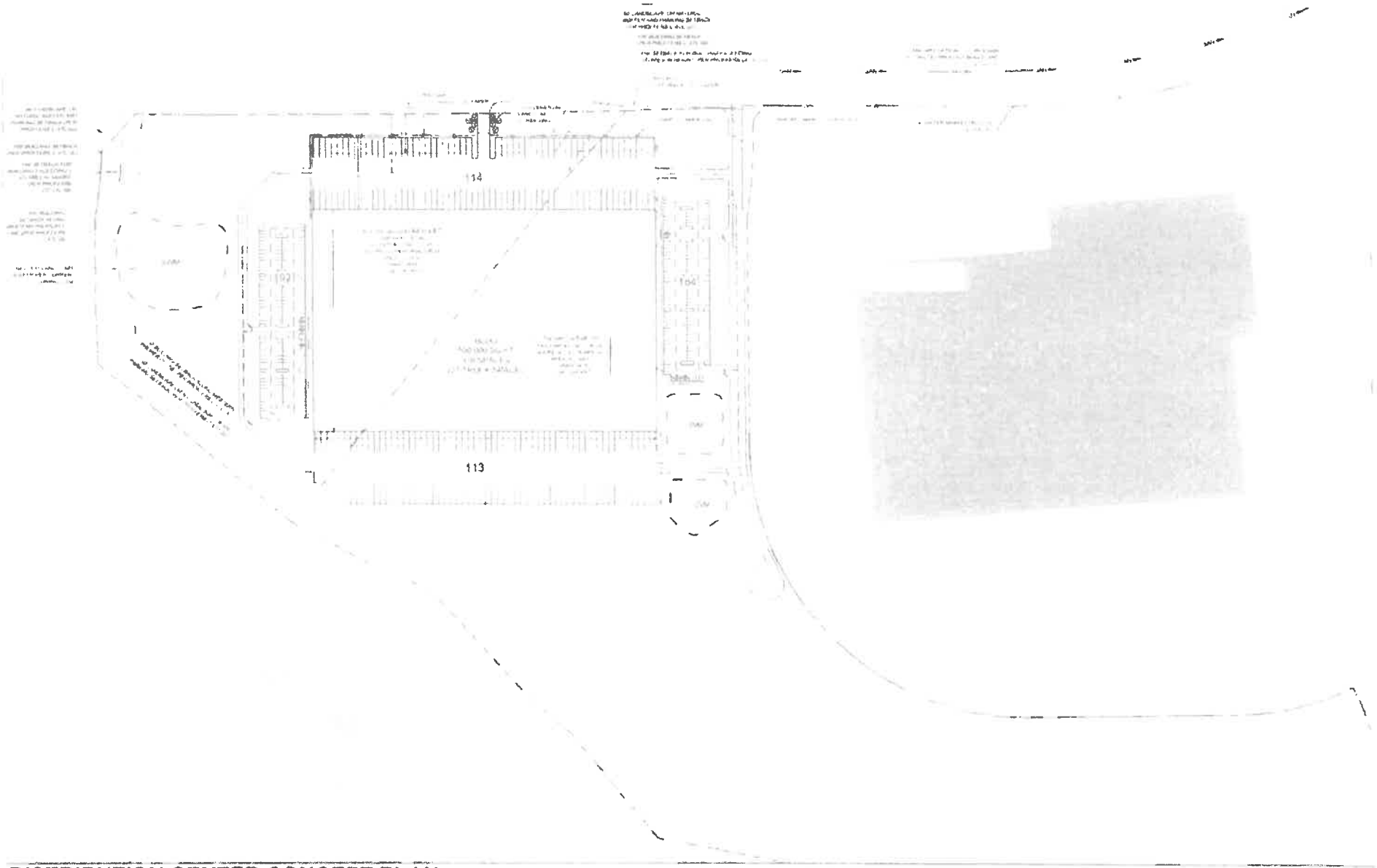
20. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

The Planning Department has been advised of the action of the Board of Supervisors and will revise its records.

Sincerely

John A. Vithoulkas
County Manager

pc: Jacqueline Marshall Pullen
Bradley Marshall
Jane Marshall
Andrew M. Condlin
Director, Real Estate Assessment

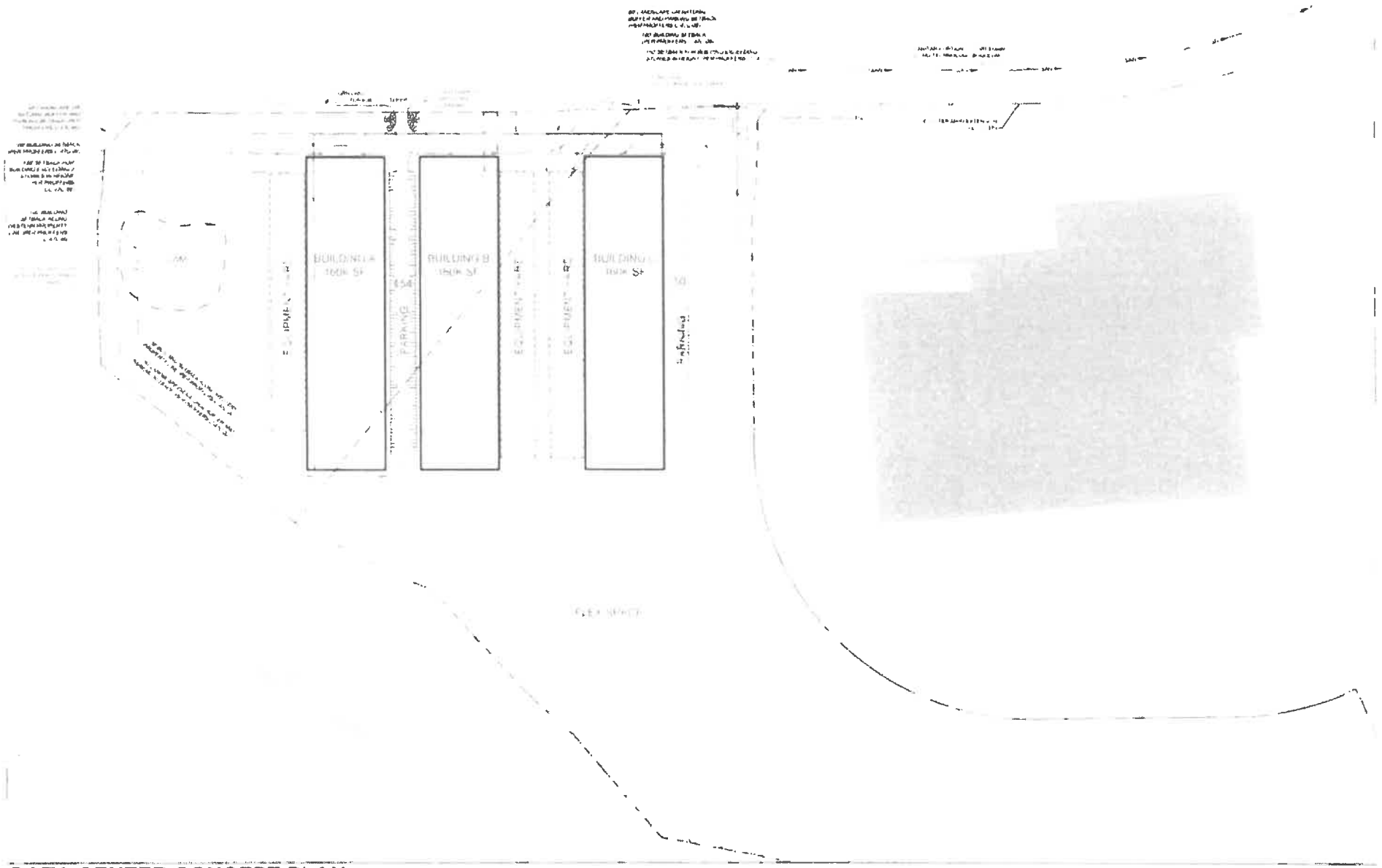


DISTRIBUTION CENTER CONCEPT PLAN

WHITE OAK

[REZ2022-00015]

TIMMONS GROUP



DATA CENTER CONCEPT PLAN

WHITE OAK

REZ2022-00015

TIMMONS GROUP

EXHIBIT
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COUNTY OF HENRICO, VA
Notice of Review of a
Plan of Development Matter

The case described has been submitted to Henrico County for administrative review.
Please contact the case manager with any comments regarding the case below by:
June 16, 2025

PLAN OF DEVELOPMENT

Job Number:	POD-2025-101009	Magisterial District:	Varina
Project Name:	Airport West Data Center Campus		
Application Type/Scope:	Plan of Development - Original Plan		
Location:	Located on the north side of Darbytown Road, approximately 550 feet southeast of the Darbytown Road and Fergus Boulevard intersection.		
GPIN(s):	812-704-4612		
Acreage:	178.87		
Design Professional:	Kimley-Horn & Associates (David Ellington)		
Owner(s):	Fareva Richmond Inc (Charles Stringer)		
Developer:	Centra Logistics (David Wagner)		
Request:	To construct eight, two-story 231,603 square foot data centers, totaling 1,852,824 square feet, a substation and associated infrastructure.		
Zoning:	A-1 - Agricultural District, M-1 - Light Industrial District, AS-O - Airport Safety Overlay District		
Water/Sewer Source:	County water and County sewer		
Staff Contact:	Kristin Smith, smi120@henrico.gov (804) 501-4604		

Pursuant to Chapter 24 of the Code of Henrico County, Virginia, this NOTICE OF REVIEW OF A PLAN OF DEVELOPMENT MATTER is hereby given to each applicant and each owner of land within the boundary of the subject request and each owner of abutting property and property immediately across a street or road from the property that is the subject of the request.

The plans associated with the above request may be viewed at https://henrico.gov/pdfs/planning/podnext.pdf. For more information please contact the case manager Kristin Smith by email at smi120@henrico.gov or by phone at (804) 501-4604.

Please note that the subject property already has zoning authorization for the proposed use. This administrative review is limited to ensuring that the plan of development meets the legal requirements of the County Code. If a plan of development meets all County Code requirements, the Planning Department is legally required to approve it.

R. Joseph Emerson, Jr., AICP
Director of Planning

EXHIBIT
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Minor Subdivision Application Checklist

(To be filled out by the firm or person(s) preparing the plans)

Family Subdivision:

- ❑ **Six (6) prints of the plat prepared in accordance with Chapter 19 of the Henrico County Code and this application form**
  - ❑ Minimum of plat size of Letter size paper (8 ½" x 11") up to plan size paper (24" x 36").
  - ❑ All type must be legible.
  - ❑ Plat shall include:
    - ❑ Name of Family Subdivision, utilizing the last name of the current property owner, e.g. Smith Family Subdivision.
    - ❑ Subdivision Certificate with signatures from all owners of record and trustee/mortgage (if applicable) and notarized.
    - ❑ Source of Title
    - ❑ Magisterial District and County.
    - ❑ Date and Scale.
    - ❑ Name of person/firm who prepared plat.
    - ❑ Engineer's or surveyor's seal and signature.
    - ❑ The north point with magnetic bearing, or if true meridian is shown, the basis for its determination.
    - ❑ Boundaries of the subdivision showing the lengths of its courses and distances to 1/100 of a foot and bearings to half minutes, based on an accurate field survey with an error of closure not exceeding one foot in 10,000 feet.
    - ❑ Names and locations of adjoining subdivisions or the names of owners and GPINs of adjoining parcels.
    - ❑ Four (4) points on each sheet with coordinates in the Virginia State Plane Coordinate system. All features shown on the plan must be drawn to scale based on the four reference points.
    - ❑ The exact location and material of all existing and proposed permanent reference monuments, including any monument of the Geodetic Control Network located on the property.
    - ❑ The exact location, alignment, or arrangement of all existing easements with a statement of any restrictions or limitations placed on their use.
    - ❑ The exact location, alignment or arrangement and dimensions of all proposed lot lines.
    - ❑ The numbering of all proposed lots, with total lot area (inclusive and exclusive of the Special Flood Hazard Area (100-year floodplain) labeled for each lot
    - ❑ Location of Special Flood Hazard Area (100-year floodplain) if located on the property.
    - ❑ Location of existing/proposed well and/or individual on-site sewage disposal systems, including reserve areas (if applicable).
    - ❑ Location of all existing structures on the property including setbacks to existing/proposed lot lines.
- ❑ **Electronic Copy of all plans and documents submitted are required to be emailed to DevEPlanReview@henrico.us**

Division of Lot/Parcel Pursuant to a Plan of Development or Site Plan:

- ❑ **Four (4) prints of the plat prepared in accordance with Chapter 19 of the Henrico County Code and this application form**
  - ❑ Minimum of plat size of Letter size paper (8 ½" x 11") up to plan size paper (24" x 36").
  - ❑ All type must be legible.
  - ❑ Plat shall include:
    - ❑ GPIN(s) of property involved.
    - ❑ Subdivision Certificate with signatures from all owners of record and trustee/mortgage (if applicable) and notarized.
    - ❑ Source of Title
    - ❑ Magisterial District and County.
    - ❑ Date and Scale.
    - ❑ Name of person/firm who prepared plat.
    - ❑ Engineer's or surveyor's seal and signature.
    - ❑ The north point with magnetic bearing, or if true meridian is shown, the basis for its determination.
    - ❑ Boundaries of the subdivision showing the lengths of its courses and distances to 1/100 of a foot and bearings to half minutes, based on an accurate field survey with an error of closure not exceeding one foot in 10,000 feet.
    - ❑ Names and locations of adjoining subdivisions or the names of owners and GPINs of adjoining parcels.
    - ❑ Four (4) points on each sheet with coordinates in the Virginia State Plane Coordinate system. All features shown on the plan must be drawn to scale based on the four reference points.
    - ❑ The exact location and material of all existing and proposed permanent reference monuments, including any monument of the Geodetic Control Network located on the property.
    - ❑ The exact location, alignment, or arrangement of all existing easements with a statement of any restrictions or limitations placed on their use.
    - ❑ The exact location, alignment or arrangement and dimensions of all proposed parcel/property lines.
    - ❑ Numbering/letter of each proposed parcel/property
    - ❑ Location of Special Flood Hazard Area (100-year floodplain) if located on the property.
    - ❑ Location of existing/proposed well and/or individual on-site sewage disposal systems, including reserve areas (if applicable).
    - ❑ Location of all existing structures on the property including setbacks to existing/proposed lot lines.
    - ❑ Location of parking and other site improvements including dumpster enclosures and sidewalks.
- ❑ **Electronic Copy of all plans and documents submitted are required to be emailed to DevEPlanReview@henrico.us**

Vacation, Relocation, Resubdivision, or Other Alteration of Individual Lots/Parcels:

- ❑ **Four (4) prints of the plat prepared in accordance with Chapter 19 of the Henrico County Code and this application form**
  - ❑ Minimum of plat size of Letter size paper (8 ½" x 11") up to plan size paper (24"x 36").
  - ❑ All type must be legible.
  - ❑ Plat shall include:
    - ❑ Name of existing subdivision and associated reference blocks and lots (if applicable).
    - ❑ Subdivision Certificate with signatures from all owners of record and trustee/mortgage (if applicable) and notarized.
    - ❑ Source of Title
    - ❑ Magisterial District and County.
    - ❑ Date and Scale.
    - ❑ Name of person/firm who prepared plat.
    - ❑ Engineer's or surveyor's seal and signature.
    - ❑ The north point with magnetic bearing, or if true meridian is shown, the basis for its determination.
    - ❑ Boundaries of the subdivision showing the lengths of its courses and distances to 1/100 of a foot and bearings to half minutes, based on an accurate field survey with an error of closure not exceeding one foot in 10,000 feet.
    - ❑ Names and locations of adjoining subdivisions or the names of owners and GPINs of adjoining parcels.
    - ❑ Four (4) points on each sheet with coordinates in the Virginia State Plane Coordinate system. All features shown on the plan must be drawn to scale based on the four reference points.
    - ❑ The exact location and material of all existing and proposed permanent reference monuments, including any monument of the Geodetic Control Network located on the property.
    - ❑ The exact location, alignment, or arrangement of all existing easements with a statement of any restrictions or limitations placed on their use.
    - ❑ The exact location, alignment or arrangement and dimensions of all proposed lot lines.
    - ❑ The numbering of all proposed lots, with total lot area (inclusive and exclusive of the Special Flood Hazard Area (100-year floodplain) labeled for each lot
    - ❑ Location of Special Flood Hazard Area (100-year floodplain) if located on the property.
    - ❑ Location of existing well and/or individual on-site sewage disposal systems, including reserve areas.
    - ❑ Location of all existing structures on the property including setbacks to existing/proposed lot lines.
- ❑ **Electronic Copy of all plans and documents submitted are required to be emailed to DevEPlanReview@henrico.us**

CERTIFICATION

I, _____*(Name, Please Print or Type)*, hereby certify that the attached plats and this completed application form contain all the required information for minor subdivision applications submitted in accordance with Chapter 19 of the Henrico County Code. I understand that the submission of incomplete or inaccurate information may delay the processing.

Firm _____ Signature _____

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

EXHIBIT
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R.J. Emerson, Jr., AICP
Director of Planning
(804) 501-4602

August 28, 2025

Quality Investment Prop Richmond LLC, et al.
c/o DLA PIPER LLP
One Fountain Square
11911 Freedom Drive, Suite 300
Reston, Virginia 20190-5602
Attention: Antonio Calabrese, Esquire

RIC1, RIC2, and RIC3 Properties
Varina District, Henrico County, Virginia

Re: Vested Rights Determination

This is in response to your request on behalf of certain entities[1] (collectively, the "Owner") for a vested rights determination concerning certain real estate known as:

- RIC1 Property (consisting of GPIN: 846-703-0495, 846-704-9972, 847-703-4371, 846-702-5983, 844-702-9184, 845-702-3858, 845-702-7941, 845-704-6445, and 846-702-2619);

- RIC2 Property (consisting of GPIN: 848-703-6374, 848-703-3326, 848-702-0588, 847-702-7947, 847-702-4905, 847-701-1863, and 847-701-5040); and

- RIC3 Property (consisting of GPIN: 845-700-2590, 845-701-4739, 846-700-0002, 845-699-7762, 845-699-5625, 844-700-9856, 844-700-7718, 844-699-3294, 844-701-6440, 843-701-9318, 843-701-2778, and 844-699-8203) (collectively, the RIC1 Property, the RIC2 Property, and RIC3 Property are referred to as the "Properties").

The Properties are zoned M-2, General Industrial District, except for two parcels in the RIC3 Property that are zoned A-1, Agricultural District (843-701-2778 and 844-699-8203).

On June 10, 2025, the Board of Supervisors of Henrico County amended the County's Zoning Ordinance. A copy of the amendments is attached as Exhibit A (the "Amendments"). The Amendments change the zoning regulations for data centers. Most notably, the Amendments

[1] Quality Investment Prop Richmond LLC, QTS Richmond I Basin LLC, QTS Richmond I DC3 LLC, QTS Richmond I DC4 LLC, QTS Richmond I DC5 LLC, QTS Richmond I DC6 LLC, QTS Richmond I Land LLC, QTS Richmond II LLC, QTS Richmond II DC3 LLC, QTS Richmond II DC5 LLC, QTS Richmond II DC6 LLC, QTS Richmond III DC1 LLC, QTS Richmond III DC2 LLC, QTS Richmond III DC3 LLC, QTS Richmond III DC4 LLC, QTS Richmond III DC5 LLC, QTS Richmond III Land LLC, QTS Richmond Infrastructure I LLC, QTS Richmond Infrastructure II LLC, QTS Richmond Infrastructure III LLC, and SWO Logistics LLC.

require a provisional use permit for data centers as a principal use in the M-2 district, while data centers remain prohibited in the A-1 district.

Prior to the Amendments, Owner received nine Plan of Development ("POD") approval letters for specific projects on the Properties for data centers and uses related to their operation or construction (the "Projects"). Owner has pursued the Projects in good faith reliance on these approvals and has incurred substantial expenses in diligent pursuit of the Projects in accordance with the approvals. Indeed, many data centers and uses related to their operation or construction have been completed and are currently in operation on the Properties (the "Completed Projects"). However, some data centers and uses related to their operation or construction have been approved but not completed (the "In Progress Projects").

Determination

With the concurrence of the County Attorney, I have determined that Owner has a vested right to continue the Completed Projects as a lawful nonconforming use of the applicable Properties pursuant to Henrico Code Chapter 24, Article 6, Division 2 (Henrico Code § 24-6201, et seq.) and Code of Virginia § 15.2-2307. Accordingly, the Completed Projects on the Properties may continue as a principal use in accordance with the specific terms of the applicable approved PODs and POD approval letters, the building permits issued in connection with such approved PODs and POD approval letters, and the regulations in the Henrico County Zoning Ordinance in effect prior to the Amendments. Owner and its successors in interest will retain this vested right for as long as the Properties are used for the Completed Projects, subject to the applicable rules for nonconformities in Henrico Code Chapter 24, Article 6.

Likewise, Owner has a vested right under Code of Virginia § 15.2-2307 to develop and operate the In Progress Projects on the Properties as a principal use in accordance with the specific terms of the applicable approved PODs and POD approval letters, the building permits issued in connection with such approved PODs and POD approval letters, and the regulations in the Henrico County Zoning Ordinance in effect prior to the Amendments. Owner and its successors in interest will retain this vested right for as long as the Properties are used for the In Progress Projects.

Findings of Fact and Conclusions of Law

I make the following findings of fact and conclusions of law in support of my determination:

1. Code of Virginia § 15.2-2286(A)(4) provides that zoning ordinances may provide for the "appointment or designation of a zoning administrator" whose authority includes "in specific cases, making findings of fact and, with concurrence of the attorney for the governing body, conclusions of law regarding determinations of rights accruing under § 15.2-2307 or subsection C of § 15.2-2311."

2. Pursuant to Henrico Code § 24-2105, I am designated to serve as the "zoning administrator" for the County in my position as Planning Director.

3. The Office of the County Attorney was created by the Board of Supervisors, pursuant to Code of Virginia § 15.2-633, and the County Attorney serves as counsel to the Board.

4. Pursuant to Henrico Code § 24-2317(B)(5), I am "responsible for making.... [i]nterpretations of whether rights have been vested, with the concurrence of the County Attorney."

In Progress Projects

5. I find that Owner has acquired a vested right to develop and operate the In Progress Projects in accordance with the specific terms of the applicable approved PODs and POD approval letters, the building permits issued in connection with such approved PODs and POD approval letters, and the regulations in the Henrico County Zoning Ordinance in effect prior to the Amendments.

6. Code of Virginia § 15.2-2307(A) provides that a "landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner (i) obtains or is the beneficiary of a significant affirmative governmental act which remains in effect allowing development of a specific project, (ii) relies in good faith on the significant affirmative governmental act, and (iii) incurs extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the significant affirmative governmental act."

7. Code of Virginia § 15.2-2307(B) provides that "the following are deemed to be significant affirmative governmental acts allowing development of a specific project: (i) the governing body has accepted proffers or proffered conditions which specify use related to a zoning amendment; (ii) the governing body has approved an application for a rezoning for a specific use or density; (iii) the governing body or board of zoning appeals has granted a special exception or use permit with conditions; (iv) the board of zoning appeals has approved a variance; (v) the governing body or its designated agent has approved a preliminary subdivision plat, site plan or plan of development for the landowner's property and the applicant diligently pursues approval of the final plat or plan within a reasonable period of time under the circumstances; (vi) the governing body or its designated agent has approved a final subdivision plat, site plan or plan of development for the landowner's property; or (vii) the zoning administrator or other administrative officer has issued a written order, requirement, decision or determination regarding the permissibility of a specific use or density of the landowner's property that is no longer subject to appeal and no longer subject to change, modification or reversal under subsection C of § 15.2-2311."

Significant Affirmative Governmental Act

8. Owner obtained a significant affirmative governmental act prior to the Amendments for the development and operation of the In Progress Projects, which consist of data centers and uses related to their construction or operation.

    a. Factor (i) of Code of Virginia § 15.2-2307(A) provides that a "landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner (i) obtains or is the beneficiary of a significant affirmative governmental act which remains in effect allowing development of a specific project. . . ."

    b. Code of Virginia § 15.2-2307(B) provides that "the following are deemed to be significant affirmative governmental acts allowing development of a specific project: . . . . (vi) the governing body or its designated agent has approved a final. . . . plan of development for the landowner's property. . . .""

    c. I sent nine POD approval letters allowing the development of specific data center projects or uses related to data center construction or operation on the Properties. Copies of the POD approval letters are attached as Exhibit B. I find that each approval of the PODs was a significant affirmative governmental act under Code of Virginia § 15.2-2307(B)(vi) for the use or uses addressed in the POD approval letter.

Good Faith Reliance

9. Factor (ii) of Code of Virginia § 15.2-2307(A) provides that a "landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner. . . . (ii) relies in good faith on the significant affirmative governmental act. . . ."

10. In reliance on the significant affirmative governmental acts, you report that Owner has:

    a. Obtained governmental permits;

    b. Completed design and commenced construction;

    c. Procured and installed specialized data center infrastructure, including power, cooling, and security systems; and

    d. Entered into long-term utility service agreements and infrastructure extensions.

11. I find that Owner undertook these steps in good faith reliance on the significant affirmative governmental acts because (i) the POD approvals occurred prior to the Amendments and (ii) the PODs have not been changed, modified, reversed, or appealed since their approval.

Diligent Pursuit

12. Factor (iii) of Code of Virginia § 15.2-2307(A) provides that a "landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner. . . . (iii) incurs extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the significant affirmative governmental act."

13. You report that Owner has incurred billions of dollars in expenses and obligations on the In-Progress Projects for the purposes described in ¶ 10 and related activities.

14. Accordingly, I find that Owner has incurred extensive obligations and substantial expenses in diligent pursuit of the In-Progress Projects in good faith reliance on the significant affirmative governmental acts.

Completed Projects

15. The Supreme Court of Virginia has repeatedly held that "a landowner acquires a vested property right to conduct a nonconforming use on its property if that use was in existence on the effective date of a zoning ordinance which would make the use nonconforming." *Alexandria City Council v. Mirant Potomac River*, 273 Va. 448 (2007) (citation omitted).

16. Code of Virginia § 15.2-2307 provides for the continuation and regulation of lawful nonconforming uses and structures.

17. The County adopted regulations for nonconformities in conformance with Code of Virginia § 15.2-2307. These regulations are found in Henrico Code Chapter 24, Article 6 and allow for lawful nonconforming uses to continue. Henrico Code § 24-6201.

18. The Completed Projects were lawfully constructed and in operation prior to the Amendments.

19. Accordingly, I find that the Completed Projects are lawful nonconforming uses of the Properties, and Owner has a vested right to continue such uses, in accordance with the regulations for nonconformities in Henrico Code Chapter 24, Article 6, and the specific terms of the applicable approved PODs and POD approval letters, the building permits issued in connection with such approved PODs and POD approval letters, and other governmental approvals applicable to the Completed Projects.

Notice of Right to Appeal

Any person aggrieved or any officer, department, board or bureau of the locality affected by this determination has the right to appeal this determination to the Board of Zoning Appeals within 30 days in accordance with Code of Virginia § 15.2-2311. The appeal fee is $300. Additional information regarding the filing of an appeal may be obtained from the Planning Department, 4301 East Parham Road, Henrico, VA 23228 (804.501.4602), which is open 8:00 a.m. to 4:30 p.m., Monday through Friday. If this determination is not appealed within 30 days in accordance with Code of Virginia § 15.2-2311, this determination will be final and unappealable.

Sincerely,

R. Joseph Emerson, Jr., AICP
Director of Planning

Concur:

Andrew R. Newby, Esq.
County Attorney

Exhibit A

Zoning Ordinance Amendments Approved June 10, 2025

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 143-25
Page No. 1 of 1

Agenda Title: ORDINANCE — See attached

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
Date: 6/10/2025	1) Amend 2) approve as amended	Cooper, R. ✓
(✓) Approved	Moved by (1) Nelson Seconded by (1) Roundtree	Nelson, T. ✓
( ) Denied	(2) Nelson (2) Cooper	Rogish, J. ✓
( ) Amended	REMARKS: APPROVED	Roundtree, M. ✓
( ) Deferred to:		Schmitt, D. ✓

After a duly advertised public hearing, the Board of Supervisors of Henrico County adopted the attached ordinance.

Comments: This ordinance was considered at a public hearing on June 10, 2025. The Director of Planning recommends approval of the ordinance, and the County Manager concurs.

By Agency Head _____ By County Manager _____

Copy to: _____

Certified:
A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

As Amended and Approved by the Board of Supervisors on June 10, 2025

ORDINANCE — To Amend and Reordain Section 24-3406 Titled "O-3 Office District," Section 24-4205 Titled "Principal Use Table," Section 24-4319 Titled "Commercial Uses: Offices," Section 24-4328 Titled "Industrial Uses: Services Uses," Section 24-4402 Titled "Accessory Use or Structure Table," Section 24-5110 Titled "Minimum Number of Off-Street Parking Spaces," Section 24-8405 Titled "Commercial Use Classification," Section 24-8406 Titled "Industrial Use Classification," and Section 24-8501 Titled "Accessory Uses, Temporary Uses, and Other Terms," and to Add a New Section 24-4438 Titled "Accessory Data Center (as Accessory to an Office or Industrial Use)" of the Code of the County of Henrico to Require a Provisional Use Permit for Data Centers as a Principal Use and Establish Development Standards for Data Centers

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 24-3406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3406. O-3 Office District

A. Purpose

The purpose of the O-3 Office District is to provide lands primarily for offices, office buildings and limited retail uses that are generally compatible with higher-density residential development and served by arterial thoroughfares. Allowed uses include:

- Offices including medical, artist studios, and professional services;
- Limited retail such as financial institutions, restaurants, drug stores, theaters, convenience stores;
- Childcare and adult care, hospitals, and funeral homes;
- ~~Data centers;~~
- Trade schools; and
- Hotels

••••

2. That Section 24-4205 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4205. Principal Use Table

Principal uses are allowed in each of the zoning districts in accordance with 4205: Principal Use Table. The cross-references in the "Use Specific Standards" column are provided for ease of reference and are not exhaustive.

Table 4205: Principal Use Table

R=Permitted by right | C=Allowed subject to conditional use permit | P=Allowed subject to provisional use permit
- =Prohibited | A=Allowed subject to an approved PD Master Plan and PD Terms and Conditions Document

Use Category Click on category to jump to definitions	**Use Type**	**C&A**		**Residential**													**Nonresidential & Mixed-Use**										**PD**				**FBA-O Dev. Area**							**Use-Specific Standards** Click on section number to jump to regulations
		C-1	**A-1**	**R-0**	**R-0A**	**R-1**	**R-1A**	**R-2**	**R-2A**	**R-3**	**R-3A**	**R-4**	**R-4A**	**R-5A**	**R-5B**	**R-5**	**R-6**	**RTH**	**CMU**	**O-1**	**O-2**	**O-3**	**O/S**	**B-1**	**B-2**	**B-3**	**M-1**	**M-2**	**M-3**	**SMX-PD**	**TND-PD**	**UMU-PD**	**LI-PD**	**Mixed-use Corridor**	**Mixed-use Core**	**Walkable Corridor**	**Walkable Center**	**Neighborhood Gen.**	**Connected Edge**	**Highway Edge**	
....																																							
Commercial Use Classification																																							
....																																							
Office	....																																						
	~~Data center~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~R~~	~~-~~	~~-~~	~~-~~	~~A~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~-~~	~~R~~	~~Sec. 24-4319~~
	....																																						
....																																							
Industrial Use Classification																																							
....																																							
Industrial Services	Contractor services	....																																					
	Data Center	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**-**	**-**	**-**	**A**	**-**	**-**	**-**	**-**	**-**	**-**	**P**	**Sec. 24-4328**
	Fuel oil or bottled gas distributor	....																																					
	....	....																																					
....																																							

3. That Section 24-4319 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4319. Commercial Uses: Offices

In addition to the requirements of Sec. 24-4315, All Commercial Uses, the following requirements apply to offices as a principal use.

....

B. ~~Data Centers~~ Reserved

~~For data centers in all districts except the M-1, M-2, and M-3 districts, all equipment necessary for cooling, ventilating, or otherwise operating the facility must be contained within an enclosed building where the use is located. This includes emergency power generators and other emergency power supply equipment.~~

4. That Section 24-4328 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4328. Industrial Uses: Services Uses

In addition to the requirements of Sec. 24-4326, Industrial Uses Generally, the following requirements apply to industrial service uses.

....

B. Data Centers

1. All equipment necessary for operating the data center must be contained within an enclosed building or screened by opaque walls to minimize transmission of sound. This includes equipment for cooling and ventilating, as well as emergency power generators and other emergency power supply equipment.

2. Generators for a data center must not be operated other than during emergency power outages and for testing and maintenance. Testing and maintenance of generators for a data center must be conducted only Monday-Friday between 10:00 a.m. and 4:00 p.m.

3. A data center must be served by public water and sewer. Any water cooling must use a closed-loop or recycled water system, unless another cooling system is approved for the data center as part of a provisional use permit.

~~B~~C. Heavy Equipment Sales, Rental, and Service

....

~~C~~D. Laundry, Dry Cleaning, and Carpet Cleaning Plants

....

~~D~~E. Research and Development Facility

....

5. That Section 24-4402 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4402. Accessory Use or Structure Table

....

E. Accessory Use or Structure Table

Accessory uses and structures are allowed in each of the zoning districts in accordance with Table 4402: Accessory Use or Structure Table.

Table 4402: Accessory Use or Structure Table
R=Permitted by right | C=Allowed subject to conditional use permit | P=Allowed subject to provisional use permit
- =Prohibited | A=Allowed subject to an approved PD Master Plan and PD Terms and Conditions Document

Accessory Use or Structure	C&A			Residential												Nonresidential & Mixed-Use										PD				FBA-O Dev. Area							Specific Standards for Use or Structure
	C-1	A-1	R-0	R-0A	R-1	R-1A	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
....																																							
Cremation chamber (as accessory to a funeral home or a veterinary hospital or clinic)	....																																						
Data center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	-	R	R	R	R	R	-	-	-	A	-	-	-	-	-	-	R	Sec. 24-4438
Donation box	....																																						
....																																							

6. That Section 24-4438 be added to the Code of the County of Henrico as follows:

Sec. 24-4438. Accessory Data Center (as Accessory to an Office or Industrial Use)

A data center is allowed as an accessory use to an office or industrial use, subject to the following standards in addition to the standards of Sec. 24-4328.B:

A. The accessory data center and the office or industrial use to which it is accessory must be located on the same or adjacent premises.

B. All equipment necessary for operating the data center must be contained within an enclosed building or screened by opaque walls to minimize transmission of sound. This includes equipment for cooling and ventilating, as well as emergency power generators and other emergency power supply equipment.

7. That Section 24-5110 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5110. Minimum Number of Off-Street Parking Spaces

....

Table 5110: Minimum Number of Off-Street Parking Spaces

Principal Use Category	Principal Use Type	Minimum Off-Street Parking Spaces [1, 2]
	....	
Commercial Uses		
....		
Offices	....	....
	Business training and conference facility	4.0 per 1,000 sf training or display space, plus 2 per 1,000 sf office or other administrative space
	~~Data center~~	~~2.0 per 1,000 sf offices~~
	Professional services	2.5 per 1,000 sf
....		
Industrial Uses		
Industrial Services	Contractor services, in addition to spaces required for service vehicles	2.0 per 1,000 sf
	Data center	**2.0 per 1,000 sf of office space**
	Fuel oil or bottled gas distributor	2.0 per 1,000 sf
	....	....

Table 5110: Minimum Number of Off-Street Parking Spaces		
Principal Use Category	**Principal Use Type**	**Minimum Off-Street Parking Spaces [1, 2]**
....		

8. That Section 24-8405 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8405. Commercial Use Classification

....

D. Office

The Office uses category includes office buildings housing activities conducted in a professional setting, generally focusing on the provision of business services, professional services (e.g., lawyers, accountants, engineers, architects), financial services (e.g., lenders, brokerage houses, tax preparers), or medical and dental services. Use types include: business and sales; and professional services. This use category does not include offices that are a component of or accessory to a principal use in another use category, such as administrative government services (categorized in the Government Facilities use category), or banks or other financial institutions (categorized in the Retail Sales and Services use category). Accessory uses may include cafeterias, recreational or fitness facilities, incidental commercial uses, **an accessory data center serving a principal use on the same or adjacent premises,** or other amenities primarily for the use of employees of the office use.

....

~~**Data center**~~

~~A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Typical supporting equipment includes back-up batteries and power generators, cooling units, fire suppression systems, and enhanced security features. A data center typically has few on-site employees.~~

....

....

9. That Section 24-8406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8406. Industrial Use Classification

....

B. Industrial Services

The Industrial Services use category includes use types involving the **support,** repair, or servicing of industrial or business machinery equipment, products, or by-products, and firms

that service consumer goods for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. The category also includes use types involving the storage or movement of goods. Use types include: contractor service; **data center;** fuel oil or bottled gas distributor; general industrial service and repair; heavy equipment sales, rental, and service; laundry, dry cleaning, and carpet cleaning plants; manufactured home and prefabricated building construction and sales; research and development; and similar use types.

Contractor services
Offices for landscaping, building, heating, plumbing, or electrical contractors, and related storage facilities.

Data center
A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Typical supporting equipment includes back-up batteries and power generators, cooling units, fire suppression systems, and enhanced security features. A data center typically has few on-site employees.

Fuel oil or bottled gas distributor
An establishment principally engaged in the sale, distribution, and delivery of fuel oil or bottled gases such as propane or liquified petroleum.

• • • •

• • • •

10. That Section 24-8501 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8501. Accessory Uses, Temporary Uses, and Other Terms

The following terms will have the meanings assigned below.

• • • •

Damaged or destroyed building

A damaged or destroyed building or structure is one for which the cost of restoring the building or structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred.

Data center as an accessory use

A facility containing computer systems used for data storage and processing that is accessory to an office or industrial use on the same or adjacent premises.

Debris waste

Solid waste resulting from land clearing operations. Debris wastes include stumps, wood, brush, leaves, soil, and road spoils.

• • • •

11. That this ordinance will be in full force and effect on and after its passage as provided by law.

Exhibit B

Plan of Development Approval Letters for RIC1, RIC2, and RIC3

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

R. Joseph Emerson, Jr., AICP
Director of Planning
(804) 501-4602

September 28, 2022

Scout Development, LLC.
c/o Paul Clements
1 Hacker Way
Menlo Park, CA 94025

SWO Logistics, LLC.
c/o Sarah Blue
12851 Foster Street, Suite 205
Overland Park, KS 66213

RE: POD2022-00385
QTS Tract 9 -Substation

Sir/Madame:

The Director of Planning granted your request for approval of a Site Plan as required by Chapter 24, Section 24-2315 of the Henrico County Code, to construct an accessory substation to support the existing and proposed adjacent QTS facilities. The 22.22-acre site is located on the north line of Portugee Road, approximately 3,400 feet west of the intersection of Technology Boulevard and Portugee Road, on parcels 847-701-1863 and part of 845-702-4965. The Director of Planning granted this request, subject to the following conditions:

1. The Site Plan shall be revised as annotated on the staff plan dated **September 21, 2022**, which shall be as much a part of this approval as if details were fully described herein. Revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, plans for signature shall be submitted to the Department of Planning for approval signatures. The approved plan shall be attached to the building permit application.
2. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer.
3. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least 48 hours prior to the start of any County water or sewer construction.

4. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
5. Traffic control signs shall be provided as required by the Department of Public Works and shall be maintained in good condition.
6. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
7. The owner shall have a set of plans approved by the Director of Public Works, Public Utilities and Director of Planning available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
8. The property shall be developed and maintained as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of the Director of Planning.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
10. The name of this development, as designated in this approval, shall be the name used for approval of future documents associated with this plan. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, fixture specifications, and mounting height details shall be submitted for Department of Planning review and approval.
12. The assigned property number(s) shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 804-501-4602. The Planning Department must assign all property addresses.
13. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner shall furnish a statement by the engineer, surveyor, or landscape architect who supervised construction, that all improvements have been installed in substantial conformance with the approved plans, specifications, and County requirements.
14. Site Plan approval is granted to the owner/applicant to whom it is issued. Upon written notification to the Planning Director, the approval may be transferred to subsequent owners in accordance with Chapter 24, Section 24-2314.C.3.(c).(3).C of the county code.
15. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determined appropriate by the Director of Planning and in accordance with Section 24-5311 at the time of plan approval.

16. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing, and hours of construction shall be submitted for County review and prior to the approval of any final construction plans.
17. The owners shall not begin clearing of the site until the following conditions have been met:
    - The site engineer shall conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements shall be shown.
    - After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner shall have the limits of clearing delineated with approved methods such as flagging, silt fencing or temporary fencing.
    - The site engineer shall certify in writing to the owner that the limits of clearing have been staked in accordance with the approved plans. A copy of this letter shall be sent to the Department of Planning and the Department of Public Works.
    - The owner shall be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details shall be included on the landscape plans for approval.
18. Prior to approval of construction plans, the developer must furnish a letter from Dominion Energy stating that this proposed development does not conflict with their facilities.
19. No construction traffic shall use Elko Road (State Route 156), Portugee Road east of Technology Boulevard, or Elko Tract Road (State Route 380).
20. No tractor trailers shall use Elko Road (State Route 156), Portugee Road east of Technology Boulevard, or Elko Tract Road (State Route 380).
21. The developer shall provide a telephone number for citizen concerns during any construction activity on site in order to respond to citizen concerns and complaints as expeditiously as possible.
22. The development and operations conducted on the property shall comply with the restrictive covenants applicable to White Oak Technology Park.
23. The proposed development is subject to Final Development Review Board (DRB) approval. Any required changes by the DRB must be reflected in the POD and any subsequent plans.

There may be a requirement for a Wetlands Permit from the U.S. Army Corps of Engineers. Further information on such a requirement should be obtained by contacting the Corps at (804) 323-3781.

Also, you should be aware that a permit or permits may be required from the Virginia Department of Environmental Quality (DEQ). Please contact DEQ at (804) 527-5020 to determine the permit requirements of your proposed project.

Pursuant to Section 24-2314.C.5(c) of the Code of Henrico, this approval shall expire on **September 27, 2027**, unless building permits have been obtained for construction in accordance therewith; or a single one-year extension of approval has been granted by the Director of

Planning as provided therein; or further extension of approval is otherwise provided by Section 15.2-2261 of the Code of Virginia.

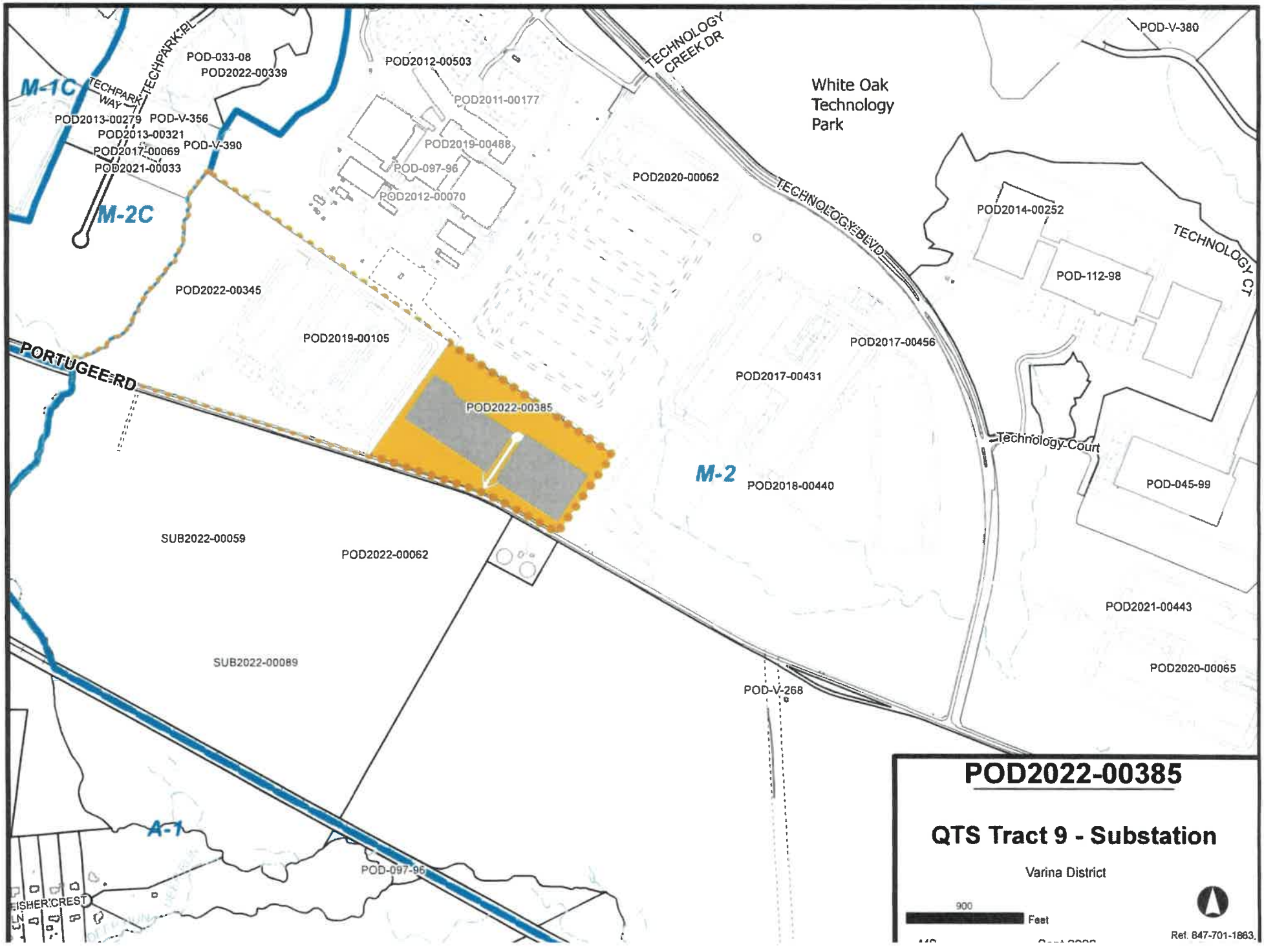
The approval of this Site Plan satisfies only the requirements of Chapter 24, Section 24-2315 of the Henrico County Code. The applicant shall be responsible for securing all necessary permits as required by law. A copy of the plan approved by the Director of Planning is available upon request.

When applying for your building permit, please attach a complete electronic set of the approved, signed construction plans and refer to case **POD-2022-00385.**

Sincerely,

R. Joseph Emerson, Jr., AICP
Director of Planning

pc: Deputy Zoning Conformance Officer
Building Official
Real Estate Assessment
Department of Public Utilities, Chief of Design
Department of Public Works
Division of Fire-Chief Fire Marshall
Townes Site Engineering -Attn: Zackary Wilkins


POD2022-00385
QTS Tract 9 - Substation
Varina District
900
Feet
Ref. 847-701-1883.
White Oak Technology Park
M-1C
M-2C
M-2
A-1
PORTUGEE RD
TECHNOLOGY CREEK DR
TECHNOLOGY BLVD
Technology Court
TECHNOLOGY CT
TECHPARK PL
TECHPARK WAY
FISHER CREST
POD-033-08
POD2022-00339
POD2013-00279
POD-V-356
POD2013-00321
POD-V-390
POD2017-00069
POD2021-00033
POD2012-00503
POD2011-00177
POD2019-00488
POD-097-96
POD2012-00070
POD2020-00062
POD-V-380
POD2014-00252
POD-112-98
POD2022-00345
POD2019-00105
POD2017-00456
POD2017-00431
POD2018-00440
POD-045-99
SUB2022-00059
POD2022-00062
POD2021-00443
SUB2022-00089
POD2020-00065
POD-V-268
POD-097-96

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

R. Joseph Emerson, Jr., AICP
Director of Planning
(804) 501-4602

January 25, 2023

Quality Investment Property Richmond, LLC.
Attn: Jacob Bryant
12851 Forest Street, Ste. 205
Overland Pak, KS 66213

RE: POD2022-00534
QTS East Phase 5

Sir/Madame:

The Director of Planning granted your request for approval of a Plan of Development and lighting plan as required by Chapter 24, Section 24-2314 of the Henrico County Code, to construct a two-story, 346,606 square foot data center building and associated infrastructure and parking within the existing data center complex. The 17.88-acre site is located approximately 2,200 feet south of the intersection of Technology Boulevard and Technology Creek Drive, on parcels, 847-702-8452 (part), 845-702-4965 (part) and 847-701-1863 (part). The Director of Planning granted this request, subject to the following conditions:

1. The Plan of Development must be revised as annotated on the staff plan dated January 18, 2023, which will be as much a part of this approval as if details were fully described herein. Revised plans, including the detailed drainage, erosion control and utility plans, must be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, plans for signature must be submitted to the Department of Planning for approval signatures. The approved plan must be attached to the building permit application.
2. The owner must enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer.
3. The Director of the Department of Public Utilities must approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities must be notified at least 48 hours prior to the start of any County water or sewer construction.
4. Two copies of an Erosion and Sediment Control Agreement with required escrow must be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works must be notified at least 24 hours prior to the start of any construction.

5. Traffic control signs must be provided as required by the Department of Public Works and must be maintained in good condition.
6. The easements for drainage and utilities as shown on approved plans must be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information must be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
7. The owner must have a set of plans approved by the Director of Public Works, Public Utilities and Director of Planning available at the site at all times when work is being performed. A designated responsible employee must be available for contact by County Inspectors.
8. The property must be developed and maintained as shown on the plan filed with the case and no changes or additions to the layout will be made without the approval of the Director of Planning.
9. A detailed landscaping plan must be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
10. The name of this development, as designated in this approval, must be the name used for approval of future documents associated with this plan. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details must be revised as annotated on the staff plan and included with the construction plans for final signature.
12. The assigned property number(s) must be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 804-501-4602. The Planning Department must assign all property addresses.
13. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner must furnish a statement by the engineer, surveyor, or landscape architect who supervised construction, that all improvements have been installed in substantial conformance with the approved plans, specifications, and County requirements.
14. Plan of Development approval is granted to the owner/applicant to whom it is issued. Upon written notification to the Planning Director, the approval may be transferred to subsequent owners in accordance with Chapter 24, Section 24-2314.C.3.(c).(3).C of the county code.
15. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) must be identified on the landscape plan. All building mounted equipment must be painted to match the building, and all equipment must be screened by such measures as determined appropriate by the Director of Planning and in accordance with Section 24-5311 at the time of plan approval.
16. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Department of Planning and approved prior to issuance of a certificate of occupancy for this development.

17. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing, and hours of construction must be submitted for County review and prior to the approval of any final construction plans.
18. The owners must not begin clearing of the site until the following conditions have been met:
    - The site engineer must conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements must be shown.
    - After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner must have the limits of clearing delineated with approved methods such as flagging, silt fencing or temporary fencing.
    - The site engineer must certify in writing to the owner that the limits of clearing have been staked in accordance with the approved plans. A copy of this letter must be sent to the Department of Planning and the Department of Public Works.
    - The owner will be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details must be included on the landscape plans for approval.
19. Prior to approval of construction plans, the developer must furnish a letter from Dominion Energy stating that this proposed development does not conflict with their facilities.
20. Construction traffic must not use Elko Road (State Route 156), Portugee Road east of Technology Boulevard, or Elko Tract Road (State Route 380).
21. Tractor trailers must not use Elko Road (State Route 156), Portugee Road east of Technology Boulevard, or Elko Tract Road (State Route 380).
22. The developer must provide a telephone number for citizen concerns during any construction activity on site in order to respond to citizen concerns and complaints as expeditiously as possible.
23. The development and operations conducted on the property must comply with the restrictive covenants applicable to White Oak Technology Park.
24. The proposed development is subject to Final Development Review Board (DRB) approval. Any required changes by the DRB must be reflected in the POD and any subsequent plans.

There may be a requirement for a Wetlands Permit from the U.S. Army Corps of Engineers. Further information on such a requirement should be obtained by contacting the Corps at (804) 323-3781.

Also, you should be aware that a permit or permits may be required from the Virginia Department of Environmental Quality (DEQ). Please contact DEQ at (804) 527-5020 to determine the permit requirements of your proposed project.

Pursuant to Section 24-2314.C.5(c) of the Code of Henrico, this approval shall expire on **January 24, 2028**, unless building permits have been obtained for construction in accordance therewith;

or a single one-year extension of approval has been granted by the Director of Planning as provided therein; or further extension of approval is otherwise provided by Section 15.2-2261 of the Code of Virginia.

The approval of this Plan of Development satisfies only the requirements of Chapter 24, Section 24-2314 of the Henrico County Code. The applicant shall be responsible for securing all necessary permits as required by law. A copy of the plan approved by the Director of Planning is available upon request.

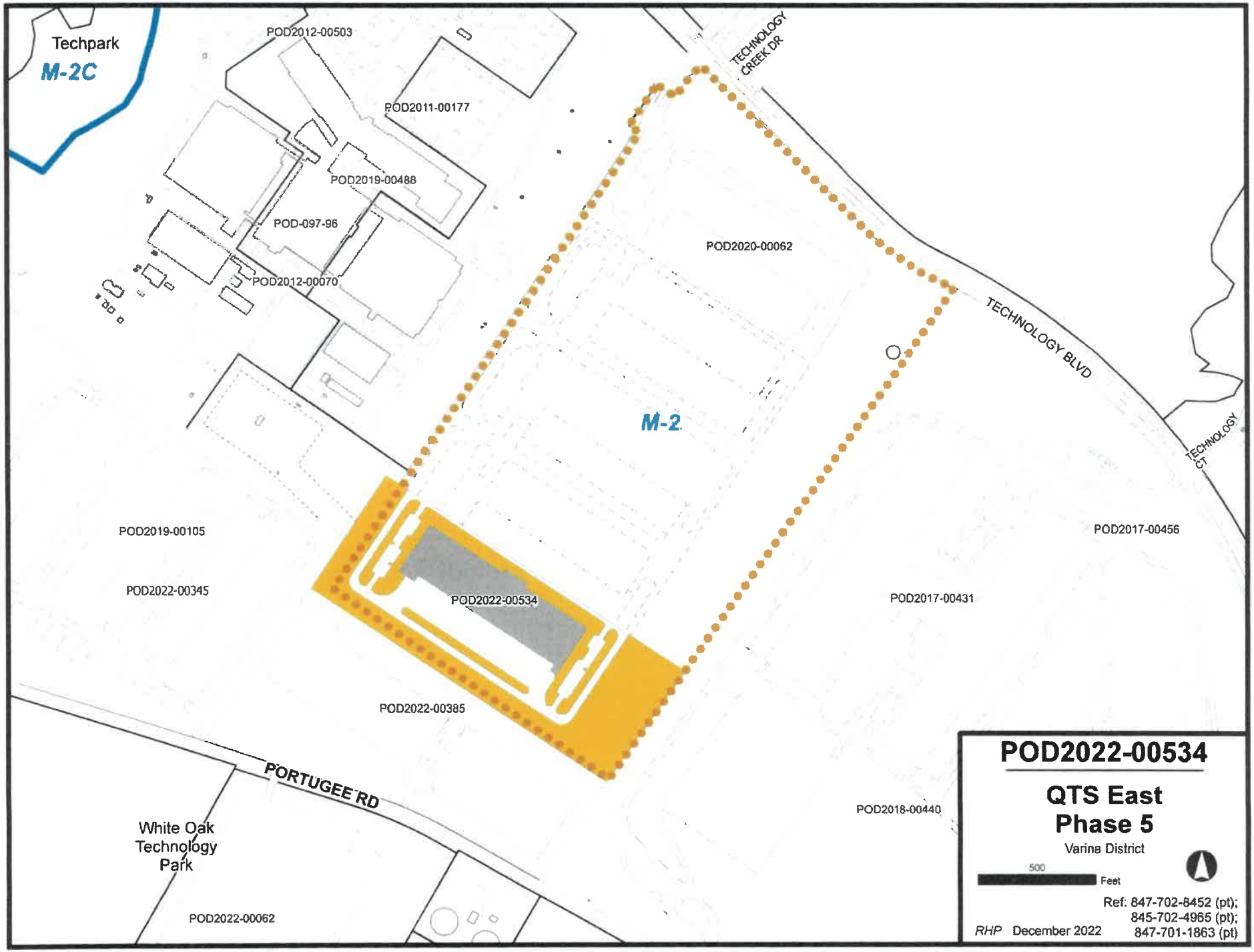
When applying for your building permit, please attach a complete electronic set of the approved, signed construction plans and refer to case **POD2022-00534.**

Sincerely,

for

R. Joseph Emerson, Jr., AICP
Director of Planning

pc: Deputy Zoning Conformance Officer
Building Official
Real Estate Assessment
Department of Public Utilities, Chief of Design
Department of Public Works
Division of Fire-Chief Fire Marshall
Townes Site Engineering -Attn: Zackary Wilkins


Techpark
M-2C
POD2012-00503
POD2011-00177
POD2019-00488
POD-097-96
POD2012-00070
TECHNOLOGY CREEK DR
POD2020-00062
TECHNOLOGY BLVD
TECHNOLOGY CT
M-2
POD2019-00105
POD2022-00345
POD2022-00534
POD2017-00456
POD2017-00431
POD2022-00385
PORTUGEE RD
POD2018-00440
White Oak Technology Park
POD2022-00062
POD2022-00534
QTS East Phase 5
Varina District
500
Feet
Ref: 847-702-8452 (pt); 845-702-4965 (pt); 847-701-1863 (pt)
RHP December 2022

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

R. Joseph Emerson, Jr., AICP
Director of Planning
(804) 501-4602

April 23, 2025

QTS Richmond III Land LLC
Jacob Bryant
12851 Foster Street, Suite 205
Overland Park, KS 66213

RE: POD-2025-100260
QTS – Western Temporary Parking Lot

Sir/Madame:

The Director of Planning granted your request for approval of a **Plan of Development** as required by Chapter 24, Section 24-2314 of the Henrico County Code, to construct a temporary parking lot on a 14.23-acre portion of an overall 24.40-acre site located along the southern line of Portugee Road, approximately 9,200 feet west of its intersection with Technology Boulevard, on parcel 843-701-2778. The Director of Planning granted this request, subject to the following conditions:

1. The Plan of Development must be revised as annotated on the staff plan dated **April 16, 2025**, which will be as much a part of this approval as if details were fully described herein. Revised plans, including the detailed drainage, erosion control and utility plans, must be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, plans for signature must be submitted to the Department of Planning for approval signatures. The approved plan must be attached to the building permit application.
2. The owner must enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer.
3. The Director of the Department of Public Utilities must approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities must be notified at least 48 hours prior to the start of any County water or sewer construction.
4. Two copies of an Erosion and Sediment Control Agreement with required escrow must be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works must be notified at least 24 hours prior to the start of any construction.
5. Traffic control signs must be provided as required by the Department of Public Works and must be maintained in good condition.
6. The easements for drainage and utilities as shown on approved plans must be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information must be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
7. The owner must have a set of plans approved by the Director of Public Works, Public Utilities and Director of Planning available at the site at all times when work is being performed. A designated responsible employee must be available for contact by County Inspectors.

8. The property must be developed and maintained as shown on the plan filed with the case and no changes or additions to the layout will be made without the approval of the Director of Planning.
9. A detailed landscaping plan must be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
10. The name of this development, as designated in this approval, must be the name used for approval of future documents associated with this plan. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details must be revised as annotated on the staff plan and included with the construction plans for final signature.
12. The assigned property number(s) must be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 804-501-4602. The Planning Department must assign all property addresses.
13. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner must furnish a statement by the engineer, surveyor, or landscape architect who supervised construction, that all improvements have been installed in substantial conformance with the approved plans, specifications, and County requirements.
14. Plan of Development approval is granted to the owner/applicant to whom it is issued. Upon written notification to the Planning Director, the approval may be transferred to subsequent owners in accordance with Chapter 24, Section 24-2314.C.3.(c).(3).C of the county code.
15. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) must be identified on the landscape plan. All building mounted equipment must be painted to match the building, and all equipment must be screened by such measures as determined appropriate by the Director of Planning and in accordance with Section 24-5311 at the time of plan approval.
16. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
17. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing, and hours of construction must be submitted for County review and prior to the approval of any final construction plans.
18. A note in bold lettering must be provided on the erosion control plan indicating that sediment basins or traps located within buildable areas or building pads will be reclaimed with engineered fill. All materials must be deposited and compacted in accordance with the applicable sections of the state building code and geotechnical guidelines established by the engineer. An engineer's report certifying the suitability of the fill materials and its compaction must be submitted for review and approval by the Director of Planning and Director of Public Works and the Building Official prior to the issuance of any building permit(s) on the affected sites.
19. Prior to issuance of a certificate of occupancy for any building in this development, the engineer of record must certify that the site has been graded in accordance with the approved grading plans.
20. The owners must not begin clearing of the site until the following conditions have been met:
    - The site engineer must conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements must be shown.
    - After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner must have the limits of clearing delineated with

approved methods such as flagging, silt fencing or temporary fencing.

- The owner will be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details must be included on the landscape plans for approval.

21. The temporary parking areas must be properly compacted and maintained at all times.
22. Outside storage will not be permitted.
23. Construction traffic must not use Elko Road (State Route 156), Portugee Road east of Technology Boulevard, or Elko Tract Road (State Route 380).
24. Tractor trailers must not use Elko Road (State Route 156), Portugee Road east of Technology Boulevard, or Elko Tract Road (State Route 380).
25. The developer must provide a telephone number for citizen concerns during any construction activity on site in order to respond to citizen concerns and complaints as expeditiously as possible.
26. The conditions approved as part of temporary use permit case TUP-2025-100084 must be incorporated in this approval.

There may be a requirement for a Wetlands Permit from the U.S. Army Corps of Engineers. Further information on such a requirement should be obtained by contacting the Corps at (804) 323-3781.

Also, you should be aware that a permit or permits may be required from the Virginia Department of Environmental Quality (DEQ). Please contact DEQ at (804) 527-5020 to determine the permit requirements of your proposed project.

Pursuant to Section 24-2314.C.5(c) of the Code of Henrico, this approval shall expire on **April 22, 2030**, unless building permits have been obtained for construction in accordance therewith; or a single one-year extension of approval has been granted by the Director of Planning as provided therein; or further extension of approval is otherwise provided by Section 15.2-2261 of the Code of Virginia.

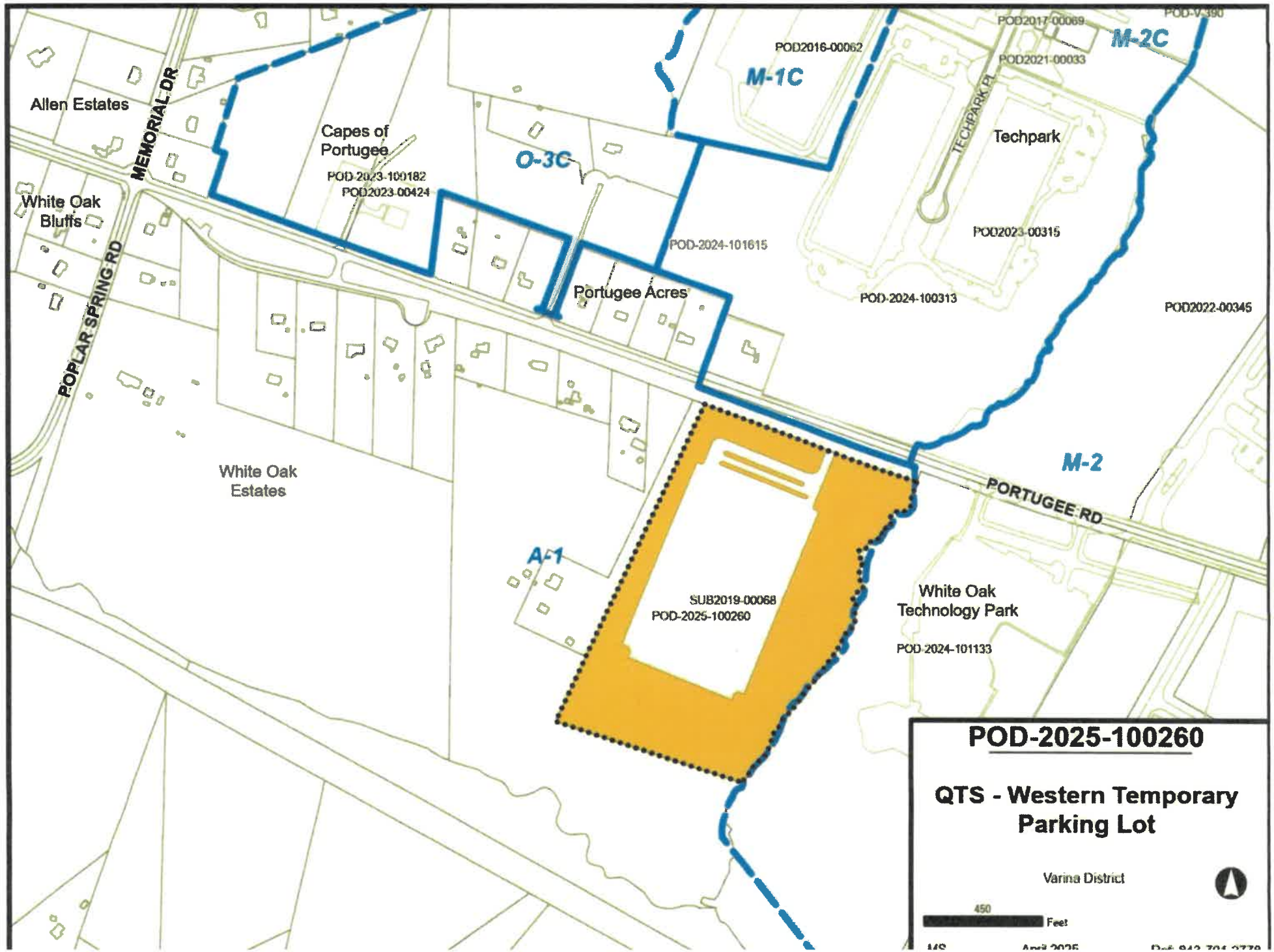
The approval of this Plan of Development satisfies only the requirements of Chapter 24, Section 24-2314 of the Henrico County Code. The applicant shall be responsible for securing all necessary permits as required by law. A copy of the plan approved by the Director of Planning is available upon request.

When applying for your building permit, please attach a complete electronic set of the approved, signed construction plans and refer to case **POD-2025-100260**.

Sincerely,

R. Joseph Emerson, Jr., AICP
Director of Planning

pc: Deputy Zoning Conformance Officer
Building Official
Real Estate Assessment
Department of Public Utilities, Chief of Design
Department of Public Works
Division of Fire-Chief Fire Marshall
Townes Site Engineering – Attn: Zackary Wilkins


Allen Estates
MEMORIAL DR
Capes of Portugee
POD-2023-100182
POD2023-00424
O-3C
M-1C
POD2016-00062
POD2017-00069
POD-V-390
M-2C
POD2021-00033
TECHPARK PL
Techpark
POD2023-00315
White Oak Bluffs
POPLAR SPRING RD
POD-2024-101615
Portugee Acres
POD-2024-100313
POD2022-00345
M-2
PORTUGEE RD
White Oak Estates
A-1
SUB2019-00068
POD-2025-100260
White Oak Technology Park
POD-2024-101133
POD-2025-100260
QTS - Western Temporary Parking Lot
Varina District
450
Feet
April 2025

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

ANGELA N. HARPER, AICP
DIRECTOR OF PLANNING
(804) 672-4602

PLANNING COMMISSION

David A. Zehler, C.P.C., Chairman
Ernest B. Vanarsdall, C.P.C., Vice-Chairman
Mary L. Wade
C. W. Archer
Elizabeth G. Dwyer
David A. Kaechele
Angela N. Harper, AICP, Secretary

September 24, 1996

RE: POD-97-96
White Oak Semiconductor
Manufacturing Facility -
Phase I and Master Plan

Industrial Development Authority,
County of Henrico
8011 Villa Park Drive, Suite 160, Bldg. B.
Richmond, VA 23228

White Oak Semiconductor Partnership
600 E. Main Street,Suite 800
Richmond, VA 23219

Gentlemen:

The Planning Commission at its meeting on September 24, 1996, granted your request for approval of a plan of development and special exception, as required by Chapter 24, Sections 24-106, 24-94(g) and 24-2 of the Henrico County Code, to construct phase I, a 802,000 square foot semiconductor manufacturing plant and related facilities up to 75 feet in height and for approval of a master plan for future plant expansion totalling 2,022,000 square feet. The 210 acre site is located along the south line of proposed Memorial Drive extended, approximately 4,500 feet east of existing Memorial Drive on part of parcels 187-A-4 and 5, Elko Tract. The Commission granted this request, subject to the following conditions:

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer.
2. The approval of this plan of development does not constitute approval of the utilities layout or construction plans. The development shall comply with the requirements as stated in the utilities contract approved by the Department of Public Utilities. The Department of Public Utilities shall be notified at least 24 hours prior to the start of any utilities construction.

3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.
4. The parking spaces shall be marked on the pavement surface with four inch wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.
5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
7. The plan of development plan shall be revised as annotated on the staff plan dated **September 24, 1996**, which shall be as much a part of this approval as if details were fully described herein. Ten sets of the revised plans including the detailed drainage and erosion control plan shall be submitted to the Planning Office for approval stamps and distribution. Two sets of the approved plans shall be attached to the building permit application.
8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Planning Office for review and approval prior to the issuance of any occupancy permits.
10. All ground cover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced no later than the next planting season.
11. Prior to the installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams and fixture mounting height details shall be submitted for Planning Office review and approval.
12. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.
13. Trash container units shall be properly maintained with regular pickups; the site shall be kept clean and the trash containers shall be properly screened. (Details shall be included with the site plan or required landscape plan review and approval).
14. Required fire lanes shall be marked and maintained in accordance with Section 311.1 of the BOCA Basic Fire Prevention Code.
15. Traffic control signs shall be provided as indicated on Planning Staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.
16. The assigned property number(s) shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Planning Office 672-4284.
17. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.

18. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
19. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner shall furnish a statement by the engineer or land surveyor who prepared the POD plan, to the effect that all construction is in conformance to the regulations and requirements of the POD.
20. The approved plan of development is not transferable except that the holder of the first mortgage of the property may assume responsibility under this plan after written notification to this Commission.
21. Vehicles shall be parked only in approved and constructed parking spaces.
22. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Planning Office before such a change can be implemented.
23. The subdivision plat for White Oak Technology Park - Dedication of Memorial Drive extended shall be recorded.
24. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued.
25. The developer shall provide fire hydrants as required by the Department of Public Utilities in its approval of the utility plans and contracts.
26. Any necessary off-site drainage easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans by the Department of Public Works.
27. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
28. Insurance Services Office (ISO) calculations must be included with the utilities plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
29. The conceptual master plan, as submitted with this application is for planning and information purposes only. All subsequent detailed plans of development and construction plans needed to implement this conceptual plan may be administratively reviewed and approved and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/approval. Substantial deviations from the proposed master plan development and layout shall require approval of a revised plan of development by the Planning Commission.
30. The temporary construction office(s) and related improvements shall be removed from the site on or before September 22, 1998, unless a further extension of time is granted by the Director of Planning.
31. The temporary parking areas shall be properly compacted and maintained at all times.
32. The development and operations conducted on the property shall comply with the restrictive covenants applicable to White Oak Technology Park.
33. The transportation, collection, storage and disposal of hazardous materials shall be handled in accordance with all applicable state and federal regulations.

34. The applicant shall be responsible for obtaining any necessary permits required for air emmissions by the Commonwealth of Virginia Department of Environmental Quality.

There is a requirement for a Wetlands Permit from the U. S. Army Corps of Engineers. Further information on such a requirement should be obtained by contacting the Corps at 752-7464.

Also, you should be aware that other permits may be required from the State Department of Environmental Quality (DEQ). Please contact the DEQ at 527-5300 to determine the requirements for your proposal.

Pursuant to Chapter 24, Section 24-106(j) of the Henrico County Code, this approval shall expire **September 22, 1998,** unless building permits have been obtained for construction in accordance therewith; or a single one-year extension of approval has been granted by the Director of Planning as provided therein; or further extension of approval is otherwise provided by Section 15.1-475D-H of the Code of Virginia, as amended.

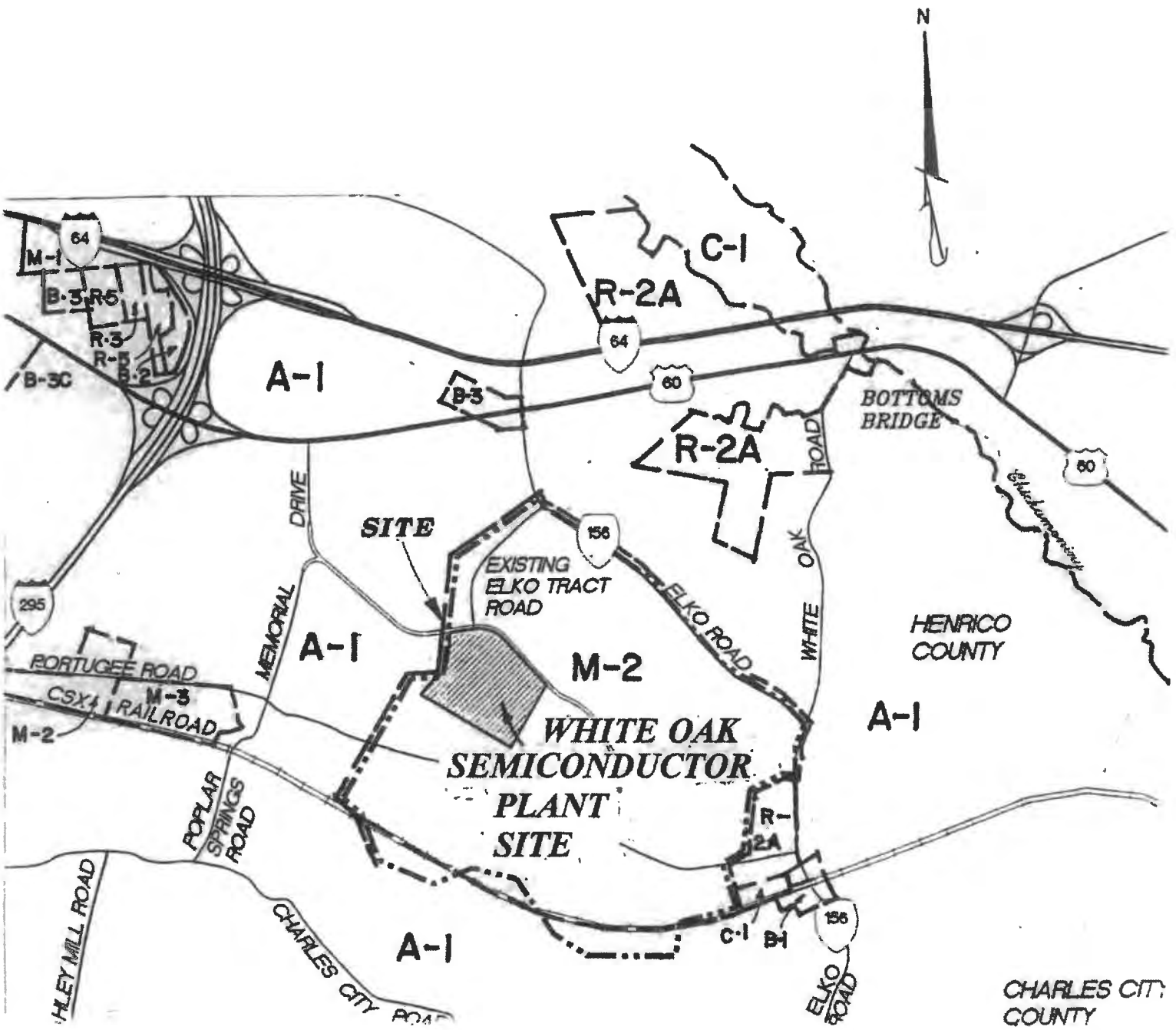
The approval of this plan of development satisfies only the requirement of Chapter 24, Section 24-106 of the Henrico County Code. The applicant shall be responsible for securing all necessary permits as required by law.

When applying for your building permit, please attach two sets of the approved plans and refer to case **POD-97-96.**

Sincerely,

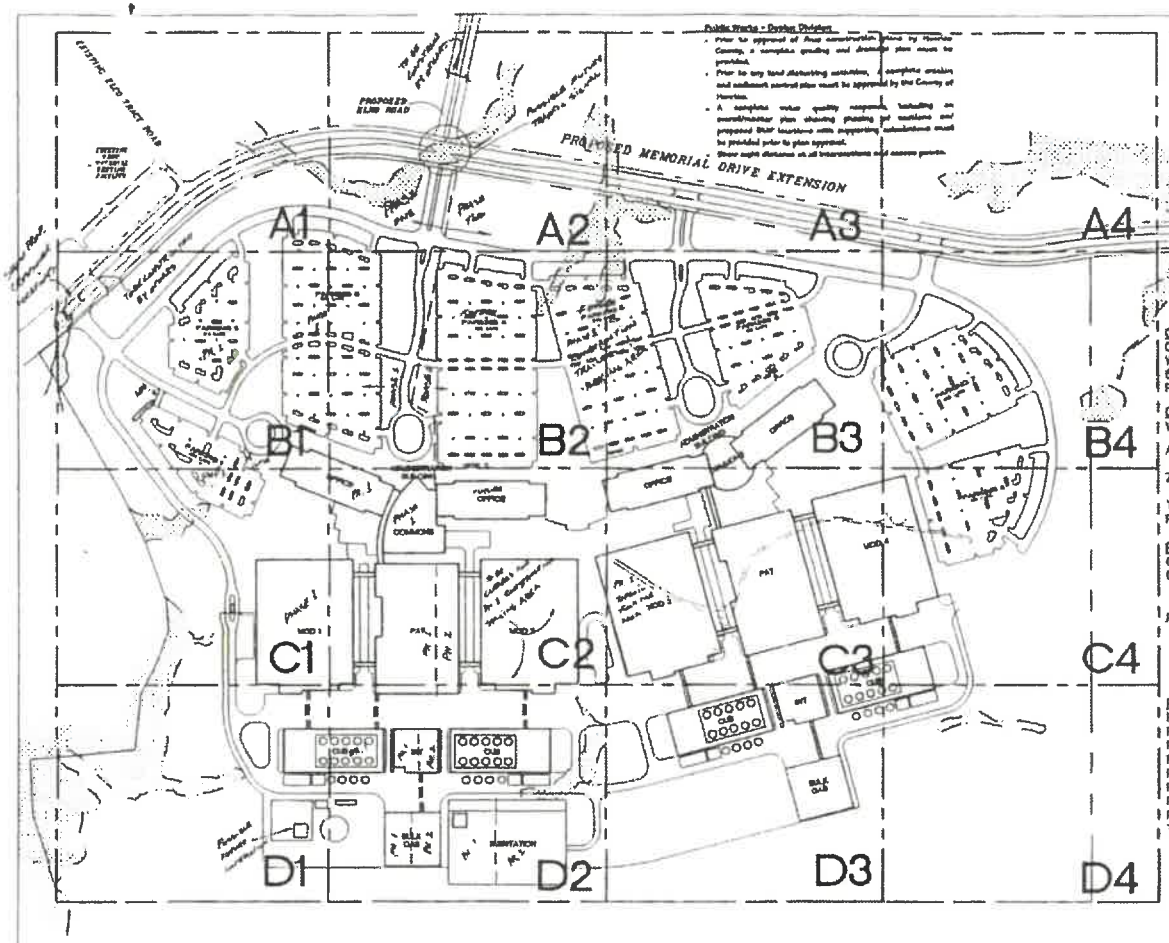
David B. O'Kelly, Jr.
for
Angela N. Harper, AICP

cc: Zoning Enforcement Supervisor
Building Official
Real Estate Assessment
Department of Public Works
Department of Public Utilities, Ralph E. Claytor
Timmons
Commonwealth of Virginia
County Attorney



POD-97-96

WHITE OAK
SEMICONDUCTOR PLANT
VARINA, pt.of 187-A-4 & 5



GENERAL NOTES

OWNER/DEVELOPER:
WHITE OAK SEMICONDUCTOR PARTNERSHIP
600 E. MAIN STREET, SUITE 800
RICHMOND, VA 23219

CONTACT PERSON:
WAYNE NESBIT, PRESIDENT

ACREAGE: 210.00 AC.

ZONING: M-2

TAX PARCEL NUMBER:
PART OF 187-A-4 AND 187-A-5

PARKING REQUIRED:
OFFICE 500,000 S.F.
COMMONS 130,000 S.F.
TOTAL = 630,000 S.F. @ 4/1000 S.F.
= 2520 SPACES

PRODUCTION EMPLOYEES
725 PER MOD = 4X725 = 2900
1 SPACE/2 EMPLOYEES = 1450 SPACES

TOTAL REQUIRED = 3970 SPACES

PARKING PROVIDED

PARKING 1	250
PARKING 2	313
PARKING 3	800
PARKING 4	821
PARKING 5	672
PARKING 6	386
PARKING 7	492
PARKING 8	391
TOTAL PARKING	4125 SPACES

Staff Review Comments

Erosion Offite

Traffic Engineer

TIMMONS

WHITE OAK Semiconductor

INDEX

MP-INDX

PRELIMINARY

STAFF 9/24/96

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

August 29, 2011

R. Joseph Emerson, Jr., AICP
Director of Planning
(804) 501-4602

Timmons Group
c/o Mr. Tom Seaborn, P.E.
1001 Boulders Parkway, Suite 300
Richmond, VA 23225

Re: POD # 97-96 Adm.
Tidemark # POD2011-00241
QTS Site & Utility Improvements (Formerly White Oak Semiconductor)
Plans for Signature

Sir:

Please be advised that the final Plans of Development (POD) plans for the above-referenced project have been approved by Henrico County.

A preconstruction meeting must be scheduled with the Environmental Division of the Department of Public Works to receive the final construction plans and authorization to proceed with all work, except for construction of the water and sanitary sewer systems. Please contact the Environmental Division at 727-8328.

A preconstruction meeting must also be scheduled with the Construction Division of the Department of Public Utilities after execution of the Water and Sewer Agreements to receive final construction plans for the water and sewer systems. Contact the Construction Division at 727-8731 to schedule a utilities preconstruction meeting. Authorization to proceed with construction of the water and sewer systems will be issued by separate letter following execution of the Water and Sewer Agreements and completion of the preconstruction meeting. These two meetings may also be scheduled jointly if the Water and Sewer Agreements have been executed.

Two sets of the approved POD plans should be attached to the building permit applications. Should you require additional approved copies of the plans, please submit prints to this office. Please note that this approval does not include approval of landscaping or signs other than for traffic control.

This approval is for the construction of a 1,100 square-foot visitor screening facility, the relocation of existing guard houses, the construction of new guard houses, the adjustment to the traffic circulation, and the installation of a perimeter security fence only. The Planning Commission's conditions of approval, dated **September 24, 1996,** continue to apply to this project. Revisions to a plan of development normally require Planning Commission approval. However, Chapter 24, Section 24-106(q) provides for staff approval of administrative site plans. Because of the nature and scope of the above revisions, we believe that administrative approval is appropriate in this instance.

The Staff authorized approval of this project on **August 23, 2011.** All permits necessary for the prosecution of the above-stated work must be executed by **August 22, 2012,** or such approval shall be considered void.

Also, you should be aware that a permit or permits may be required from the Virginia Department of Environmental Quality (DEQ). Please contact the DEQ at 804-527-5025 to determine the permit requirements for your proposed project.

Two sets of approved plans must be attached to all building applications and must be available on site at all times when work is being performed. A designated responsible employee is required to be available for contact by County inspectors. Should you require assistance or have questions, please call the Department of Planning at 501-5290.

Sincerely,

R. Joseph Emerson, Jr. AICP
Director of Planning

pc: Director of Public Works
Zoning Enforcement Officer
Public Utilities – Chief of Design
Building Official
Real Estate Assessment
QTS c/o Ilana Nauman



POD-97-96 ADM

05/02/2021

TIMMONS GROUP

REVISIONS

QTS

QTS RICHMOND
10900 TECHNOLOGY BOULEVARD
MIDLOTHIAN, VA 23112

OVERALL SITE PLAN

Staff Plan

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

R. Joseph Emerson, Jr., AICP
Director of Planning
(804) 501-4602

Corrected Letter September 21, 2022

April 15, 2020

Quality Investment Property Richmond, LLC
Attn: Ms. Laney Marinich
12851 Foster Street, Suite 205
Overland Park, KS 66213

RE: POD2020-00062
QTS East – Phase 1
and Revised Master Plan

Sir/Madame:

The Director of Planning, acting as agent for the Board of Supervisors in accordance with Temporary Ordinance approved April 14, 2020 addressing approval of preliminary subdivision plats and plans of development during the COVID-19 Pandemic, granted your request for approval of a plan of development and master plan as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story, ~~166,467~~ **332, 934** square foot data center, three future two-story data centers totaling ~~499,392~~ **998,802** square feet, **for a total square footage of 1,331,736** and associated infrastructure, within the existing data center complex. The 210-acre site is located on the southern line of Technology Boulevard, approximately 4,700 feet north of its intersection with Portugee Road, on parcel 847-703-4371. The Director of Planning granted this request, subject to the following conditions:

1. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer.
2. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least 48 hours prior to the start of any County water or sewer construction.
3. The parking lot shall be subject to the requirements of Chapter 24, Section 24-98 of the Henrico County Code.
4. The parking spaces shall be marked on the pavement surface with four-inch-wide traffic painted lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall yellow.
5. Sufficient, effectively usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
6. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
7. The plan of development plan shall be revised as annotated on the staff plan dated March 25, 2020, which shall be as much a part of this approval as if details were fully described herein. Nine (9) sets of revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the

Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, a minimum of fourteen (14) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application.

8. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
10. All groundcover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced no later than the next planting season.
11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.
12. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.
13. The site, including the parking areas, shall be kept clean of litter and debris on a daily basis. Trash container units/litter receptacles and recycling containers shall be maintained with regular pickups scheduled and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan for review and approval.
14. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.
15. Traffic control signs shall be provided as indicated on the Department of Planning Staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.
16. The assigned property number(s) shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Planning Department must assign all property addresses.
17. The owner shall have a set of plans approved by the Director of Public Works, Public Utilities and Secretary of the Planning Commission available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
18. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of the Director of Planning.
19. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner shall furnish a statement by the engineer or land surveyor who prepared the POD plan, to the effect that all construction including water and sewer is in conformance to the regulations and requirements of the POD.

20. The approved Plan of Development is granted by the Director of Planning only to the owners(s)/applicant(s) listed on the Plan of Development application on file for this project. Upon written notification to the Director of Planning, the Plan of Development approval may be transferred to subsequent owner(s) subject to approval by the Planning Commission, or approval by the Director of Planning provided the property is transferred to new ownership no later than 24 months following initial construction plan approval.
21. Vehicles shall be parked only in approved and constructed parking spaces.
22. The name of this development, as designated in this approval, shall be the name used for marketing and public recognition purposes. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
23. The site, including paving, pavement markings, signage, curb and gutter, dumpster screens, walls, fences, lighting and other site improvements shall be properly maintained in good condition at all times. Any necessary repairs shall be made in a timely manner.
24. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
25. Insurance Services Office (ISO) calculations shall be included on the final construction plans for approval by the Department of Public Utilities prior to issuance of a building permit.
26. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
27. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
28. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
29. Details for the gate and locking device at the entrance gate shall be submitted for review by the Traffic Engineer, Police and approved by the County Fire Marshal. The owner or owner's contractor shall contact the County Fire Marshal prior to completion of the fence installation to test and inspect the operations of the gates. Evidence of the Fire Marshal's approval shall be provided to the Department of Planning by the owner prior to issuance of occupancy permits.
30. In order to maintain the effectiveness of the County's public safety radio communications system within buildings, the owner will install radio equipment that will allow for adequate radio coverage within the building, unless waived by the Director of Planning. Compliance with the County's emergency communication system shall be certified to the County by a communications consultant within ninety (90) days of obtaining a certificate of occupancy. The County will be permitted to perform communications testing in the building at anytime.
31. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing and hours of construction shall be submitted for County review and prior to the approval of any final construction plans.

32. Prior to issuance of a building permit, the developer must furnish a letter from Dominion Virginia Power stating that this proposed development does not conflict with their facilities.
33. The owners shall not begin clearing of the site until the following conditions have been met:
    (a) The site engineer shall conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements shall be shown.
    (b) After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner shall have the limits of clearing delineated with approved methods such as flagging, silt fencing or temporary fencing.
    (c) The site engineer shall certify in writing to the owner that the limits of clearing have been staked in accordance with the approved plans. A copy of this letter shall be sent to the Department of Planning and the Department of Public Works.
    (d) The owner shall be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details shall be included on the landscape plans for approval.
34. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction needed to implement this conceptual plan may be administratively reviewed and approved and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/ approval.
35. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
36. No construction traffic shall use Elko Road (State Route 156), Elko Tract Road (State Route 380), Portugee Road west of the site, and Portugee Road east of Technology Boulevard.
37. No tractor trailers shall use Elko Road (State Route 156), Elko Tract Road (State Route 380), Portugee Road west of the site, and Portugee Road east of Technology Boulevard.
38. The developer shall provide a telephone number for citizen concerns during any construction activity on site in order to respond to citizen concerns and complaints as expeditiously as possible.
39. The development and operations conducted on the property shall comply with the restrictive covenants applicable to White Oak Technology Park.
40. The proposed development is subject to final Development Review Board (DRB) approval. Any required changes by the DRB must be reflected in the POD and any subsequent plans.
41. The proposed architectural elevations are subject to final approval by the Development Review Board (DRB) and the Director of Planning. Any required changes by the DRB must be reflected in the architectural elevations and any subsequent drawings.

There may be a requirement for a Wetlands Permit from the U.S. Army Corps of Engineers. Further information on such a requirement should be obtained by contacting the Corps at 323- 3781. Also, you should be aware that a permit or permits may be required from the Virginia Department of Environmental Quality (DEQ). Please contact DEQ at (804) 527-5025 to determine the permit requirements of your proposed project.

Pursuant to Section 24-106(j) of the Code of Henrico, this approval shall expire on **April 14, 2025**, unless building permits have been obtained for construction in accordance therewith; or a single one-year extension of approval has been granted by the Director of Planning as provided therein; or further extension of approval is otherwise provided by Section 15.2-2261 of the Code of Virginia.

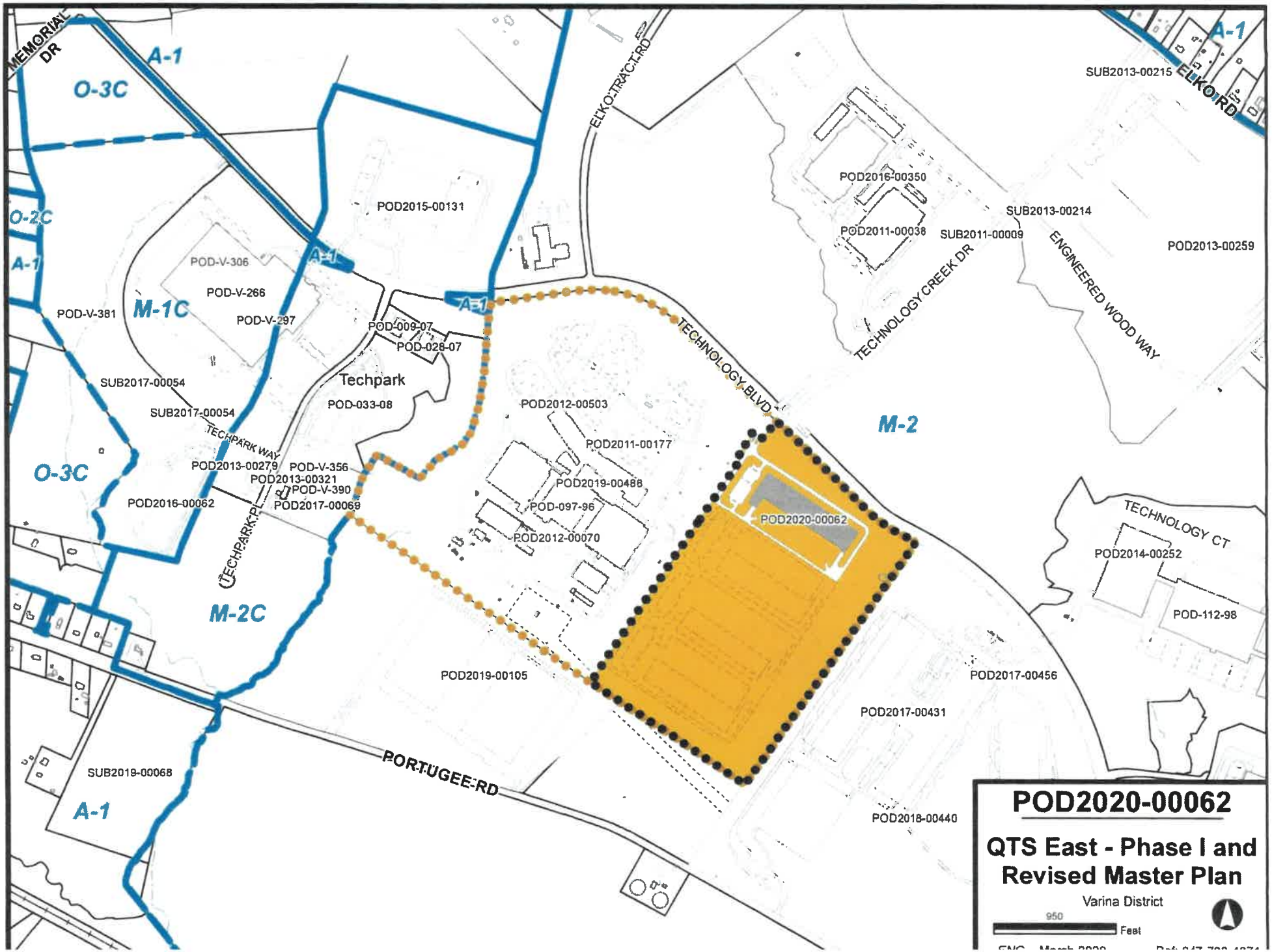
The approval of this plan of development satisfies only the requirements of Chapter 24, Section 24-106 of the Henrico County Code. The applicant shall be responsible for securing all necessary permits as required by law. A copy of the plan approved by the Director of Planning is available upon request.

When applying for your building permit, please attach two sets of the approved construction plans and refer to case **POD2020-00062.**

Sincerely,

Leslie A News for
R. Joseph Emerson, Jr., AICP
Director of Planning

pc: Deputy Zoning Conformance Officer
Building Official
Real Estate Assessment
Department of Public Utilities, Chief of Design
Department of Public Works
Division of Fire-Chief Fire Marshall
Townes Site Engineering, Attn: Mr. Zackary Wilkins, P.E.


MEMORIAL DR
A-1
O-3C
O-2C
A-1
M-1C
POD-V-381
POD-V-306
POD-V-266
POD-V-297
POD2015-00131
ELKO TRACT RD
POD-009-07
POD-026-07
Techpark
POD-033-08
SUB2017-00054
SUB2017-00054
TECHPARK WAY
POD2013-00279
POD2013-00321
POD-V-356
POD-V-390
POD2017-00069
POD2016-00062
TECHPARK PL
M-2C
O-3C
A-1
SUB2019-00068
PORTUGEE RD
POD2019-00105
POD2012-00503
POD2011-00177
POD2019-00488
POD-097-96
POD2012-00070
TECHNOLOGY BLVD
M-2
POD2020-00062
POD2016-00350
POD2011-00038
SUB2013-00214
SUB2011-00009
TECHNOLOGY CREEK DR
ENGINEERED WOOD WAY
POD2013-00259
SUB2013-00215
ELKO RD
A-1
TECHNOLOGY CT
POD2014-00252
POD-112-98
POD2017-00456
POD2017-00431
POD2018-00440
POD2020-00062
QTS East - Phase I and Revised Master Plan
Varina District
950
Feet

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

R. Joseph Emerson, Jr., AICP
Director of Planning
(804) 501-4602

March 23, 2022

Economic Development Authority of Henrico County
c/o Anthony Romanello
4300 E. Parham Road
Henrico, VA 23228

Quality Investment Property Richmond, LLC.
c/o Sarah Blue
12851 Foster Street, Suite 205
Overland Park, KS 66213

RE: POD2022-00062
Tract 10 Laydown Site

Sir/Madame:

The Director of Planning granted your request for approval of a Plan of Development as required by Chapter 24, Section 24-2314 of the Henrico County Code, to construct a laydown and storage site. The approximately 19.47-acre portion of the overall 213.7-acre site is located within White Oak Technology Park, on the south line of Portugee Road, approximately 3,750 feet west of the intersection of Portugee Road and Technology Boulevard, on parcel 845-700-3228 (part). The Director of Planning granted this request, subject to the following conditions:

1. The Plan of Development shall be revised as annotated on the staff plan dated March 16, 2022, which shall be as much a part of this approval as if details were fully described herein. Revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, plans for signature shall be submitted to the Department of Planning for approval signatures. The approved plan shall be attached to the building permit application.
2. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer.
3. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least 48 hours prior to the start of any County water or sewer construction.
4. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.

5. Traffic control signs shall be provided as required by the Department of Public Works and shall be maintained in good condition.
6. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
7. The owner shall have a set of plans approved by the Director of Public Works, Public Utilities and Director of Planning available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
8. The property shall be developed and maintained as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of the Director of Planning.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
10. The name of this development, as designated in this approval, shall be the name used for approval of future documents associated with this plan. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature
12. The assigned property number(s) shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 804-501-4602. The Planning Department must assign all property addresses.
13. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner shall furnish a statement by the engineer or land surveyor who prepared the Plan of Development, to the effect that all construction including water and sewer is in conformance to the regulations and requirements of the Plan of Development.
14. Plan of Development approval is granted to the owner/applicant to whom it is issued. Upon written notification to the Planning Director, the approval may be transferred to subsequent owners in accordance with Chapter 24, Section 24-2314.C.3.(c).(3).C of the county code.
15. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determined appropriate by the Director of Planning and in accordance with Section 24-5311 at the time of plan approval.
16. A plat for the widening of Portugee Road right-of-way, as shown on the approved plan, shall be submitted to the Real Property Division prior to approval of the construction plan, and shall be recorded prior to requesting occupancy permits for future buildings on the site. The developer shall provide evidence of recordation to the Director of Public Works
17. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
18. The temporary gravel areas shall be properly compacted and maintained at all times.

19. No construction traffic shall use Elko Road (State Route 156), Elko Tract Road (State Route 380), Portugee Road west of the site, and Portugee Road east of Technology Boulevard.
20. No tractor trailers shall use Elko Road (State Route 156), Elko Tract Road (State Route 380), Portugee Road west of the site, and Portugee Road east of Technology Boulevard.
21. The developer shall provide a telephone number for citizen concerns during any construction activity on site in order to respond to citizen concerns and complaints as expeditiously as possible.
22. The development and operations conducted on the property shall comply with the restrictive covenants applicable to White Oak Technology Park.
23. The proposed development is subject to final Development Review Board (DRB) approval. Any required changes by the DRB must be reflected in the POD and any subsequent plans.

There may be a requirement for a Wetlands Permit from the U.S. Army Corps of Engineers. Further information on such a requirement should be obtained by contacting the Corps at (804) 323-3781.

Also, you should be aware that a permit or permits may be required from the Virginia Department of Environmental Quality (DEQ). Please contact DEQ at (804) 527-5025 to determine the permit requirements of your proposed project.

Pursuant to Section 24-2314.C.5(c) of the Code of Henrico, this approval shall expire on **March 22, 2027**, unless building permits have been obtained for construction in accordance therewith; or a single one-year extension of approval has been granted by the Director of Planning as provided therein; or further extension of approval is otherwise provided by Section 15.2-2261 of the Code of Virginia.

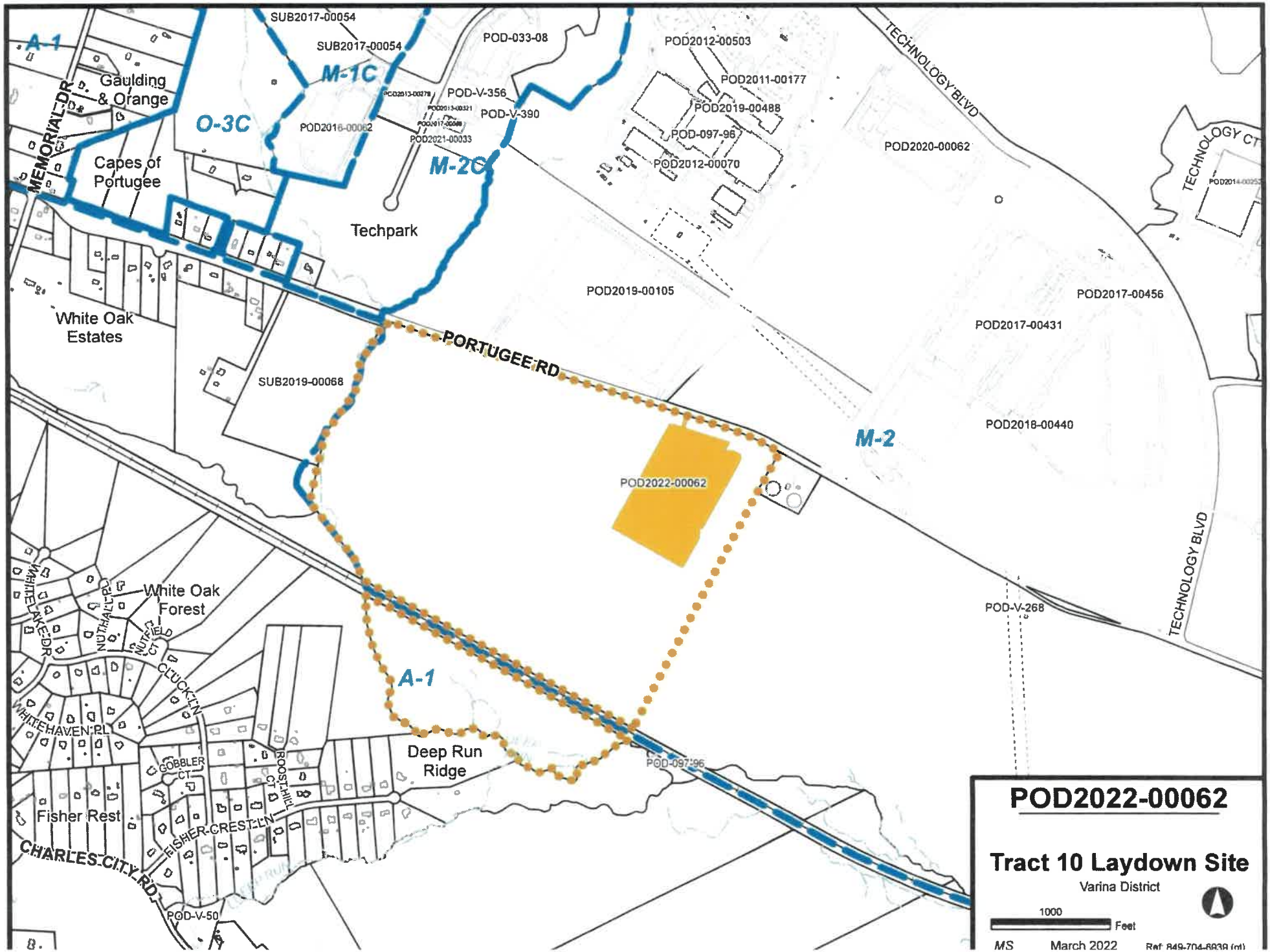
The approval of this Plan of Development satisfies only the requirements of Chapter 24, Section 24-2314 of the Henrico County Code. The applicant shall be responsible for securing all necessary permits as required by law. A copy of the plan approved by the Director of Planning is available upon request.

When applying for your building permit, please attach a complete electronic set of the approved, signed construction plans and refer to case **POD-2022-00062.**

Sincerely,

R. Joseph Emerson, Jr., AICP
Director of Planning

pc: Deputy Zoning Conformance Officer
Building Official
Real Estate Assessment
Department of Public Utilities, Chief of Design
Department of Public Works
Division of Fire-Chief Fire Marshall
Townes Site Engineering -Attn: Zackary Wilkins



POD2022-00062

Tract 10 Laydown Site

Varina District

1000 Feet

MS March 2022 Ref: 849-704-6939 (rl)

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

R. Joseph Emerson, Jr., AICP
Director of Planning
(804) 501-4602

September 28, 2022

SWO Logistics, LLC.
c/o Sarah Blue
12851 Foster Street, Suite 205
Overland Park, KS 66213

RE: POD2022-00345
QTS Tract 9 Master Plan

Sir/Madame:

The Director of Planning granted your request for approval of a Plan of Development as required by Chapter 24, Section 24-2314 of the Henrico County Code, to construct three two-story 334,150 square foot data center buildings and associated infrastructure, for a combined total of 1,002,450 square feet. The 67.96-acre site is located on the north side of Portugee Road, approximately 4,800 feet west of the intersection of Technology Boulevard and Portugee Road, on part of parcel 845-702-4965. The Director of Planning granted this request, subject to the following conditions:

1. The Plan of Development shall be revised as annotated on the staff plan dated **September 21, 2022**, which shall be as much a part of this approval as if details were fully described herein. Revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, plans for signature shall be submitted to the Department of Planning for approval signatures. The approved plan shall be attached to the building permit application.
2. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer.
3. The Director of the Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least 48 hours prior to the start of any County water or sewer construction.
4. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
5. Traffic control signs shall be provided as required by the Department of Public Works and shall be maintained in good condition.
6. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being

issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

7. The owner shall have a set of plans approved by the Director of Public Works, Public Utilities and Director of Planning available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
8. The property shall be developed and maintained as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of the Director of Planning.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
10. The name of this development, as designated in this approval, shall be the name used for approval of future documents associated with this plan. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, fixture specifications, and mounting height details shall be submitted for Department of Planning review and approval.
12. The assigned property number(s) shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 804-501-4602. The Planning Department must assign all property addresses.
13. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner shall furnish a statement by the engineer, surveyor, or landscape architect who supervised construction, that all improvements have been installed in substantial conformance with the approved plans, specifications, and County requirements.
14. Plan of Development approval is granted to the owner/applicant to whom it is issued. Upon written notification to the Planning Director, the approval may be transferred to subsequent owners in accordance with Chapter 24, Section 24-2314.C.3.(c).(3).C of the county code.
15. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determined appropriate by the Director of Planning and in accordance with Section 24-5311 at the time of plan approval.
16. A plat for the widening of Portugee Road right-of-way, as shown on the approved plan, shall be submitted to the Real Property Division prior to approval of the construction plan, and shall be recorded prior to requesting occupancy permits. The developer shall provide evidence of recordation to the Director of Public Works.
17. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
18. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing, and hours of construction shall be submitted for County review and prior to the approval of any final construction plans.
19. The owners shall not begin clearing of the site until the following conditions have been met:
    - The site engineer shall conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements shall be shown.

- After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner shall have the limits of clearing delineated with approved methods such as flagging, silt fencing or temporary fencing.
- The site engineer shall certify in writing to the owner that the limits of clearing have been staked in accordance with the approved plans. A copy of this letter shall be sent to the Department of Planning and the Department of Public Works.
- The owner shall be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details shall be included on the landscape plans for approval.

20. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction needed to implement this conceptual plan may be administratively reviewed and approved and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/ approval.
21. No construction traffic shall use Elko Road (State Route 156), Portugee Road east of Technology Boulevard, or Elko Tract Road (State Route 380).
22. No tractor trailers shall use Elko Road (State Route 156), Portugee Road east of Technology Boulevard, or Elko Tract Road (State Route 380).
23. The developer shall provide a telephone number for citizen concerns during any construction activity on site in order to respond to citizen concerns and complaints as expeditiously as possible.
24. The development and operations conducted on the property shall comply with the restrictive covenants applicable to White Oak Technology Park.
25. The proposed development is subject to Final Development Review Board (DRB) approval. Any required changes by the DRB must be reflected in the POD and any subsequent plans.
26. The proposed architectural elevations are subject to final approval by the Development Review Board (DRB) and the Director of Planning. Any required changes by the DRB must be reflected in the architectural elevations and any subsequent drawings.

There may be a requirement for a Wetlands Permit from the U.S. Army Corps of Engineers. Further information on such a requirement should be obtained by contacting the Corps at (804) 323-3781.

Also, you should be aware that a permit or permits may be required from the Virginia Department of Environmental Quality (DEQ). Please contact DEQ at (804) 527-5020 to determine the permit requirements of your proposed project.

Pursuant to Section 24-2314.C.5(c) of the Code of Henrico, this approval shall expire on **September 27, 2027**, unless building permits have been obtained for construction in accordance therewith; or a single one-year extension of approval has been granted by the Director of Planning as provided therein; or further extension of approval is otherwise provided by Section 15.2-2261 of the Code of Virginia.

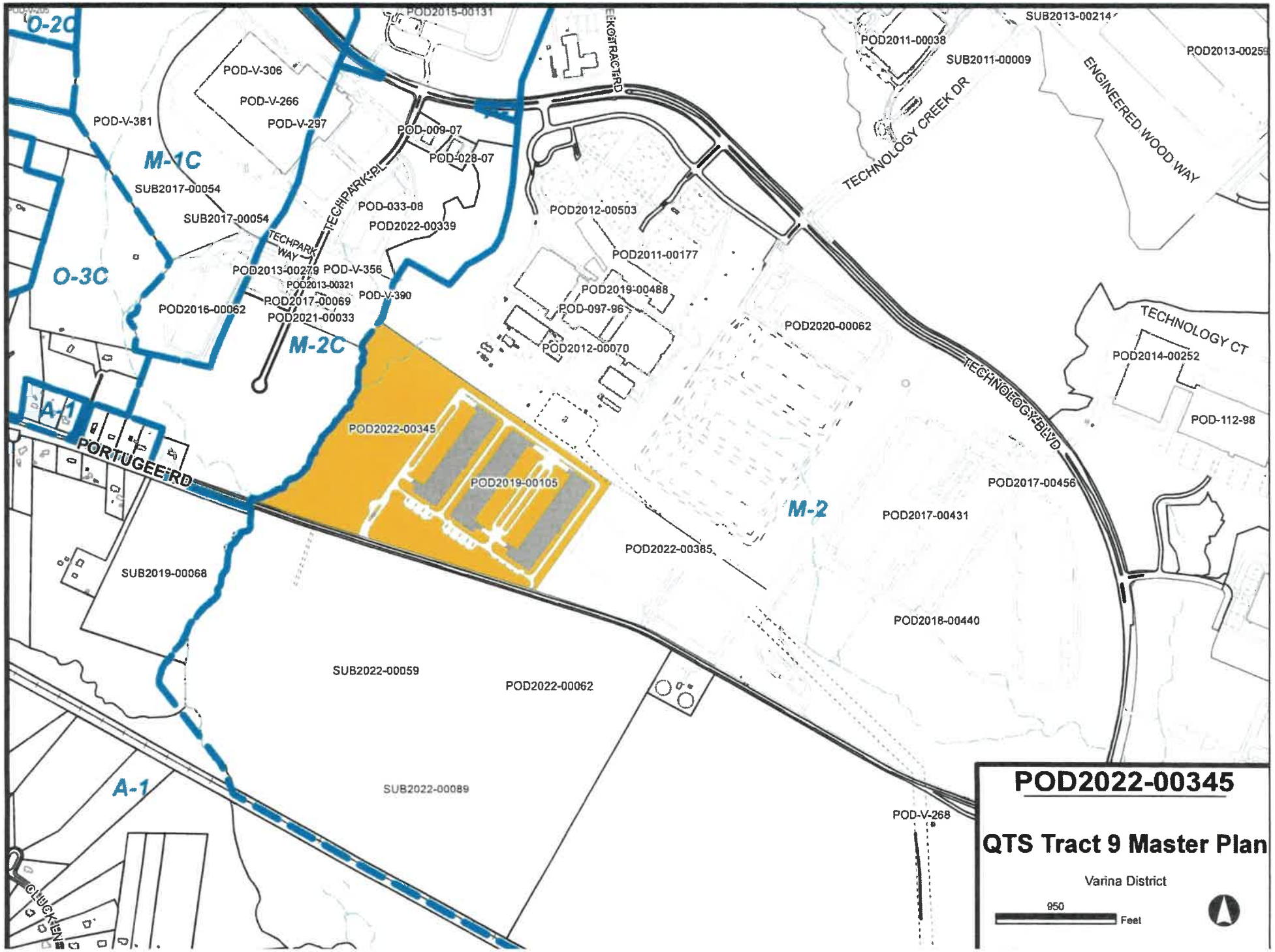
The approval of this Plan of Development satisfies only the requirements of Chapter 24, Section 24-2314 of the Henrico County Code. The applicant shall be responsible for securing all necessary permits as required by law. A copy of the plan approved by the Director of Planning is available upon request.

When applying for your building permit, please attach a complete electronic set of the approved, signed construction plans and refer to case **POD-2022-00345.**

Sincerely,

R. Joseph Emerson, Jr., AICP
Director of Planning

pc: Deputy Zoning Conformance Officer
Building Official
Real Estate Assessment
Department of Public Utilities, Chief of Design
Department of Public Works
Division of Fire-Chief Fire Marshall
Townes Site Engineering -Attn: Zackary Wilkins


O-2C
M-1C
O-3C
M-2C
A-1
M-2
A-1
POD2015-00131
EKOSTRACT RD
SUB2013-00214
POD2011-00038
SUB2011-00009
POD2013-00259
ENGINEERED WOOD WAY
TECHNOLOGY CREEK DR
POD-V-306
POD-V-266
POD-V-297
POD-V-381
POD-009-07
POD-028-07
TECHPARK PL
TECHPARK WAY
SUB2017-00054
SUB2017-00054
POD-033-08
POD2022-00339
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POD2011-00177
POD2013-00279
POD-V-356
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POD2017-00069
POD-V-390
POD2016-00062
POD2021-00033
POD2019-00488
POD-097-96
POD2012-00070
POD2020-00062
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POD-112-98
TECHNOLOGY BLVD
POD2022-00345
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PORTUGEE RD
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POD2022-00385
SUB2019-00068
POD2018-00440
SUB2022-00059
POD2022-00062
SUB2022-00089
POD-V-268
CLUCK EN
POD2022-00345
QTS Tract 9 Master Plan
Varina District
950
Feet

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

R. Joseph Emerson, Jr., AICP
Director of Planning
(804) 501-4602

October 25, 2023

SWO Logistics, LLC.
Attn: Laney Marinich
12851 Foster Street, Ste 205
Overland Park, KS 66213

RE: POD2023-00391
QTS Tract 10 Master Plan

Sir/Madame:

The Director of Planning granted your request for approval of a **Plan of Development,** master plan, and alternative landscape plan, as required by Chapter 24, Section 24-2314 of the Henrico County Code, to construct a total of five, two-story 360,000 square foot data centers, for a total of 1,800,000 square feet, an accessory substation to support the existing and proposed adjacent QTS facilities, an eight-foot fence within front setbacks, and associated support infrastructure. The 153.8-acre site is located on the south side of Portugee Road, approximately 4,700 feet west of its intersection with Technology Boulevard, on parcel 844-700-8852(part). The Director of Planning granted this request, subject to the following conditions:

1. The Plan of Development must be revised as annotated on the staff plan dated **October 18, 2023,** which will be as much a part of this approval as if details were fully described herein. Revised plans, including the detailed drainage, erosion control and utility plans, must be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, plans for signature must be submitted to the Department of Planning for approval signatures. The approved plan must be attached to the building permit application.
2. The owner must enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer.
3. The Director of the Department of Public Utilities must approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities must be notified at least 48 hours prior to the start of any County water or sewer construction.
4. Two copies of an Erosion and Sediment Control Agreement with required escrow must be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works must be notified at least 24 hours prior to the start of any construction.

5. Traffic control signs must be provided as required by the Department of Public Works and must be maintained in good condition.
6. The easements for drainage and utilities as shown on approved plans must be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information must be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
7. The owner must have a set of plans approved by the Director of Public Works, Public Utilities and Director of Planning available at the site at all times when work is being performed. A designated responsible employee must be available for contact by County Inspectors.
8. The property must be developed and maintained as shown on the plan filed with the case and no changes or additions to the layout will be made without the approval of the Director of Planning.
9. A detailed landscaping plan must be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
10. The name of this development, as designated in this approval, must be the name used for approval of future documents associated with this plan. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details must be revised as annotated on the staff plan and included with the construction plans for final signature.
12. The assigned property number(s) must be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 804-501-4602. The Planning Department must assign all property addresses.
13. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner must furnish a statement by the engineer, surveyor, or landscape architect who supervised construction, that all improvements have been installed in substantial conformance with the approved plans, specifications, and County requirements.
14. Plan of Development approval is granted to the owner/applicant to whom it is issued. Upon written notification to the Planning Director, the approval may be transferred to subsequent owners in accordance with Chapter 24, Section 24-2314.C.3.(c).(3).C of the county code.
15. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) must be identified on the landscape plan. All building mounted equipment must be painted to match the building, and all equipment must be screened by such measures as determined appropriate by the Director of Planning and in accordance with Section 24-5311 at the time of plan approval.
16. A plat for the widening of Portugee Road right-of-way, as shown on the approved plan, must be submitted to the Real Property Division prior to approval of the construction plan, and must be recorded prior to requesting occupancy permits. The developer must provide evidence of recordation to the Director of Public Works.
17. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.

18. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Department of Planning and approved prior to issuance of a certificate of occupancy for this development.
19. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing, and hours of construction must be submitted for County review and prior to the approval of any final construction plans.
20. The owners must not begin clearing of the site until the following conditions have been met:
    - The site engineer must conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements must be shown.
    - After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner must have the limits of clearing delineated with approved methods such as flagging, silt fencing or temporary fencing.
    - The site engineer must certify in writing to the owner that the limits of clearing have been staked in accordance with the approved plans. A copy of this letter must be sent to the Department of Planning and the Department of Public Works.
    - The owner will be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details must be included on the landscape plans for approval.
21. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction needed to implement this conceptual plan may be administratively reviewed and approved and will be subject to all regulations in effect at the time such subsequent plans are submitted for review/ approval.
22. No construction traffic shall use Elko Road (State Route 156), Portugee Road east of Technology Boulevard, or Elko Tract Road (State Route 380).
23. No tractor trailers shall use Elko Road (State Route 156), Portugee Road east of Technology Boulevard, or Elko Tract Road (State Route 380).
24. The developer shall provide a telephone number for citizen concerns during any construction activity on site in order to respond to citizen concerns and complaints as expeditiously as possible.
25. The development and operations conducted on the property shall comply with the restrictive covenants applicable to White Oak Technology Park.
26. The proposed development is subject to Final Development Review Board (DRB) approval. Any required changes by the DRB must be reflected in the POD and any subsequent plans.
27. The proposed architectural elevations are subject to final approval by the Development Review Board (DRB) and the Director of Planning. Any required changes by the DRB must be reflected in the architectural elevations and any subsequent drawings.

There may be a requirement for a Wetlands Permit from the U.S. Army Corps of Engineers. Further information on such a requirement should be obtained by contacting the Corps at (804) 323-3781.

Also, you should be aware that a permit or permits may be required from the Virginia Department of Environmental Quality (DEQ). Please contact DEQ at (804) 527-5020 to determine the permit requirements of your proposed project.

Pursuant to Section 24-2314.C.5(c) of the Code of Henrico, this approval shall expire on **October 24, 2028**, unless building permits have been obtained for construction in accordance therewith; or a single one-year extension of approval has been granted by the Director of Planning as provided therein; or further extension of approval is otherwise provided by Section 15.2-2261 of the Code of Virginia.

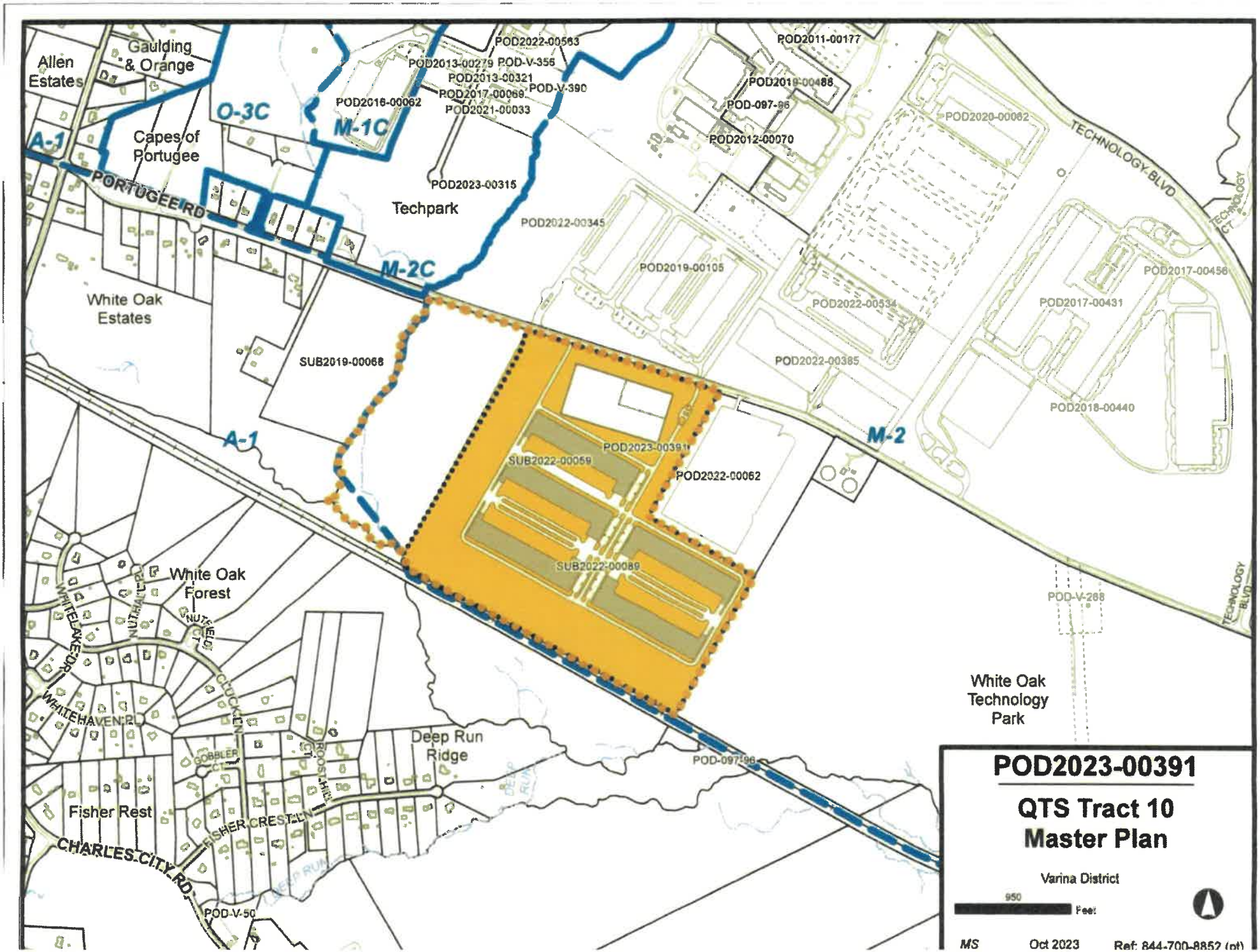
The approval of this Plan of Development satisfies only the requirements of Chapter 24, Section 24-2314 of the Henrico County Code. The applicant shall be responsible for securing all necessary permits as required by law. A copy of the plan approved by the Director of Planning is available upon request.

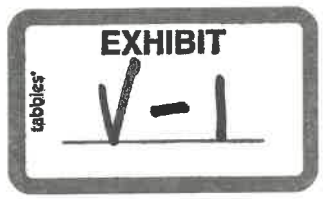
When applying for your building permit, please attach a complete electronic set of the approved, signed construction plans and refer to case **POD2023-00391.**

Sincerely,

R. Joseph Emerson, Jr., AICP
Director of Planning

pc: Deputy Zoning Conformance Officer
Building Official
Real Estate Assessment
Department of Public Utilities, Chief of Design
Department of Public Works
Division of Fire-Chief Fire Marshall
Townes Site Engineering – Attn: Zack Wilkins


Allen Estates
Gaulding & Orange
Capes of Portugee
O-3C
M-1C
A-1
PORTUGEE RD
M-2C
Techpark
White Oak Estates
POD2022-00563
POD2013-00279
POD-V-355
POD2013-00321
POD2017-00069
POD-V-390
POD2016-00062
POD2021-00033
POD2023-00315
POD2011-00177
POD2019-00488
POD-097-96
POD2012-00070
POD2020-00082
TECHNOLOGY BLVD
POD2022-00345
POD2019-00105
POD2022-00534
POD2017-00456
POD2017-00431
POD2022-00385
POD2018-00440
SUB2019-00068
A-1
M-2
POD2023-00391
SUB2022-00059
POD2022-00062
SUB2022-00089
White Oak Forest
WHITELAKE DR
NUTHATCH PL
NUTHATCH CT
CLUCKENDEN CT
WHITEHAVEN PL
GOBBLER CT
ROOSTHILL CT
Deep Run Ridge
POD-097-96
POD-V-268
White Oak Technology Park
Fisher Rest
FISHER CREST LN
CHARLES CITY RD
POD-V-50
POD2023-00391
QTS Tract 10
Master Plan
Varina District
950
Feet
MS
Oct 2023
Ref: 844-700-8852 (pt)



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

August 28, 2025

R.J. Emerson, Jr., AICP
Director of Planning
(804) 501-4602

QTS Richmond IV LLC
QTS Richmond V LLC
c/o DLA PIPER LLP
One Fountain Square
11911 Freedom Drive, Suite 300
Reston, Virginia 20190-5602
Attention: Antonio Calabrese, Esquire

RIC4 and RIC5 Properties
Varina District, Henrico County, Virginia

Re: Vested Rights Determination

This is in response to your request on behalf of QTS Richmond IV LLC and QTS Richmond V LLC (collectively, the "Owner") for a vested rights determination concerning certain real estate known as the RIC4 Property (consisting of GPIN: 847-705-8696, 849-704-5300, 854-702-9520, and 850-704-1193) and the RIC5 Property (consisting of GPIN: 840-713-3163, 841-710-2304, 841-712-4360, 842-709-8618, 842-712-1529, 842-712-5063, 843-708-9028, 843-711-6375, 843-711-6508, 843-712-6388, 844-709-3698, and 844-712-3071) (collectively, the RIC4 Property and RIC5 Property are referred to as the "Properties").

The RIC4 Property is zoned M-2, General Industrial District, and not subject to any conditions or overlay districts. The RIC5 Property is zoned M-1C, Light Industrial District (Conditional), and is subject to the proffered conditions approved in REZ-2023-100017.

On June 10, 2025, the Board of Supervisors of Henrico County amended the County's Zoning Ordinance. A copy of the amendments is attached as Exhibit A (the "Amendments"). The Amendments change the zoning regulations for data centers. Most notably, the Amendments require a provisional use permit for data centers as a principal use in the M-1 and M-2 districts.

Prior to the Amendments, Owner received approval of two Plans of Development ("POD") for specific data center projects on the Properties (the "Projects"). Owner has pursued the Projects in good faith reliance on these approvals and has incurred substantial expenses in diligent pursuit of the Projects in accordance with the approvals.

Determination

With the concurrence of the County Attorney, I have determined that Owner has a vested right under Code of Virginia § 15.2-2307 to develop and operate the Projects on the Properties as a principal use without a provisional use permit in accordance with the regulations applicable to the Projects under the Henrico County Zoning Ordinance in effect prior to the Amendments.

Owner remains responsible for obtaining all other necessary permits and development approvals required by law and the Zoning Ordinance in effect prior to the Amendments. This includes, without limitation, building permits for any development of the Properties, compliance with the proffered conditions applicable to the RIC5 Property, and compliance with the PODs for each Property, except that the POD for the RIC5 Property may be amended or superseded in any manner that is consistent with the proffered conditions applicable to the RIC5 Property and the Zoning Ordinance in effect prior to the Amendments. Owner and its successors in interest will retain this vested right for as long as the Properties are used for the Projects.

Findings of Fact and Conclusions of Law

I make the following findings of fact and conclusions of law in support of my determination:

1. Code of Virginia § 15.2-2286(A)(4) provides that zoning ordinances may provide for the "appointment or designation of a zoning administrator" whose authority includes "in specific cases, making findings of fact and, with concurrence of the attorney for the governing body, conclusions of law regarding determinations of rights accruing under § 15.2-2307 or subsection C of § 15.2-2311."

2. Pursuant to Henrico Code § 24-2105, I am designated to serve as the "zoning administrator" for the County in my position as Planning Director.

3. The Office of the County Attorney was created by the Board of Supervisors, pursuant to Code of Virginia § 15.2-633, and the County Attorney serves as counsel to the Board.

4. Pursuant to Henrico Code § 24-2317(B)(5), I am "responsible for making.... [i]nterpretations of whether rights have been vested, with the concurrence of the County Attorney."

5. Code of Virginia § 15.2-2307(A) provides that a "landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner (i) obtains or is the beneficiary of a significant affirmative governmental act which remains in effect allowing development of a specific project, (ii) relies in good faith on the significant affirmative governmental act, and (iii) incurs extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the significant affirmative governmental act."

6. Code of Virginia § 15.2-2307(B) provides that "the following are deemed to be significant affirmative governmental acts allowing development of a specific project: (i) the governing body has accepted proffers or proffered conditions which specify use related to a zoning amendment; (ii) the governing body has approved an application for a rezoning for a specific use or density; (iii) the governing body or board of zoning appeals has granted a special exception or use permit with

conditions; (iv) the board of zoning appeals has approved a variance; (v) the governing body or its designated agent has approved a preliminary subdivision plat, site plan or plan of development for the landowner's property and the applicant diligently pursues approval of the final plat or plan within a reasonable period of time under the circumstances; (vi) the governing body or its designated agent has approved a final subdivision plat, site plan or plan of development for the landowner's property; or (vii) the zoning administrator or other administrative officer has issued a written order, requirement, decision or determination regarding the permissibility of a specific use or density of the landowner's property that is no longer subject to appeal and no longer subject to change, modification or reversal under subsection C of § 15.2-2311."

Significant Affirmative Governmental Act

7. Owner obtained a significant affirmative governmental act prior to the Amendments for the development and operation of the Projects, which consist of data centers and related improvements.

    a. Factor (i) of Code of Virginia § 15.2-2307(A) provides that a "landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner (i) obtains or is the beneficiary of a significant affirmative governmental act which remains in effect allowing development of a specific project. . . ."

    b. Code of Virginia § 15.2-2307(B) provides that "the following are deemed to be significant affirmative governmental acts allowing development of a specific project: (i) the governing body has accepted proffers or proffered conditions which specify use related to a zoning amendment. . . . [or] (vi) the governing body or its designated agent has approved a final subdivision plat, site plan or plan of development for the landowner's property. . . .""

    c. For both Properties, I approved PODs allowing the development of specific data center projects on the Properties. Copies of the POD approval letters are attached as Exhibit C. I find the approval of the PODs to be a significant affirmative governmental act under Code of Virginia § 15.2-2307(B)(vi).

    d. For the RIC5 Property, the Board of Supervisors approved REZ2023-100017 on May 21, 2024, and that rezoning included proffered conditions expressly allowing data centers to be developed on the Property and requiring the design and construction of data centers to incorporate certain measures. A copy of the rezoning approval is attached as Exhibit B. I find this approval to be a significant affirmative governmental act under Code of Virginia § 15.2-2307(B)(i), that is in addition to the POD approval for the RIC5 Property and independently sufficient to create a vested right in the portions of the Projects planned for that Property. Accordingly, Owner may amend or supersede the

POD approval for those portions of the Projects planned for the RIC5 Property, as long as the new POD is consistent with the proffered conditions approved in REZ2023-100017 and the Zoning Ordinance in effect prior to the Amendments.

Good Faith Reliance

8. Factor (ii) of Code of Virginia § 15.2-2307(A) provides that a "landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner. . . . (ii) relies in good faith on the significant affirmative governmental act. . . ."

9. In reliance on the significant affirmative governmental acts, you report that Owner has:

    a. Commissioned and completed detailed engineering and architectural designs;

    b. Engaged consultants and contractors for site development and utility coordination;

    c. Submitted applications for environmental and infrastructure permits;

    d. Entered into agreements for utility extensions and service commitments; and

    e. Performed site preparation and grading activities.

10. I find that Owner undertook these steps in good faith reliance on the significant affirmative governmental acts because (i) the acts occurred prior to the Amendments and (ii) none of the acts have been changed, modified, reversed, or appealed since their approval.

Diligent Pursuit

11. Factor (iii) of Code of Virginia § 15.2-2307(A) provides that a "landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner. . . . (iii) incurs extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the significant affirmative governmental act."

12. You report that Owner has incurred millions of dollars in expenses and obligations for the Projects, including:

    a. Pre-construction contracts and commitments for infrastructure improvements;

    b. Acquisition of specialized equipment and materials for data center development; and

c. Legal and administrative costs associated with securing and maintaining the necessary approvals for the Projects.

13. Accordingly, I find that Owner has incurred extensive obligations and substantial expenses in diligent pursuit of the Projects in good faith reliance on the significant affirmative governmental acts.

Notice of Right to Appeal

Any person aggrieved or any officer, department, board or bureau of the locality affected by this determination has the right to appeal this determination to the Board of Zoning Appeals within 30 days in accordance with Code of Virginia § 15.2-2311. The appeal fee is $300. Additional information regarding the filing of an appeal may be obtained from the Planning Department, 4301 East Parham Road, Henrico, VA 23228 (804.501.4602), which is open 8:00 a.m. to 4:30 p.m., Monday through Friday. If this determination is not appealed within 30 days in accordance with Code of Virginia § 15.2-2311, this determination will be final and unappealable.

Sincerely,

R. Joseph Emerson, Jr., AICP
Director of Planning

Concur:

Andrew R. Newby, Esq.
County Attorney

Exhibit A

Zoning Ordinance Amendments Approved June 10, 2025

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 143-25
Page No. 1 of 1

Agenda Title: ORDINANCE — See attached

For Clerk's Use Only:
Date: 6/10/2025
(✓) Approved
( ) Denied
( ) Amended
( ) Deferred to:

BOARD OF SUPERVISORS ACTION
1) amend
2) approve as amended
Moved by (1) Nelson Seconded by (1) Roundtree
(2) Nelson (2) Copple
REMARKS: APPROVED

YES	NO	OTHER
Cooper, R. ✓		
Nelson, T. ✓		
Rogish, J. ✓		
Roundtree, M. ✓		
Schmitt, D. ✓		

After a duly advertised public hearing, the Board of Supervisors of Henrico County adopted the attached ordinance.

Comments: This ordinance was considered at a public hearing on June 10, 2025. The Director of Planning recommends approval of the ordinance, and the County Manager concurs.

By Agency Head _____ By County Manager _____

Copy to: _____

Certified:
A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

As Amended and Approved by the Board of Supervisors on June 10, 2025

ORDINANCE — To Amend and Reordain Section 24-3406 Titled "O-3 Office District," Section 24-4205 Titled "Principal Use Table," Section 24-4319 Titled "Commercial Uses: Offices," Section 24-4328 Titled "Industrial Uses: Services Uses," Section 24-4402 Titled "Accessory Use or Structure Table," Section 24-5110 Titled "Minimum Number of Off-Street Parking Spaces," Section 24-8405 Titled "Commercial Use Classification," Section 24-8406 Titled "Industrial Use Classification," and Section 24-8501 Titled "Accessory Uses, Temporary Uses, and Other Terms," and to Add a New Section 24-4438 Titled "Accessory Data Center (as Accessory to an Office or Industrial Use)" of the Code of the County of Henrico to Require a Provisional Use Permit for Data Centers as a Principal Use and Establish Development Standards for Data Centers

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 24-3406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3406. O-3 Office District

A. Purpose

The purpose of the O-3 Office District is to provide lands primarily for offices, office buildings and limited retail uses that are generally compatible with higher-density residential development and served by arterial thoroughfares. Allowed uses include:

- Offices including medical, artist studios, and professional services;
- Limited retail such as financial institutions, restaurants, drug stores, theaters, convenience stores;
- Childcare and adult care, hospitals, and funeral homes;
- ~~Data centers;~~
- Trade schools; and
- Hotels

....

2. That Section 24-4205 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4205. Principal Use Table

Principal uses are allowed in each of the zoning districts in accordance with 4205: Principal Use Table. The cross-references in the "Use Specific Standards" column are provided for ease of reference and are not exhaustive.

Table 4205: Principal Use Table

R=Permitted by right | C=Allowed subject to conditional use permit | P=Allowed subject to provisional use permit
- =Prohibited | A=Allowed subject to an approved PD Master Plan and PD Terms and Conditions Document

Use Category Click on category to jump to definitions	Use Type	C&A		Residential														Nonresidential & Mixed-Use										PD				FBA-O Dev. Area						Use-Specific Standards Click on section number to jump to regulations
		C-1	A-1	R-0	R-0A	R-1	R-1A	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5A	R-5B	R-5	R-G	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
....																																							
Commercial Use Classification																																							
....																																							
Office	....																																						
	~~Data center~~	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	R	R	R	R	R	R	R	-	-	-	A	-	-	-	-	-	-	R	~~Sec. 24-4319~~
	....																																						
....																																							
Industrial Use Classification																																							
....																																							
Industrial Services	Contractor services	....																																					
	Data Center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	A	-	-	-	-	-	-	P	**Sec. 24-4328**
	Fuel oil or bottled gas distributor	....																																					
	....	....																																					
....																																							

3. That Section 24-4319 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4319. Commercial Uses: Offices

In addition to the requirements of Sec. 24-4315, All Commercial Uses, the following requirements apply to offices as a principal use.

....

B. ~~Data Centers~~ Reserved

~~For data centers in all districts except the M-1, M-2, and M-3 districts, all equipment necessary for cooling, ventilating, or otherwise operating the facility must be contained within an enclosed building where the use is located. This includes emergency power generators and other emergency power supply equipment.~~

4. That Section 24-4328 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4328. Industrial Uses: Services Uses

In addition to the requirements of Sec. 24-4326, Industrial Uses Generally, the following requirements apply to industrial service uses.

....

B. Data Centers

1. All equipment necessary for operating the data center must be contained within an enclosed building or screened by opaque walls to minimize transmission of sound. This includes equipment for cooling and ventilating, as well as emergency power generators and other emergency power supply equipment.

2. Generators for a data center must not be operated other than during emergency power outages and for testing and maintenance. Testing and maintenance of generators for a data center must be conducted only Monday-Friday between 10:00 a.m. and 4:00 p.m.

3. A data center must be served by public water and sewer. Any water cooling must use a closed-loop or recycled water system, unless another cooling system is approved for the data center as part of a provisional use permit.

BC. Heavy Equipment Sales, Rental, and Service

....

CD. Laundry, Dry Cleaning, and Carpet Cleaning Plants

....

DE. Research and Development Facility

....

5. That Section 24-4402 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4402. Accessory Use or Structure Table

....

E. Accessory Use or Structure Table

Accessory uses and structures are allowed in each of the zoning districts in accordance with Table 4402: Accessory Use or Structure Table.

Table 4402: Accessory Use or Structure Table
R=Permitted by right | C=Allowed subject to conditional use permit | P=Allowed subject to provisional use permit
- =Prohibited | A=Allowed subject to an approved PD Master Plan and PD Terms and Conditions Document

Accessory Use or Structure	C&A		Residential													Nonresidential & Mixed-Use										PD			FBA-O Dev. Area							Specific Standards for Use or Structure
	C-1	A-1	R-0	R-0A	R-1	R-1A	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5A	R-5B	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2	M-3	SMX-PD	TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center	Neighborhood Gen.	Connected Edge	Highway Edge	
....																																						
Cremation chamber (as accessory to a funeral home or a veterinary hospital or clinic)	....																																					
Data center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	R	R	R	-	R	R	R	R	R	-	-	-	A	-	-	-	-	-	-	R	Sec. 24-4438
Donation box	....																																					
....																																						

6. That Section 24-4438 be added to the Code of the County of Henrico as follows:

Sec. 24-4438. Accessory Data Center (as Accessory to an Office or Industrial Use)

A data center is allowed as an accessory use to an office or industrial use, subject to the following standards in addition to the standards of Sec. 24-4328.B:

A. The accessory data center and the office or industrial use to which it is accessory must be located on the same or adjacent premises.

B. All equipment necessary for operating the data center must be contained within an enclosed building or screened by opaque walls to minimize transmission of sound. This includes equipment for cooling and ventilating, as well as emergency power generators and other emergency power supply equipment.

7. That Section 24-5110 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5110. Minimum Number of Off-Street Parking Spaces

....

Table 5110: Minimum Number of Off-Street Parking Spaces

Principal Use Category	Principal Use Type	Minimum Off-Street Parking Spaces [1, 2]
	....	
Commercial Uses		
....		
Offices	....	....
	Business training and conference facility	4.0 per 1,000 sf training or display space, plus 2 per 1,000 sf office or other administrative space
	~~Data center~~	~~2.0 per 1,000 sf offices~~
	Professional services	2.5 per 1,000 sf
....		
Industrial Uses		
Industrial Services	Contractor services, in addition to spaces required for service vehicles	2.0 per 1,000 sf
	Data center	**2.0 per 1,000 sf of office space**
	Fuel oil or bottled gas distributor	2.0 per 1,000 sf
	....	....

Table 5110: Minimum Number of Off-Street Parking Spaces		
Principal Use Category	**Principal Use Type**	**Minimum Off-Street Parking Spaces [1, 2]**
....		

8. That Section 24-8405 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8405. Commercial Use Classification

....

D. Office

The Office uses category includes office buildings housing activities conducted in a professional setting, generally focusing on the provision of business services, professional services (e.g., lawyers, accountants, engineers, architects), financial services (e.g., lenders, brokerage houses, tax preparers), or medical and dental services. Use types include: business and sales; and professional services. This use category does not include offices that are a component of or accessory to a principal use in another use category, such as administrative government services (categorized in the Government Facilities use category), or banks or other financial institutions (categorized in the Retail Sales and Services use category). Accessory uses may include cafeterias, recreational or fitness facilities, incidental commercial uses, **an accessory data center serving a principal use on the same or adjacent premises,** or other amenities primarily for the use of employees of the office use.

....

~~**Data center**~~

~~A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Typical supporting equipment includes back-up batteries and power generators, cooling units, fire suppression systems, and enhanced security features. A data center typically has few on-site employees.~~

....

....

9. That Section 24-8406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8406. Industrial Use Classification

....

B. Industrial Services

The Industrial Services use category includes use types involving the **support,** repair**,** or servicing of industrial or business machinery equipment, products, or by-products, and firms

that service consumer goods for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. The category also includes use types involving the storage or movement of goods. Use types include: contractor service; **data center;** fuel oil or bottled gas distributor; general industrial service and repair; heavy equipment sales, rental, and service; laundry, dry cleaning, and carpet cleaning plants; manufactured home and prefabricated building construction and sales; research and development; and similar use types.

Contractor services
Offices for landscaping, building, heating, plumbing, or electrical contractors, and related storage facilities.

Data center
A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Typical supporting equipment includes back-up batteries and power generators, cooling units, fire suppression systems, and enhanced security features. A data center typically has few on-site employees.

Fuel oil or bottled gas distributor
An establishment principally engaged in the sale, distribution, and delivery of fuel oil or bottled gases such as propane or liquified petroleum.

••••

••••

10. That Section 24-8501 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8501. Accessory Uses, Temporary Uses, and Other Terms

The following terms will have the meanings assigned below.

••••

Damaged or destroyed building

A damaged or destroyed building or structure is one for which the cost of restoring the building or structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred.

Data center as an accessory use

A facility containing computer systems used for data storage and processing that is accessory to an office or industrial use on the same or adjacent premises.

Debris waste

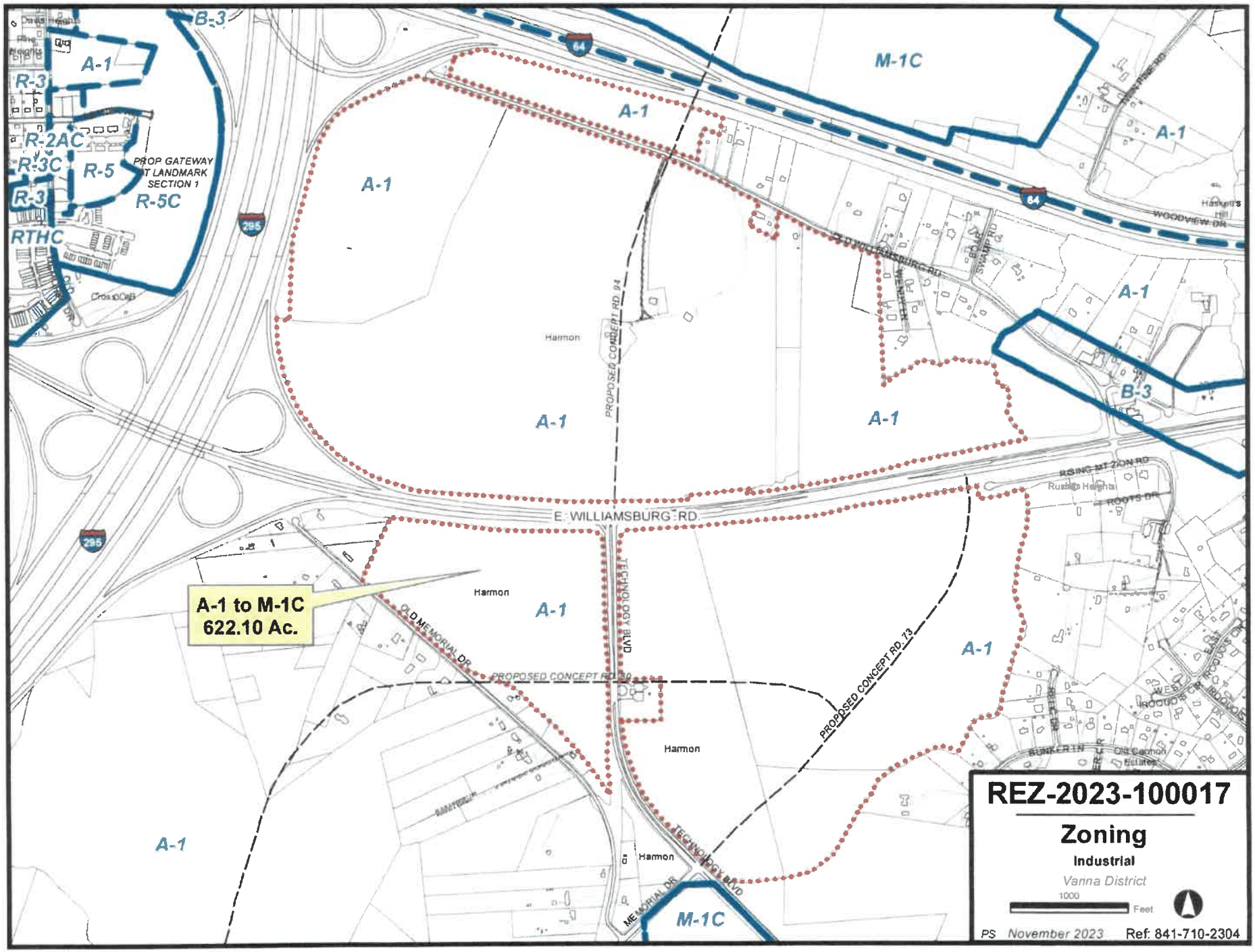
Solid waste resulting from land clearing operations. Debris wastes include stumps, wood, brush, leaves, soil, and road spoils.

••••

11. That this ordinance will be in full force and effect on and after its passage as provided by law.

Exhibit B

REZ-2023-100017


A-1 to M-1C
622.10 Ac.
REZ-2023-100017
Zoning
Industrial
Vanna District
1000
Feet
PS November 2023
Ref: 841-710-2304
B-3
A-1
R-3
R-2AC
R-3C
R-5
R-3
R-5C
RTHC
PROP GATEWAY AT LANDMARK SECTION 1
M-1C
E. WILLIAMSBURG RD.
PROPOSED CONCEPT RD. 84
PROPOSED CONCEPT RD. 73
TECHNOLOGY BLVD
OLD MEMORIAL DR
MEMORIAL DR
Harmon
WOODVIEW DR
ROOTS DR
RISING MT ZION RD
Russells Heights
BUNKER LN
Old Common Estates
295
64

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

John A. Vithoulkas
County Manager

May 21, 2024

HD CVA, LLC
411 East Franklin St., Ste. 400
Richmond, VA 23219

Re: Rezoning Case REZ-2023-100017

Dear Sir/Madam:

The Board of Supervisors at its meeting on May 14, 2024, approved your request to conditionally rezone from A-1 Agricultural District to M-1C Light Industrial District (Conditional) parcels 840-713-3163, 841-710-2304, 841-712-4360, 842-709-8618, 842-712-1529, 842-712-5063, 843-708-9028, 843-711-6375, 843-711-6508, 843-712-6388, 844-709-3698, and 844-712-3071 containing 622.1 acres located on the north and south lines of E. Williamsburg Road (U.S. Route 60) at its intersection with Technology Boulevard, described as follows:

Description of combined Parcels "A-J"

Description of several parcels of land containing approximately 346.4 acres, more or less, in accordance with a plat entitled "compiled exhibit map showing 622.1± acres lying north and south of Williamsburg Road - U.S. Route 60", Varina District, Henrico County, Virginia, dated November 9, 2023 and shown as Parcels "A through J", said combined parcels being more fully described as follows:

Beginning at a point located at the intersection of the east line of Interstate 295 and the south line of Old Williamsburg Road - thence continuing along the south line of Old Williamsburg Road S 71°31'17" E, 805.71' to a point; thence S 71°29'34" E, 1385.07' to a point; thence, along a tangent curve to the right with a radius of 1874.01', an arc length of 279.20' a delta of 08°32'10", the chord of which bears S 67°13'29" E for a chord distance of 278.94' to a point; thence S 62°57'24" E, 573.56' to a point, thence S 26°26'22" W, 210.00' to a point; thence S 62°55'29" E, 314 55' to a point; thence N 0°06'49" E, 235.73' thence S 62°57'24" E, 235.25' to a point; thence S 62°56'50" E, 132.03' to a point; thence, along a non-tangent curve to the left having a radius of 1950.00', an arc length of 257.55', a delta of 07°34'03", a chord of which bears S 66°42'47" E for a chord distance of 257.36' to a point; thence S 70°32'48" E, 177.32' to a point; thence S 70°30'34" E, 132.08' to a point; thence leaving the south line of the said Old Williamsburg Road, S 03°29'34" E, 535.68' to a point; thence S 03°28'28" E, having passed through a survey tie line point at 426.51' and thence continuing for a total approximate distance of 548' to a point in the center of Swamp Creek; thence continuing approximately 828' along the center of said Swamp Creek to a point along the north line of Williamsburg Road – U.S. Route 60 and

having the following five survey tie line courses beginning from the aforesaid survey tie line point: (1) thence N 85°18'26" E, 248.63' to a point; (2) thence N 82°05'10" E, 238.02' to a point; (3) thence N 77°22'43" E, 218.83' to a point; (4) thence S 87°07'46" E, 272.89' to a point; (5) thence S 13°35'57" E, 727.90' to a point; thence leaving the center of said Swamp Creek and continuing with the north line of said Williamsburg Road – U.S. Route 60 from S 78°22'20" W, approximately 820' and having a distance from the survey tie line point of 770.17' to a point; thence S 75°58'17" W, 350.89' to a point; thence S 80°03'25" W, 779.27' to a point; thence S 79°51'44" W, 80.11' to a point; thence S 89°51'24" W, 122.84' to a point; thence S 83°44'08" W, 177.76' to a point; thence S 83°41'09" W, 592.19' to a point; thence S 14°44'54" E, 29.04' to a point; thence S 89°24'13" W, 732.18' to a point; thence S 89°14'12" W, 246.43' to a point; thence N 85°56'58" W, 1275.64' to a point; thence N 73°37'17" W, 389.45' to a point along the east line of Interstate 295; thence continuing with the east line of the said interstate 295 N 59°13'19" W, 335.42' to a point; thence N 47°47'32" W, 294.24' to a point; thence N 35°15'33" W, 282.34' to a point; thence N 24°06'10" W, 288.67' to a point; thence N 13°41'11" W, 289.19' to a point; thence N 01°17'51" E, 224.32' to a point; thence leaving the east line of the said Interstate 295. S 76°04'43" E, 114.33' to a point; thence N 02°10'48" E, 692.38' to a point along the east line of said Interstate 295; thence continuing along the east line of the said Interstate 295, N 15°30'32" E, 533.83' to a point; thence N 14°41'58" E, 78.97' to a point; thence N 16°06'15" E, 257.61' to a point; thence N 33°08'40" E, 234.73' to a point; thence N 52°21'47" E, 179.65' to a point; thence N 66°45'09" E, 570.57' to a point; thence N 63°11'01" E, 48.60' to a point; the point of beginning, containing: approximately 346.4 acres of land, more or less.

DESCRIPTION OF PARCEL "P"

Description of a parcel of land containing 17.979 acres, more or less, in accordance with a plat entitled "compiled exhibit map showing 622.1± acres lying north and south of Williamsburg Road - U.S. Route 60", Varina District, Henrico County, Virginia, dated November 9, 2023 and shown as Parcel "P", said parcel being more fully described as follows: beginning at an iron rod set along the north right-of-way line of Old Williamsburg Road located 170' southeast of its terminus and intersection with the southern right-of-way line of Interstate 295, said iron rod set being the point and place of beginning of Parcel A, thence leaving the right-of-way of said Old Williamsburg Road N 18°32'02" E, 165.59' to an iron rod set along the southern right-of-way line of said Interstate 295; thence continuing along the right-of-way of the said Interstate 295, N 65°02'45" E, 55.28' to a VDOT monument found; thence N 78°40'56" E, 208.72' to a VDOT monument found along the southern right-of-way line of Interstate 64; thence continuing with right-of-way of said Interstate 64, S 74°26'57" E, 106.67' to an iron rod found; thence S 74°22'37" E, 857.22' to an iron rod found; thence S 74°22'19" E, 359.42' to an iron rod found; thence S 75°57'48" E, 383.72' to an iron rod found; thence S 71°01'32" E, 390.83' to an iron rod found; thence leaving the said right-of-way S 11°28'32" W, 146.76' to an iron rod found; thence N 70°59'02" W, 152.18' to an iron rod found; thence S 11°30'51" W, 278.07' to an iron rod found along the northern right-of-way of old Williamsburg Road; thence,

continuing with the said right-of-way along a non-tangent curve to the left having a radius of 1954.01', an arc length of 274.88', a delta of 08°03'37", a chord of which bears N 67°27'32" W for a chord distance of 274.66' to an iron rod found; thence N 71°29'18" W, 1941.95' to the point of beginning, containing: 17.979 acres of land, more or less.

DESCRIPTION OF PARCEL K

Description of a parcel of land containing 60.557 acres, more or less, in accordance with a plat entitled "compiled exhibit map showing 622.1± acres lying north and south of Williamsburg Road - U.S. Route 60", Varina District, Henrico County, Virginia, dated November 9, 2023 and shown as Parcel "K", said parcel being more fully described as follows: beginning at a found rod at the intersection of the south line of Williamsburg Road U.S. Route 60 with the west line of Technology Boulevard, said point being the true and actual point of beginning thence, from said point of beginning, along the west line of said Technology Boulevard S 48°41'03" E, 75.53' to a found rod; thence continuing along the west line of said Technology Boulevard, S 10°31'25" E, 6.35' to a set rod; thence continuing along the west line of said Technology Boulevard, S 00°45'01" E, 639.16' to a set rod; thence continuing along the west line of said Technology Boulevard, S 04°21'46" E, 300.59' to a set rod; thence continuing along the west line of said Technology Boulevard, S 00°44'13" E, 684.40' to a found rod; thence continuing along the west line of said Technology Boulevard, S 03°49'45" W, 250.80' to a found rod; thence continuing along the west line of said Technology Boulevard, S 05°20'56" E, 250.18' to a found rod; thence continuing along the west line of said Technology Boulevard, S 00°50'57" E, 50.46' to a found rod; thence leaving the west line of said Technology Boulevard, N 37°28'10" W, 180.27' to a found rod; thence, N 37°29'10" W, 266.20' to a found rod, thence, N 43°50'53" W, 324.89' to a found rod; thence, N 49°53'59" W, 222.09' to a found pipe; thence, N 41°45'18" W, 196.86' to a found pipe; thence, N 59°00'33" W, 48.30' to a set rod; thence, N 70°58'48" W, 296.51' to a set rod; thence, N 65°31'47" W, 157.69' to a set rod on the north line of Old Memorial Drive; thence along the north line of Old Memorial Drive, N 48°19'20" W, 1127.09' to a found rod; thence leaving the north line of Old Memorial Drive, N 24°48'26" E, 581.85' to a found rod on the south line of Williamsburg Road – U.S. Route 60; thence along the south line of said Williamsburg Road – U.S. Route 60, S 89°13'18" E, 165.88' to a found rod; thence continuing along the south line of said Williamsburg Road – U.S. Route 60, S 83°00'49" E, 810.48 feet to a found rod; thence continuing along the south line of said Williamsburg Road – U.S. Route 60, S 89°02'48" E, 785.20 feet to the point of beginning, containing 60.557 acres, more or less.

DESCRIPTION OF COMBINED PARCELS "L", "N" & "O"

Description of three parcels of land containing approximately 197.4 acres, more or less, in accordance with a plat entitled "Compiled Exhibit Map showing 622.1± acres lying north and south of Williamsburg Road – U.S. Route 60", Varina District, Henrico County,

Virginia, dated November 9, 2023 and shown as Parcels "L", "N" and "O", said combined parcels being more fully described as follows:

Beginning at a point located at the intersection of the east line of Technology Boulevard and the south line of Old Williamsburg Road – U.S. Route 60, thence continuing along the south line of Williamsburg Road – U.S. Route 60 thence N 86°19'42" E, 558.15' to a point; thence N 86°26'00" E, 120.54' to a point; thence N 82°06'02" E, 404.63' to a point; thence N 83°55'08" E, 504.91' to a point; thence N 77°12'10" E, 400.56' to a point; thence N 82°58'18" E, 650.84' to a point; thence N 80°24'00" E, 349.99' to a point; thence S 09°37'39" E, 99.90' to a point; thence N 80°03'11" E, 199.90' to a point; thence N 73°27'18" E, 130.82' to a point; thence S 83°15'50" E, having passed through a survey tie line point at 52.24' and thence continuing for a total distance of approximately 76' to a point in the center of creek; thence continuing approximately 4,620' along the center of said creek to a point and having the following ten survey tie line courses beginning from the afore said survey tie line point: (1) S 02°52'28" W, 1442.69' to a point; (2) thence S 10°26'19" W, 382.97' to a point; (3) thence S 44°22'34" W, 629.80' to a point; (4) thence S 89°58'01" W, 287.23' to a point; (5) thence S 58°37'21" W, 254.67' to a point; (6) thence S 37°47'07" W, 390.41' to a point; (7) thence S 18°55'48" W, 289.71' to a point; (8) thence S 44°06'43" W, 218.40' to a point; (9) thence S 46°46'32" W, 243.63' to a point; (10) thence S 88°17'25" W, 278.33' to a point; thence leaving center of said creek and tie line point S 81°33'07" W, 282.39' to a point; thence S 89°46'22" W, 244.58' to a point along the east line of Technology Boulevard; thence continuing with the east line of the said Technology Boulevard N 44°14'29" W, 674.02' to a point; thence, along a tangent curve to the right with a radius of 1382.25', an arc length of 995.91' a delta of 41°16'54", the chord of which bears N 23°36'02" W for a chord distance of 974.51' to a point; thence leaving the east line of the said Technology Boulevard N 89°15'19" E, 347.45' to a point; thence N 00°47'43" W, 105.00' to a point; thence N 00°47'43" W, 250.00' to a point; thence S 89°15'19" W, 348.17' to a point along the east line of the said Technology Boulevard; thence continuing along the east line of the said Technology Boulevard N 00°44'42" W, 598.03' to a point; thence N 04°55'43" E, 100.73' to a point; thence N 00°45'38" W, 399.79' to a point; thence N 05°52'03" E, 130.89' to a point; thence N 47°08'10" E, 76.55' to the point of beginning, containing: approximately 197.4 acres of land, more or less.

The Board of Supervisors accepted the following proffered conditions, dated May 6, 2024, which further regulate the above-described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Development and Building Plan. The Property will be developed in general conformance with the plan attached hereto entitled "WHITE OAK TECHNOLOGY PARK 2 - OVERALL DEVELOPABLE AREA", prepared by Timmons Group, and dated February 27, 2024 (see case file) (the "Development and Building Plan"), which is conceptual in nature and may vary in design, layout, final density, and other details shown therein, provided, however, any minimum building setbacks shown on

the Development and Building Plan must be complied with and cannot be reduced. Those areas shown as "DEVELOPABLE AREA" on the Development and Building Plan are permitted for development of the Property, which includes parking, access drives, roads, grading areas, utility installation and stormwater facilities, fencing and walls, including retaining walls, signage and other development. Those areas shown as "BUILDABLE AREA" on the Development and Building Plan will be those general areas of the Property which are permitted for development of the Property as Developable Areas, and further on which buildings and structures, including utility infrastructure such as utility substations and pump stations, may be located. Otherwise, the specific design, general layout, and other details may vary from the Development and Building Plan as required for final plan approval, engineering reasons, design or compliance with governmental regulations, or as otherwise approved during any Plan of Development review, so long as in no instance will any building be setback from the boundary of the Property less than what is shown on the Development and Building Plan.

2. **Building Setback.** Any building on the Property will be set back at least 100 feet from the specific boundary lines of the Property shown as "100' BUFFER AND BUILDING SETBACK", "VARIABLE WIDTH BUFFER AND BUILDING SETBACK (100' MINIMUM FROM P/L") and "100' BUILDING SETBACK (TYP.)" on the plan entitled "WHITE OAK TECHNOLOGY PARK 2- OVERALL BUFFER PLAN", dated February 27, 2023, prepared by Timmons Group, and attached hereto (see case file) (the "Buffer and Setback Plan"). Landscaping, sidewalks, drainage facilities, utility lines (including fiber and telecommunication lines and related facilities) and connections, driveways, access ways, signs, flags, lighting, security fencing, parking areas, retaining walls and similar structures will be permitted within any building setback area set forth in this Proffer 2.

3. **Buffers and Landscaping.**
   a. Any buffer within the Property required in this Proffer 3 will be retained as natural to the greatest extent possible, provided, however, any buffer may include supplemental landscaping, berms and other purposes as approved at the time of landscape plan review. Roads and access drives (including any sight lines), sidewalks, utility easements (including drainage facilities, and fiber and telecommunication lines and related facilities), fencing/walls adjacent to any roads or drives, and signage will be permitted within any such buffer; provided, any such road, drive or utility easements (other than electric power utility lines and easements) will be extended generally perpendicular through such buffer unless otherwise approved at the time of Plan of Development review. Fiber and telecommunication lines and related facilities may be extended parallel through a buffer so long as the total width of the buffer is increased by the width of the easement for such fiber and telecommunication lines and related facilities. Any buffer required herein will include supplemental evergreen plantings necessary to provide additional screening for existing single-family dwellings adjoining such

buffer as determined at the time of landscape plan review. A minimum of fifty percent (50%) of all plantings installed must be native species.

b. The areas shown on the Buffer and Setback Plan (see case file) as "VARIABLE WIDTH BUFFER AND BUILDING SETBACK (100' MINIMUM FROM P/L)" will be a minimum one hundred (100) foot in width, natural and landscaped buffer, and planted, if permitted within the Resource Protection Area, at a minimum to the level of a transitional buffer 50.

c. The areas shown on the Buffer and Setback Plan (see case file) as "50' BUFFER" will be a minimum fifty (50) foot in width, natural and landscaped buffer and planted at a minimum to the level of a transitional buffer 50.

d. The areas shown on the Buffer and Setback Plan (see case file) as "100' BUFFER AND BUILDING SETBACK" will be a minimum one hundred (100) foot in width, natural and landscaped buffer and planted at a minimum to the level of a transitional buffer 50.

e. Supplemental landscaping consisting of evergreen plantings will be provided along any parking areas adjoining residential areas existing at the time of Plan of Development review. Such landscaping will be placed along the edge of the clearing limits adjacent to such parking areas, as determined appropriate at the time of landscape plan review to provide screening effective to screen lights from vehicles driving on such parking areas.

f. All buffer areas will be marked at the time construction begins as required at the time of Plan of Development review.

g. Any fencing within one hundred (100) feet of any boundary line of the Property (including Williamsburg Road or Technology Boulevard) will be decorative fencing, such as black cast aluminum decorative fence, security fencing, or as otherwise approved at the time of Plan of Development review.

4. **Uses.** Only the following uses will be permitted:
   a. Uses permitted in the Office Use Category, which include and are limited to the following:
      i. Business and sales;
      ii. Business schools;
      iii. Business training and conference facilities;
      iv. Data centers; and
      v. Professional services.
   b. Uses permitted in the Manufacturing and Production Use Category, which include and are limited to the following:
      i. Manufacturing, artisan; and

ii. Manufacturing, light.

c. Utility, minor;

d. Accessory uses, such as utilities, including, without limitation, electrical substations and switch stations, water and sewer facilities (including lift stations); and

e. Any other use permitted in the M-1 District if permitted by and ultimately approved with a Provisional Use Permit or Conditional Use Permit, as the case may be, provided, in no case will any Manufacturing, Heavy uses be permitted.

5. **Building Materials.** Exposed exterior wall surfaces (above finished grade) of all individual buildings (excluding rooftop screening materials for mechanical equipment) must be constructed with one or more of the following siding materials: decorative concrete block (including, without limitation, split face block, smooth face block, fluted block, and ground face block), tilt-up or pre-cast concrete, brick, brick veneer, glass, metal (other than corrugated metal), stone, cast stone, stone veneer, stucco, synthetic stucco, glass block, cementitious siding, insulated panels, concrete tile, or ceramic tile, unless other material is approved at the time of Plan of Development review. In no case will unpainted concrete block, unfinished corrugated metal, or unfinished sheet metal be permitted. For purposes of these proffers, "wall surfaces" will not be deemed to include columns, pilasters, trim, gutters, accent materials, architectural features, windows, doors, bay doors, piers, wall sections and headers near roll up doors and loading doors.

6. **Elevations.** Buildings constructed on the Property will generally be in conformance with the renderings attached hereto as Exhibit B and dated January 30, 2024 (2 pages, see case file), with respect to quality of design, massing and architecture, and the variety of features, unless otherwise approved at the time of Plan of Development review.

7. **Lighting.** All parking lot lighting on the Property will use concealed sources of light (such as shoebox type fixtures) and be dark sky compliant. Parking lot lighting fixtures located in the parking lots and within five hundred (500) feet of any existing single-family home must not exceed twenty-five (25) feet in height above grade level. Parking lot lighting and any exterior building light fixtures will utilize LED lamps or their equivalent. Lights located on the exterior of a building will not face toward the boundary line of the Property adjoining any existing single-family home.

8. **Height.** No building on the Property will exceed a height of ninety-three (93) feet, provided as measured, including exceptions, as set forth in Section 24-8310 of the County Zoning Ordinance.

9. **No Burning.** There must be no on-site open burning of stumps, limbs, trees or other debris during site work or the construction of any buildings on the Property.

10. **BMPs/Retention Ponds.** Any retention pond or BMP facilities on the Property will be maintained in accordance with all applicable laws, rules, and regulations and any wet pond will be aerated.

11. **Impervious Surface.** No more than sixty-five percent (65%) of the Property will contain impervious surface consisting of buildings, structures, parking areas and drive aisles.

12. **Utility Lines.** Except for junction and access boxes, meters, utility lines in wetlands areas, existing overhead utility lines, electric power lines, and except as otherwise required by applicable laws, rules and regulations; all site-specific utility lines, including private electric, telephone, CATV or other similar lines, will be installed underground, unless otherwise approved at the time of Plan of Development review.

13. **Detached Signage.** Detached signage will be monument style, the base of which will be a material consistent with the building, and landscaped. No such detached signage will be internally lit. No digital changeable message signs will be permitted.

14. **Conservation Areas.** Notwithstanding the uses permitted and regulated by the zoning of the Property, such portion(s) of the Property which lie within a one hundred (100) year flood plain as determined by definitive engineering studies approved by the Department of Public Works, and such portion(s) of the Property which may be inundated by waters impounded to a maximum elevation determined in a controlled, regulated manner by a structure or structures approved by the Department of Public Works, may only be used for the following purposes:

    a. Stormwater management, retention areas, and stormwater outflows

    b. Ponds, lakes and similar areas intended as aesthetic or recreational amenities or wildlife habitats.

    c. Access drives, utility easements (including fiber and telecommunication lines and related facilities), signage, sidewalks, walkways, and recreational facilities installed in a manner to minimize their impacts

    d. Such additional uses to the uses identified in A, B and C above as may be deemed compatible and of the same general character by the Director of Planning pursuant to the County Zoning Ordinance.

    The developer will, prior to the last Plan of Development approval for the Property, make an application to rezone such portions of the Property described above to a C-1 Conservation District.

15. **Hours of Construction.** The hours of any land disturbance activities, including operation of bulldozers and other earthmoving equipment, within five hundred (500) feet of any existing single-family home (which such area must be identified on any Plan of Development, as applicable), will be limited to between 7:00 a.m. and 7:00 p.m. (or dusk, whichever is earlier) on Monday through Saturday, and between 9:00 a.m. and 6:00 p.m. on Sunday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work, such as concrete pours or utility connections. Signs, in both English and Spanish, stating the above referenced provisions will be posted and maintained at all construction entrances to the Property prior to any land disturbances activities thereon.

16. **Construction Traffic.** Construction vehicles will only be permitted to access the Property by way of Williamsburg Road or Technology Boulevard. Any construction entrance must have a mud wash for the washing of construction vehicle tires as necessary to prevent mud from getting on public roads when leaving the Property.

17. **Loading Areas.** All loading docks must be screened from public view at the public rights of way. Loading areas facing a residential or agriculturally zoned property being used for residential purposes will be screened using landscaping, an opaque fence, or wall, or as otherwise approved at the time of Plan of Development review.

18. **Diesel Generators.** Diesel generators located on the Property may only be used for emergency purposes. For purposes of this proffer, emergency purposes means a need for the generators because of a failure in electrical power being provided to the Property from the main, typical source of electrical power, caused by a weather event, power grid outage, natural or human event, or other failure event. Diesel generators located on the Property may be tested only as approved under the Virginia Department of Environmental Quality ("DEQ") issued permit. Such testing will be conducted pursuant to National Fire Protection Association (NFPA) (or its successor) standards, as may be applicable at that time. All such generators must be installed pursuant to the applicable DEQ permit and operated pursuant to DEQ requirements and guidelines, including any necessary reporting. Any such generator must be located behind a building or screened from any public right-of-way or single-family home existing at the time of a Plan of Development by a wall, fence, landscaping, or other means as deemed necessary and approved at the time of Plan of Development review. No diesel generators may be used for production of electrical power to serve any use off the Property. The hours of generator testing will be limited to between 7:00 a.m. and 7:00 p.m., Monday through Friday, with no testing on Saturdays or Sundays, provided that these limits will not apply to the testing of any generator(s) during time of commissioning (i.e., installation and start-up), and except in emergencies or where unusual circumstances require extending the specific hours in order to complete work.

19. **Archeological Study.** The applicant must conduct a Phase 1 Archeological and Cultural Resource Study on the Property, in compliance with Section 106 of the National Historic Preservation Act of 1966, prior to the first Plan of Development approval on such portion of the Property subject to the Plan of Development. The applicant of such Plan of Development will provide a copy of the study to the Director of Planning of the County for review. Any culturally significant artifacts found as a result of such study or construction on any portion of the Property will be offered for donation to the County or its assigns.

20. **Land Dedication.** Prior to issuance of development permits on the portion of the Property with a current County Parcel ID of 840-713-3163 and a current address of 2801 Old Williamsburg Road (the "Old Williamsburg Road Parcel"), upon request of the County, a minimum of .25 of an acre of the Old Williamsburg Road Parcel, such portion of Old Williamsburg Road Parcel to be north of Old Williamsburg Road, in the general area as shown as "0.25 ACRES OF DEDICATION AREA" on the Development and Building Plan (see case file), will be dedicated to the County or its assigns for use to place an historic marker and other improvements by the County or its assigns. Should any of the dedicated area not be used by the County within fifteen (15) years of the date of the dedication, title to the dedicated property will revert to the applicant or its successors in interest.

21. **Protective Covenants.** Prior to or concurrent with the final approval of the initial Plan of Development for any portion of the Property a document setting forth covenants and restrictions (the "Covenants") will be recorded in the Clerk's Office of the Circuit Court of the County, which will include Covenants relating to the development and maintenance of that portion of the Property, and by which that portion of the Property will become subject to the Declaration of Covenants, Restrictions, and Easements For White Oak Technology Park, as may be restated and amended at that time (the "White Oaks Declarations"), other than requirements related to side and rear yard setbacks not adjoining a public street and reservation of easements by the Declarant under Section 8.01 of the White Oaks Declarations.

22. **Exterior Alarms.** No exterior alarms or speaker systems will be permitted, provided alarms or beepers located on vehicles and emergency alarms will be permitted.

23. **Trash Enclosures.** Any proposed enclosure area for dumpsters on the Property that can be seen from a public right-of-way, if provided, must be constructed of masonry, tilt, or other cementitious product on three (3) sides that is complementary to the buildings. The fourth side must be gated with an opaque material. Trash enclosures will be additionally screened from view with landscaping or other screening materials.

24. **Best Practices.** All buildings on the Property must be constructed and operated using best practices or better in the industry with respect to building construction, noise attenuation, and cooling technologies. All data center buildings will be

constructed to LEED (Leadership in Energy and Environmental Design) "Silver" standards for Building Design and Construction or a recognized industry equivalent such as EnergyStar (the "Building Standards"). Prior to the issuance of the permanent certificate of occupancy for such building, a licensed engineer or architect shall provide the Planning Department with certification that such building was constructed according to the Building Standards. The design, construction, operation, and maintenance of all data center buildings will be consistent with generally recognized industry energy efficiency standards and guidelines for data centers as determined by ASHRAE Standard 90.4 or a recognized industry equivalent.

25. **Data Center Uses.** Any project or building specifically used as a data center will be designed and constructed implementing measures and techniques incorporating the following measures, unless otherwise approved at the time of Plan of Development review:

i. Minimize impervious areas and provide enhanced landscaping within the
ii. development areas;
iii. Use a minimum of fifty percent (50%) of solar power for aeration of stormwater management facilities;
iv. Use stormwater runoff from on-site detention facilities to irrigate landscape, lawn or buffer areas;
v. Provide a minimum of 4 EV parking spaces per building within the data center employee parking area, with at least 1 universal EV charger for each 2 EV parking spaces;
vi. Use LED fixtures for a minimum of eighty-five percent (85%) of all building interior lighting;
vii. Use LED fixtures for a minimum of eighty-five percent (85%) of all building exterior lighting;
viii. Recycle construction material waste;
ix. Incorporate heat reflective roofing on a minimum of sixty percent (60%) of the data center building roof:
x. Buildings will be constructed using best practice sustainability measures; and
xi. Noise Attenuation Standards. When adjacent to any parcel with a residential dwelling in existence at the time of plan of development review, noise levels at any exterior property line caused by sounds emanating from the Property will not exceed 70 dBA between the hours of 7:00 a.m. and 10:00 p.m. weekdays and from 9:00 a.m. to 10:00 p.m. on Saturdays, Sundays, and legal holidays, and 55 dBA between 10:00 p.m. and 7:00 a.m. weekdays and from 10:00 p.m. to 9:00 a.m. on Saturdays, Sundays and legal holidays. The foregoing standards will not apply to the operation of construction equipment, mandatory safety measures (such as back up beepers on vehicles), emergency operations or noise resulting from work on public projects and/or on private or public utilities. For the purposes of this proffer, the term "emergency" means any situation arising from sudden and reasonably unforeseen events beyond the control of the data center

operator, which requires the immediate use of the emergency generators to restore normal operation(s). Emergency operations will adhere to DEQ provisions and/or other relevant federal regulation. A baseline sound study of ambient noise will be conducted prior to land disturbing for any portion of the Property subject to an approved Plan of Development and the results of such study will be submitted to the County.

26. **Sidewalks.** Sidewalks will be constructed to County or VDOT standards along Technology Boulevard and Williamsburg Road as required at the time of Plan of Development review for any portion of the Property adjoining Technology Boulevard or Williamsburg Road, as the case may be.

27. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, will not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

28. **Traffic Impact.** At the time of each Plan of Development review on any portion of the Property, a cumulative average daily trip analysis will be provided to the County of all uses located on the Property at that time together with the use proposed by such Plan of Development. If such analysis estimates more than 4,000 average daily trips (as determined by the 11th Edition of the Institute of Traffic Engineers (ITE) Code and/or based on actual traffic information submitted to and approved by the County Department of Public Works) as a result of all such uses on the Property, a traffic study as required by the County at the time of such Plan of Development review will be completed. Necessary road improvements must be made as identified in the approved traffic study and required in accordance with the phasing plan accompanying such Plan of Development at that time. Such traffic study must be updated in a cumulative fashion for each additional phase of development on any portion of the Property, as required by the County Traffic Engineer.

29. **Access.** Vehicular access to any portion of the Property will be limited to Williamsburg Road and Technology Boulevard, and as an emergency access only via Old Williamsburg Road and Old Memorial Drive. unless approved otherwise at the time of Plan of Development review. Vehicular access to Williamsburg Road must be provided for that portion of the Property currently designated with GPIN 840-713-3163 (the "Old Williamsburg Road Parcel) prior to final approval of a Plan of Development on that portion of the Property designated with GPIN 841-712-4360. unless otherwise waived in writing by the then existing owner of the Old Williamsburg Road Parcel. Access for the Old Williamsburg Road Parcel will be permitted on Old Williamsburg Road for any such portion of the Old Williamsburg Road Parcel used for open space, public or recreation purposes.

30. **Concept Road 80.** Development of the southern portion of Parcel GPIN 841-710-2304 will accommodate a future connection from Technology Boulevard to Old

Memorial Drive, in the general location of "Proposed Concept Road 80", as identified on the Development and Building Plan (see case file), or as otherwise approved at the time of Plan of Development review. At the request of the County, right-of-way, a minimum of fifty (50) feet in width, will be dedicated to the County for construction of "Proposed Concept Road 80", provided that the developer will not be responsible for the construction of Concept Road 80, other than access improvements otherwise required at the time of Plan of Development review.

31. **Safe Conduct of Operations.** All uses must be conducted so as not to (a) create any danger to the health, safety or welfare of the citizens of Henrico County, Virginia or (b) cause any material adverse impact on the Property or surrounding areas by creating any excessive noise, vibration, smoke, dust, lint, odor, heat or glare beyond the boundaries of the Property.

The Planning Department has been advised of the action of the Board of Supervisors and will revise its records.

Sincerely,

John A. Vithoulkas
County Manager

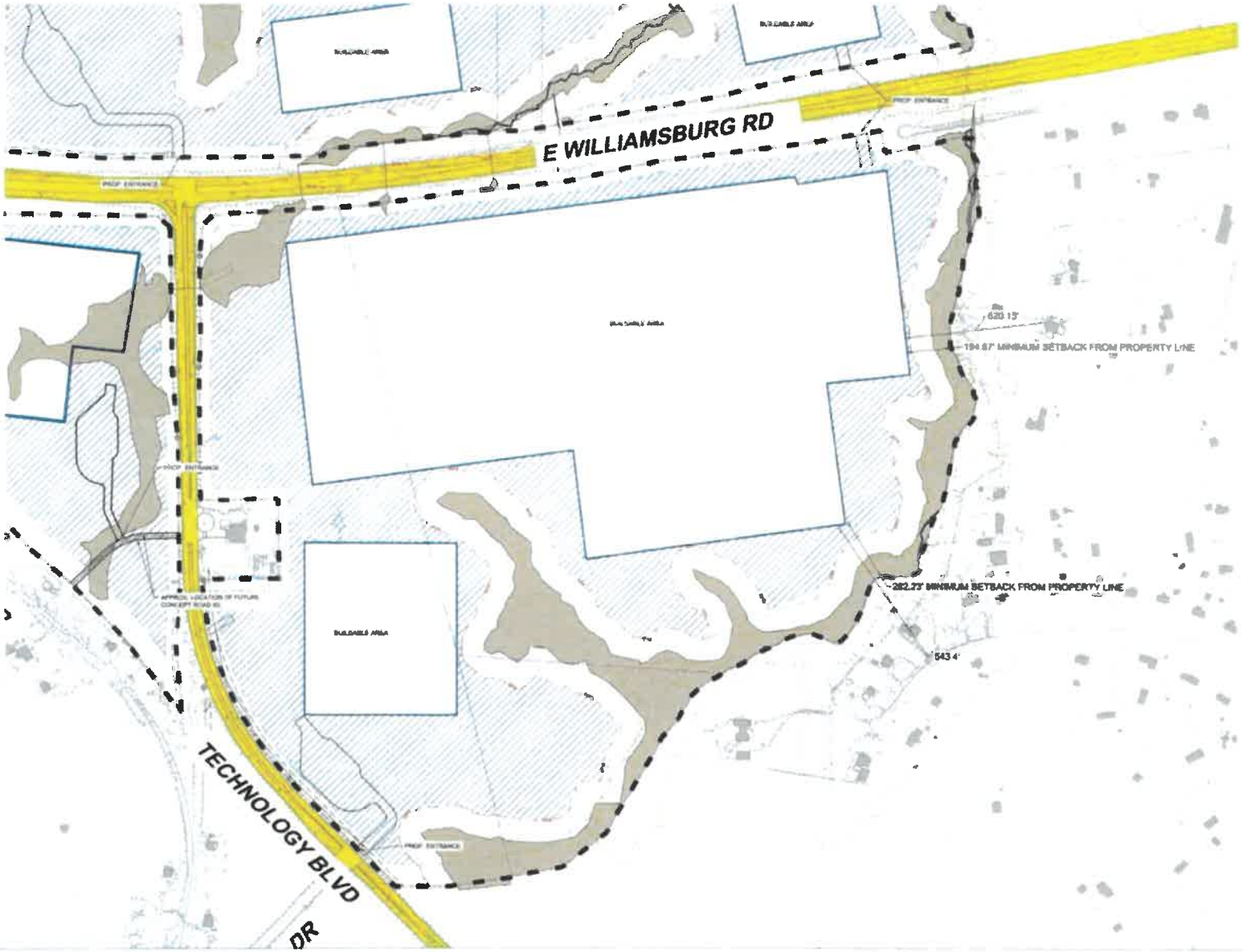
pc: Atlantic Crossing, LLC
Vienna Finance, Inc.
Brenda H. Sargent & John C. Harmon
Brenda G. Harmon
Harmon Properties, LC
c//o Brenda Sargent
Andrew M. Condlin
Henrico County Public Schools
Director, Real Estate Assessment



WHITE OAK TECHNOLOGY PARK 2 - OVERALL DEVELOPABLE AREA

February 27, 2024

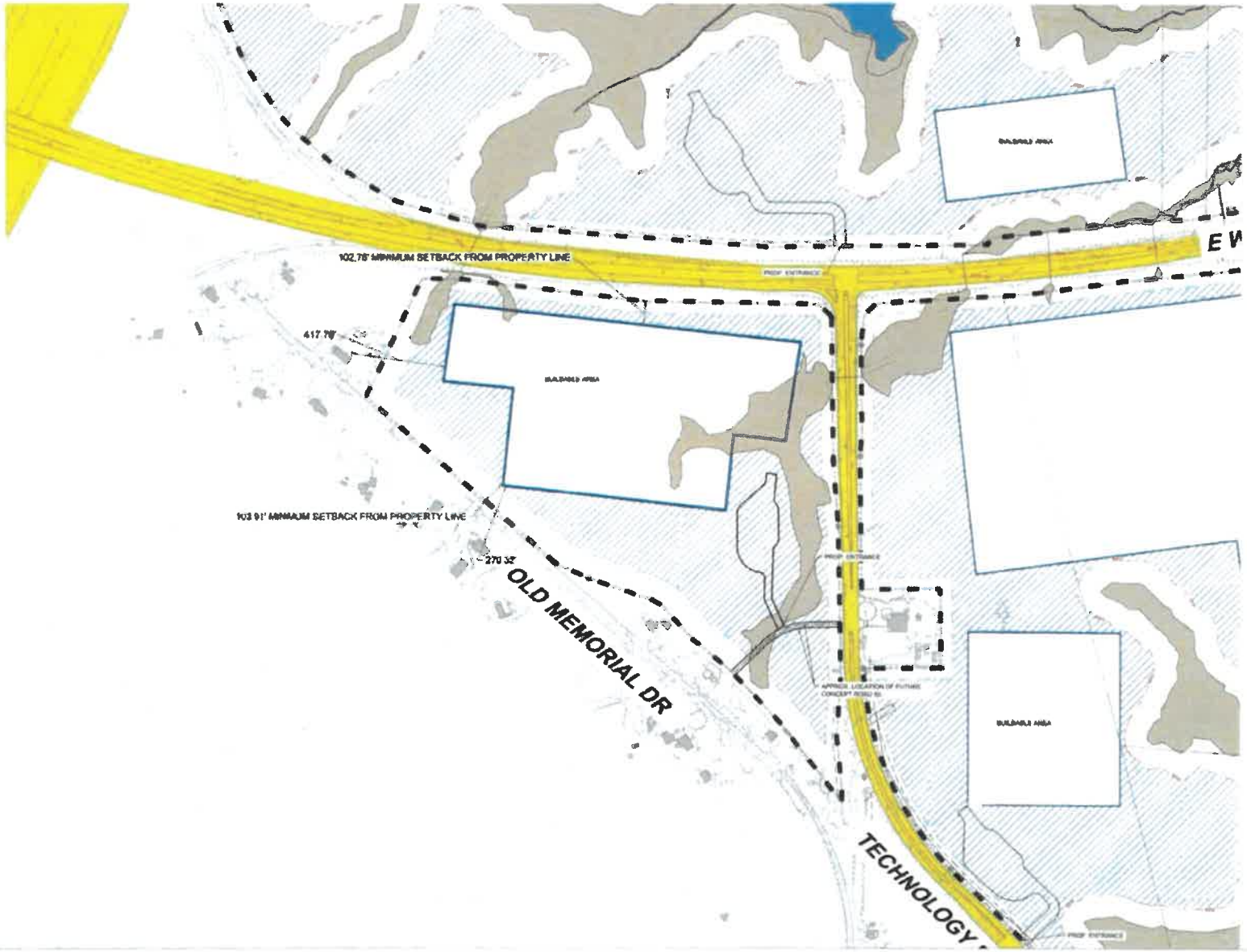
TIMMONS GROUP



WHITE OAK TECHNOLOGY PARK 2 - SE QUAD DEVELOPABLE AREA

February 27, 2024

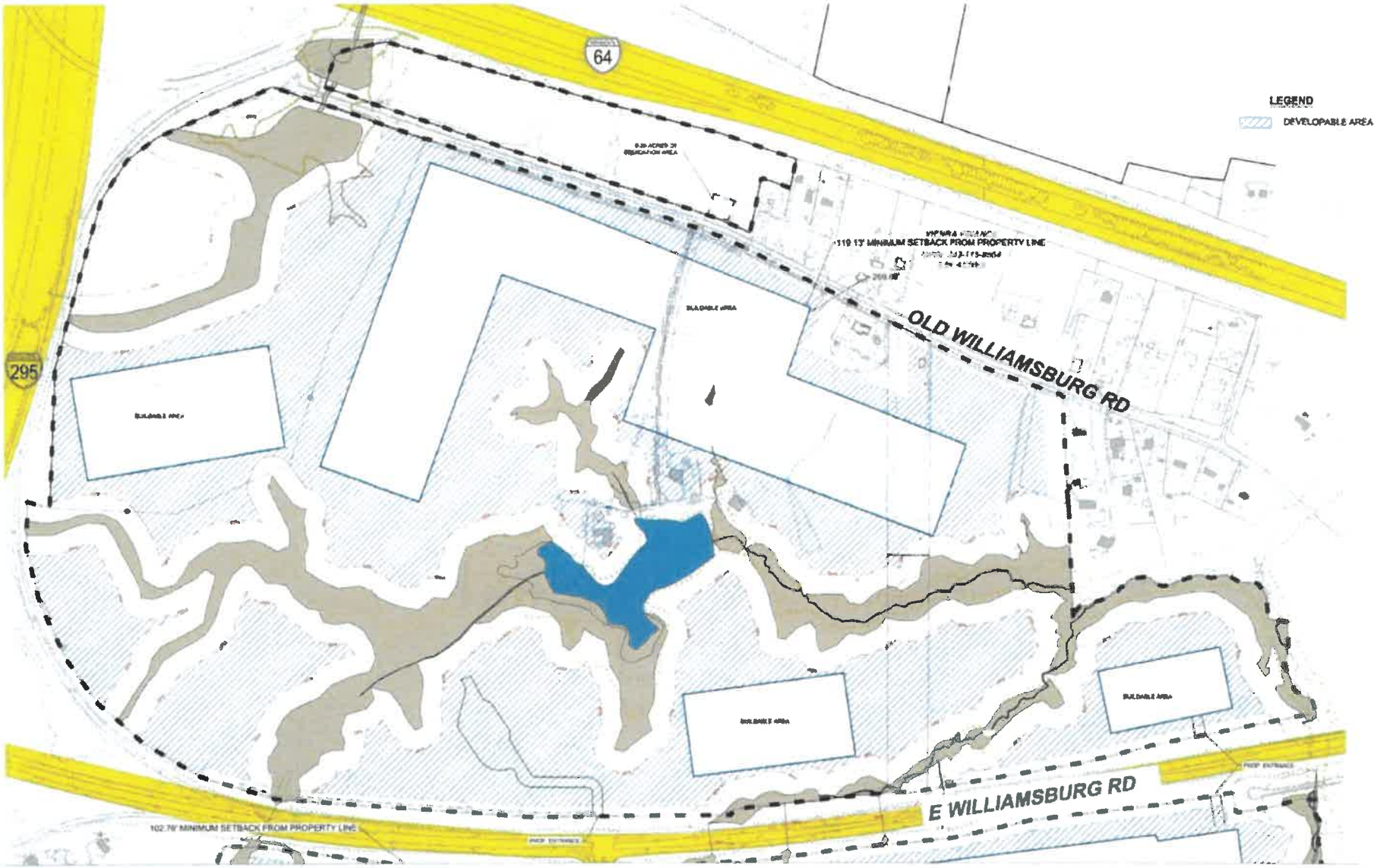
TIMMONS GROUP



WHITE OAK TECHNOLOGY PARK 2 - SW QUAD DEVELOPABLE AREA

February 27, 2024

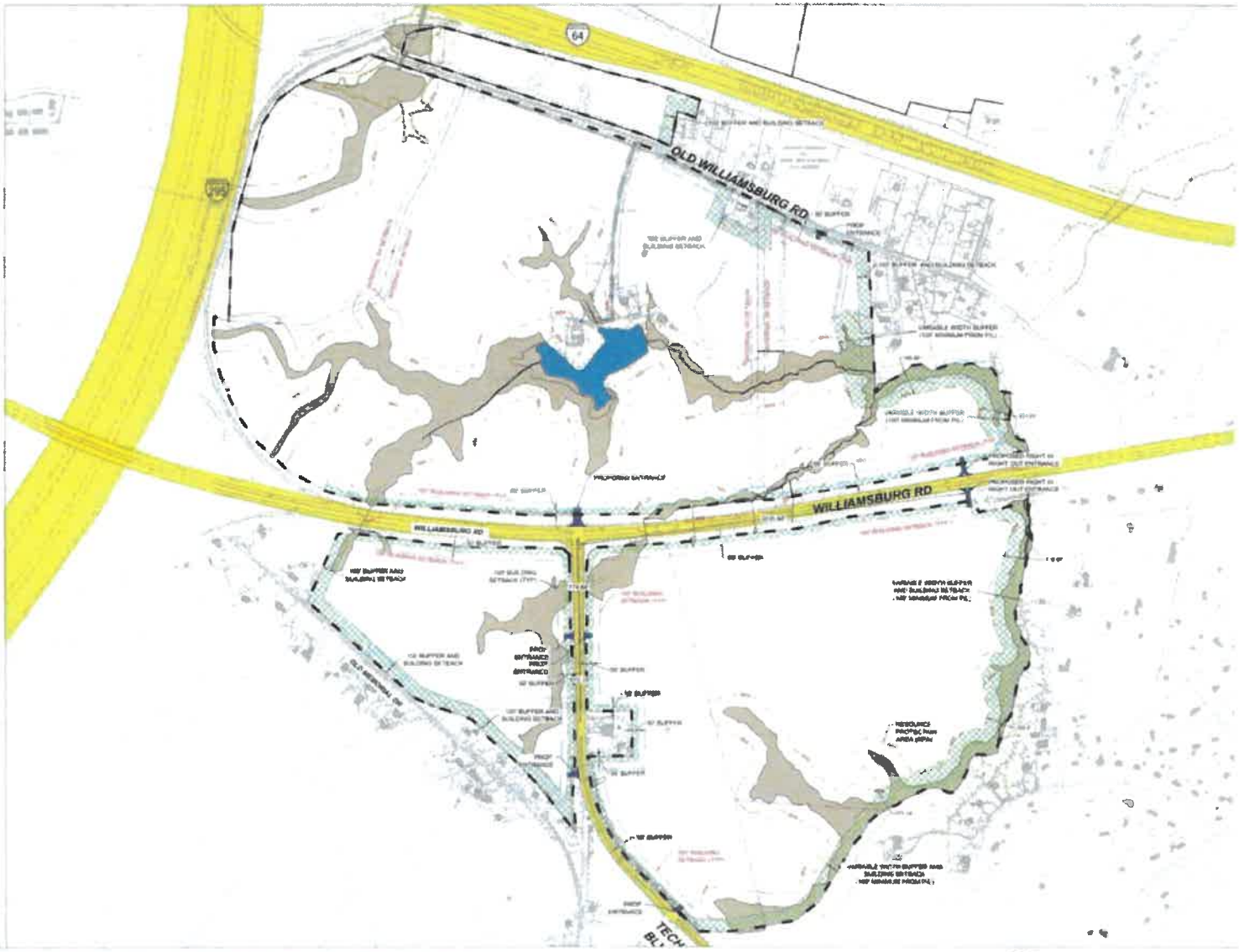
TIMMONS GROUP



WHITE OAK TECHNOLOGY PARK 2 - NORTH QUAD DEVELOPABLE AREA

February 27, 2024

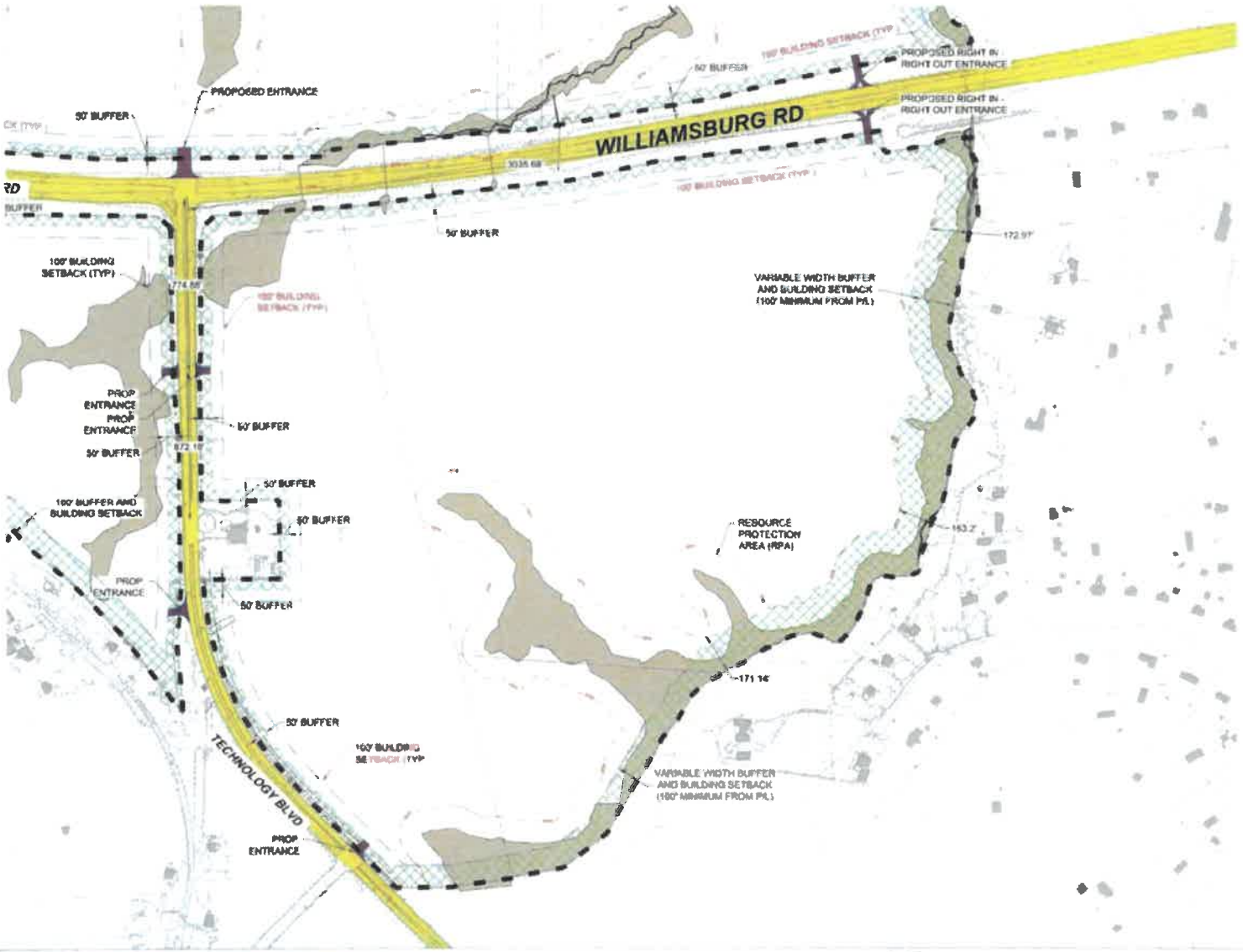
TIMMONS GROUP



WHITE OAK TECHNOLOGY PARK 2 - OVERALL BUFFER PLAN

REZ-2023-100017

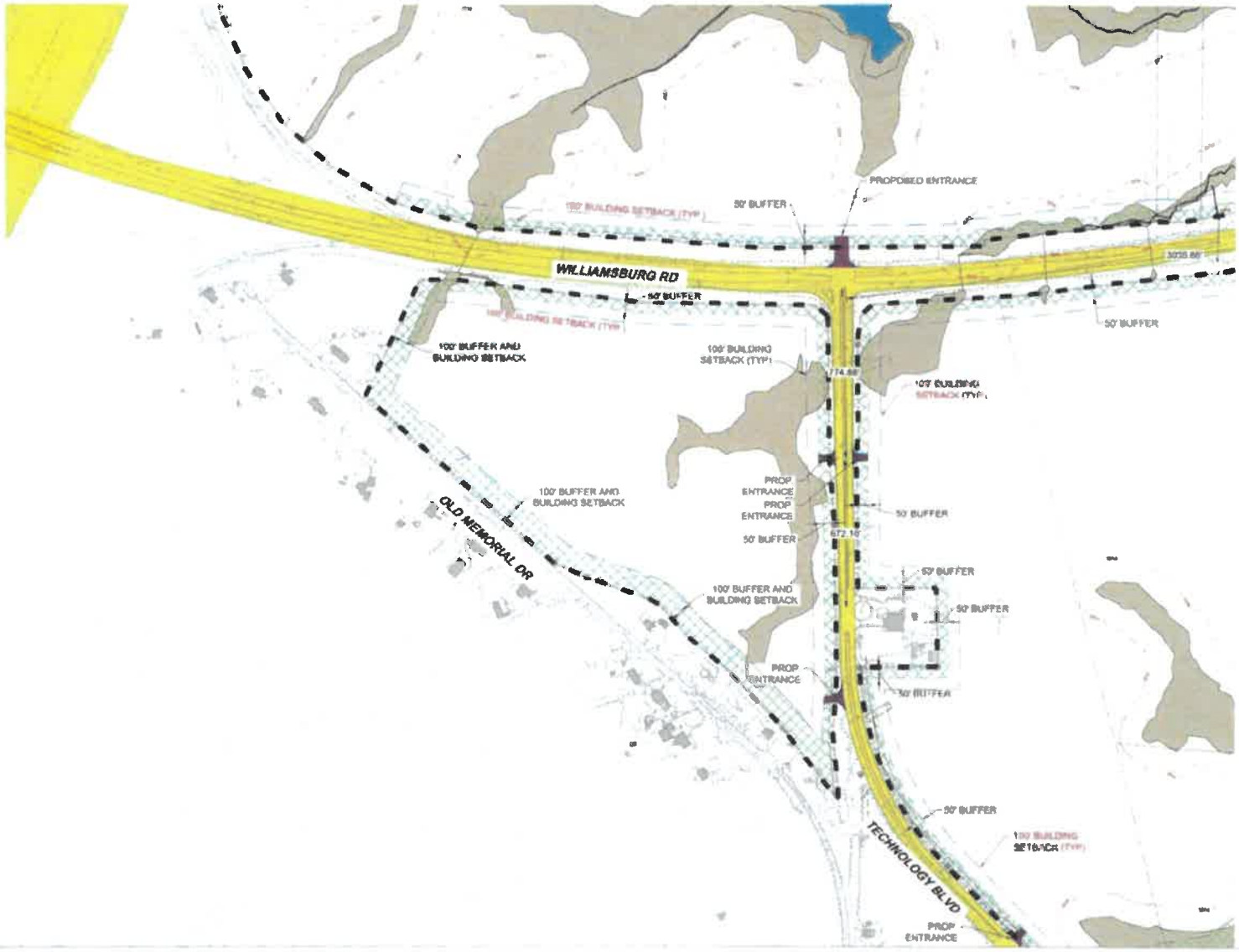
TIMMONS GROUP



WHITE OAK TECHNOLOGY PARK 2 - SE QUAD BUFFER PLAN

REZ-2023-100017

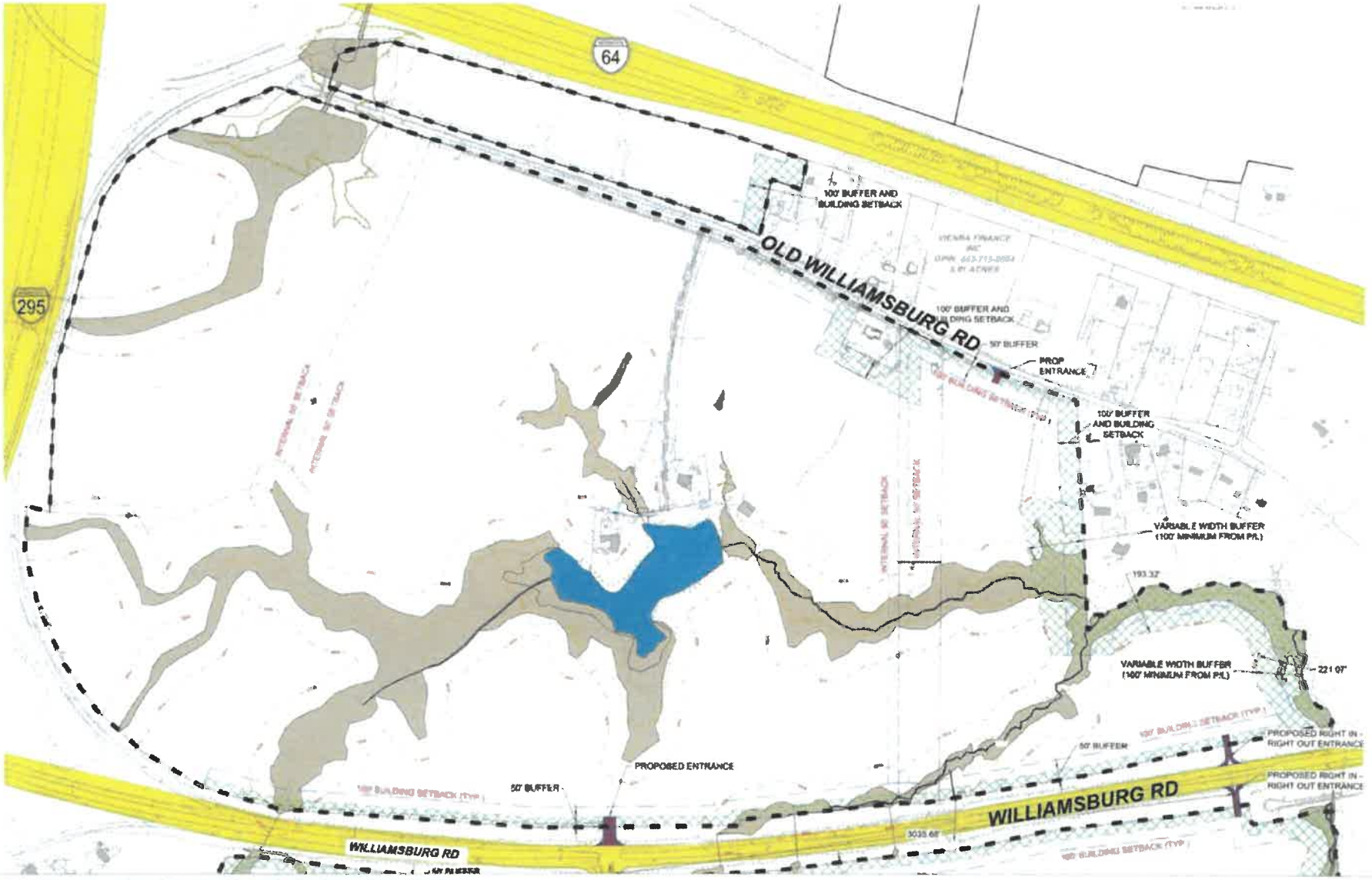
TIMMONS GROUP



WHITE OAK TECHNOLOGY PARK 2 - SW QUAD BUFFER PLAN

REZ-2023-100017

TIMMONS GROUP



WHITE OAK TECHNOLOGY PARK 2 - NORTH QUAD BUFFER PLAN

REZ-2023-100017

TIMMONS GROUP



WHITE OAK TECHNOLOGY PARK 2 - OVERALL DEVELOPABLE AREA

REZ-2023-100017

TIMMONS GROUP



WHITE OAK TECHNOLOGY PARK 2 - SE QUAD DEVELOPABLE AREA

REZ-2023-100017

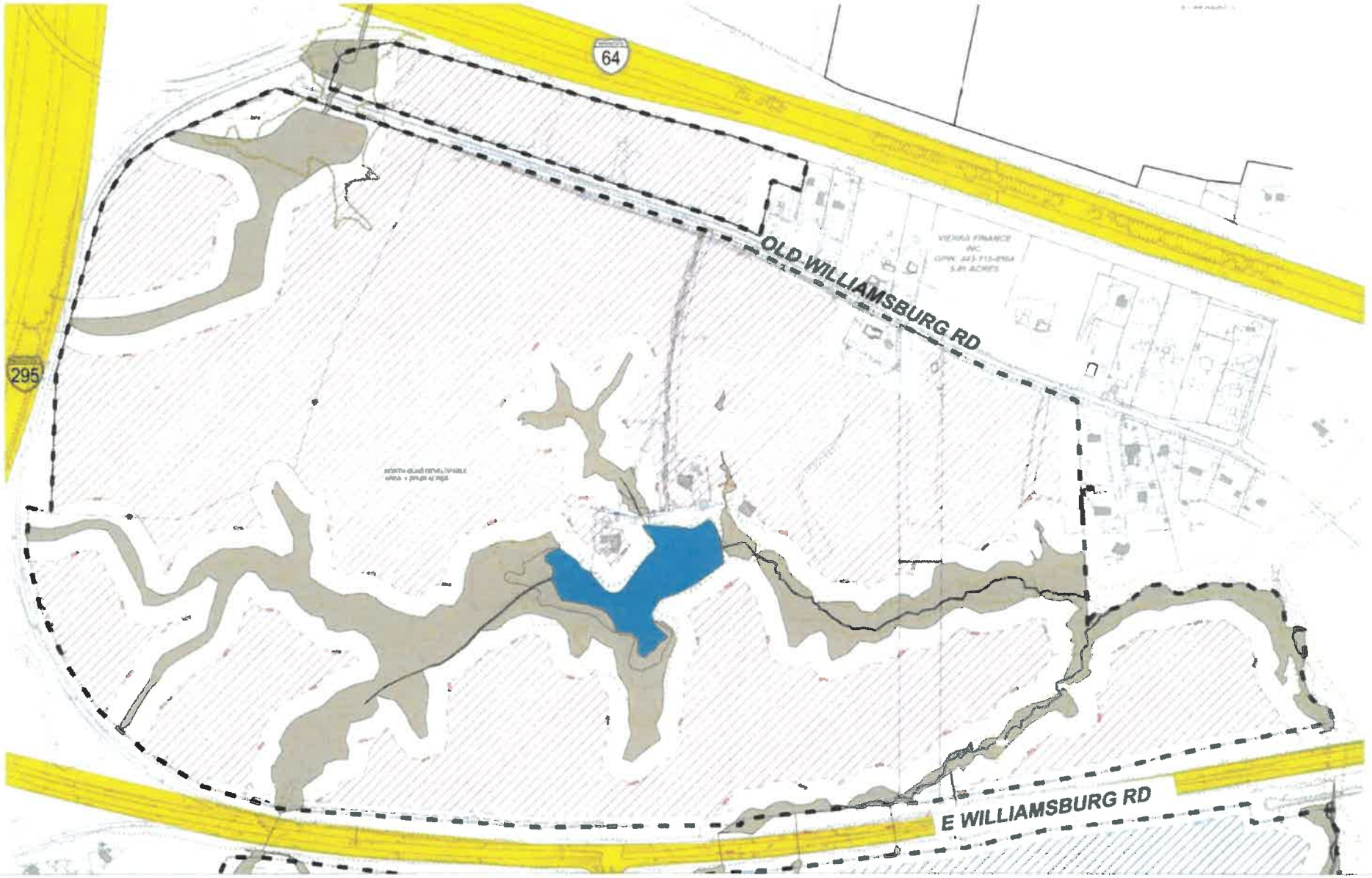
TIMMONS GROUP



WHITE OAK TECHNOLOGY PARK 2 -
SW QUAD DEVELOPABLE AREA

REZ-2023-100017

TIMMONS GROUP



WHITE OAK TECHNOLOGY PARK 2 - NORTH QUAD DEVELOPABLE AREA

REZ-2023-100017

TIMMONS GROUP

Data Center Concept

Exhibit B
January 30, 2024
REZ-2023-100017



Data Center Concept



EXHIBIT B

REZ-2023-100017

Exhibit C

Plan of Development Approval Letters for RIC4 and RIC5

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

R. Joseph Emerson, Jr., AICP
Director of Planning
(804) 501-4602

February 26, 2025

QTS Richmond IV LLC
Attn: Jacob Bryant
12851 Foster Street, Suite 205
Overland Park, KS 66213

RE: POD-2024-102609
QTS RIC4 Master Plan

Sir/Madame:

The Director of Planning granted your request for approval of a **Plan of Development** as required by Chapter 24, Section 24-2314 of the Henrico County Code, to construct a Master Plan for the future construction of ten, two-story data centers totaling 3,773,736 square feet, three substations, and associated infrastructure. The 478.14-acre site is located at the northern corner of Technology Boulevard at its intersection with Technology Creek Drive, the southeastern line of Technology Creek Drive, approximately 1,500 feet northeast of its intersection with Technology Boulevard, and at the terminus of Engineered Wood Way, on parcels 847-705-8696, 849-704-5300, 854-702-9520, 850-704-1193. The Director of Planning granted this request, subject to the following conditions:

1. The Plan of Development must be revised as annotated on the staff plan dated **February 19, 2025**, which will be as much a part of this approval as if details were fully described herein. Revised plans, including the detailed drainage, erosion control and utility plans, must be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, plans for signature must be submitted to the Department of Planning for approval signatures. The approved plan must be attached to the building permit application.
2. The owner must enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer.
3. The Director of the Department of Public Utilities must approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities must be notified at least 48 hours prior to the start of any County water or sewer construction.
4. Two copies of an Erosion and Sediment Control Agreement with required escrow must be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works must be notified at least 24 hours prior to the start of any construction.
5. Traffic control signs must be provided as required by the Department of Public Works and must be maintained in good condition.

6. The easements for drainage and utilities as shown on approved plans must be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information must be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
7. The owner must have a set of plans approved by the Director of Public Works, Public Utilities and Director of Planning available at the site at all times when work is being performed. A designated responsible employee must be available for contact by County Inspectors.
8. The property must be developed and maintained as shown on the plan filed with the case and no changes or additions to the layout will be made without the approval of the Director of Planning.
9. A detailed landscaping plan must be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
10. The name of this development, as designated in this approval, must be the name used for approval of future documents associated with this plan. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. Prior to the approval of an electrical permit application and installation of site lighting equipment, a plan including light spread and intensity diagrams, fixture specifications, and mounting height details must be submitted for Department of Planning review and approval.
12. The assigned property number(s) must be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 804-501-4602. The Planning Department must assign all property addresses.
13. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner must furnish a statement by the engineer, surveyor, or landscape architect who supervised construction, that all improvements have been installed in substantial conformance with the approved plans, specifications, and County requirements.
14. Plan of Development approval is granted to the owner/applicant to whom it is issued. Upon written notification to the Planning Director, the approval may be transferred to subsequent owners in accordance with Chapter 24, Section 24-2314.C.3.(c).(3).C of the county code.
15. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) must be identified on the landscape plan. All building mounted equipment must be painted to match the building, and all equipment must be screened by such measures as determined appropriate by the Director of Planning and in accordance with Section 24-5311 at the time of plan approval.
16. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
17. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Department of Planning and approved prior to issuance of a certificate of occupancy for this development.
18. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing, and hours of construction must be submitted for County review and prior to the approval of any final construction plans.
19. The owners must not begin clearing of the site until the following conditions have been met:

- The site engineer must conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements must be shown.
- After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner must have the limits of clearing delineated with approved methods such as flagging, silt fencing or temporary fencing.
- The owner will be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details must be included on the landscape plans for approval.

20. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction needed to implement this conceptual plan may be administratively reviewed and approved and will be subject to all regulations in effect at the time such subsequent plans are submitted for review/ approval.
21. The limits and elevations of the **Special Flood Hazard Area** must be conspicuously noted on the plan and labeled **"Limits of Special Flood Hazard Area."** In addition, the delineated **Special Flood Hazard Area** must be labeled "Variable Width Drainage and Utility Easement." The easement must be granted to the County prior to the issuance of any occupancy permits.
22. No construction traffic shall use Elko Road (State Route 156) or Portugee Road east of Technology Boulevard.
23. No tractor trailers shall use Elko Road (State Route 156) or Portugee Road east of Technology Boulevard.
24. The developer shall provide a telephone number for citizen concerns during any construction activity on site in order to respond to citizen concerns and complaints as expeditiously as possible.
25. The development and operations conducted on the property shall comply with the restrictive covenants applicable to White Oak Technology Park.
26. The proposed development is subject to Final Development Review Board (DRB) approval. Any required changes by the DRB must be reflected in the POD and any subsequent plans.

There may be a requirement for a Wetlands Permit from the U.S. Army Corps of Engineers. Further information on such a requirement should be obtained by contacting the Corps at (804) 323-3781.

Also, you should be aware that a permit or permits may be required from the Virginia Department of Environmental Quality (DEQ). Please contact DEQ at (804) 527-5020 to determine the permit requirements of your proposed project.

Pursuant to Section 24-2314.C.5(c) of the Code of Henrico, this approval shall expire on **February 25, 2030**, unless building permits have been obtained for construction in accordance therewith; or a single one-year extension of approval has been granted by the Director of Planning as provided therein; or further extension of approval is otherwise provided by Section 15.2-2261 of the Code of Virginia.

The approval of this Plan of Development satisfies only the requirements of Chapter 24, Section 24-2314 of the Henrico County Code. The applicant shall be responsible for securing all necessary permits as required by law. A copy of the plan approved by the Director of Planning is available upon request.

When applying for your building permit, please attach a complete electronic set of the approved, signed construction plans and refer to case **POD-2024-102609**.

Sincerely,

R. Joseph Emerson, Jr., AICP
Director of Planning

cc: Deputy Zoning Conformance Officer
Building Official
Real Estate Assessment
Department of Public Utilities, Chief of Design
Department of Public Works
Division of Fire-Chief Fire Marshall
Townes Site Engineering – Attn: Zackary Wilkins

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

R. Joseph Emerson, Jr., AICP
Director of Planning
(804) 501-4602

February 26, 2025

QTS Richmond V LLC
Attn: Jacob Bryant
12851 Foster Street, Suite 205
Overland Park, KS 66213

RE: POD-2024-102383
QTS RIC5 Campus Master Plan

Sir/Madame:

The Director of Planning granted your request for approval of a **Plan of Development** as required by Chapter 24, Section 24-2314 of the Henrico County Code, to construct a Master Plan for the future construction of six two-story and one three-story data centers totaling 4,116,217 square feet, four substations, and associated infrastructure. The 621.93-acre site is located along the northern and southern boundaries of E. Williamsburg Road (State Route 60) at its intersection with Technology Boulevard, on parcels 843-711-6375, 843-708-9028, 844-712-3071, 844-709-3698, 842-712-5063, 843-711-6508, 843, 842-712-1529, 840-713-3163, 841-710-2304, 841-712-4360, 842-709-8618. The Director of Planning granted this request, subject to the following conditions:

1. The Plan of Development must be revised as annotated on the staff plan dated **February 19, 2025**, which will be as much a part of this approval as if details were fully described herein. Revised plans, including the detailed drainage, erosion control and utility plans, must be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, plans for signature must be submitted to the Department of Planning for approval signatures. The approved plan must be attached to the building permit application.
2. The owner must enter into the necessary contracts with the Department of Public Utilities for connections to public water and sewer.
3. The Director of the Department of Public Utilities must approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The Department of Public Utilities must be notified at least 48 hours prior to the start of any County water or sewer construction.
4. Two copies of an Erosion and Sediment Control Agreement with required escrow must be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works must be notified at least 24 hours prior to the start of any construction.

5. Traffic control signs must be provided as required by the Department of Public Works and must be maintained in good condition.
6. The easements for drainage and utilities as shown on approved plans must be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information must be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
7. The owner must have a set of plans approved by the Director of Public Works, Public Utilities and Director of Planning available at the site at all times when work is being performed. A designated responsible employee must be available for contact by County Inspectors.
8. The property must be developed and maintained as shown on the plan filed with the case and no changes or additions to the layout will be made without the approval of the Director of Planning.
9. A detailed landscaping plan must be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
10. The name of this development, as designated in this approval, must be the name used for approval of future documents associated with this plan. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details must be revised as annotated on the staff plan and included with the construction plans for final signature.
12. The assigned property number(s) must be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 804-501-4602. The Planning Department must assign all property addresses.
13. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner must furnish a statement by the engineer, surveyor, or landscape architect who supervised construction, that all improvements have been installed in substantial conformance with the approved plans, specifications, and County requirements.
14. Plan of Development approval is granted to the owner/applicant to whom it is issued. Upon written notification to the Planning Director, the approval may be transferred to subsequent owners in accordance with Chapter 24, Section 24-2314.C.3.(c).(3).C of the county code.
15. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) must be identified on the landscape plan. All building mounted equipment must be painted to match the building, and all equipment must be screened by such measures as determined appropriate by the Director of Planning and in accordance with Section 24-5311 at the time of plan approval.
16. The proffers approved as a part of zoning case REZ-2023-100017 must be incorporated in this approval.
17. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
18. A concrete sidewalk meeting County standards must be provided along the east and west side of Technology Boulevard
19. The entrances and drainage facilities on Williamsburg Road (State Route 60) must be approved by the Virginia Department of Transportation and the County.

20. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, must be submitted to the Director of Public Works prior to any occupancy permits being issued.
21. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Virginia Department of Transportation maintained right-of-way. The elevations will be set by the contractor and approved by the Virginia Department of Transportation.
22. A concrete sidewalk meeting VDOT standards must be provided along the north and south side of Williamsburg Road (Route 60)
23. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Department of Planning and approved prior to issuance of a certificate of occupancy for this development.
24. Details for the gate and locking device at the emergency access road must be submitted for review by the Traffic Engineer, Police and approved by the County Fire Marshal. The owner or owner's contractor must contact the County Fire Marshal prior to completion of the fence installation to test and inspect the operations of the gates. Evidence of the Fire Marshal's approval must be provided to the Department of Planning by the owner prior to issuance of occupancy permits.
25. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing, and hours of construction must be submitted for County review and prior to the approval of any final construction plans.
26. The owners must not begin clearing of the site until the following conditions have been met:
    - The site engineer must conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements must be shown.
    - After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner must have the limits of clearing delineated with approved methods such as flagging, silt fencing or temporary fencing.
    - The owner will be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details must be included on the landscape plans for approval.
27. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction needed to implement this conceptual plan may be administratively reviewed and approved and will be subject to all regulations in effect at the time such subsequent plans are submitted for review/ approval.
28. The limits and elevations of the **Special Flood Hazard Area** must be conspicuously noted on the plan and labeled **"Limits of Special Flood Hazard Area."** In addition, the delineated **Special Flood Hazard Area** must be labeled "Variable Width Drainage and Utility Easement." The easement must be granted to the County prior to the issuance of any occupancy permits.
29. Construction traffic shall only use Williamsburg Road (State Route 60) or Technology Boulevard.
30. Tractor trailers shall only use Williamsburg Road (State Route 60) or Technology Boulevard
31. The developer shall provide a telephone number for citizen concerns during any construction activity on site in order to respond to citizen concerns and complaints as expeditiously as possible.

32. The development and operations conducted on the property shall comply with the restrictive covenants applicable to White Oak Technology Park.
33. The proposed development is subject to Final Development Review Board (DRB) approval. Any required changes by the DRB must be reflected in the POD and any subsequent plans.
34. The proposed architectural elevations are subject to final approval by the Development Review Board (DRB) and the Director of Planning. Any required changes by the DRB must be reflected in the architectural elevations and any subsequent drawings.
35. Evidence that an engineer has certified the height of Building 1 on Site 3 must be provided to the Director of Planning prior to the issuance of a Certificate of Occupancy.

There may be a requirement for a Wetlands Permit from the U.S. Army Corps of Engineers. Further information on such a requirement should be obtained by contacting the Corps at (804) 323-3781.

Also, you should be aware that a permit or permits may be required from the Virginia Department of Environmental Quality (DEQ). Please contact DEQ at (804) 527-5020 to determine the permit requirements of your proposed project.

Pursuant to Section 24-2314.C.5(c) of the Code of Henrico, this approval shall expire on **February 25, 2030**, unless building permits have been obtained for construction in accordance therewith; or a single one-year extension of approval has been granted by the Director of Planning as provided therein; or further extension of approval is otherwise provided by Section 15.2-2261 of the Code of Virginia.

The approval of this Plan of Development satisfies only the requirements of Chapter 24, Section 24-2314 of the Henrico County Code. The applicant shall be responsible for securing all necessary permits as required by law. A copy of the plan approved by the Director of Planning is available upon request.

When applying for your building permit, please attach a complete electronic set of the approved, signed construction plans and refer to case **POD-2024-102383**.

Sincerely,

R. Joseph Emerson, Jr., AICP
Director of Planning

cc: Deputy Zoning Conformance Officer
Building Official
Real Estate Assessment
Department of Public Utilities, Chief of Design
Department of Public Works
Division of Fire-Chief Fire Marshall
Townes Site Engineering – Attn: Zackary Wilkins

PUP-2025-101460
Wagner Urban Logistics

Staff Report for Planning Commission Public Hearing
Prepared August 28, 2025

This report is prepared by the Henrico County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist them in making a decision on this application. It may also be useful to others interested in this zoning matter.

I. PUBLIC HEARINGS:

Planning Commission:	August 14, 2025	Deferred at the Applicant's Request
	September 11, 2025	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Request:	Provisional Use Permit (PUP) to allow for the Development of Data Centers
Existing Zoning:	M-1 Light Industrial District
Parcel Acreage:	195 acres
Location of Property:	North line of Darbytown Road approximately 550' south of its intersection with Fergus Boulevard
Magisterial District:	Varina
Comprehensive Plan Recommendation:	Planned Industry and Environmental Protection Area
Parcel Numbers:	Part of 812-704-4612
Zoning of Surrounding Properties:	North: M-1 Light Industrial District, M-2 General Industrial District, A-1 Agricultural District South: A-1 Agricultural District, R-2AC, One-Family Residence District (Conditional), R-3C One-Family Residence District (Conditional), M-1 Light Industrial District East: A-1 Agricultural District, M-1 Light Industrial District, M-2 General Industrial District West: A-1 Agricultural District, R-2AC, One-Family Residence District (Conditional), R-3C One-Family Residence District (Conditional), M-2 General Industrial District
Staff Contact:	Seth Humphreys (501-4427)

III. SUMMARY OF STAFF REPORT COMMENTS:

This is a request for a provisional use permit (PUP) to allow the development of data centers on the M-1 zoned portion of a 195-acre parcel located on the north line of Darbytown Road. Due to the amendment to the zoning ordinance adopted June 10, 2025, data centers as a primary use are only allowed in office, business, and industrial zoning districts with the approval of a provisional use permit. An amendment to the 2026 Comprehensive Plan outlining development guidelines for data centers was adopted at the same time.

The 2026 Comprehensive Plan recommends Planned Industry for the subject site. The proposed uses would be consistent with the Plan and the adopted design guidelines for data centers, including a minimum 500' setback from Darbytown Road and providing ample screening as shown in the submitted renderings. With the recommended conditions, the uses will be compatible with the surrounding industrial uses and developed and operated in a manner to mitigate adverse impacts on the residential uses south of the property. For these reasons, staff recommends approval of this request subject to the conditions outlined in Section IV.

The applicant held ~~is holding~~ a community meeting on August 6, 2025, at Varina High School. Approximately 100 members of the community attended and voiced concerns about topics including the use, noise, visual impacts, utility impacts, traffic and aspects of construction. ~~Recommendations of this staff report and the recommended conditions could be modified based on the results of that meeting.~~

At their August 14, 2025 meeting the Planning Commission deferred this request to their September 11, 2025 meeting at the applicant's request. At the time this report was written no new information has been received by the Planning Department.

IV. LAND USE ANALYSIS AND IMPLICATIONS:

The subject site is a 195-acre parcel, which was originally part of the Fareva Pharmaceutical property to the south, and is zoned M-1 Light Industry, M-2 General Industry, and A-1 Agricultural Districts. The proposed data centers would only be located on the M-1-zoned portion of the parcel. The surrounding uses are predominantly industrial north of Darbytown Road and include Dominion's Darbytown Station, additional electric infrastructure, and vacant properties to the north. A high-voltage power line is located to the west, between this site and Fergus Boulevard, and Mondelez production baking facility and distribution uses are located along both sides of Laburnum Avenue east of the proposed facilities. Further to the west and north beyond the transmission lines and railroad are several landfills. On the south side of Darbytown Road, there are several residential developments, including Winding Woods, Eagle's Nest, and Darbytown Meadows subdivisions. Additional residential lots are located along the north side of Darbytown Road to the west of the transmission line easement.

Because of the rising demand for data centers, and responding to concerns raised by citizens regarding the potential proliferation of data centers and their impacts in the county, the Board of Supervisors amended the zoning ordinance to remove them as a by-right use and require the approval of a provisional use permit (PUP). This allows the Board to place conditions upon approval to mitigate concerns related to placement and buffering, noise, and visual impacts, operations of emergency generators, among other site-specific concerns. Other common concerns relate to air quality and impacts to electrical services, which are regional in nature and therefore best addressed through state and federal regulations and processes.

In addition to requiring a provisional use permit, the zoning ordinance outlines the following requirements for data centers:

- All equipment necessary for operating the data center must be contained within an enclosed building or screened by opaque walls to minimize transmission of sound. This includes equipment for cooling and ventilating, as well as emergency power generators and other emergency power supply equipment.

- Generators for a data center must not be operated other than during emergency power outages and for testing and maintenance. Testing and maintenance of generators for a data center must be conducted only Monday-Friday between 10:00 am and 4:00 pm.

- A data center must be served by public water and sewer. Any water cooling must use a closed-loop or recycled water system unless another cooling system is approved for the data center as part of a provisional use permit.

The Board also amended the 2026 Comprehensive Plan to provide design guidelines for data centers addressing setbacks, buffers, building materials and articulation, among other topics.

The applicant originally intended to develop data centers as a by-right use and showed clearing and substations just over 100' from Darbytown Road. The conceptual plan submitted with this provisional use application shows consistency with the zoning ordinance and design guidelines. Data Center Design Guideline #7 recommends all buildings be at least 500' from the lot lines of existing, zoned, or recommended residential uses. The conceptual plan shows eight data center buildings, five of which would be located directly behind the existing Fareva building. The remaining three toward the western portion of the site would be the closest to residential development, and at the closest point would be 500' from Darbytown Road and residential uses north of Darbytown Road.

To mitigate visual and noise impacts of data centers, buffers at least 100 feet wide are recommended by the design guidelines. Screening is particularly essential along Darbytown Road to further reduce potential impacts on the residential uses to the south. The applicant's concept plan indicates the preservation of existing landscaping within a 150' wide buffer along Darbytown Road. This area is currently zoned A-1, Agricultural District, and will not be changed by this request. In addition to this buffer, which is referenced in proposed Condition 1, the preservation of existing mature vegetation along the entrances and western property lines is also recommended. This includes the areas labeled as "Existing Vegetation to Remain" located outside of the approximate extents of the clearing area.

The plan shows three points of access. The main access and an emergency access are shown on Darbytown Road, with a service entrance for future substations proposed on the northern edge of the site. The Darbytown Road entrances would be designed to decrease visibility of any data centers from the roadway and points south, as shown on the concept plan and the submitted elevations. Staff recognizes the need for a secondary emergency access, based on the project's square footage, but would encourage the applicant to work with the adjacent facility for a shared point of access through their site to reduce the number of entrances and building visibility on Darbytown Road.

Other recommended conditions include the preservation of undisturbed areas within 500' of Darbytown Road, protection of environmentally sensitive areas on the site, provisions for a noise study prior to site plan approval, operation and testing of emergency generators, and construction hours.

The applicant held ~~is holding~~ a community meeting on August 6, 2025, at Varina High School. Approximately 100 members of the community attended and voiced concerns about topics including the use, noise, visual impacts, utility impacts, traffic and aspects of construction.

~~Recommendations of this staff report and the recommended conditions could be modified based on the results of that meeting.~~

With the recommended conditions, this request would be compatible with the surrounding industrial uses and located and operated in a manner to mitigate potential impacts on adjacent residential uses. It would also be consistent with the 2026 Comprehensive Plan's recommendation for Industrial uses on the site and with the design guidelines for data centers. For these reasons, staff recommends approval of this request, subject to the following conditions:

1. **Conceptual Plan.** All development on the property must be in general conformance with the Conceptual Plan titled "Airport West Data Center Campus" dated June 12, 2025 (see case file), unless otherwise approved at the time of Plan of Development review. Any plan of development must address:
    a. **Clearing Limits:** Clearly identify limits of disturbance consistent with the conceptual plan, including the retention of existing landscaping. No clearing or grading may occur outside of the identified limits of disturbance.
    b. **Buffering:** Landscape plans must:
        i. Provide a natural and landscaped buffer a minimum of one hundred and fifty (150) feet in width and planted at a minimum level of a transitional buffer 50 along Darbytown Road. The buffer must preserve existing vegetation to the greatest extent possible in the manner determined at the time of landscape plan review.
        ii. Preserve landscaping within the 500' setback shown on the conceptual plan.
        iii. Identify areas where supplemental plantings may be necessary to provide the required buffer standards.

    Roads and access drives (including any sight lines), sidewalks, utility easements (including drainage facilities, electric lines, and fiber and telecommunication lines and related facilities), walls adjacent to any roads or drives, and signage will be permitted within any such buffer; provided, any such road, drive, sidewalk, or utility easements must be extended through such buffer in a manner shown on the conceptual plan, unless otherwise approved at the time of Plan of Development review and as generally shown on the Concept Plan. Electric lines and fiber and telecommunication lines and related facilities may be extended parallel through a buffer so long as the total width of the buffer is increased by the width of the easement for such electric lines and fiber and telecommunication lines and related facilities.
    c. **Conservation Area:** The developer will, prior to final construction plan approval for the Property, make an application to rezone undisturbed areas within 500' of the right of way of Darbytown Road to a C-1 Conservation District.

2. **Principal Building Façades.** All principal building façades on the Property must be consistent in terms of design, materials, details, and treatment. Principal building façades will avoid the use of undifferentiated surfaces by including at least two of the following design elements:
    a. change in building height;
    b. building step-backs or recesses;
    c. fenestration;
    d. change in building material, pattern, texture, color; or
    e. use of accent materials.

3. **Building Materials.** Exposed exterior wall surfaces (above finished grade) of all individual buildings (excluding rooftop screening materials for mechanical equipment) must be constructed with one or more of the following siding materials: decorative concrete block

(including, without limitation, split face block, smooth face block, fluted block, and ground face block), tilt-up or pre-cast concrete, brick, brick veneer, glass, metal (other than corrugated metal), stone, cast stone, stone veneer, stucco, synthetic stucco, glass block, cementitious siding, insulated panels, concrete tile, or ceramic tile, unless other material is approved at the time of Plan of Development review. In no case will unpainted concrete block, unfinished corrugated metal, or unfinished sheet metal be permitted. For purposes of these conditions, "wall surfaces" will not be deemed to include columns, pilasters, trim, gutters, accent materials, architectural features, windows, doors, bay doors, piers, wall sections and headers near roll up doors and loading doors.

4. **Screening of Mechanical Equipment.** All rooftop equipment and generators must be screened from public roadways, currently existing residentially zoned properties, adjacent properties with existing residential uses, or properties with a residential future land use designation at the time of approval of this PUP. Screening must be provided by one of the following options:
    a. principal building;
    b. screen wall or panel;
    c. parapet wall; or
    d. other visually solid screens which will be constructed of materials compatible with those used in exterior construction of the principal building.

5. **Fencing.** Fencing along public or private streets will not be chain-link, with or without slatted inserts, and will not include barbed wire or other similarly visibly intrusive deterrence device. Fencing will be located on one side of buffers and will not disrupt existing vegetation unless otherwise approved at the time of Plan of Development review.

6. **Substations.** Substations must be screened from Darbytown Road, Laburnum Avenue, currently existing residentially zoned properties, adjacent properties with existing residential uses, and properties with a residential future land use designation at the time of approval of this PUP through the use of opaque fencing and landscaping.

7. **Utility Analysis.** An analysis of the downstream sewer system will be required during Plan of Development review to determine if upgrades to the existing sewer are needed. The developer will be required to make any needed improvements.

8. **Noise Study.** Prior to final plan approval, a noise study must be submitted to the County. Prior to issuance of a certificate of occupancy, a post-construction noise study must be conducted to demonstrate to the Planning Director's agreement that the operation complies with all legal requirements with respect to noise level emanating from the Property (non-ambient noise).

9. **Building Setback.** Any building used as a data center will be set back at least five hundred (500) feet from the lot line of currently existing residentially zoned properties, adjacent properties with existing residential uses, and properties with a residential future land use designation at the time of approval of this PUP.

10. **No Burning.** There must be no on-site open burning of stumps, limbs, trees or other debris during site work or the construction of any buildings on the Property.

11. **Impervious Surface.** No more than sixty-five percent (65%) of the Property included in this PUP will contain impervious surface consisting of buildings, structures, parking areas and drive aisles.

12. **BMPs/Retention Ponds.** Any wet pond will be aerated.

13. **Utility Lines.** Except for junction and access boxes, meters, utility lines in wetlands areas, existing overhead utility lines, electric power lines, and except as otherwise required by applicable laws, rules and regulations; all site-specific utility lines, including private electric, telephone, CA TV or other similar lines, will be installed underground, unless otherwise approved at the time of Plan of Development review.

14. **Conservation Areas.** Notwithstanding the uses permitted and regulated by the zoning of the Property, such portion(s) of the Property which lie within a one hundred (100) year flood plain as determined by definitive engineering studies approved by the Department of Public Works, and such portion(s) of the Property which may be inundated by waters impounded to a maximum elevation determined in a controlled, regulated manner by a structure or structures approved by the Department of Public Works, may only be used for the following purposes:
    a. Stormwater management, retention areas, and stormwater outflows.
    b. Ponds, lakes and similar areas intended as aesthetic or recreational amenities or wildlife habitats.
    c. Access drives, utility easements (including fiber and telecommunication lines and related facilities), signage, sidewalks, walkways, and recreational facilities installed in a manner to minimize their impacts.
    d. Such additional uses to the uses identified in A, B and C above as may be deemed compatible and of the same general character by the Director of Planning pursuant to the County Zoning Ordinance.

    The developer will, prior to final construction plan approval for the Property, make an application to rezone such portions of the Property described above to a C-1 Conservation District.

15. **Hours of Construction.** The hours of any land disturbance activities, including operation of bulldozers and other earthmoving equipment will be limited to between 7:00 a.m. and 7:00 p.m. (or dusk, whichever is earlier) on Monday through Friday, and between 9:00 a.m. and 6:00 p.m. on Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work, such as concrete pours or utility connections. No exterior construction may occur on Sundays. Signs, in both English and Spanish, stating the above referenced provisions will be posted and maintained at all construction entrances to the Property prior to any land disturbances activities thereon.

16. **Construction Ingress/Egress:** During plan of development review the developer will provide detailed plans regarding ingress and egress routes to be utilized during building construction, upon development completion and expected traffic generated for work shifts during facility operations.

17. **Diesel Generators.** Diesel generators located on the Property may only be used for emergency purposes. For purposes of this condition, emergency purposes means a need for the generators because of a failure in electrical power being provided to the Property from the main, typical source of electrical power, caused by a weather event, power grid outage, natural or human event, or other failure event. Diesel generators located on the Property may be tested only as approved under the Virginia Department of Environmental Quality ("DEQ") issued permit. Such testing will be conducted pursuant to National Fire Protection Association (NFPA) (or its successor) standards, as may be applicable at that time. All such generators must be installed pursuant to the applicable DEQ permit and operated pursuant to DEQ requirements and guidelines, including any necessary reporting. Any such generator must be located behind a building or screened from any public right-of-way or single-family home existing at the time of a Plan of Development by a wall, fence, landscaping, or other means as deemed necessary and approved at the

time of Plan of Development review. No diesel generators may be used for production of electrical power to serve any use off the Property. The hours of generator testing will be limited to between 10:00 a.m. and 4:00 p.m., Monday through Friday, with no testing on Saturdays or Sundays, provided that these limits will not apply to the testing of any generator(s) during time of commissioning (i.e. , installation and start-up), and except in emergencies or where unusual circumstances require extending the specific hours in order to complete work.

18. **Sidewalks.** Sidewalks will be constructed to County standards along Darbytown Road as required at the time of Plan of Development review for any portion of the Property adjoining Darbytown Road.

19. **Cooling System.** Any data center using water cooling must use a closed-loop or recycled water system.

20. **Severance.** The unenforceability, elimination, revision, or amendment of any condition set forth herein, in whole or in part shall not affect the validity or enforceability of the other condition or the unaffected part of any such condition.

At their August 14, 2025 meeting the Planning Commission deferred this request to their September 11, 2025 meeting at the applicant's request. At the time this report was written no new information has been received by the Planning Department.

V. COMPREHENSIVE PLAN ANALYSIS:

Land Use Plan Recommendation:
The 2026 Comprehensive Plan's recommended future land use for the proposed data center development area is Planned Industry. This request, if properly developed based on the conditions in Section IV of this report, would be consistent with this recommendation.

Vision, Goals, Objectives and Policies:
This request is most consistent with the following:

- *Economic Goal 3:* The County will have Tax revenues that support the continuation of the highest quality public services and facilities that are generated in a balanced manner between residential and nonresidential uses.
- *Economic Objective 14:* Promote the development of planned office centers, and business and industrial parks.
- *Infrastructure/Service Provision & Growth Coordination Objective 2:* Plan for development in a manner that minimizes strain on existing facilities and service areas.

This request is most consistent with the following Data Center Development Goals, Objectives and Guidelines:

- *Goal 3:* Data center development in Henrico will have shared access for uses developed in a coordinated plan spanning large parcels to maximize areas for screening along roadways and adjacent to existing development.
- *Development Guideline 3:* Buffers. A buffer of at least 100 feet to include vegetation equivalent to a TB50 should be utilized to screen the data center from adjacent residentially zoned properties, properties with a residential future land use recommendation, or adjacent properties with existing residential uses. The use of natural topography and preservation of existing vegetation should be the primary methods of buffering, but where that is not sufficient it could be supplemented by new vegetation or an earthen berm.
- *Development Guideline 5:* Substations. Substations should be screened from adjacent major

roads or residentially zoned properties, adjacent properties with existing residential uses, or properties with a residential future land use designation through the use of opaque fencing and landscaped buffers.

VI. PUBLIC SERVICE AND SITE CONSIDERATIONS:

Major Thoroughfare and Transportation:
A 5' sidewalk along the north side of Darbytown Road is desired. Details should be provided regarding ingress and egress routes to be utilized during building construction, upon development completion and expected traffic generated for work shifts during facility operations. Details regarding the expected phasing of construction are desired.

Drainage:

- All proposed improvements must comply with all applicable Public Works plan of development requirements.
- Land disturbance greater than 2500 sq feet will require an Environmental Compliance Plan.
- The site must comply with applicable stormwater quality and quantity requirements.
- Analyze and provide solutions to minimize drainage impacts on downstream properties.
- Traffic Engineering will determine if any right-of-way dedication or road improvements are required.
- Based on information in the County's GIS, there appears to be a Special Flood Hazard Area (SFHA) present on the site. Development activities adjacent to or within the SFHA will be required to comply with the County's floodplain development standards. Residential structures, fill, and stormwater management facilities are prohibited from being built within those areas.
- It appears there may be an SPA Stream and/or an RPA stream on the property.
- Based on GIS, Waters of the U.S. and/or hydric soils are present (indicating possible wetlands). Corps of Engineers and DEQ permits may be required.

Public Utilities:
There is an existing 16" waterline in Darbytown Road. There is an existing 8" sanitary sewer line in Jahodi Lane. The proposed use will produce flows that will exceed the projected flows based on the 2026 Land Use Plan. Therefore, an analysis of the downstream sewer system will be required to determine if upgrades to the existing sewer are needed. The developer will be required to make any needed improvements.

Schools:
This provisional use permit case does not propose any uses with residential or educational impacts.

Community Revitalization:
No comments.

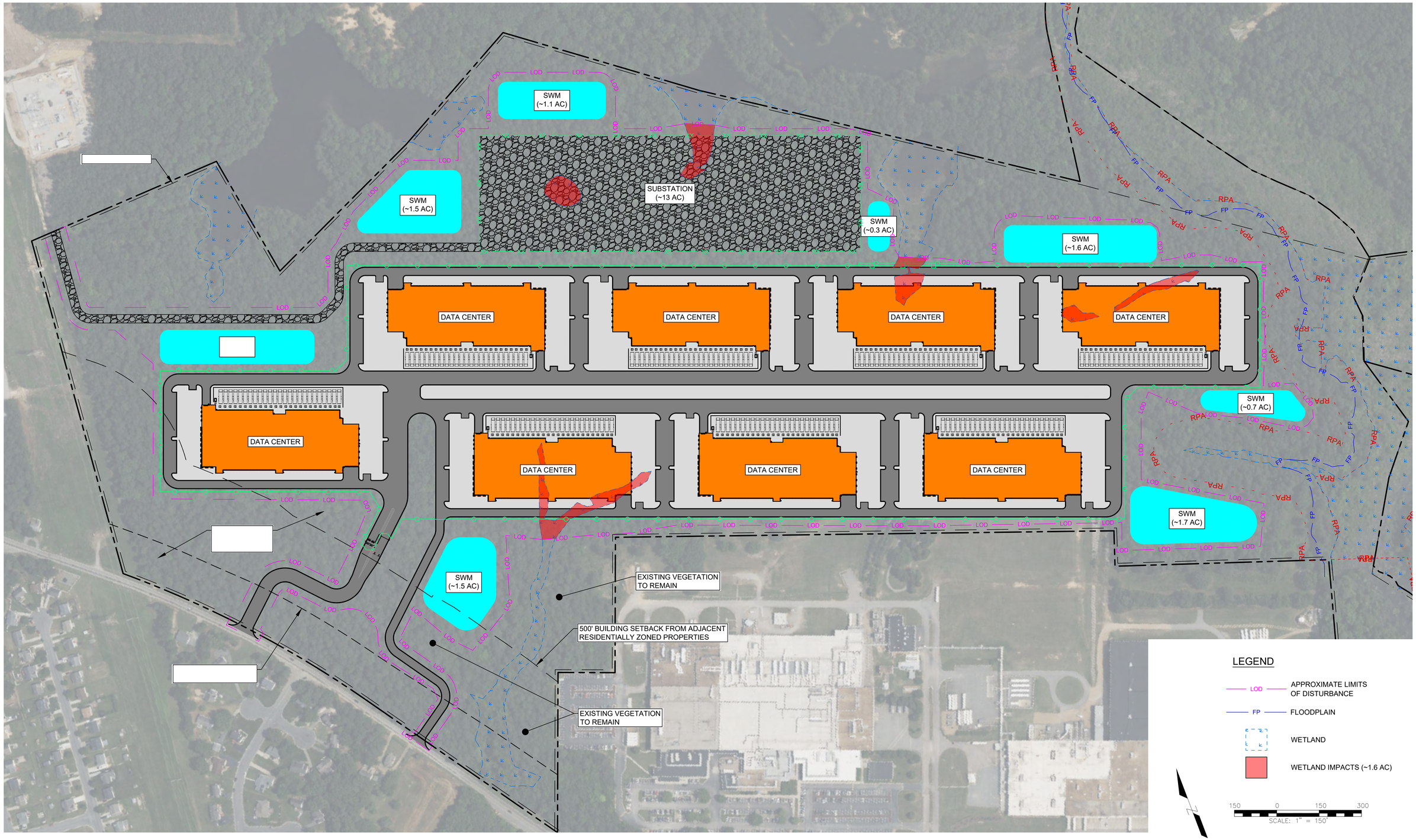
Division of Fire:
PUP to allow a data center campus (8 data halls) behind the existing Fareva. This project has gone through the conceptual POD process and no issues have been identified. Fire Station 2 is first due to respond.

Division of Police:
The applicant is encouraged to contact and work with the Community Services Unit with the Police Division for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts as a plan of development (POD) is drafted for submission to the County for review.

Recreation and Parks:
No park or recreation facilities, historical, archeological or battlefield impact.

Libraries:
This request would not have an impact on library services.

Topography and Land Characteristics Adaptability:
There are no known topographic reasons why the site cannot be used as proposed.



		DATE	BY

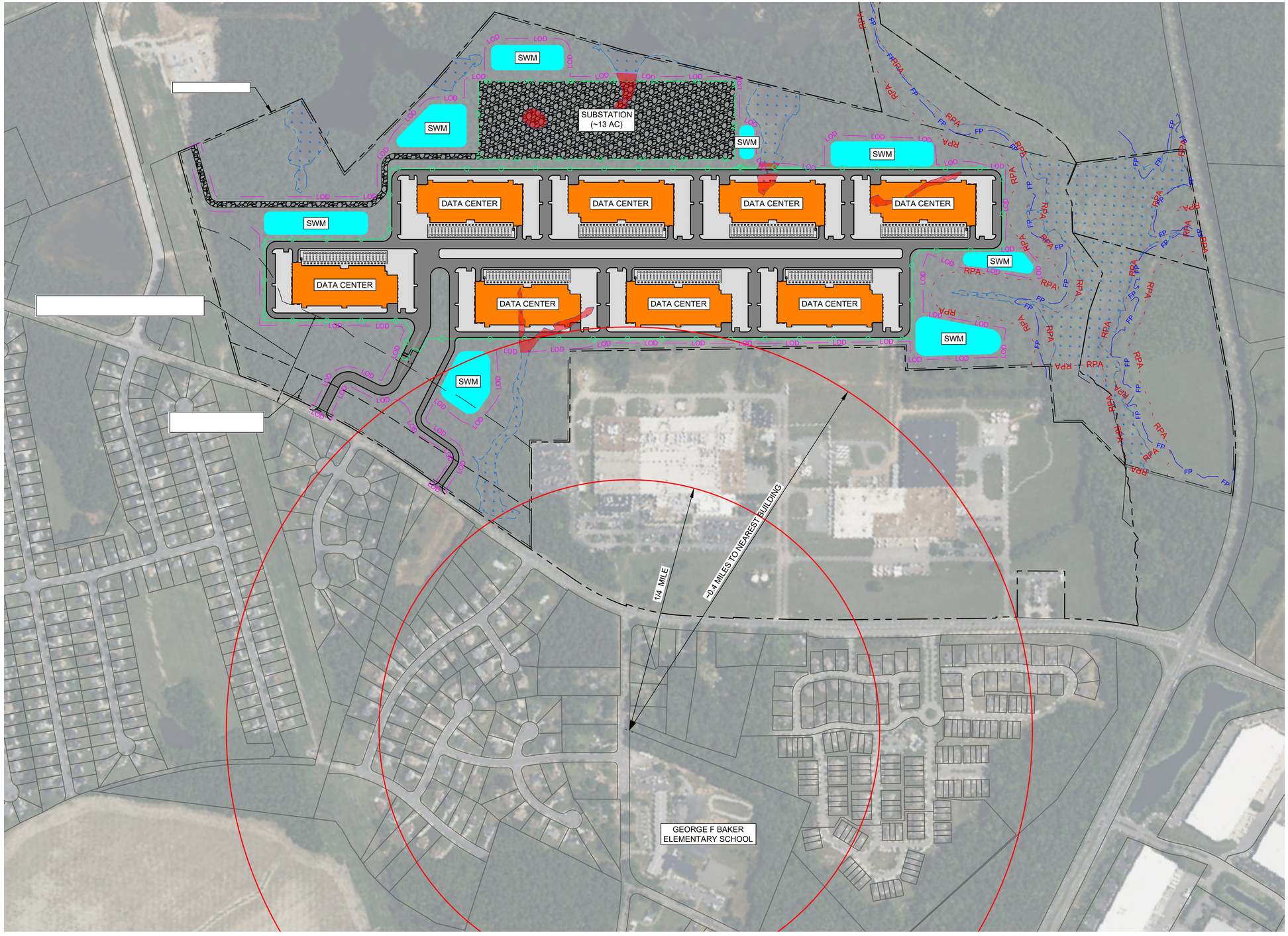
PRELIMINARY

CENTRA LOGISTICS

PUP-2025-101460

AIRPORT WEST DATA CENTER CAMPUS
CONCEPT PLAN

DATE
6/12/2025
PAGE
1



DEVELOPMENT GUIDELINES FROM COMPREHENSIVE PLAN

1) Principal Building Façades
   Principal building façades will include at least two of the following design elements:
   i) change in building height;
   ii) building step-backs or recesses;
   iii) fenestration;
   iv) change in building material, pattern, texture, color; or
   v) use of accent materials.
2) Screening of Mechanical Equipment
   All generators and rooftop equipment will be screened to minimize sound transmission and improve visibility from adjacent roads and parcels.
3) Buffers
   A minimum buffer of 150' of existing vegetation is provided along Darbytown Road.
4) Fencing
   Fencing will not be chain-link and will not include barbed wire or other similarly visibly intrusive deterrence devise. Fencing will not disrupt the site's vegetative buffer.
5) Substations
   Substations will be screened from Darbytown Road and all residential properties.
6) Noise studies
   Noise study will be provided prior to site plan approval and a post-construction noise study will be conducted to demonstrate that the project complies to any conditions or other legal requirements.
7) Setbacks
   All data center buildings are located a minimum of 500 feet from any lot line of residential properties.

LEGEND

- LOD — APPROXIMATE LIMITS OF DISTURBANCE
- FP — FLOODPLAIN
- WETLAND
- WETLAND IMPACTS (~1.6 AC)

250 0 250 500
SCALE: 1" = 250'

		DATE	BY

PRELIMINARY

CENTRA LOGISTICS

PUP-2025-101460

AIRPORT WEST DATA CENTER CAMPUS
CONCEPT PLAN

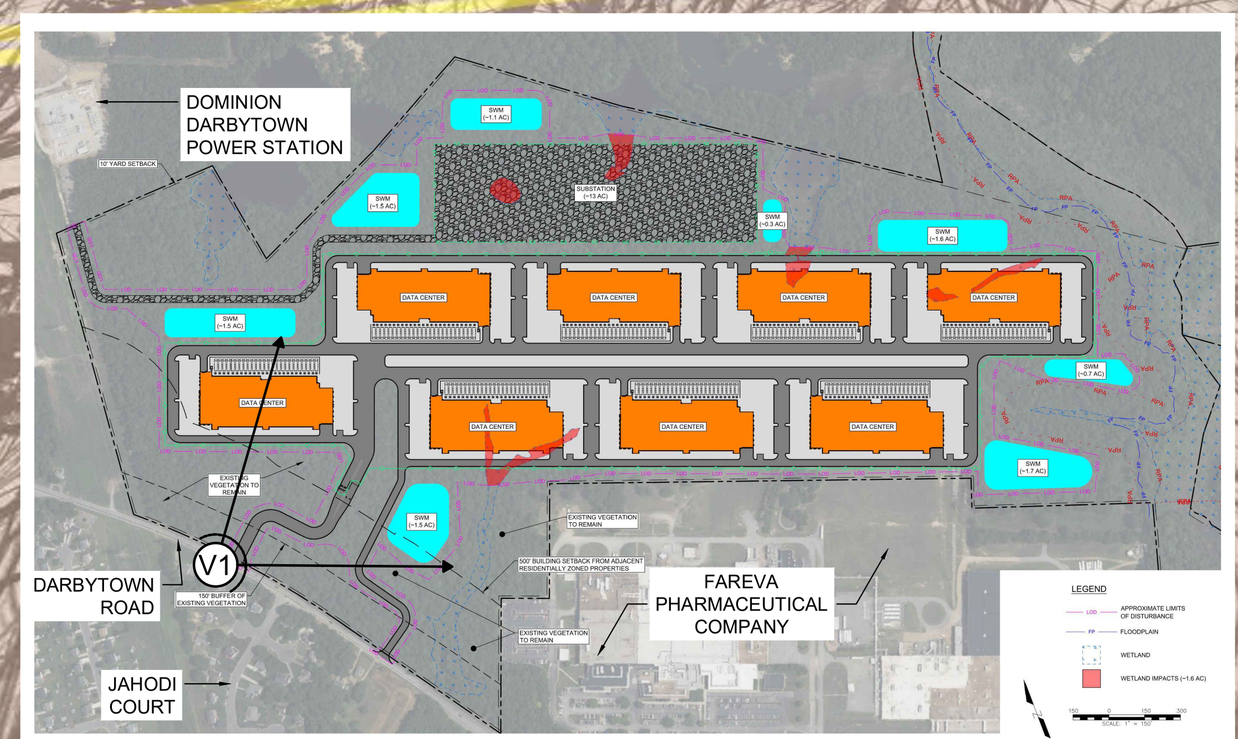
DATE
6/12/2025

PAGE
2

DRAFT

DARBYTOWN ROAD

PUP-2025-101460



V1 VIEW LOCATION MAP

SCALE: NTS

No.	REVISIONS	DATE	BY

Kimley»Horn
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210 Ridge McIntire Road, Suite 325, Charlottesville, VA 22903
PHONE: 434-296-2108
WWW.KIMLEY-HORN.COM

PRELIMINARY
NOT FOR
CONSTRUCTION

KHA PROJECT
113564000

DATE
JUNE 2025

SCALE AS SHOWN

DESIGNED BY	DLG
DRAWN BY	DLG
CHECKED BY	DBE

RENDERED VIEWS

V1 AT DARBYTOWN ROAD

AIRPORT WEST
DATA CENTER CAMPUS

PREPARED FOR
CENTRA LOGISTICS

HENRICO VA

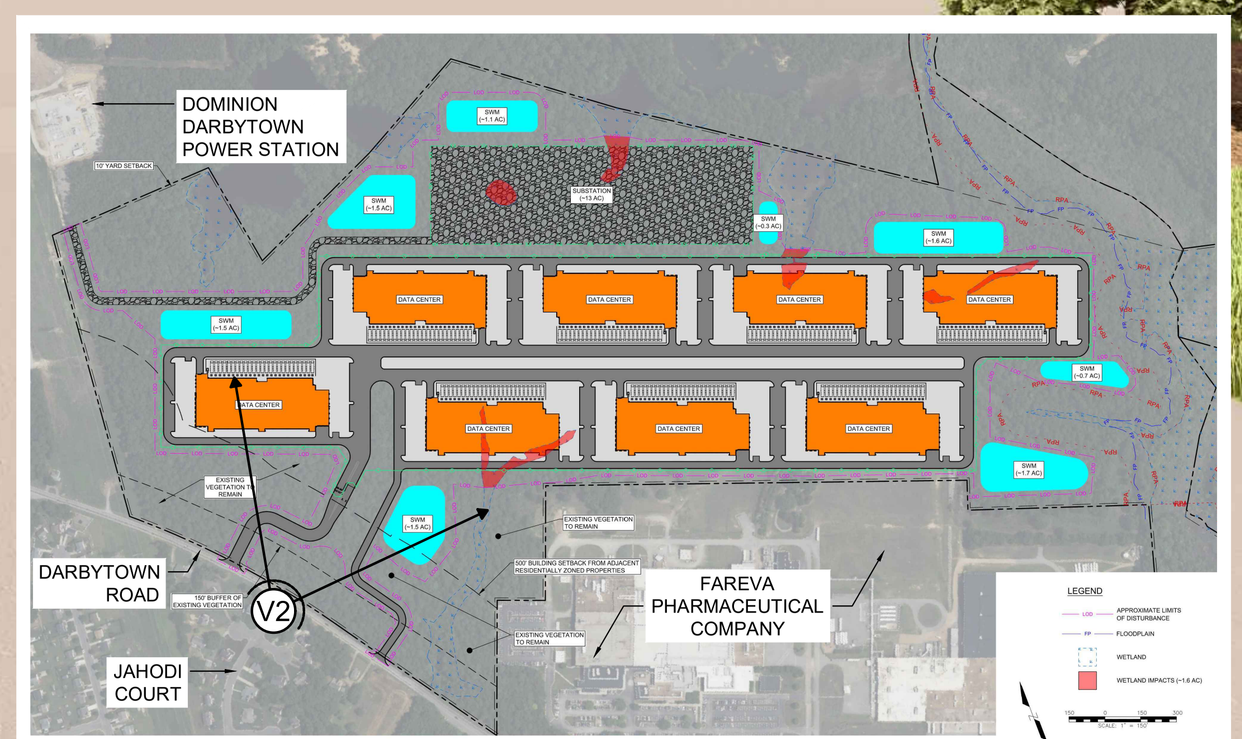
SHEET NUMBER
VIEW 1

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This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared.

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V2 VIEW LOCATION MAP

SCALE: NTS

PUP-2025-101460

No.	REVISIONS	DATE	BY

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PRELIMINARY NOT FOR CONSTRUCTION

KHA PROJECT	113564000
DATE	JUNE 2025
SCALE	AS SHOWN
DESIGNED BY	DLG
DRAWN BY	DLG
CHECKED BY	DBE

RENDERED VIEWS

V2- JAHODI LANE

AIRPORT WEST
DATA CENTER CAMPUS

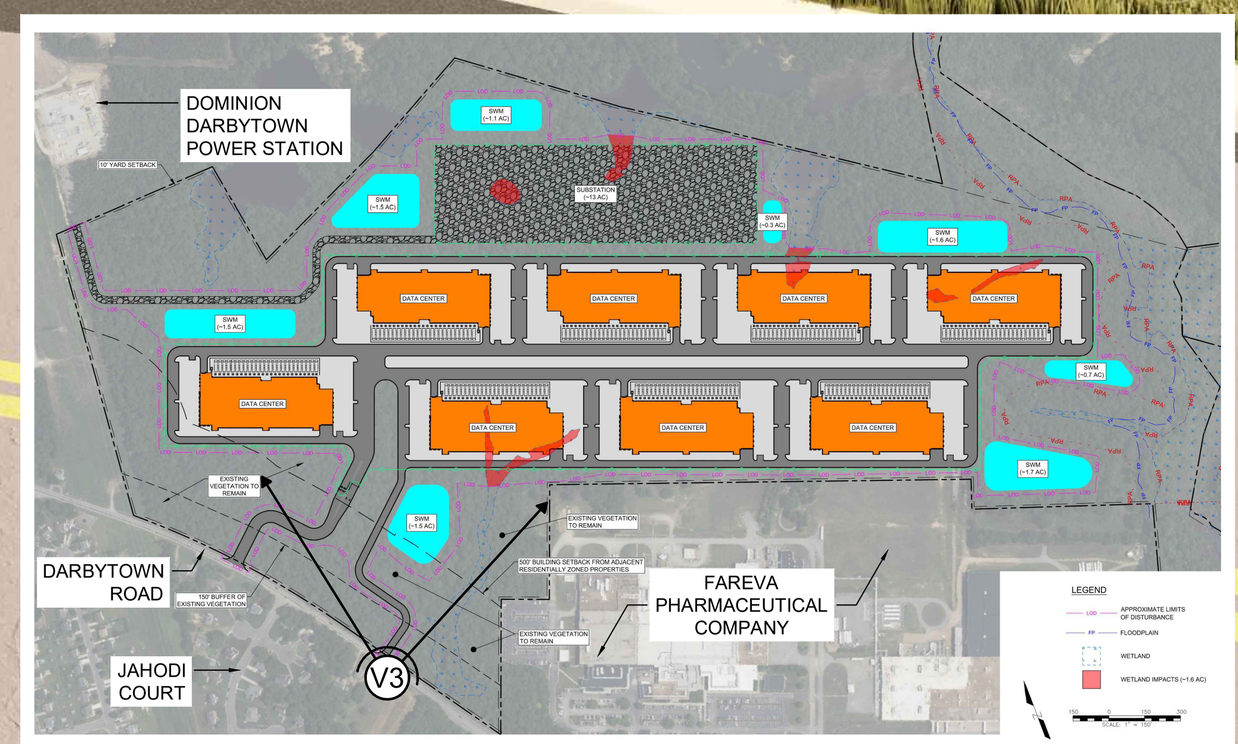
PREPARED FOR
CENTRA LOGISTICS

HENRICO VA

SHEET NUMBER
VIEW 2

DRAFT





V3 VIEW LOCATION MAP

SCALE: NTS

PUP-2025-101460

No.	REVISIONS	DATE	BY

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PRELIMINARY NOT FOR CONSTRUCTION

KHA PROJECT	113564000
DATE	JUNE 2025
SCALE	AS SHOWN
DESIGNED BY	DLG
DRAWN BY	DLG
CHECKED BY	DBE

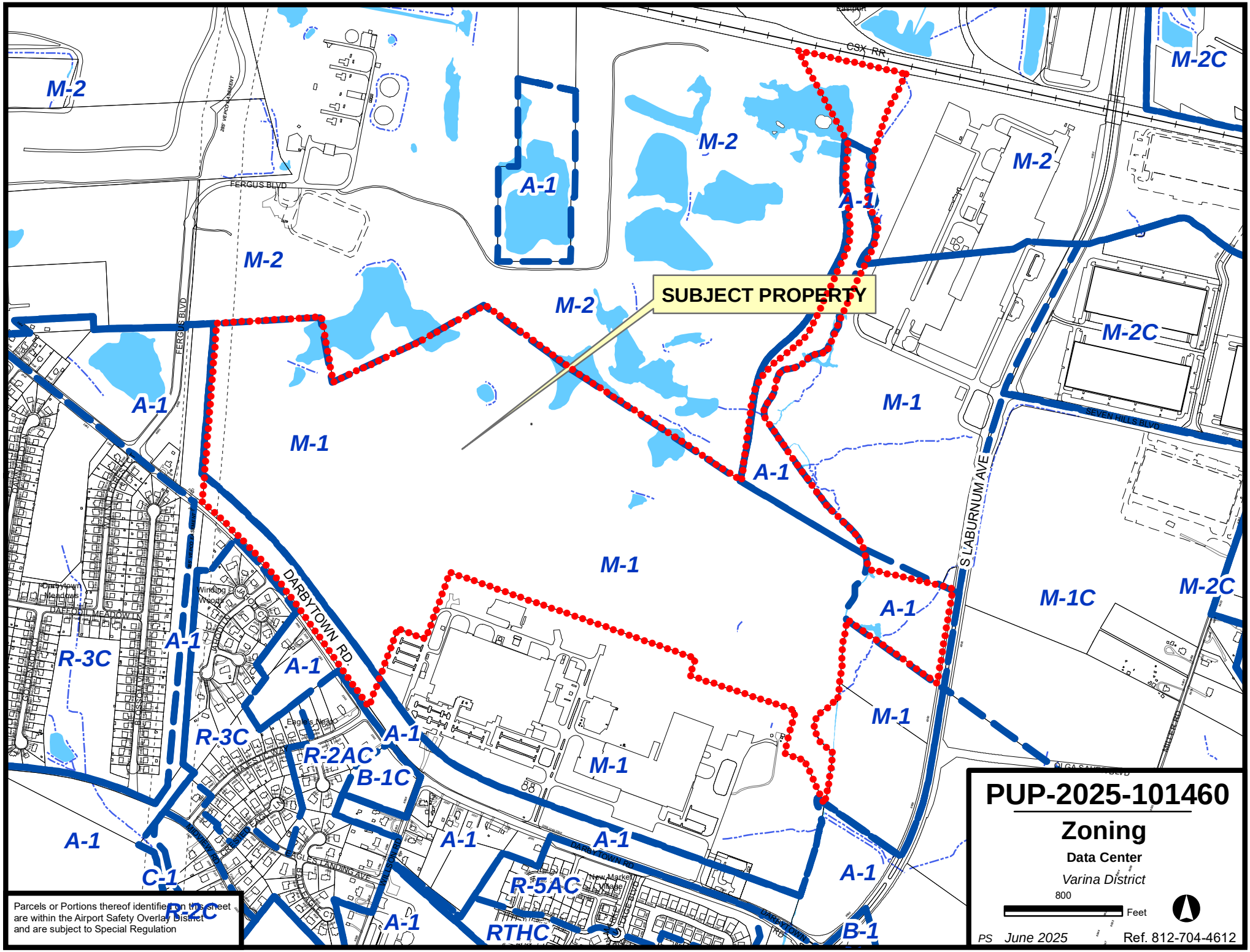
RENDERED VIEWS

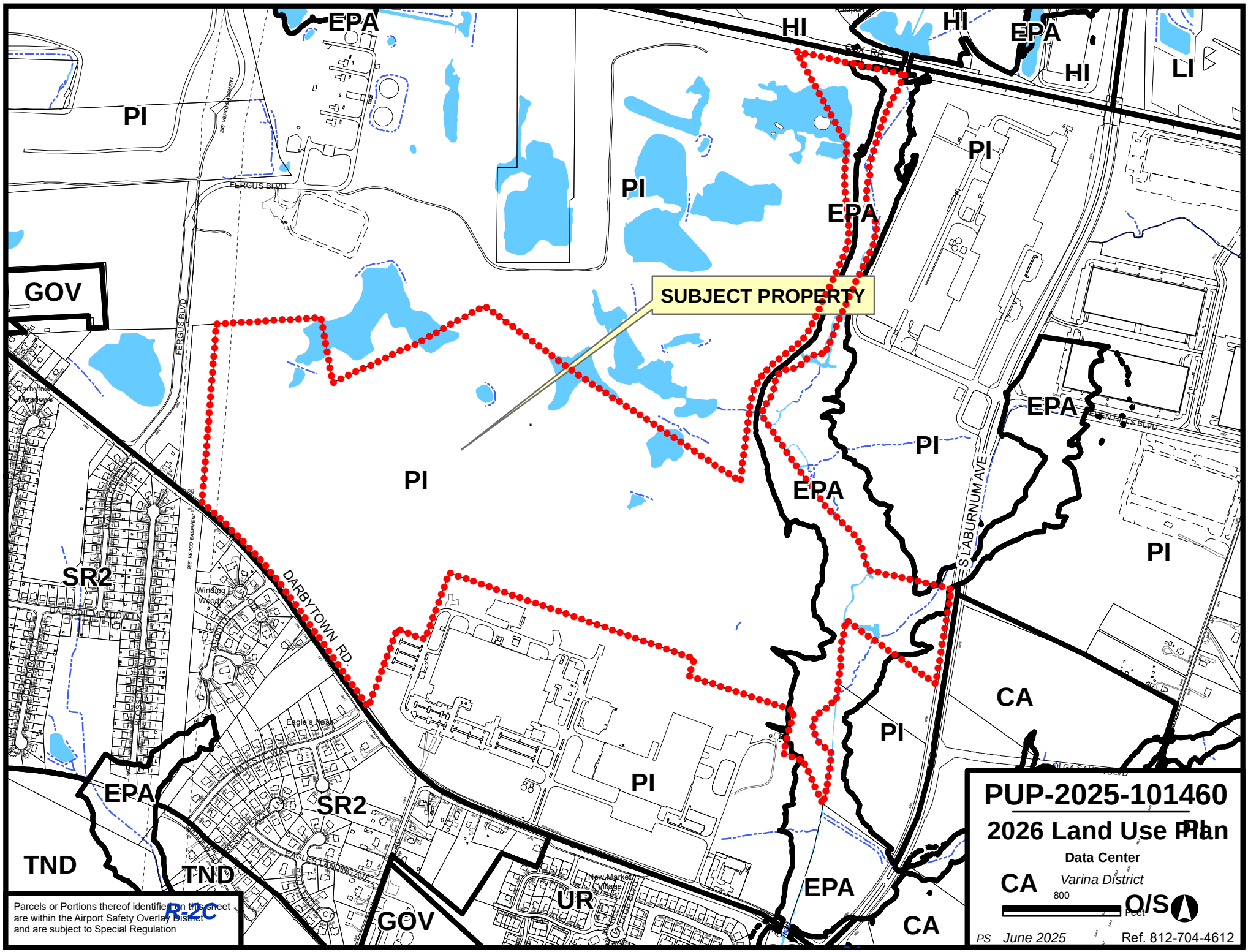
V3 - EMERGENCY ACCESS ROAD

AIRPORT WEST
DARBYTOWN SITE
PREPARED FOR
CENTRA LOGISTICS
HENRICO VA

SHEET NUMBER
VIEW 3

Plotted By:Goldman, Dell Street Set:Kha Layout:V4 June 17, 2025 08:51:17am K:\Hic_Civ_MARKETING\CLINGTON\2025 Marketing\113xxxxx - Fareva Site - Henrico County\3D\CAD\Model Bases\Fareva-Base.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared.


SUBJECT PROPERTY
M-2
M-2C
A-1
M-1
M-1C
R-3C
R-2AC
B-1C
R-5AC
RTHC
C-1
B-1
FERGUS BLVD
CSX RR
DARBYTOWN RD.
S LABURNUM AVE
SEVEN HILL S BLVD
Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation
PUP-2025-101460
Zoning
Data Center
Varina District
800
Feet
PS June 2025
Ref. 812-704-4612


EPA
HI
HI
EPA
HI
LI
PI
PI
PI
EPA
SUBJECT PROPERTY
GOV
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PI
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SR2
CA
PI
PI
EPA
SR2
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EPA
CA
FERGUS BLVD
DARBYTOWN RD.
S LABURNUM AVE
EAGLE LANDING AVE
Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation
R2C
PUP-2025-101460
2026 Land Use Plan
Data Center
CA
Varina District
800
Feet
O/S
PS
June 2025
Ref. 812-704-4612