

REZ2019-00011

Zoning

Multi-Family Residential

Varina District

400

Feet

PS February 2019 Ref: 798-713-5365



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoulikas
County Manager

September 17, 2019

ZAC, LLC
Zimmer Development Company
111 Princess Street
Wilmington, NC 28401

Re: Rezoning Case REZ2019-00011

Dear Sir/Madam:

The Board of Supervisors at its meeting on September 10, 2019, approved your request to conditionally rezone from M-2 General Industrial District to R-6C General Residence District (Conditional) Parcel 798-713-5365 and part of Parcel 798-713-3911 containing 3.03 acres located along the Richmond City line between the CSX Railroad and 37th Street, described as follows:

LEGAL DESCRIPTION (3.033 acres being a portion of GPIN(s) 798-713-5365 & 798-713-3911):

Commencing at the intersection of the South line of Orleans Street and the west line of South 37th Street; thence, with the west line of South 37th Street, S 00°04'21" E, a distance of 155.81 feet to a point lying along the west line of South 37th Street beginning at a point lying along the west line of South 37th Street, said point having a Henrico County NAD 83 South zone coordinate value of N=3,713,699.95, E=11,798,771.54, said point being the POINT OF BEGINNING; thence, continuing with the west line of South 37th Street, S 00°04'21" E, a distance of 85.06 feet to a point lying along the west line of South 37th Street; thence, departing the west line of South 37th Street, southwesterly along a tangent curve to the right, being concave to the northwest, having a radius of 6.68 feet, a central angle of 90°09'08", a tangent length of 6.70 feet, a chord bearing of S 45°00'13" W, a chord length of 9.46 feet, a distance of 10.51 feet along the arc of said curve; thence N 89°55'14" W, a distance of 82.92 feet; thence, southwesterly along a tangent curve to the left, being concave to the southeast, having a radius of 48.00 feet, a central angle of 50°39'23", a tangent length of 22.72 feet, a chord bearing of S 64°45'05" W, a chord length of 41.07 feet, a distance of 42.44 feet along the arc of said curve; thence S 89°56'18" W, a distance of 122.01 feet; thence S 00°05'10" E, a distance of 157.92 feet; thence N 88°02'02" W, a distance of 303.59 feet; thence N 42°59'40" W, a distance of 152.51 feet; thence, northwesterly along a tangent curve to the right, being concave to the northeast, having a radius of 350.00 feet, a central angle of 27°20'23", a tangent length of 85.13 feet, a chord bearing of N 29°19'28" W, a chord length of 165.43 feet, a distance of 167.01 feet along the arc of said curve; thence N 89°55'17" E, a distance of 736.85 feet to the west line of South 37th Street, returning to the Point of Beginning.

Described Parcel contains 3.033 acres, more or less.

The Board of Supervisors accepted the following proffered conditions, dated July 31, 2019, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

A. Plan Conformance and Submission.

1. Overall Development. The Property shall be developed in general conformance with Exhibit 1.2 titled "Site B, Fulton Yard," prepared by 3North, and dated May 15, 2019 (the "Master Plan"), (see case file). Modifications to the Master Plan may be permitted at the time of subdivision plat review or Plan of Development, provided that the modifications are generally in keeping with the spirit and intent of the Master Plan as determined by the Director of Planning.
2. Design Palettes. Lighting, street furniture, and signage shall be determined at the time of Plan of Development. The details shown in Exhibits 2.1, 2.2, 2.3, 2.4, and 2.5 titled "Site Standards," prepared by 3North, and dated April 2, 2019 (see case file), are examples of the design palette. Modifications to the Site Standards may be permitted at the time of subdivision plat review or Plan of Development, provided that the modifications are generally in keeping with the spirit and intent of the Site Standards as determined by the Director of Planning.

B. Density. The total number of multifamily dwelling units on the Property shall not exceed 60 units.

C. Transit. The Applicant shall provide a rideshare pick-up area on the Property.

D. Restrictions. No recreational vehicles, campers, trailers, or boats shall be parked or stored on the Property other than in garages or screened designated areas. Any designated area shall be identified on the applicable subdivision plat or Plan of Development.

E. Design and Architecture.

1. Materials. Exterior wall materials shall be limited to architectural grade metal panels, masonry, fiber cement siding, wood, glass, brick, masonry, and/or painted metal railings, unless otherwise approved by the Planning Commission at the time of Plan of Development. Other materials may be used for trim or design elements.
2. Dumpster Enclosures. Enclosures for dumpsters shall be constructed of finished masonry or materials that are similar to and compatible with the architecture. Gates and doors where such dumpsters are not already screened or enclosed by a building, structure, or wall may be made of a different material provided they are opaque, sturdy, and designed to minimize visibility from public rights-of-way to the extent reasonably practicable. Concrete pavement shall be used for the refuse container pad and apron.

3. Landscaping and Streetscape Design Guidelines.

- a. The landscaping and streetscape on the Property shall be developed in general conformance with the Master Plan and Exhibit 3.1 titled "Site Sections - Site B" and Exhibit 3.2 titled "Detail Sections - Site B," prepared by 3North, dated April 2, 2019 (see case file).
- b. A landscaped buffer shall be installed along the western and southern Property lines adjacent to the M-2 zoned property. The buffer shall be planted in accordance with Transitional Buffer 10 or in accordance with Screen C, as determined by the Director of Planning, at the time of Plan of Development.

4. Best Management Practices.

- a. Any Best Management Practice ("BMP") facilities shall be located outside of any landscape buffer, unless such facilities are underground or serve as a landscaping amenity or water-related feature as permitted at the time of subdivision plat or Plan of Development review.
- b. Any above ground wet BMP facilities shall be aerated. All above ground BMP facilities shall be designed as an amenity and landscaped or fenced as required by Henrico County.

F. **Open Space.**

1. Open Space Requirement. At a minimum, 15% of the Property (as calculated at the time of completion) shall be open space. Open space shall include, but not be limited to, features such as outdoor recreation and public meeting areas, play areas and associated equipment, landscaping, buffer areas, civic spaces, the pedestrian network, stormwater management facilities, and environmental features inclusive of floodplain, environmental resources, and wetlands (provided the environmental features are used as a design feature or recreational amenity). At a minimum, the Applicant shall provide the following open spaces for the general use of all residents on the Property:

- a. One (1) swimming pool.
- b. Roof deck.

2. Pedestrian Network. A minimum five-foot (5') wide pedestrian way shall be constructed along the frontage of 37th Street, if approved by VDOT or the County.

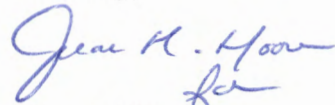
G. **Inclusionary Housing.** For a period of fifteen (15) years, the Applicant shall offer ten (10) percent of the multifamily units for lease to tenants making less than 80% of the annually adjusted Richmond MSA median household income and shall price

such units at a rental rate that is 20% below the rate that is charged by the Applicant for units of the same type.

- H. **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,

A handwritten signature in blue ink, appearing to read "John A. Vithoulkas".






John A. Vithoulkas
County Manager

pc: Chesapeake & Ohio RR CO
Ann Neil Cosby, Esquire
Adena M. Patterson
Director, Real Estate Assessment



PROPERTY B: ORLEANS STREET

LEGEND:

-  Property Line
-  Railroad Overpass
-  Residential
-  Residential over Commercial
-  Residential over Amenity

NOTES:

- 01** Strategic Telecom Supply
- 02** PULSE Bus Stop
- 03** Manchester Industries

SITE FEATURES:

- B1 (B2 SIM.):** 108 Units Per Building
5 Stories
Level 1: Partial Commercial - 3,228 SF
Partial Residential
Breezeway
Levels 2-5: Residential
- B3:** 60 Units
5 Stories
Level 1: Partial Amenity
Clubhouse, Fitness, Leasing
Partial Residential
Levels 2-4: Residential
Level 5 - Partial Residential
Clubhouse & Roof Deck

TOTAL: 276 Units

PARKING:

- Street Parking: 31 Spaces
- City of Richmond Site Parking: 101 Spaces
- Henrico County Site Parking: 151 Spaces
- Total Parking: 283 Spaces



SITE B

REZ2019-00011

Exhibit 1.1



Lighting

Proposed lighting at Fulton Yard will consist of LED Street and Parking fixtures along with a mix of site lighting fixtures. Lighting fixtures, including arm lights, bollards, building mounted lights, string lights, uplights and concealed linear lights will focus the visitor's attention to the buildings and the surrounding landscape of the site.

For vehicular and pedestrian areas, a lower and consistent level of lighting is proposed to provide safe passage for pedestrians and drivers alike. Streetlights and lighting for parking lots and sidewalks will have a targeted average illumination of 0.5 footcandles for paved areas.

Streetlights will be located in the landscaped buffer zones and spaced 10' minimum from the center of street trees. Streetlight poles will be located along the side property lines of residential lots, where possible. Per the Henrico County Zoning ordinance, illumination will not exceed 1.0 footcandles, ten feet outside the property line, when measured at grade of property line.



SITE LIGHTING

Exhibit 2.1



Site Furniture

Gathering spaces and places encouraging activity will be central to the Fulton Yard Development. As such, a variety of site furnishings will be installed throughout the site. The function and character of each installation will be determined by the immediate surroundings.

Seating may be comprised of discreet furnishings or built forms integrated into the landscape. ADA compliant seating will be included and distributed throughout the site.



OUTDOOR SEATING

REZ2019-00011

Exhibit 2.2

Waste Receptacles



Trash and recycling receptacles will complement the furnishings and architecture of the site. Receptacles will be located in the vicinity of public seating groups, but not immediately adjacent to them. Receptacles will allow for the convenient disposal of small waste items to maintain a clean site, without detracting from the experience of residents or visitors.

Larger refuse containers for building tenants will be completely screened from view and located in several enclosed areas conveniently accessible to all residents. The enclosures will be constructed on a concrete pad and apron and composed of durable materials of a complimentary character to the architecture of adjacent buildings. The gates and doors shall be opaque and oriented to minimize exposure to the public right-of-way. Containers will only be serviced between the hours of 6:00 am and 12:00 midnight.



WASTE RECEPTACLES

Bike Racks & Maintenance Stations

With its proximity to the Virginia Capital Trail, Fulton Yard will have a strong focus on accessibility and safety for pedestrians and cyclists. Bike racks will be located throughout the site and will complement new building architecture and surrounding landscape. Racks will be located out of the public right-of-way. Some rack locations may have service stations, providing air and the tools necessary to perform basic bike maintenance. All tools will be securely attached to the station.



BIKE RACKS

Exhibit 2.4



Signage & Wayfinding

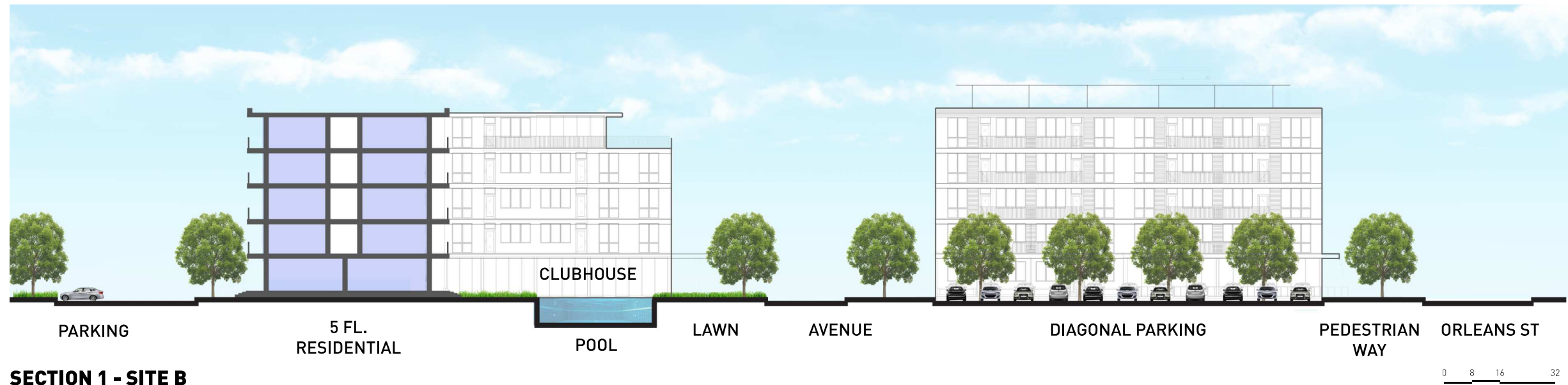
The design and placement of signs in the Fulton Yard Development will be implemented with a focus on safety and wayfinding in the community. In order to serve the many uses accommodated on the site, a variety of signage types will be used. As the site is located along the Route 5 and Pulse Corridors, the material, size and scale of selected signage will complement the area and the new architecture. Retail signs may project from the building face in the form of blades or banners. Signage will also occur on storefront awnings or canopies, or be painted or flush mounted to the face of the building.

Lighting of signs will be focused and avoid excessive or distracting illumination or spill-over onto adjacent properties. All signs will meet the Henrico County or Richmond City code requirements for size, lighting and location.



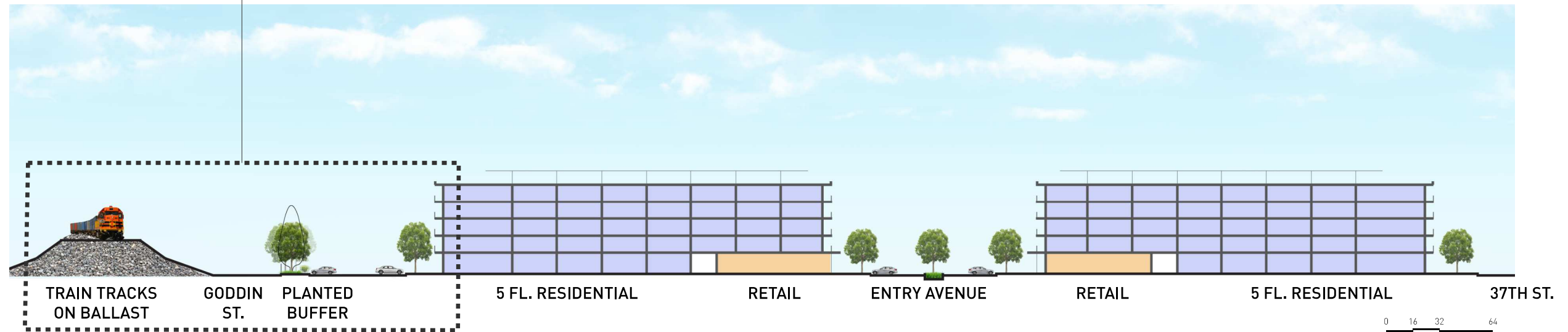
WAYFINDING

Exhibit 2.5



SECTION 1 - SITE B

DETAIL SECTION - 1-SITE B - BERM

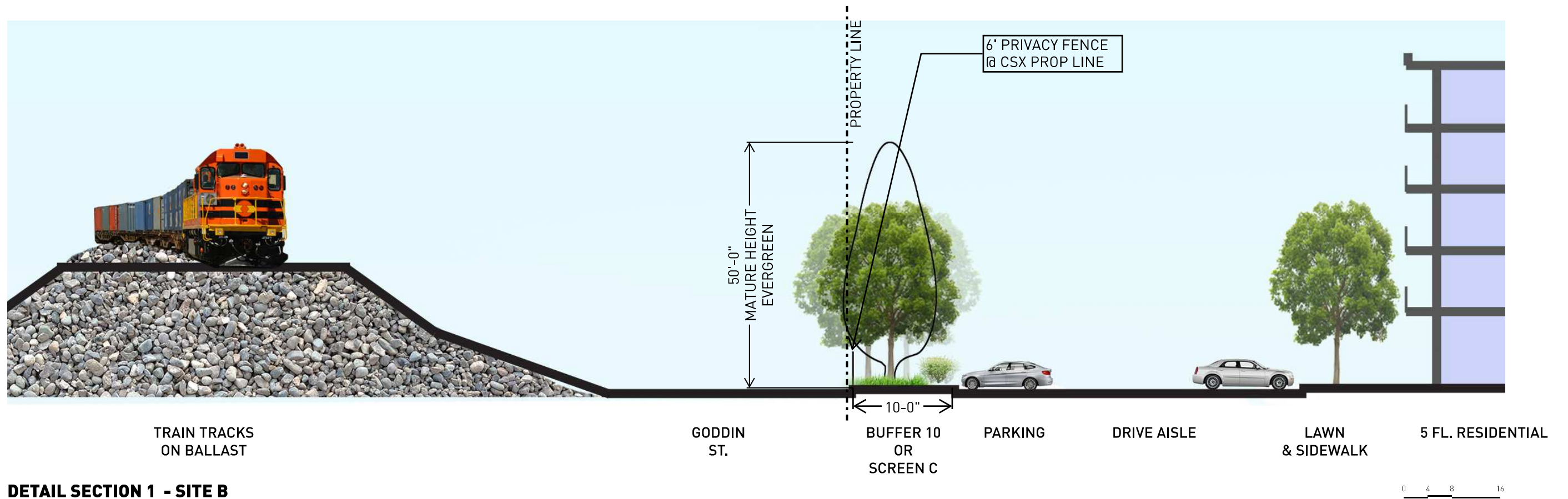


SECTION 2 - SITE B

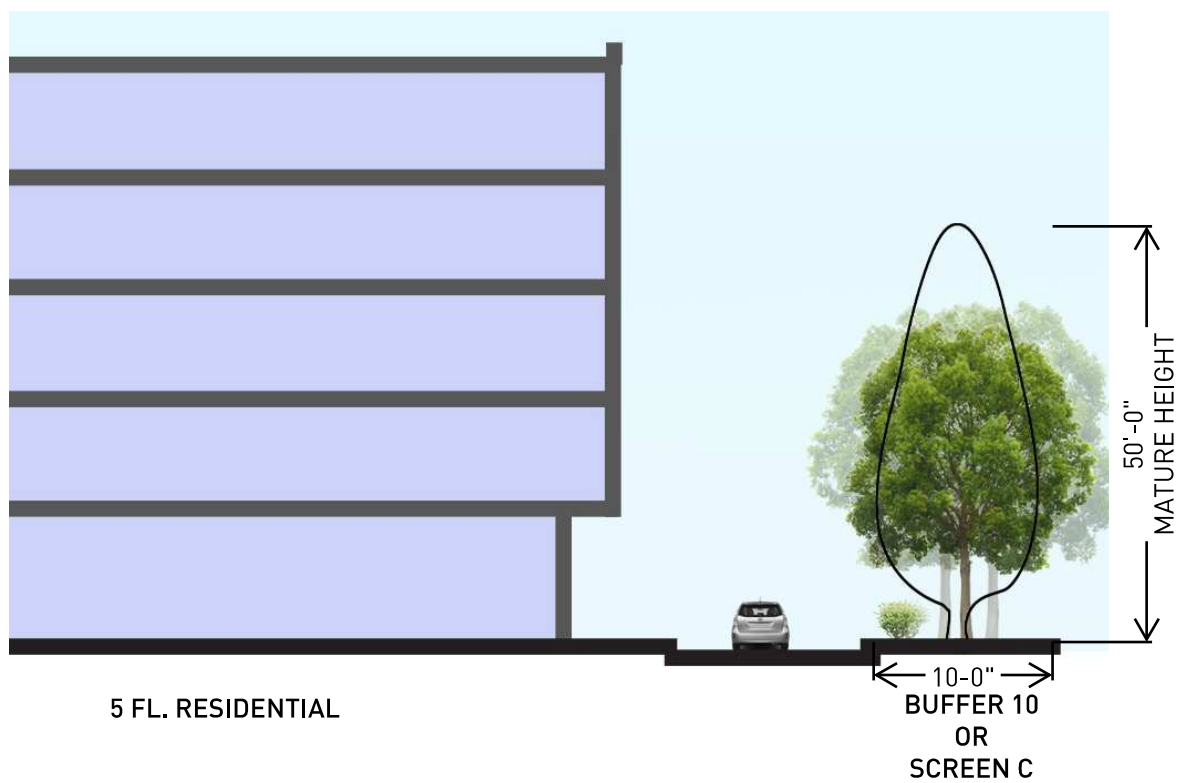


SITE SECTIONS - SITE B

Exhibit 3.1



DETAIL SECTION 1 - SITE B



DETAIL SECTION 2 - SITE B



DETAIL SECTIONS - SITE B

Exhibit 3.2