

**A-1 to B-2C
7.219 Ac.**

Parcels or Portions thereof identified on this sheet are within the West Broad Street Overlay District and are subject to Special Regulation

REZ2021-00044
Zoning
 Commercial & Condominiums
 Three Chopt District

400 Feet

PS July 2021 Ref: 733-764-9576



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoukas
County Manager

December 21, 2021

SKM, LLC
1519 Summit Avenue, Suite 102
Richmond, Virginia 23230

RE: Rezoning Case REZ2021-00044

Dear Mr. Hargett:

The Board of Supervisors at its meeting on December 14, 2021, approved your application to conditionally rezone from A-1 Agricultural District to B-2C Business District (Conditional) Parcel 733-764-9576 and parts of Parcels 733-765-4819 and 734-765-1504, containing 7.219 acres located at the northwest intersection of N. Gayton Road and West Broad Street (U.S. Route 25), described as follows:

Parcel 1: Legal description of GPIN 733-764-9576 and a portion of 733-765-4819 combined:

Beginning at the true point of beginning, marked P.O.B. '1' at the intersection of the north line of W. Broad Street (U.S. Route 250) and the west line of N. Gayton road; thence along the north line of W. Broad Street the following twelve courses: N64°53'21"W 134.32'; thence N47°27'12"W 123.69' to a point; thence N61°29'22"W 38.00' to a point; thence S28°30'38"W 123.00' to a point; thence N61°29'22"W 102.00' to a point; thence S28°30'38"W 2.00' to a point; thence N61°29'22"W 195.66' to a point; thence along a curve to the left having a length of 703.16', a radius of 2,927.79', a chord bearing of N68°22'11"W and a chord of 701.47' to a point; thence N75°15'00"W 96.12' to a point; thence N14°45'00"E 2.00' to a point; thence N75°15'00"W 43.64' to a point; thence N26°49'37"E 15.85' to a point; thence leaving the north line of W. Broad Street S89°53'23"E 311.00' to a point; thence N42°40'37"E 269.65' to a point; thence S61°29'22"E 590.71' to a point; thence S28°30'38"W 166.55' to a point; thence S61°29'22"E 163.49' to a point; thence N28°30'38"E 166.55' to a point; thence S61°29'22"E 163 11' to a point on the south line of Old Three Chopt Road; thence along the south line of Old Three Chopt Road S34°20'05"E 183.38' to a point on the west line of N. Gayton Road; thence along the west line of N. Gayton Road S27°12'13"W 123.26' to the True point of beginning; marked P.O.B. '1' and containing 7.064 acres of land.

Parcel B:

Beginning at a point marked P.O.B. 2; said point being the intersection of the south line of Old Three Chopt Road and the west line of N. Gayton Road; thence along the south line of Old Three Chopt Road N34°20'05"W 183.39' to a point; thence leaving the south line of Old Three Chopt Road S61°29'23"E 161.65' to a point on the west line of N. Gayton Road; thence along the west line of N. Gayton Road S27°18'00"W 32.27' to a point; thence S27°34'29"W 51.44' to the point of beginning; marked P.O.B. 2 and containing 0.155 acre.

The Board of Supervisors accepted the following proffered conditions, dated December 2, 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 hereto (see case file), entitled "N. GAYTON RD. AND W. BROAD ST. OVERALL SITE PLAN", prepared by Kimley Horn, and dated November 4, 2021 (the "Concept Plan"). The exact locations, footprints, configurations, size, and details of the lots, drives, roads, 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 design, compliance with governmental regulations or as otherwise approved at the time of Plan of Development review of the Property.
2. **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.
3. **Best Management Practices.** Best Management Practice ("BMP") structures shall be located outside of any landscaped buffer within the Property, except as a landscaping amenity or water related feature, or unless approved at the time of subdivision review. Any wet pond BMP structures shall include an aeration feature to move water within such structure.
4. **Protective Covenants.** Prior to or concurrent with the final approval of the initial Plan of Development for 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 (the "County"), setting forth controls on the development and maintenance of the Property and establishing one or more owners' associations (the "Association"). All common amenities and common areas shall be maintained by the Association for the benefit of the owners, residents, tenants and their guests.

5. **Pedestrian Amenities.** Pedestrian areas, trails, walks and amenities shall be provided throughout the development to provide pedestrian connectivity throughout the entire development and in particular between buildings and to adjacent commercial uses, all as generally shown on the Concept Plan (see case file). Any such pedestrian amenities shall include areas, trails or walks that stub to the northern boundary line of the Property in order to provide an opportunity for connection to any access way that may exist to the north of the Property. A pedestrian phasing plan shall be submitted to the County for review and approval as part of the first Plan of Development on the Property. This plan shall include the design, material and location of pedestrian elements. Trails/walks within the Property shall be constructed of concrete, exposed aggregate concrete, asphalt, stone, pavers, or brick or soft surfaces such as mulch, pea gravel, boardwalks, crushed gravel, or loose stone.
6. **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.
7. **Architectural Treatment.** Any building constructed on the Property shall be similar to the style and design and generally in conformance with the renderings entitled "Gayton and Broad, Short Pump, Virginia, Illustrative Renderings", prepared by Bignell, Watkins, Hasser, Architects, PC, dated October 18, 2021 (see case file), and attached hereto and by this reference made a part hereof ("Renderings"), unless otherwise approved by the Planning Commission at the time of Plan of Development review. The determination of compatibility shall be based on scale, materials, form, architectural features, and/or colors. Users will be permitted to include prototypical or corporate identification architectural elements in the design of their building or space.
8. **Uses.** The following uses shall not be permitted on the Property:
 - a. Medical or scientific laboratories;
 - b. Funeral home, mortuary and/or undertaking establishment;
 - c. Laundromats and self-service dry-cleaning establishments;
 - d. Private club, lodge, meeting hall;
 - e. Temporary outdoor stand and/or sales area for the retail sale of Christmas trees, wreaths, holly and similar decorative horticultural materials;
 - f. Automotive filling and service stations including towing service;
 - g. Drapery making and furniture upholstery shops;
 - h. Flea markets;
 - i. Motels, and motor lodges;
 - j. Indoor recreation facilities including the following and the those uses similar to such: bowling alleys, skating rinks (ice skating and roller skating), swimming pools, tennis, and model racing tracks;

- k. Permanent on-site recycling collection facility subject to section 24-106;
- l. Marijuana, cannabis or hemp dispensary, including any chemical compound or derivative therefrom, including, without limitation, CBD (cannabidiol) or THC (tetrahydrocannabinol);
- m. Restaurants used for a fast food restaurant, not to exclude, however, fast-casual restaurants such as Panera and Starbucks, restaurants with dedicated parking for the pickup of carry-out food, nor restaurants whose primary business is the sale of specialty coffees or other non-alcoholic beverages or pastry; and
- n. 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).

9. **Exterior Materials.**

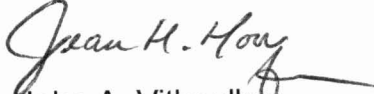
- a. Any building shall have exposed exterior walls (above finished grade and exclusive of trim, windows and doors), of brick, glass, EIFS, stone, stone veneer (including artificial stone), split-face block, wood, fiber-cement siding, or architectural-grade metal panels, precast concrete panels, or a combination of the foregoing, using a complementary color palette of materials, unless different architectural treatment and/or materials are specifically approved at the time of Plan of Development. No building shall be covered with or have exposed to view any painted or unfinished plain concrete block, sheet or corrugated aluminum, asbestos or metal, unless otherwise specifically approved by the Planning Commission at the time of Plan of Development review. The exposed portion of each exterior wall surface (front, rear and sides) of each building (excluding rooftop screening materials for mechanical equipment) shall be similar to the exposed portions of other exterior walls of such building in architectural treatment and materials. Any visible sloped roof shall be constructed of slate, simulated slate, standing seam metal, textured fiberglass shingles or shakes, or concrete or composition shingles.
- b. A minimum of forty (40) percent of the facades that are directly adjacent to West Broad Street, excluding windows, doors, breezeways, gables, and architectural design features, shall be constructed of brick, stone, or other masonry products.
- c. Retaining walls that are visible at ground level of the boundary line of the Property shall be constructed of split face block, concrete masonry units, stone, stone veneer (including artificial stone), pre-cast concrete panels, or a combination of the foregoing, unless different materials are specifically approved at the time of Plan of Development.

10. **Loud Speakers**. Outside loud speakers that can be heard beyond the Property line shall be prohibited. The use of intercom-type systems commonly associated with banks and restaurants shall be permitted.
11. **Signage**. Detached signs shall be compatible in type and appearance with other detached signs on the Property, shall contain materials that complement the exterior materials used on any buildings, and shall be ground mounted monument-style signs. No pole signs, changeable message signs, or inflatable or other attention getting devices shall be permitted.
12. **Parking lot Lighting**. Parking lot lighting fixtures shall not exceed 20 feet in height above grade level. 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.
13. **Mechanical Equipment**. Mechanical equipment, including junction boxes and other exterior mechanical fixtures, shall be screened from public view at ground level from the public streets adjacent to and closest to the building, with use of buildings or structures, fencing or wall, landscaping, or such other method as may be approved at the time of Plan of Development.
14. **Trash Receptacles and Dumpsters**. Dumpsters and trash receptacles, not including convenience containers, shall be screened from public view at ground level at the perimeter of the Property, with brick on three (3) sides complementary to the building it serves. The fourth (4th) side shall have a gate or door that is of a substantial and durable material as determined at the time of Plan of Development review. Support posts, gate frames, hinges and latches shall be of a sufficient size and strength to allow the gates to function without sagging or becoming a nuisance.
15. **Entrances**. Direct access to West Broad Street shall be restricted to the two entrances generally located and shown on the Concept Plan.
16. **Loading Docks/Areas**. Loading docks and loading areas on the Property shall be screened from view from any public street at ground level with use of buildings or structures, fencing or wall, landscaping, or such other method as may be approved at the time of Plan of Development. No loading docks or doors shall face West Broad Street.
17. **C-1 Conservation District**. Prior to filing the final subdivision plan on the Property, the Owner/Applicant shall apply to rezone such portions of the Property situated within the 100-year floodplain/special flood hazard area to a C-1 Conservation District. The location and limits of such portions of the Property shall be established by definitive surveys approved by the Department of Public Works.

18. **Adjacent Right-of-Way**. Any right-of-way adjacent to the parcel with a current GPIN of 733-765-4819 that is vacated or abandoned and incorporated into the development of such parcel shall be subject to the same proffered conditions as such parcel.

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: Edward Rose Properties, Inc.
Grove & Libbie Service Co., LLC
Andrew M. Condlin, Esq.
Susan S. Smith
Director, Real Estate Assessment
Justin Briggs, Schools



EXHIBIT A

REZ2021-00044

DEVELOPMENT BY OTHERS

FUTURE RESIDENTIAL

W. BROAD STREET

N. GAYTON ROAD

55' SETBACK

KVA PROJECT 11/3/2021		DATE	
SCALE: AS SHOWN		DESIGNED BY: DE'V	
DRAWN BY: DE'V		CHECKED BY: B.B.E	
N. GAYTON RD. AND W. BROAD ST.		VA	
OVERALL SITE PLAN			
KIMLEY-HORN AND ASSOCIATES, INC.		1710 WILLOW LAKE DR. SUITE 200, BROOMFIELD, VA 23330	
PHONE: 804-473-4482		WWW.KHVA.COM	
NO.		REVISIONS	
DATE		BY	



Gayton and Broad
Short Pump, Virginia

Main Street Homes

*Note: For conceptual illustration only.
Site plan layout and building designs
subject to change.*

REZ2021-00044

Illustrative Renderings

Conceptual Design

1

21323.00

10.18.2021





Gayton and Broad
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Main Street Homes

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Illustrative Renderings

Conceptual Design

2

21323.00

10.18.2021

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Bignell **Watkins** **Hasser**
ARCHITECTS • P.C.



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Illustrative Renderings

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Illustrative Renderings

Conceptual Design

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Illustrative Renderings

Conceptual Design

5

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Illustrative Renderings

Conceptual Design

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10.18.2021

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Illustrative Renderings

Conceptual Design

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10.18.2021

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Illustrative Renderings

Conceptual Design

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10.18.2021

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Illustrative Renderings

Conceptual Design

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10.18.2021

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Illustrative Renderings

Conceptual Design

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Illustrative Renderings

Conceptual Design

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10.18.2021





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Illustrative Renderings

Conceptual Design

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10.18.2021

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TYPICAL 2 OVER 2 BUILDING FRONT ELEVATION



TYPICAL 2 OVER 2 BUILDING REAR ELEVATION



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Illustrative Renderings

Conceptual Design

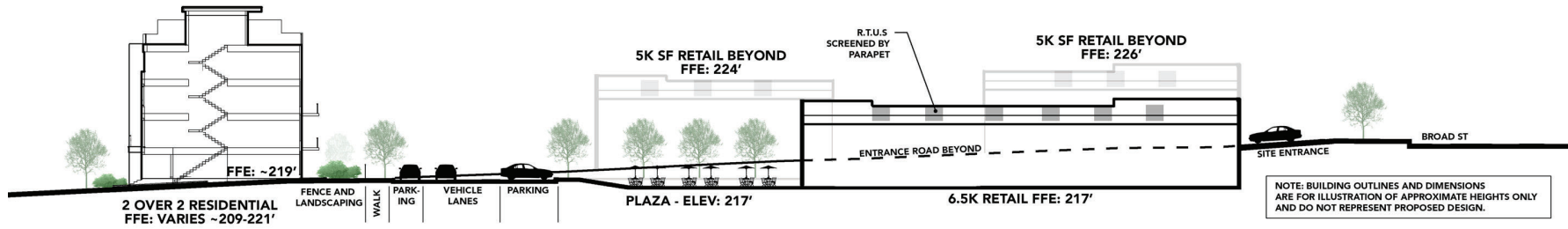
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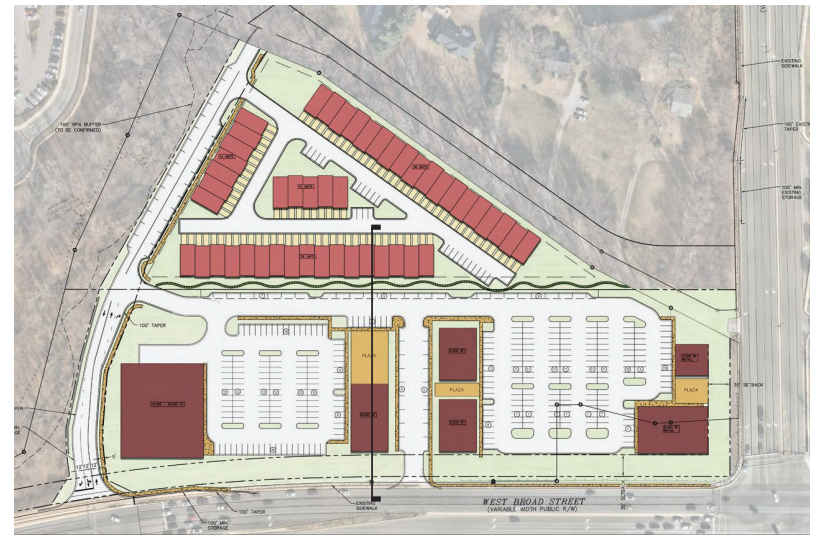
10.18.2021

REZ2021-00044

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Conceptual Site Section
1/32"=1'-0"



Key Plan

Gayton and Broad
Short Pump, Virginia

Main Street Homes

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Illustrative Renderings

Conceptual Design

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