

**REZ2021-00039**

**Zoning**

**Urban Mixed-Use**

**Fairfield District**

1000

Feet

PS June 2021

Ref: 787-760-9582



COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**

John A. Vithoulkas  
County Manager

October 19, 2021

Green City Partners, LLC  
1 E Broad Street  
Richmond, VA 23219

Re: Rezoning Case REZ2021-00039

Dear Mr. Hallmark:

The Board of Supervisors at its meeting on October 12, 2021, approved your request to conditionally rezone from A-1 Agricultural District, R-2 One-Family Residence District, O-3C Office District (Conditional), M-1 Light Industrial District, M-1C Light Industrial District (Conditional), and PMD Planned Industrial District to UMUC Urban Mixed Use District (Conditional) Parcels 787-760-9582, 788-762-3171, 789-762-3970, 788-760-3976, 787-758-3213 containing acres 204.20 located generally between E. Parham Road and the southeast line of Scott Road and between Scott Road and Interstate 295, described as follows:

**RP Parham, LLC, (88.782 Acres)**  
**GPIN: 788-762-3171**

Commencing at a point being the intersection of Level Green Land and Scott Road thence; leaving the north line of Scott Road North 00°37'42" East a distance of 1,365.59 feet to a set nail thence; North 00°22'01" East a distance of 521.39 feet to a found nail and cap thence; North 89°37'21" West a distance of 853.07 feet to a found VDOT monument on the south right-of-way line of Interstate 295 thence; continuing along the south right-of-way of Interstate 295 along a curve to the right having a radius of 467.96 feet, a length of 427.22 feet, a chord bearing of North 31°27'26" East and a chord distance of 412.54 feet to a found VDOT monument thence; North 57°32'48" East a distance of 214.62 feet to a found VDOT monument thence; along a curve to the left having a radius of 923.51 feet, a length of 440.30 feet, a chord bearing of North 43°56'40" East and a chord distance of 436.14 feet to a found VDOT monument thence; North 30°12'33" East a distance of 69.49 feet to a found VDOT monument thence; along a curve to the right having a radius of 316.25 feet, a length of 489.43 feet, a chord bearing of North 74°32'06" East and a chord distance of 442.03 feet to a found VDOT monument thence; South 61°36'51" East a distance of 282.14 feet to a found VDOT monument thence; South 53°49'57" East a distance of 216.83 feet to a found VDOT monument thence; South 62°11'49" East a distance of 569.33 feet to a found VDOT monument thence; South 66°11'45" East a distance of 596.31 feet to a found VDOT monument thence; South 67°24'32" East a distance of 309.70 feet to a found VDOT monument thence; South 63°36'37" East a distance of 283.62 feet to a found VDOT monument thence; North 83°28'54" East a distance of 143.82 feet to a found VDOT monument thence; along a curve to the left having a radius of 3933.72 feet, a length of

76.89 feet, a chord bearing of South 77°20'42" East and a chord distance of 76.89 feet to a set rod thence; leaving the south line of Interstate 295 South 68°27'42" West a distance of 57.28 feet to a set rod thence; South 56°15'57" West a distance of 70.82 feet to a set rod thence; South 68°41'48" West a distance of 29.16 feet to a set rod thence; South 61°54'05" West a distance of 132.06 feet to a set rod thence; South 64°38'33" West a distance of 69.51 feet to a set rod thence; North 81°11'09" West a distance of 182.58 feet to a set rod thence; North 61°10'56" West a distance of 53.50 feet to a set rod thence; South 88°31'52" West a distance of 52.25 feet to a set rod thence; North 58°11'14" West a distance of 52.90 feet to a set rod thence; South 70°41'33" West a distance of 24.04 feet to a set rod thence; South 80°04'04" West a distance of 23.74 feet to a set rod thence; North 74°09'35" West a distance of 44.71 feet to a set rod thence; North 63°52'01" West a distance of 45.19 feet to a set rod thence; North 38°59'45" West a distance of 25.71 feet to a set rod thence; 76°09'16" West a distance of 31.90 feet to a set rod thence; South 25°07'09" West a distance of 20.19 feet to a set rod thence; North 53°24'33" West a distance of 38.04 feet to a set rod thence; North 64°55'43" West a distance of 21.57 feet to a set rod thence; North 77°28'57" West a distance of 22.15 feet to a set rod thence; South 38°02'54" West a distance of 24.06 feet to a set rod thence; North 82°58'49" West a distance of 20.47 feet to a set rod thence; North 32°20'54" West a distance of 33.11 feet to a set rod thence; North 59°20'22" West a distance of 16.17 feet to a set rod thence; South 78°51'34" West a distance of 28.73 feet to a set rod thence; North 40°27'32" West a distance of 29.65 feet to a set rod thence; South 04°36'08" West a distance of 543.62 feet to a found rod thence; South 89°24'29" West a distance of 496.86 feet to a found rod thence; South 00°35'49" East a distance of 1212.18 feet to a found rod being on the north line of Scott Road thence; continuing on the north line of Scott Road along a curve to the right having a radius of 255.81 feet, a length of 71.21 feet, a chord bearing of South 77°00'29" West and a chord distance of 70.98 feet to a found rod thence; South 84°59'22" West a distance of 947.86 feet to a found p.k. nail being the point of beginning and containing 3,867,333 square feet or 88.782 acres of land.

**PR Parham, LLC, (4.012 acres)**  
**GPIN: 787-760-9582**

Commencing at a point on the south line of Scott Road being 318' feet from the intersection of Level Green Lane and Scott Road thence; continuing on the south line of Scott Road North 85°13'56" East a distance of 295.36' feet to a found pipe thence; leaving the south line of Scott Road South 20°02'09" West a distance of 775.27' feet to a 48" dead oak tree thence; North 75°25'07" West a distance of 129.10 feet to a found pipe thence; North 53°22'14" West a distance of 91.64 feet to a found pipe thence; North 15°23'30" East a distance of 639.57 feet to a found pipe along the south line of Scott Road being the point of beginning and containing 174,744 square feet or 4.012 acres of land.

**PR Parham, LLC, (6.121 acres)**  
**GPIN: 789-762-3970**

Commencing at a point being the intersection of Level Green Lane and Scott Road thence; leaving the north line of Scott Road North 00°37'42" East a distance of 1,365.59 feet to a set nail thence; North 00°22'01" East a distance of 521.39 feet to a found nail and cap thence; North 89°37'21" West a distance of 853.07 feet to a found VDOT monument on the south right-of-way line of Interstate 295 thence; continuing along the south right-of-way of Interstate 295 along a curve to the right having a radius of 467.96 feet, a length of 427.22

feet, a chord bearing of North 31°27'26" East and a chord distance of 412.54 feet to a found VDOT monument thence; North 57°32'48" East a distance of 214.62 feet to a found VDOT monument thence; along a curve to the left having a radius of 923.51 feet, a length of 440.30 feet, a chord bearing of North 43°56'40" East and a chord distance of 436.14 feet to a found VDOT monument thence; North 30°12'33" East a distance of 69.49 feet to a found VDOT monument thence; along a curve to the right having a radius of 316.25 feet, a length of 489.43 feet, a chord bearing of North 74°32'06" East and a chord distance of 442.03 feet to a found VDOT monument thence; South 61°36'51" East a distance of 282.14 feet to a found VDOT monument thence; South 53°49'57" East a distance of 216.83 feet to a found VDOT monument thence; South 62°11'49" East a distance of 569.33 feet to a found VDOT monument thence; South 66°11'45" East a distance of 596.31 feet to a found VDOT monument thence; South 67°24'32" East a distance of 309.70 feet to a found VDOT monument thence; South 63°36'37" East a distance of 283.62 feet to a found VDOT monument thence; North 83°28'54" East a distance of 143.82 feet to a found VDOT monument thence; along a curve to the left having a radius of 3933.72 feet, a length of 76.89 feet, a chord bearing of South 77°20'42" East and a chord distance of 76.89 feet to a set rod thence; leaving the south line of Interstate 295 South 68°27'42" West a distance of 57.28 feet to a set rod thence; South 56°15'57" West a distance of 70.82 feet to a set rod thence; South 68°41'48" West a distance of 29.16 feet to a set rod thence; South 61°54'05" West a distance of 132.06 feet to a set rod thence; South 64°38'33" West a distance of 69.51 feet to a set rod being the point of beginning thence; South 28°15'22" West a distance of 47.85 feet to a set rod thence; South 23°15'31" West a distance of 51.43 feet to a set rod thence; South 35°17'56" West a distance of 50.03 feet to a set rod thence; South 32°41'09" West a distance of 27.90 feet to a set rod thence; South 47°36'45" West a distance of 86.08 feet to a set rod thence; South 53°31'01" West a distance of 26.10 feet to a set rod thence; South 25°49'42" West a distance of 13.05 feet to a set rod thence; South 56°24'44" West a distance of 60.83 feet to a set rod thence; South 63°18'16" West a distance of 44.06 feet to a set rod thence; South 34°32'31" East a distance of 25.88 feet to a set rod thence; South 63°42'53" West a distance of 24.10 feet to a set rod thence; South 25°04'17" West a distance of 16.32 feet to a set rod thence; South 09°29'18" West a distance of 15.03 feet to a set rod thence; South 89°24'29" West a distance of 455.86 feet to a found rod thence; North 04°36'08" East a distance of 543.62 feet to a set rod thence; South 40°27'32" East a distance of 29.65 feet to a set rod thence; South 59°20'22" East a distance of 16.17 feet to a set rod thence; South 32°20'54" East a distance of 33.11 feet to a set rod thence; South 82°58'49" East a distance of 20.47 feet to a set rod thence; North 38°02'54" East a distance of 24.06 feet to a set rod thence; South 77°28'57" East a distance of 22.15 feet to a point thence; South 64°55'43" East a distance of 21.57 feet to a set rod thence; South 53°24'33" East a distance of 38.04 feet to a set rod thence; North 25°07'09" East a distance of 20.19 feet to a set rod thence; South 76°09'16" East a distance of 31.90 feet to a set rod thence; South 38°59'45" East a distance of 25.71 feet to a set rod thence; South 63°52'01" East a distance of 45.19 feet to a set rod thence; South 74°09'35" East a distance of 44.71 feet to a set rod thence; North 80°04'04" East a distance of 23.74 feet to a set rod thence; North 70°41'33" East a distance of 24.04 feet to a set rod thence; South 58°11'14" East a distance of 52.90 feet to a set rod thence; North 88°31'52" East a distance of 52.25 feet to a set rod thence; South 61°10'56" East a distance of 53.50 feet to a set rod thence; South 81°11'09" East a distance of 182.58 feet to a set rod being the point of beginning and containing 266,614 square feet or 6.121 acres of land.

**RP Parham II, LLC (12 acres)**

**GPIN: 787-760-3976**

Beginning at a point situated the southern line of Scott Road, a 30' right of way, said point being  $\pm 1,153$  from the western line of Park Central Drive; leave said Scott Road S10°33'03"E, 996.86' to a point; thence N75°44'00"W, 859.29' to a point; thence N20°01'22"E, 776.37' to a point situated on the southern line of Scott Road; thence along said southern line N84°57'13"E, 334.00' to a point; thence along a curve to the left with a chord N79°40'35"E, 52.58' and a L=52.65', R=285.81'; and Delta=10°33'20" to the point of beginning, said parcel containing 522,945 square feet or 12.00 acres.

**Metes and Bounds Description**

**County of Henrico Property (93.213 Acres)**

**GPIN: 787-758-3213**

Beginning at a point at the intersection of the southerly right of way of Scott Road, an eighty foot and variable width public right of way and a thirty foot prescriptive right of way, and the easterly right of way of Interstate 95, a variable width and limited access highway.

Thence, with the southerly right of way of Scott Road, the following courses and distances.  
N57-36-53E 142.46 feet to a point.

N57-31-56E 417.15 feet to a point being a northwesterly property corner of the now or formerly Shirly M. West property.

Thence S48-58-15E 306.96 feet, departing the southerly right of way of Scott Road and with the westerly property line of the now or formerly Shirly M. West property, to a point.

Thence, continuing with the property lines of the now or formerly Shirly M. West property, the now or formerly Raymond and Shirly M. Liscpomb properties, the now or formerly Mary P. Whitlock, et al property and the now or formerly Walter T. and Jeanette J. Wiley properties, the following courses and distances.

N87-47-55E 478.50 feet to a point.

N03-51-17E 503.72 feet to a point.

N88-19-32E 177.91 feet to a point.

N02-51-52E 386.01 feet to a point.

S86-19-37W 226.61 feet to a point.

N03-38-17E 128.80 feet to a point.

N79-50-58W 521.04 feet to a point on the southerly right of way of Scott Road.

Thence, with the now easterly right of way of Scott Road, the following courses and distances.

N01-04-58W 140.80 feet to a point.

Along the arc of a curve to the right, having a radius of 474.20 feet, an arc of 176.75 feet, the chord of said arc running N09-35-43E 175.73 feet to a point on the southerly right of way of 16.5 foot unnamed private lane.

Thence, with the rights of way of an unnamed private lane, the following courses and distances.

S55-40-58E 939.89 feet to a point.

N30-01-42E 23.43 feet to a point.

N56-01-51W 943.47 feet to a point on the southerly right of way of Scott Road.

Thence, with the southerly right of way of Scott Road, the following courses and distances.

N23-15-16E 99.23 feet to a point.

N27-50-20E 126.48 feet to a point being a northwesterly property corner of the now or formerly Margaret W. Hinson and Mattie W. Jackson property.

Thence, departing the southerly right of way of Scott Road and with the property lines of the now or formerly Margaret W. Hinson and Mattie W. Jackson property, the following courses and distances.

S54-01-38E 512.29 feet to a point.

N29-47-51E 173.25 feet to a point.

N53-49-21W 506.04 feet to a point on the southerly right of way of Scott Road.

Thence, with the southerly right of way of Scott Road, the following courses and distances.

N31-54-07E 72.60 feet to a point.

Along the arc of a curve to the left, having a radius of 832.29 feet, an arc of 166.99 feet, the chord of said arc running N26-09-15E 166.71 feet to a point.

N20-24-22E 192.65 feet to a point being a northwesterly property corner of the now or formerly Nicholas and Susan L. Sepe property.

Thence, departing the southerly right of way of Scott Road and with the property lines of the now or formerly Nicholas and Susan L. Sepe property and the now or formerly RP Parham, LLC properties, the following courses and distances.

S55-52-34E 330.37 feet to a point.

S53-15-14E 91.33 feet to a point.

S75-10-08E 129.07 feet to a point.

S75-35-41E 858.37 feet to a point on the westerly property line of the now or formerly RLBB Park Central, LLC property.

Thence, with the westerly property lines of the now or formerly RLBB Park Central, LLC property, the now or formerly Worth Higgins and Associates, inc. property, the now or formerly 8750 Park Central Drive, LLC property and the now or formerly Jain Society of Central Virginia property, the following courses and distances.

S01-51-28E 987.44 feet to a point.

S02-13-43E 678.45 feet to a point on the northerly right of way of Parham Road, a variable width public right of way.

Thence, with the northerly right of way of Parham Road, the following courses and distances.

S59-03-24W 75.14 feet to a point.

Along the arc of a curve to the left, having a radius of 3859.72 feet, an arc of 609.58 feet, the chord of said arc running S54-36-12W 608.95 feet to a point.

N39-50-23W 10.00 feet to a point.

Along the arc of a curve to the left, having a radius of 3869.72 feet, an arc of 350.90 feet, the chord of said arc running S47-33-45W 350.78 feet to a point.

S45-02-07E 10.00 feet to a point.

Along the arc of a curve to the left, having a radius of 3859.72 feet, an arc of 57.82 feet, the chord of said arc running S44-32-36W 57.82 feet to a point.

S44-06-23W 142.36 feet to a point.

N45-56-55W 40.00 feet to a point at the beginning of the limited access line for the right of way of Interstate 95.

Thence, with the limited access line for the right of way of Interstate 95, the following courses and distances.

S47-04-06W 379.99 feet to a point.

S54-36-35W 21.85 feet to a point.

Along the arc of a curve to the right, having a radius of 340.00 feet, an arc of 297.60 feet, the chord of said arc running S69-45-36W 288.19 feet to a point.

N67-49-51W 56.66 feet to a point being a southeasterly property corner of the proposed tower site parcel.

Thence, departing the limited access line for the right of way of Interstate 95 and with the property lines of the proposed tower site parcel, the following courses and distances.

N08-41-29E 199.22 feet to a point.

Along the arc of a curve to the right, having a radius of 836.29 feet, an arc of 154.97 feet, the chord of said arc running S84-27-49E 154.75 feet to a point.

N20-14-01E 117.04 feet to a point on the limited access line for the right of way of Interstate 95.

Thence, with the limited access line for the right of way of Interstate 95, the following courses and distances.

N52-45-01W 720.53 feet to a point.

N37-31-28W 204.74 feet to a point.

N06-02-46W 296.58 feet to the point of beginning and containing 4,033,450 square feet or 92.5953 acres of land.

The Board of Supervisors accepted the following amended proffered conditions dated, October 6, 2021, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Master Plan.** The Property shall be developed in general conformance with the standards set forth in the master plan book entitled "greencity, Henrico County, Virginia, UMU Master Plan Book," updated September 28, 2021, and prepared by GreenCity Partners, LLC (the "Master Plan")(see case file), which is 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 Master Plan as required for final plan approval, engineering reasons, design or compliance with governmental regulations, or as approved during any Plan of Development, subdivision, or building permit review or by the Director of Planning provided the Director of Planning finds the deviations are generally in keeping with the spirit and intent of the Master Plan.

2. **Density.** Any type and number of residential units within any phase of the Property shall be permitted, so long as no more than a total of 2,138 residential units, as more particularly defined in the Master Plan, shall be located on the Property. The specific number of residential units for each land bay or parcel shown in the Master Plan is an estimate and residential units shown in the Master Plan may be allocated to a different land bay or parcel as requested at the time of Plan of Development or subdivision review, provided such allocation is consistent with the overall intent of the Master Plan.
3. **Condominium Act.** Any Condominiums constructed on the Property shall comply with the Virginia Condominium Act.
4. **Prohibited Uses.** The following uses shall be prohibited on the Property:
  - a. automotive filling and service stations including towing service;
  - b. billiard, bagatelle, video game or a bingo parlor, unless accessory to a permitted use;
  - c. flea markets or antique auctions;
  - d. funeral homes, mortuaries, crematories and/or undertaking establishments;
  - e. dance halls;
  - f. truck stops;
  - g. gun shop, sales and repair;
  - h. sign painting shops;
  - i. communication towers;
  - j. adult businesses as defined by Section 24-3 of the Henrico County Code;
  - k. establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Sections 6.2-2100 et seq. and 6.2-1800 et seq. of the Code of Virginia (the foregoing shall not preclude banks, savings and loans or similar financial institutions that are not regulated by the foregoing Virginia Code sections);
  - l. restaurants with drive-thru windows, not to exclude, however, restaurants with dedicated parking spaces for the pick-up of carry-out food nor restaurants whose primary business is the sale of specialty coffees or other non-alcoholic beverages or pastry;
  - m. car title loan operations;
  - n. fuel pumps associated with permitted uses; and
  - o. motels or motor lodges.
5. **Protective Covenants.** Prior to or concurrent with the recordation of the first certificate of occupancy for any portion of the Property, a document setting forth covenants (the "Covenants") shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of that portion of the Property. Any such Covenants may establish one or more owners' associations (the "Association"). Different Covenants may be provided for various portions of the Property provided an Association shall be

responsible for the maintenance of all common areas within the relevant portion of the Property, as set forth in the Covenants.

6. **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.
7. **Hours of Construction.** During the construction of the development on the Property the hours of exterior construction shall be limited to 7:00 a.m. to 7:00 p.m., except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections. Exceptions shall require the approval of the Director of Planning. Construction signs shall be posted in English and in Spanish and shall state the hours of construction.
8. **Buffers.** A natural and landscaped buffer a minimum of fifteen (15) feet in width and planted to the level of a transitional buffer 25 shall be provided on any area of the Property adjoining (a) any lot used for residential purposes and zoned R-2 or A-1 or (b) directly across Scott Road or Level Green Lane from any such lot. Any buffer shall be retained as natural, may also be landscaped, and may include supplemental plantings, berms, trails, walkways, utility easements (including drainage), fencing/walls and other purposes as approved at the time of landscape plan review. The buffers shall be phased as approved at the time of landscape plan review. All buffers, whether in common area or a lot, shall be maintained by the Association.
9. **Road Improvements.** The following road improvements shall be made as required by the County at the time of any Plan of Development or subdivision review for the Property ("POD"), as more particularly set forth on the Traffic Impact Analysis dated September 24, 2021, prepared by VHB and approved by the County for this project (the "TIA")(see case file) pursuant to the phasing plan described in this proffer. A phasing plan for the required road improvements, as identified in this proffered condition, shall be submitted to and approved by the Director of Public Works prior to the approval of the first POD. The approved phasing plan shall confirm the improvements to be completed with each POD submitted based on and in conformance with the TIA.
  - a. Upon approval of Henrico County at the time of a POD for the Property, installation of a conventional traffic signal meeting County of Henrico standards at the following intersections:
    - i. E. Parham Road at West Access Road; and
    - ii. E. Parham Road at St. Charles Road; and
    - iii. West Access Road and Main Retail Street / Best Products Building; and
    - iv. St. Charles Road and Internal East-West Road.

b. At the E. Parham Road and West Access Road intersection:

- i. A second full block length right turn lane exiting the Property at West Access Road onto westbound E. Parham Road; and
- ii. An extended eastbound left turn on E. Parham Road with a total length of approximately 600 feet; and
- iii. On E. Parham Road, such improvements as are necessary to prohibit a left turn movement off E. Parham Road into West Access Road for vehicles exiting northbound I-95 onto eastbound E. Parham Road.

c. At the E. Parham Road and St. Charles Road intersection:

- i. Configure the intersection as a “thru-cut”, including such improvements as are needed to prevent thru movements on St. Charles Road; and
- ii. A second and third left turn lane on eastbound E. Parham Road entering the Property at St. Charles Road. All three left turn lanes should be approximately 600 feet; and
- iii. A right turn lane (approximately 225 feet) on westbound E. Parham Road entering the Property at St. Charles Road; and
- iv. A left turn lane (approximately 150 feet) on northbound St. Charles Road onto westbound E. Parham Road; and
- v. Reconfiguring the existing northbound lane on St. Charles Road into a right turn only lane onto eastbound E. Parham Road; and
- vi. Two left turn lanes (one full block length and one approximately 250 feet) exiting the Property at St. Charles Road onto eastbound E. Parham Road; and
- vii. Two right turn lanes (one full block length and one approximately 250 feet) exiting the Property at St. Charles Road onto westbound E. Parham Road; and
- viii. Install upstream queue detection on the eastbound E. Parham Road approach (approximately 600 feet upstream of stop bar) and incorporate into signal control a queue preemption strategy.

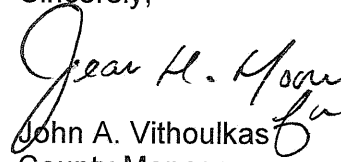
d. At the E. Parham Road and East Access Road intersection:

- i. A right turn lane (approximately 200 feet) on westbound E. Parham Road entering the Property; and
- ii. Such improvements as are needed to prevent traffic from exiting the Property from East Access Road and subsequently making a left turn from westbound E. Parham Road onto southbound St. Charles Road.

10. **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. Vithoukas  
County Manager

pc: Riverstone Properties, LLC  
Economic Development Authority of Henrico County, VA  
Director, Real Estate Assessment  
Henrico County Public Schools  
Police, Special Services