

**REZ2021-00025**

**Zoning**

Master-Planned Community

Tuckahoe District



PS March 2021

Ref: 739-754-6982



COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**

John A. Vithoulkas  
County Manager

June 15, 2021

Robert Hargett, Manager  
The Rebkee Company  
2800 Patterson Avenue  
Richmond, Virginia 23221

RE: Rezoning Case REZ2021-00025

Dear Mr. Hargett:

The Board of Supervisors at its meeting on June 8, 2021, approved your request to conditionally rezone from B-2C Business District (Conditional) to R-6C General Residence District (Conditional) Parcels 739-754-5257 and 739-754-6982 containing 7.912 acres located at the southwest intersection of John Rolfe Parkway and Church Road, described as follows:

**PARCEL 1**

Beginning at a point at the intersection of the south line of Church Road and the west line of John Rolfe Parkway; Thence along the west line of John Rolfe Parkway S84°23'39"E 63.85' to a point; Thence S37°56'11"E 98.60' to a point; Thence along a curve to the left having a length of 43.31', a radius of 1,001.93', a chord bearing of S37°42'47"E and a chord of 43.31' to a point; Thence S35°25'00"E 30.42' to a point; Thence S35°21'00"E 65.00' to a point; Thence along a curve to the left having a length of 26.31', a radius of 145.00', a chord bearing of S40°32'50"E and a chord of 26.27' to a point; Thence S45°44'39"E 20.50' to a point; Thence along a curve to the left having a length 48.99', a radius of 575.00', a chord bearing of S48°11'07"E and a chord of 48.98' to a point; Thence S50°37'34"E 40.16' to a point; Thence along a curve to the left having a length of 33.48', a radius of 385.00', a chord bearing of S53°07'02"E and a chord of 33.47' to a point; Thence S55°37'55"E 54.87' to a point; Thence S03°17'38"E 149.69' to a point; Thence along a curve to the right having a length of 156.73', a radius of 596.62', a chord bearing of S57°54'27"W and a chord of 156.28' to a point; Thence along a curve to the right having a length of 103.84', a radius of 559.05', a chord bearing



of S77°39'19"W and a chord of 103.69' to a point; Thence along a curve to the right having a length of 40.62', a radius of 583.78', a chord bearing of S77°25'15"W and a chord of 40.61' to a point; Thence along a curve to the left having a length of 114.07', a radius of 769.04', a chord bearing of S75°09'53"W and a chord of 113.97' to a point; Thence along a curve to the right having a length of 6.54', a radius of 22.50', a chord bearing of S79°14'48"W and a chord of 6.52' to a point; Thence S59°49'33"W 36.43' to the true point of beginning; Thence continuing along the west line of John Rolfe Parkway S59°49'33"W 33.90' to a point; Thence along a curve to the right having a length of 11.57', a radius of 22.50' a chord bearing of S49°36'55"W and a chord of 11.44' to a point; Thence S56°52'48"W 10.61' to a point; Thence along a curve to the left having a length of 56.22', a radius of 756.20', a chord bearing of S61°26'37"W and a chord of 56.21' to a point; Thence leaving the west line of John Rolfe Parkway along a curve to the left having a length of 81.66', a radius of 596.53', a chord bearing of S63°11'02"W and a chord of 81.60' to a point; Thence N40°05'02"W 110.27' to a point; Thence N25°10'48"W 123.10' to a point; Thence N49°54'58"E 187.11' to a point; Thence N25°10'48"W 13.69' to a point; Thence along a curve to the right having a length of 152.68', a radius of 500.00', a chord bearing of S38°29'17"E and a chord of 152.09' to a point; Thence S29°44'25"E 49.73' to a point; Thence along a curve to the right having a length of 39.80', a radius of 500.00', a chord bearing of S27°10'48"E 41.07' to the TRUE POINT OF BEGINNING and containing 1.198 acres.

## PARCEL 2

Beginning at a point at the intersection of the south line of Church Road and the West line of John Rolfe Parkway; Thence along the west line of John Rolfe Parkway S84°23'39"E 63.85' to a point; Thence S37°56'11"E 98.60' to a point; Thence along a curve to the left having a length of 43.31', a radius of 1,001.93', a chord bearing of S37°42'47"E and a chord of 43.31' to a point; Thence S35°25'00"E 30.42' to a point; Thence S35°21'00"E 65.00' to a point; Thence along a curve to the left having a length of 26.31', a radius of 145.00', a chord bearing of S40°32'50"E and a chord of 26.27' to a point; Thence S45°44'39"E 20.50' to a point; Thence along a curve to the left having a length 48.99', a radius of 575.00', a chord bearing of S48°11'07"E and a chord of 48.98' to a point; Thence S50°37'34"E 40.16' to a point; Thence along a curve to the left having a length of 33.48', a radius of 385.00', a chord bearing of S53°07'02"E and a chord of 33.47' to a point; Thence S55°37'55"E 54.87' to a point; Thence S03°17'38"E 149.69' to a point; Thence along a curve to the right having a length of 156.73', a radius of 596.62', a chord bearing of S57°54'27"W and a chord of 156.28' to a point; Thence along a curve to the right having a length of 103.84', a radius of 559.05', a chord bearing of S77°39'19"W and a chord of 103.69' to a point; Thence along a curve to the right having a length of 40.62', a radius of 583.78', a chord bearing of S77°25'15"W and a chord of 40.61' to a point; Thence along a curve to the left having a length of 114.07', a radius of 769.04', a chord bearing of S75°09'53"W and a chord of 113.97' to a point;

Thence along a curve to the right having a length of 6.54', a radius of 22.50', a chord bearing of S79°14'48"W and a chord of 6.52' to a point; Thence S59°49'33"W 36.43' to a point; Thence leaving the west line of John Rolfe Parkway N25°10'48"W 41.07' to a point; Thence along a curve to the left having a length of 39.80', a radius of 500.00' a chord bearing of N27°27'36"W and a chord of 39.78' to a point; Thence N29°44'25"W 49.73' to a point; Thence along a curve to the left having a length of 252.37', a radius of 500.00', a chord bearing of N44°12'00"W and a chord of 249.70' to a point; Thence along a curve to the right having a length of 175.30', a radius of 300.00', a chord bearing of N41°55'11"W And a chord of 172.82' to a point; Thence N25°10'48"W 51.26' to a point on the south line of Church Road; Thence along the south line of Church Road N61°58'16"E 56.86' to a point; Thence along a curve to the right having a length of 13.23', a radius of 22.50', a chord bearing of N52°50'43"E and a chord of 13.04' to a point; Thence N63°41'50"E 8.05' to a point; Thence N73°30'15"E 154.07' to a point; Thence along a curve to the left having a length of 143.40', a radius of 1,968.86' a chord bearing of N63°31'45"E and a chord of 143.37' to a point; Thence N60°16'03"E 73.14' to the point of beginning and containing 6.714 acres.

The Board of Supervisors accepted the following proffered conditions, dated April 26, 2021, 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 Exhibit A, attached (see case file), prepared by Kimley Horn (the "Concept Plan"). The exact locations, footprints, configurations, size, and details of the drives, alleys, buildings and other improvements shown on the Concept Plan are illustrative and are subject to change and may be updated from time to time as required for final engineering designs, compliance with governmental regulations or as otherwise approved at the time of Plan of Development review of the Property. This includes the owner's ability to adjust the alley width at the time of Plan of Development review in order to obtain approval of the plan of development if the County requires wider or narrower alleys for such approval.
2. **Construction.** The hours of exterior construction activities, including operation of bulldozers and other earthmoving equipment shall be between 7:00 a.m. and 7:00 p.m. Monday through Friday and 7:30 a.m. and 5:00 p.m. on Saturdays, except in emergencies or where unusual circumstances require the specific hours in order to complete work as concrete pours, asphalt pours and utility connections. No exterior construction activities shall be allowed on Sundays. Signs, in both English and Spanish, stating the above-referenced provisions, shall be posted and maintained at all entrances to the Property prior to any land disturbance activities thereon.



3. **Entrance Feature.** Any detached entrance signage shall be ground mounted monument-style and not exceed 10 feet in height. The base of any such sign shall be brick or stone and be landscaped with plantings.
4. **Underground Utility Lines.** All utility lines on the Property shall be underground, except for existing utilities, junction boxes, meters, utility lines in wetlands areas, and utility lines required to be above ground by the utility company.
5. **Density.** No more than 81 dwelling units will be developed on the Property.
6. **Architecture.**
  - a. Townhome buildings constructed on the Property shall be in general conformance with the architectural style depicted on Exhibit B (see case file) and attached hereto and by this reference made a part hereof, unless otherwise approved by the Planning Director at the time of Plan of Development review.
  - b. Four-story buildings constructed on the Property shall only be located on interior lots. Interior lots shall be those lots which are not adjacent to John Rolfe Parkway or Church Road. A minimum of 50% of the four-story buildings shall provide an outdoor roof amenity on the fourth story.
  - c. The commercial building shall be constructed in an architectural style compatible with the elevations on Exhibit B as approved by the Planning Director at the time of Plan of Development review.
7. **Building Materials.** All buildings shall have exposed exterior walls (above grade and exclusive of trim, which may be metal, wood or vinyl) of stone, cultured stone, stone veneer, brick, brick veneer, E.I.F.S., cementitious siding (e.g. Hardi-plank), high-grade vinyl (a minimum of .042" nominal thickness as evidenced by manufacturer's printed literature), or a combination of the foregoing unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development review. At least fifty percent (50%) of all of the townhomes constructed shall have a minimum fifty percent (50%) of brick, brick veneer, stone, cultured stone or stone veneer construction on their front building wall, excluding, windows, doors, breezeways, gables and architectural design features in the calculation. The sides of any townhouse building that is parallel and adjacent to John Rolfe Parkway and Church Road shall contain 100 percent (100%) brick, brick veneer, stone, cultured stone or stone veneer, exclusive of

windows, doors, breezeways, gables and architectural design features. The commercial building shall be constructed with building walls using at least fifty percent (50%) brick, brick veneer, stone, cultured stone or stone veneer, exclusive of windows, doors, breezeways, gables and architectural design features in the calculation.

8. **Foundations.** The exposed exterior portions of all foundations below the first floor level shall be finished with brick, brick veneer, stone, stone veneer or cultured stone. On the front, side and rear elevations of each building, there shall be a minimum of twelve (12) inches of brick, brick veneer, stone, stone veneer or cultured stone visible above grade. For reasons associated with required site grading, the requirements of this proffer may be modified or waived by the Director of Planning for individual side or rear facades.
9. **Garages.** All homes shall include a minimum of a two (2) car attached garage. No garages doors serving adjacent homes shall be identical.
10. **Pedestrian Connection.** A continuous pedestrian way at least five (5) feet in width shall be provided as shown on the Concept Plan (see case file).
11. **Street Trees.** Street trees shall be planted along John Rolfe Parkway and Church Road, as generally shown on the Conceptual Plan (see case file), at a maximum average spacing of fifty (50) feet on center. If existing trees are maintained, and are located along the sides of the streets, they may be counted toward this requirement. In the event of conflicts with utilities, sightlines and driveway areas, the required spacing shall be increased.
12. **Lead Walk.** A lead walk a minimum of a three (3) feet in width shall be provided to the front entrance of each dwelling unit, to connect to alleys, sidewalks or streets, in the manner generally shown on the Concept Plan (see case file).
13. **HVAC Screening.** Exterior HVAC units shall be initially screened in a manner similar to the illustrative picture attached as Exhibit C (see case file).
14. **Driveways.** Driveways shall be constructed of either cobblestone, brick, asphalt, pre-cast pavers, concrete or other similar materials approved by the Director of Planning. Gravel may be used between driveways in lieu of grass.
15. **Child Care Use.** In the event that the commercial building shown on the Concept Plan (see case file) is used for a child care use, then (i) the playground shall be located on the project side of the commercial building so the building is between Church Road and the playground, or, alternatively, (ii) if the playground




is located between Church Road and the commercial building, then the portion of the 25' wide transitional buffer located between Church Road and the playground shall be planted with an enhanced landscape design to obscure and provide a visual image different from the playground along Church Road, as such landscape design shall be determined at the time of plan of development review and approval. The playground shall be fenced with a vinyl-coated chain link fence, or a different fence material and design that is approved by the Planning Director at the time of plan of development review.

16. **Open Space.** The open space at the intersection of Church Road and John Rolfe Parkway shall be improved as generally shown on Exhibit D, attached (see case file). An additional amenity area shall be provided in the general location shown on Exhibit A (see case file). This amenity area will be improved with two different types of amenities, such as a fenced dog park and a gathering and seating area with parking spaces adjacent that may be used by food trucks or with other improvements approved by the Planning Director at time of plan of development review. Exhibit D is conceptual in nature and the actual improvements may vary in detail, unless other improvements are approved by the Planning Director at the time of plan of development review and approval.
17. **Buffer Plantings.** The 25' transitional buffer shown on the Concept Plan (see case file) shall be planted in accordance with the planting requirements for transitional buffers 25' in width as set forth in the zoning ordinance, unless otherwise approved by the Planning Director at the time of plan of development review. The street trees required by proffer 11 above shall count toward the plantings required by this proffer. The 25' transitional buffer shown on the Concept Plan is narrowed to a minimum of 19' at one point along John Rolfe Parkway, in the location shown on the Concept Plan, and the plantings at this location may be adjusted to fit the different width.
18. **Sound Suppression Measures.** Sound suppression measures with at least a 55 sound coefficient rating shall be provided between units. A cross-sectional detail, reviewed and approved by a certified architect or engineer as to the methodology accomplishing the sound coefficient rating, shall be included in the building permit application.
19. **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 Rebkee Company  
June 15, 2021  
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The Planning Department has been advised of the action of the Board of Supervisors and will revise its records.

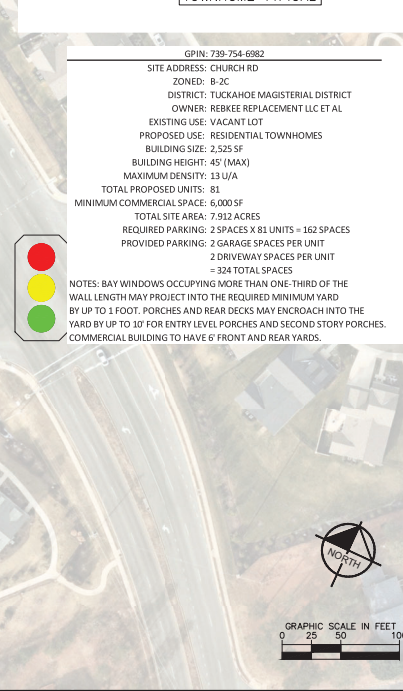
Sincerely,



John A. Vithoukas  
County Manager

pc: Jeffrey P. Geiger, Esq.  
Rebkee Replacement, LLC  
Westline, LLC  
Pump & Church (CT), LLC  
Pump & Church (JG), LLC  
Pump & Church (DM), LLC  
Pump & Church (D&J), LLC  
Director, Real Estate Assessment  
Justin Briggs, Schools





<b>SHEET NUMBER</b>	<b>SHIRE WALK PREPARED FOR CLIENT</b>	<b>CONCEPT</b>	KHA PROJECT
			11508-955
			DRAWN DATE
			01/27/2021
			SCALE AS SHOWN
			DESIGNED BY
			DRAWN BY
			CHECKED BY
			HENRICO VA





EXHIBIT B

REZ2021-00025





EXHIBIT B

REZ2021-00025





EXHIBIT B

REZ2021-00025





EXHIBIT C

REZ2021-00025



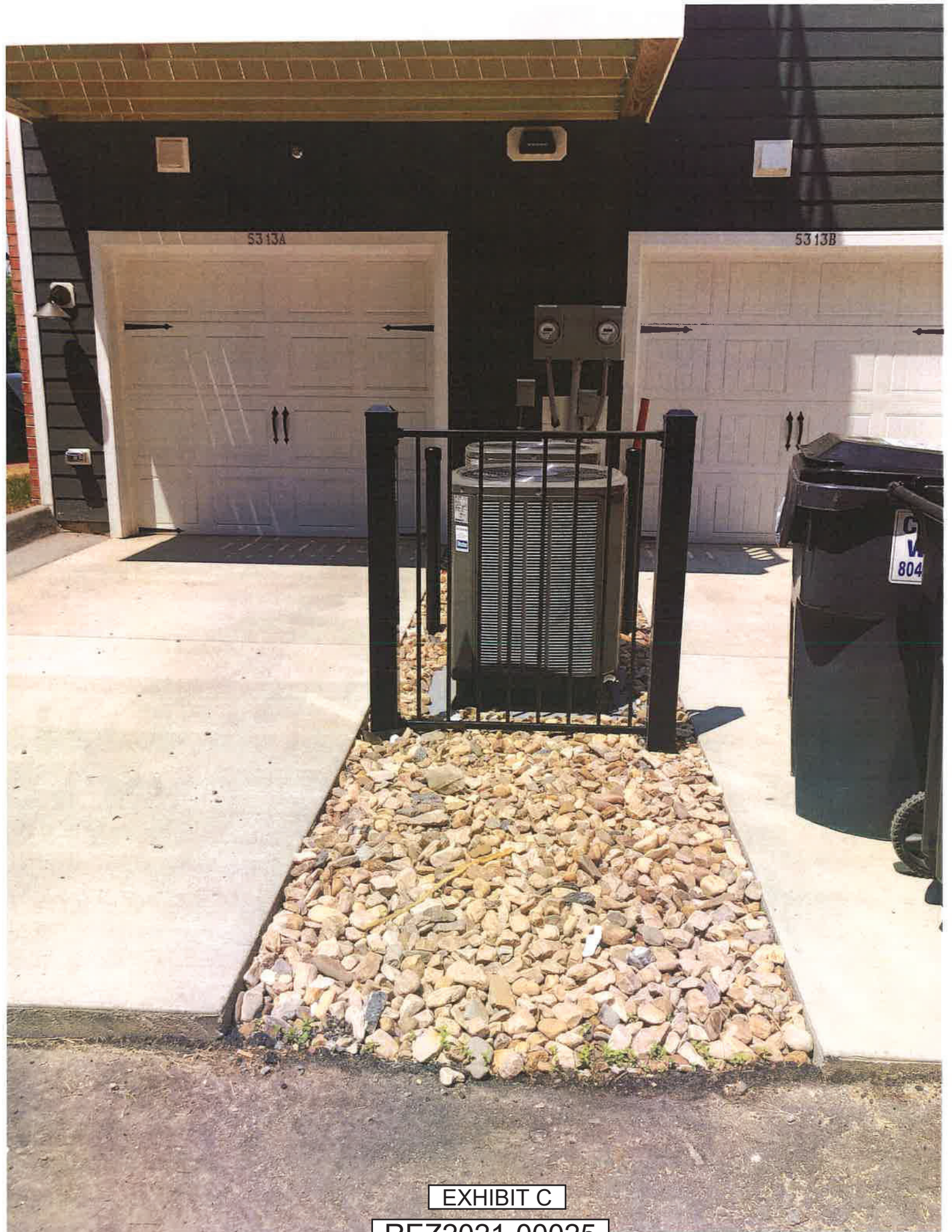


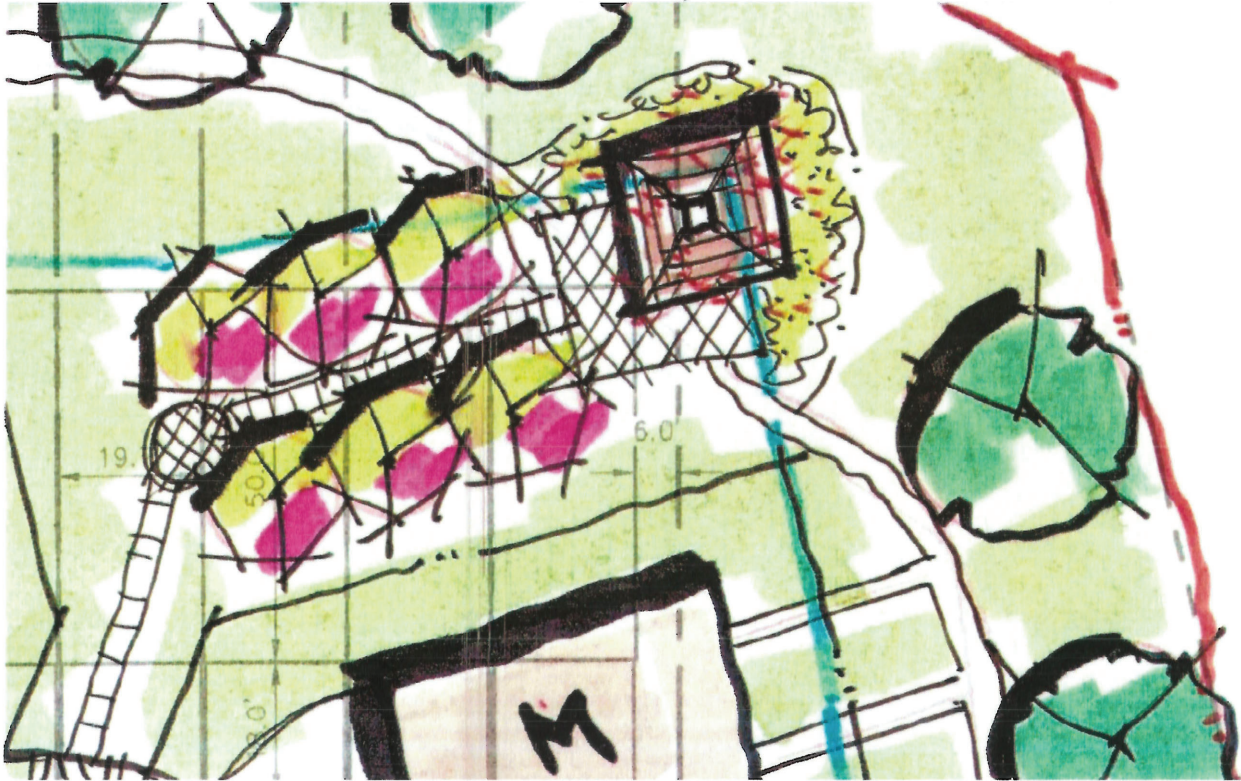
EXHIBIT C

REZ2021-00025



**EXHIBIT D**

Corner Amenity Area



Dog Park and Gathering Area



REZ2021-00025