

R-5AC to C-1C
5.11 Ac.

REZ2022-00021

Zoning
Conservation
Fairfield District

400

Feet

PS May 2022 Ref: 779-774-4438



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

John A. Vithoulkas
County Manager

September 20, 2022

HHH River Mill LLC
11237 Nuckols Road
Glen Allen, VA 23059

Re: Rezoning Case REZ2022-00021

Dear Sir/Madam:

The Board of Supervisors at its meeting on September 13, 2022, approved your request to conditionally rezone from R-5AC General Residence District (Conditional) to C-1C Conservation District (Conditional) part of Parcel 779-774-4438 containing 5.11 acres located approximately 500' northwest of the terminus of Winfrey Road extending approximately 1,700' north along the floodplain of the Chickahominy River, described as follows:

All that certain piece or parcel of land lying and being in the Fairfield Magisterial District, Henrico County, Virginia as shown and designated as "R-5AC TO C-1C" on that certain map titled "REZONE 5.109 ACRES FROM R-5AC TO C-1C" prepared by Timmons Group, dated May 4, 2022, and being more particularly described as follows:

Beginning at a point lying in the centerline of the Chickahominy River having Virginia State Plane Coordinates (NAD83) Northing 3,774,858.41, Easting 11,779,697.68, said point being the POINT OF BEGINNING; thence S 04°24'56" W, a distance of 100.84 feet; thence S 33°41'24" W, a distance of 10.67 feet; thence S 30°57'50" W, a distance of 11.66 feet; thence S 39°48'27" W, a distance of 7.81 feet; thence S 59°02'10" W, a distance of 5.83 feet; thence S 63°26'06" W, a distance of 4.47 feet; thence S 59°02'10" W, a distance of 5.83 feet; thence S 51°50'32" W, a distance of 35.61 feet; thence S 63°26'06" W, a distance of 15.65 feet; thence S 77°28'16" W, a distance of 9.22 feet; thence S 81°52'12" W, a distance of 7.07 feet; thence S 59°02'10" W, a distance of 11.66 feet; thence S 35°32'16" W, a distance of 8.60 feet; thence S 50°11'40" W, a distance of 31.58 feet; thence S 65°46'20" W, a distance of 23.84 feet; thence S 80°32'16" W, a distance of 6.08 feet; thence S 81°52'12" W, a distance of 7.07 feet; thence S 47°29'24" W, a distance of 32.56 feet; thence S 90°00'00" W, a distance of 2.00 feet; thence N 80°32'16" W, a distance of 12.17 feet; thence S 90°00'00" W, a distance of 4.00 feet; thence S 54°27'44" W, a distance of 8.60 feet; thence S 53°07'48" W, a distance of 10.00 feet; thence S 54°27'44" W, a distance of 8.60 feet; thence S 50°42'38" W, a distance of 14.21 feet; thence S 63°26'06" W, a distance of 2.24 feet; thence S 45°00'00" W, a distance of 7.07 feet; thence S 83°39'35" W, a distance of 9.06 feet; thence S 90°00'00" W, a distance of 4.00 feet; thence N 81°15'14" W, a distance of 13.15 feet; thence S 90°00'00" W, a distance of 3.00 feet; thence N 83°17'25" W, a distance of 17.12 feet; thence N 74°44'42" W, a distance of 13.68 feet; thence N 63°26'06" W, a distance of 5.37

feet; thence N 50°11'40" W, a distance of 15.62 feet; thence N 48°48'51" W, a distance of 10.63 feet; thence N 53°07'50" W, a distance of 30.00 feet; thence N 59°32'04" W, a distance of 19.72 feet; thence N 72°15'19" W, a distance of 26.25 feet; thence N 60°56'43" W, a distance of 10.30 feet; thence S 85°54'52" W, a distance of 15.21 feet; thence S 63°26'06" W, a distance of 4.29 feet; thence S 69°08'44" W, a distance of 22.47 feet; thence S 45°00'00" W, a distance of 7.07 feet; thence S 60°56'43" W, a distance of 10.30 feet; thence S 60°15'18" W, a distance of 8.06 feet; thence S 38°39'35" W, a distance of 6.40 feet; thence S 45°00'00" W, a distance of 7.07 feet; thence S 26°33'54" W, a distance of 2.24 feet; thence S 45°00'00" W, a distance of 2.83 feet; thence S 06°20'25" E, a distance of 9.06 feet; thence S 45°00'00" W, a distance of 9.90 feet; thence S 57°59'41" W, a distance of 10.61 feet; thence S 00°00'00" E, a distance of 2.37 feet; thence S 21°48'05" W, a distance of 5.39 feet; thence S 45°00'00" W, a distance of 1.41 feet; thence S 19°26'24" W, a distance of 18.03 feet; thence S 00°00'00" E, a distance of 7.00 feet; thence S 09°27'44" W, a distance of 18.25 feet; thence S 09°51'59" W, a distance of 23.35 feet; thence S 00°00'00" E, a distance of 2.00 feet; thence S 14°02'10" W, a distance of 4.12 feet; thence S 10°47'03" W, a distance of 21.38 feet; thence S 07°07'30" W, a distance of 16.12 feet; thence S 05°11'40" W, a distance of 13.05 feet; thence S 10°18'17" W, a distance of 10.16 feet; thence S 14°02'10" W, a distance of 4.12 feet; thence S 00°00'00" E, a distance of 3.00 feet; thence S 10°18'17" W, a distance of 11.18 feet; thence S 00°00'00" E, a distance of 4.00 feet; thence S 00°00'00" E, a distance of 5.00 feet; thence S 12°31'44" W, a distance of 9.22 feet; thence S 00°00'00" E, a distance of 5.00 feet; thence S 11°18'36" W, a distance of 5.10 feet; thence S 00°00'00" E, a distance of 6.00 feet; thence S 14°02'10" W, a distance of 4.12 feet; thence S 26°33'54" W, a distance of 2.24 feet; thence S 26°33'54" E, a distance of 2.24 feet; thence S 00°00'00" E, a distance of 13.00 feet; thence S 10°00'28" E, a distance of 17.26 feet; thence S 39°17'22" E, a distance of 14.21 feet; thence S 20°33'22" E, a distance of 17.09 feet; thence S 00°00'00" E, a distance of 1.00 feet; thence S 39°05'38" W, a distance of 20.62 feet; thence S 37°24'19" W, a distance of 42.80 feet; thence S 15°15'18" W, a distance of 11.40 feet; thence S 26°33'54" W, a distance of 6.71 feet; thence S 23°57'45" W, a distance of 29.55 feet; thence S 19°58'59" W, a distance of 11.70 feet; thence S 26°33'54" W, a distance of 6.71 feet; thence S 13°37'37" W, a distance of 33.96 feet; thence S 23°57'45" W, a distance of 9.85 feet; thence S 04°23'55" E, a distance of 13.04 feet; thence S 39°48'20" W, a distance of 7.81 feet; thence S 13°26'55" W, a distance of 47.30 feet; thence S 00°00'00" E, a distance of 5.00 feet; thence S 11°18'36" W, a distance of 5.10 feet; thence S 00°00'00" E, a distance of 2.00 feet; thence S 26°33'54" W, a distance of 6.71 feet; thence S 06°20'25" W, a distance of 27.17 feet; thence S 19°39'14" W, a distance of 14.87 feet; thence S 23°11'55" W, a distance of 7.62 feet; thence S 18°26'06" W, a distance of 3.16 feet; thence S 00°00'00" E, a distance of 1.00 feet; thence S 29°17'28" W, a distance of 47.01 feet; thence S 22°37'12" W, a distance of 13.00 feet; thence S 21°48'05" W, a distance of 5.39 feet; thence S 14°02'10" W, a distance of 12.37 feet; thence S 18°26'06" W, a distance of 25.30 feet; thence S 00°00'00" E, a distance of 24.00 feet; thence S 11°53'19" W, a distance of 58.25 feet; thence S 18°26'06" W, a distance of 3.16 feet; thence S 00°00'00" E, a distance of 1.00 feet; thence S 00°00'00" E, a distance of 19.00 feet; thence S 03°00'46" W, a distance of

19.03 feet; thence S 00°00'00" E, a distance of 3.00 feet; thence S 09°27'44" W, a distance of 6.08 feet; thence S 22°37'16" W, a distance of 13.00 feet; thence S 14°02'10" W, a distance of 4.12 feet; thence S 17°06'10" W, a distance of 13.60 feet; thence S 07°07'30" E, a distance of 8.06 feet; thence S 05°11'40" W, a distance of 11.05 feet; thence S 17°31'32" W, a distance of 19.92 feet; thence S 17°31'32" W, a distance of 19.92 feet; thence S 22°50'00" W, a distance of 20.62 feet; thence S 15°56'43" W, a distance of 14.56 feet; thence S 15°56'43" W, a distance of 14.56 feet; thence S 12°05'41" W, a distance of 14.32 feet; thence S 03°10'47" W, a distance of 18.03 feet; thence S 15°15'18" W, a distance of 11.40 feet; thence S 10°18'17" W, a distance of 11.18 feet; thence S 09°27'44" W, a distance of 12.17 feet; thence S 12°31'44" E, a distance of 9.22 feet; thence S 08°07'48" E, a distance of 14.14 feet; thence S 11°18'36" W, a distance of 30.59 feet; thence S 26°33'54" W, a distance of 6.71 feet; thence S 00°00'00" E, a distance of 54.00 feet; thence S 14°02'10" W, a distance of 5.15 feet; thence S 90°00'00" W, a distance of 0.75 feet; thence S 00°00'00" E, a distance of 1.00 feet; thence S 26°33'54" W, a distance of 4.47 feet; thence S 36°33'09" W, a distance of 72.20 feet; thence S 26°33'54" W, a distance of 3.51 feet; thence S 11°18'36" E, a distance of 8.01 feet; thence S 14°02'10" W, a distance of 4.12 feet; thence S 00°00'00" E, a distance of 3.00 feet; thence S 11°18'36" W, a distance of 5.10 feet; thence S 00°00'00" E, a distance of 2.00 feet; thence S 15°56'43" W, a distance of 7.28 feet; thence S 13°23'32" W, a distance of 21.59 feet; thence S 00°00'00" E, a distance of 1.00 feet; thence S 21°48'05" W, a distance of 5.39 feet; thence S 06°47'20" W, a distance of 42.30 feet; thence S 11°18'36" W, a distance of 5.10 feet; thence S 00°00'00" E, a distance of 6.00 feet; thence S 31°25'46" E, a distance of 43.07 feet; thence N 89°24'50" W, a distance of 114.70 feet to a point lying in the centerline of the Chickahominy River; thence, with the centerline of the Chickahominy River, the following thirty-seven (37) courses: (1) N 44°21'29" W, a distance of 22.98 feet; (2) thence N 33°23'16" W, a distance of 35.81 feet; (3) thence N 06°34'30" E, a distance of 68.46 feet; (4) thence N 16°50'15" E, a distance of 85.16 feet; (5) thence N 23°31'05" E, a distance of 141.89 feet; (6) thence N 19°16'41" E, a distance of 68.09 feet; (7) thence N 10°29'38" E, a distance of 69.70 feet; (8) thence N 03°12'46" E, a distance of 96.58 feet; (9) thence N 09°56'24" E, a distance of 162.92 feet; (10) thence N 01°57'54" E, a distance of 65.85 feet; (11) thence N 14°42'50" E, a distance of 107.78 feet; (12) thence N 26°48'36" E, a distance of 166.43 feet; (13) thence N 29°38'21" E, a distance of 111.37 feet; (14) thence N 10°05'29" E, a distance of 167.99 feet; (15) thence N 06°15'33" E, a distance of 70.18 feet; (16) thence N 22°32'07" E, a distance of 74.12 feet; (17) thence N 58°16'23" E, a distance of 54.01 feet; (18) thence N 64°13'29" E, a distance of 61.14 feet; (19) thence S 75°22'01" E, a distance of 25.75 feet; (20) thence S 75°22'01" E, a distance of 125.13 feet; (21) thence N 82°48'29" E, a distance of 17.64 feet; (22) thence N 85°54'27" E, a distance of 11.45 feet; (23) thence N 80°07'15" E, a distance of 18.30 feet; (24) thence N 89°55'31" E, a distance of 22.98 feet; (25) thence S 82°45'31" E, a distance of 20.15 feet; (26) thence S 80°29'28" E, a distance of 16.22 feet; (27) thence S 83°13'03" E, a distance of 21.17 feet; (28) thence N 82°22'20" E, a distance of 17.10 feet; (29) thence N 77°00'02" E, a distance of 17.43 feet; (30) thence N 85°24'03" E, a distance of 19.08 feet; (31) thence N 82°13'46" E, a distance of 18.23 feet; (32) thence N 70°55'25" E, a distance of 25.27 feet; (33)

thence N 64°57'57" E, a distance of 23.77 feet; (34) thence N 45°20'26" E, a distance of 23.42 feet; (35) thence N 41°29'29" E, a distance of 21.67 feet; (36) thence N 22°03'19" E, a distance of 26.94 feet; (37) thence N 27°02'34" E, a distance of 20.00 feet, returning to the Point of Beginning. Described Parcel contains 5.109 acres, more or less.

The Board of Supervisors accepted the following proffered conditions, dated June 23, 2022, which further regulate the above-described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

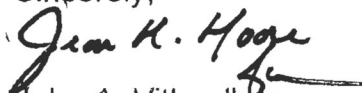
1. **Conservation Areas.**

The 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/or 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. Storm water management and/or retention areas.
- b. Ponds, lakes and similar areas intended as aesthetic and/or recreational amenities and/or wildlife habitats.
- c. Access drives, utility easements, signage, walkways and recreational facilities installed in a manner to minimize their impacts; and
- 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 Planning Administrator (Director of Planning) pursuant to Chapters 19 and 24 of the County Code (the "Zoning Ordinance").

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: Jon Murray
Director, Real Estate Assessment