

Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation

**REZ2022-00036**  
**Zoning**  
 Community Mixed-Use & Industrial  
 Fairfield District  
 500 Feet  
 PS September 2022 Ref: 786-768-8517

## COUNTY OF HENRICO



John A. Vithoukias  
County Manager

March 21, 2023

Sauer Properties, Inc.  
2000 West Marshall St., Ste. 1000  
Richmond, VA 23220

Re: Rezoning Case REZ2022-00036

Dear Sir/Madam:

The Board of Supervisors at its meeting on March 14, 2023, approved your request to conditionally rezone from O-3C Office District (Conditional), B-3C Business District (Conditional), and M-1C General Industrial District (Conditional) to CMUC Community Mixed-Use District (Conditional) (60.35 acres) and M-2C General Industrial District (Conditional) (33.05 acres) Parcels 784-766-7690, 785-769-6656, 786-768-8517 and part of 784-767-4440 containing 93.4 acres located on the west line of J.E.B. Stuart Parkway at the intersection of Telegraph Road, the east line of J.E.B. Stuart Parkway between Virginia Center Parkway and Telegraph Road, and the south line of Virginia Center Parkway west of its intersection with Battlefield Road. described as follows:

**Rezoned to M-2C (33.05 Acres Total):**

Parcel 1

Beginning at a found monument located at the intersection of the northern right-of-way line of J.E.B. Stuart Parkway and the eastern right-of-way line of Telegraph Road, said found monument being the true point and place of beginning for Parcel 1; thence, leaving the northern right-of-way of J.E.B. Stuart Parkway and continuing with Telegraph Road N 11°21'16" W for a distance of 43.64 feet to a point; thence, N 31°37'40" E for a distance of 178.73 feet to a found rod; thence, S 58°22'20" E for a distance of 663.04 feet to a found rod; thence, N 31°37'40" E for a distance of 174.22 feet to a found rod; thence, S 58°22'20" E for a distance of 30.30 feet to a found rod; thence, N 76°37'40" E for a distance of 418.12 feet to a found rod located along the western right-of-way and limited access line of Interstate 95; thence, continuing along said Interstate 95 along a curve to the right with a radius of 9,133.85 feet for an arc distance of 551.91 feet, with a delta of 03°27'43", and having a chord bearing of S 04°33'58" E for a distance of 551.82 feet to a found rod; thence, S 02°22'49" W for a distance of 563.09 feet to a point said point being in the center of a creek; thence following in a westerly direction along the center of said creek approximately 906 feet to a point and having the following seven survey tie line bearings and distances:

- (1) N 60°40'07" W for a distance of 166.49 feet to a point
- (2) S 69°38'31" W for a distance of 119.29 feet to a point
- (3) S 64°17'03" W for a distance of 204.83 feet to a point
- (4) S 77°16'09" W for a distance of 129.92 feet to a point
- (5) N 64°19'19" W for a distance of 60.77 feet to a point
- (6) S 86°35'55" W for a distance of 117.71 feet to a point
- (7) N 75°43'25" W for a distance of 91.17 feet to a point

Thence, along a curve to the left with a radius of 980.10 feet for an arc distance of 898.45 feet, with a delta of 52°31'21", and having a chord bearing of N 10°28'27" E for a distance of 867.32 feet to a found monument; thence N 33°47'56" W for a distance of 105.36 feet to a found monument; thence, along a curve to the left with a radius of 991.10 feet for an arc distance of 199.04 feet, with a delta of 11°30'24", and having a chord bearing of N 48°35'00" W for a distance of 198.71 feet to a found monument located at the intersection of the eastern right-of-way of Telegraph Road and the northern right-of-way of J.E.B. Stuart Parkway, said found monument being the true point and place of beginning; containing: approximately 22.22 acres of land, more or less.

#### Parcel C

Commencing at the intersection of the eastern line of Ethelwood Road and the southern line of J.E.B. Stuart Parkway, being the place and point of beginning (P.O.B. Parcel "C"); thence N 74°58'47" E, for a distance of 51.07 feet to a point; thence along the southern line of J.E.B. Stuart Parkway along a curve to the right having a radius of 900.10 feet for an arc length of 1168.71 feet, subtended by a chord bearing of S 67°49'24" E, for a chord distance of 1088.32 feet to a point; thence S 71°35'15" W, for a distance of 805.68 feet to a point; thence N 18°24'45" W, for a distance of 144.70 feet to a point; thence S 71°36'38" W, for a distance of 103.54 feet to a point; thence N 18°24'45" W, for a distance of 536.43 feet to a point; thence N 28°17'01" E, for a distance of 43.66 feet to a point, being the place and point of beginning (P.O.B. Parcel "C").

#### **Rezoned to CMUC (60.35 Acres Total):**

#### Parcel 2

Beginning at a rod found, said rod being located at the intersection of the north right-of-way line of Virginia Center Parkway and the west line of Telegraph Road, being the true point and place of beginning for Parcel 2; thence continuing along the north right-of-way line of Virginia Center Parkway, S 83°51'37" W for a distance of 78.92 feet to a point, being 1.61 feet northwest of a disturbed monument; thence, along a curve to the right with a radius of 2,814.79 feet for an arc distance of 928.11 feet, with a delta of 18°53'31", and having a chord bearing of N 70°36'11" W for a distance of 923.91 feet to a found monument; thence, N 61°09'26" W for a distance of 135.54 feet to a found rod, said rod being at the intersection of the eastern right-of-way of J.E.B. Stuart Parkway and the north right-of-way of Virginia Center Parkway; thence leaving the northern right-of-way of said Virginia Center Parkway and continuing with the eastern right-of-way of J.E.B. Stuart Parkway, along a curve to the right

with a radius of 25.00 feet for an arc distance of 42.06 feet, with a delta of  $96^{\circ}23'03''$ , and having a chord bearing of  $N 12^{\circ}57'54'' E$  for a distance of 37.27 feet to a found monument; thence, along a curve to the right with a radius of 400.00 feet for an arc distance of 181.51 feet, with a delta of  $26^{\circ}00'00''$ , and having a chord bearing of  $N 48^{\circ}13'37'' E$  for a distance of 179.96 feet to a found monument; thence  $N 61^{\circ}13'37'' E$  for a distance of 115.54 feet to a found monument; thence, along a curve to the left with a radius of 480.00 feet for an arc distance of 312.90 feet, with a delta of  $37^{\circ}21'00''$ , and having a chord bearing of  $N 42^{\circ}33'07'' E$  for a distance of 307.39 feet to a found monument; thence  $N 23^{\circ}52'37'' E$  for a distance of 117.30 feet to a found monument; thence, along a curve to the right with a radius of 400.00 feet for an arc distance of 209.06 feet, with a delta of  $29^{\circ}56'42''$ , and having a chord bearing of  $N 38^{\circ}50'58'' E$  for a distance of 206.68 feet to a found monument; thence  $N 53^{\circ}49'19'' E$  for a distance of 152.07 feet to a found monument; thence, along a curve to the left with a radius of 980.10 feet for an arc distance of 650.63 feet, with a delta of  $38^{\circ}02'06''$ , and having a chord bearing of  $N 34^{\circ}48'16'' E$  for a distance of 638.74 feet to a point, said point being in the center of a creek; thence following in an easterly direction along the center of said creek approximately 906 feet to a point and having the following seven survey tie line bearings and distances:

- (1)  $S 75^{\circ}43'25'' E$  for a distance of 91.17 feet to a point
- (2)  $N 86^{\circ}35'55'' E$  for a distance of 117.71 feet to a point
- (3)  $S 64^{\circ}19'19'' E$  for a distance of 60.77 feet to a point
- (4)  $N 77^{\circ}16'09'' E$  for a distance of 129.92 feet to a point
- (5)  $N 64^{\circ}17'03'' E$  for a distance of 204.83 feet to a point
- (6)  $N 69^{\circ}38'31'' E$  for a distance of 119.29 feet to a point
- (7)  $S 60^{\circ}40'07'' E$  for a distance of 166.49 feet to a point

Said point being located along the western right-of-way and limited access line of Interstate 95; thence continuing along said Interstate 95,  $S 02^{\circ}22'49'' W$  for a distance of 774.00 feet to a found monument; thence,  $S 02^{\circ}18'18'' W$  for a distance of 290.85 feet to a found monument; thence, along a curve to the right with a radius of 9,133.85 feet for an arc distance of 317.33 feet, with a delta of  $01^{\circ}59'26''$ , and having a chord bearing of  $S 07^{\circ}59'53'' W$  for a distance of 317.33 feet to a found rod; thence leaving the western right-of-way and limited access line,  $N 67^{\circ}06'33'' W$  passing through a found rod at 526.98 feet for a total distance of 542.49 feet to a point; thence, along a curve to the right with a radius of 1,041.00 feet for an arc distance of 359.78 feet, with a delta of  $19^{\circ}48'06''$ , and having a chord bearing of  $S 17^{\circ}53'39'' W$  for a distance of 357.99 feet to a point; thence  $N 62^{\circ}12'18'' W$  for a distance of 15.00 feet to a found rod along the western right-of-way line of Telegraph Road; thence, continuing along said western right-of-way of Telegraph Road along a curve to the right with a radius of 1,026.00 feet for an arc distance of 164.31 feet, with a delta of  $09^{\circ}10'33''$ , and having a chord bearing of  $S 32^{\circ}22'59'' W$  for a distance of 164.14 feet to a found rod; thence  $S 36^{\circ}58'15'' W$  for a distance of 101.00 feet to a found rod on the northern right-of-way line of Virginia Center Parkway, being the true point and place of beginning; containing: approximately 45.39 acres of land, more or less.

Parcel A

Commencing at the intersection of the eastern line of Brook Road (U.S. Route 1) and the southern line of Virginia Center Parkway; thence along the southern line of Virginia Center Parkway 698.01 feet to a point, being the place and point of beginning (P.O.B. Parcel "A"); thence along the southern line of Virginia Center Parkway along a curve to the right having a radius of 904.93 feet for an arc length of 201.21 feet, subtended by a chord bearing of S 67°32'14" E, for a chord distance of 200.80 feet to a point; thence S 61°10'03" E, for a distance of 453.76 feet to a point; thence S 23°34'34" E, for a distance of 56.09 feet to a point on the western line of Battlefield Road; thence along the western line of Battlefield Road, S 25°19'41" W, for a distance of 71.80 feet to a point; thence along a curve to the left having a radius of 597.97 feet for an arc length of 66.14 feet, subtended by a chord bearing of S 22°09'33" W, for a chord distance of 66.11 feet to a point; thence leaving the western line of Battlefield Road, N 4°35'32" W, for a distance of 64.11 feet to a point; thence S 81°13'45" W, for a distance of 515.54 feet to a point; thence S 12°38'59" E, for a distance of 196.97 feet to a point; thence S 66°00'27" W, for a distance of 107.09 feet to a point; thence S 81°13'45" W, for a distance of 322.05 feet to a point; thence N 05°47'19" W, for a distance of 427.78 feet to a point; thence N 64°29'18" E, for a distance of 56.30 feet to a point; thence N 84°12'41" E, for a distance of 333.01 feet to a point; thence N 05°47'19" W, for a distance of 119.94 feet to a point; thence N 84°12'41" E, for a distance of 28.00 feet to a point; thence N 05°47'19" W, for a distance of 167.89 feet to a point, being the place and point of beginning (P.O.B. Parcel "A").

Parcel B

Commencing at the intersection of the southern line of Virginia Center Parkway and the western line of Battlefield Road; thence along the western line of Battlefield Road 137.94 feet to a point, being the place and point of beginning (P.O.B. Parcel "B"); thence along the western line of Battlefield Road along a curve to the left having a radius of 597.97 feet for an arc length of 246.20 feet, subtended by a chord bearing of S 7°11'44" W, for a chord distance of 244.46 feet to a point; thence S 04°35'27" E, for a distance of 164.90 feet to a point; thence leaving the western line of Battlefield Road, S 78°14'30" W for a distance of 499.89 feet to a point; thence N 89°30'23" W, for a distance of 82.22 feet to a point; thence N 04°26'43" E, for a distance of 67.43 feet to a point; thence S 84°12'42" W, for a distance of 250.91 feet to a point; thence N 05°33'57" W, for a distance of 173.19 feet to a point; thence N 81°13'45" E for a distance of 284.21 feet to a point; thence N 66°00'27" E, for a distance of 107.09 feet to a point; thence N 12°38'59" W, for a distance of 196.97 feet to a point; thence N 81°13'45" E, for a distance of 515.54 feet to a point; thence S 4°35'32" E, for a distance of 64.11 feet to a point, being the place and point of beginning (P.O.B. Parcel "B").

The Board of Supervisors accepted the following proffered conditions, dated March 9, 2023, which further regulate the above-described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

**Applicable to the Entire Project.**

1. **Conceptual Master Plan.** Development of the Property shall be in general conformance with Exhibit A (see case file) attached hereto entitled Conceptual Plan Sauer's Property at VCC, dated January 25, 2023 (the "Conceptual Plan"), which Conceptual Plan is conceptual in nature and may vary in detail, unless otherwise requested by the owner and specifically approved by the Director of Planning. The Conceptual Plan divides the Property into the four (4) following land bays:
  - a. The Residential Mixed-Use Land Bay as labeled and shown on the Conceptual Plan (the "Residential Mixed-Use Land Bay"), which will be developed in accordance with the requirements for the CMU Community Mixed Use District in the Zoning Ordinance, subject to these proffered conditions.
  - b. The For-Sale Land Bay as labeled and shown on the Conceptual Plan (the "For-Sale Land Bay"), which will be developed in accordance with the requirements for the CMU Community Mixed Use District in the Zoning Ordinance, subject to these proffered conditions.
  - c. The East R&D Land Bay as labeled and shown on the Conceptual Plan (the "East R&D Land Bay"), which will be developed in accordance with the requirements for the M-2 General Industrial District in the Zoning Ordinance, subject to these proffered conditions.
  - d. The West R&D Land Bay as labeled and shown on the Conceptual Plan (the "West R&D Land Bay"), which will be developed in accordance with the requirements for the M-2 General Industrial District in the Zoning Ordinance, subject to these proffered conditions.
2. **Use Limitations.**
  - a. **West R&D Land Bay.**
    - (i) **Prohibited Uses.**

The following M-2 General Industrial District uses shall be prohibited within the West R&D Land Bay: agricultural processing; agricultural research facility; distribution hub for agricultural products; farm machinery sales, rental and service; kennel or animal shelter; club or lodge; donation center; crematory; passenger terminal, surface transportation (except for the Future Bus Stop); aircraft and aircraft parts sales; auction house; drive-through ice machine; laundromat; automobile filling station (fuel only); automobile rentals; automobile sales; automotive painting and body shop; automotive parts and installation and minor servicing; automobile repairs; boat and marine rental, sales and services; car wash or auto detailing; commercial

fuel depot; commercial vehicle repair and maintenance; commercial vehicle sales and rentals; fleet terminal; towing or wrecker service; restaurant with a drive through; shooting range, indoor; hotel or motel; all extractive industry uses; fuel oil and bottled gas distributor; heavy equipment sales, rental, and service; laundry, dry cleaning and carpet cleaning plants; manufactured home and prefabricated building sales; truck or freight terminal; recycling collection center; recycling processing center; salvage and junkyard; solid waste transfer station; cold storage plant; mini-warehouse; outside storage (as a principle use and as an accessory use); self-service storage facility; helicopter landing facility; and wind energy facility, large.

(ii) **Uses with Limitations.**

The following uses will be permitted up to twenty percent (20%) of the aggregate gross square feet of floor area within the West R&D Land Bay: animal grooming; veterinary hospital or clinic; restaurant without a drive through; specialty eating establishment; parking lot; parking structure; indoor recreation and entertainment not elsewhere listed; theater; artist studio; automated teller machine (ATM); convenience store; drug store or pharmacy; farmer's market; grocery store; personal services establishment; repair establishment; retail sales establishment, not listed elsewhere; and sign printing and painting.

b. **East R&D Land Bay.**

(i) **Prohibited Uses.**

The following M-2 General Industrial District uses shall be prohibited within the East R&D Land Bay: agricultural processing; agricultural research facility; distribution hub for agricultural products; farm machinery sales, rental and service; kennel or animal shelter; club or lodge; donation center; crematory; passenger terminal, surface transportation (except for the Future Bus Stop); aircraft and aircraft parts sales; auction house; drive-through ice machine; laundromat; automobile filling station (fuel only); automobile rentals; automobile sales; automotive painting and body shop; automotive parts and installation and minor servicing; automobile repairs; boat and marine rental, sales and services; car wash or auto detailing; commercial fuel depot; commercial vehicle repair and maintenance; commercial vehicle sales and rentals; fleet terminal; towing or wrecker service; restaurant with a drive through; shooting range, indoor; hotel or motel; all extractive industry uses; fuel oil and bottled gas distributor; heavy equipment sales, rental, and service; laundry, dry cleaning and carpet cleaning plants; manufactured home and prefabricated building sales; truck or freight terminal; recycling collection center; recycling processing center; salvage and junkyard; solid waste transfer station; cold storage plant; mini-warehouse; outside storage (as a principle use and as an accessory use); self-service storage facility; helicopter landing facility; and wind energy facility, large.

(ii) **Uses with Limitations.**

The following uses will be permitted up to twenty percent (20%) of the aggregate gross square feet of floor area within the East R&D Land Bay: animal grooming; veterinary hospital or clinic; restaurant without a drive through; specialty eating establishment; parking lot; parking structure; indoor recreation and entertainment not elsewhere listed; theater; artist studio; automated teller machine (ATM); convenience store; drug store or pharmacy; farmer's market; grocery store; personal services establishment; repair establishment; retail sales establishment, not listed elsewhere; and sign printing and painting.

c. **For-Sale Land Bay.** The following uses shall be the only uses permitted within the For-Sale Land Bay: townhome dwellings, and condominium multifamily dwellings.

d. **Residential Mixed-Use Land Bay.** The following CMU Community Mixed-Use District uses shall be prohibited within the Residential Mixed-Use Land Bay: club or lodge; passenger terminal, surface transportation (except for the Future Bus Stop); marina; children's residential facility; and dormitory.

3. **Site-Ready Requirement.** Prior to the issuance of the first (1st) certificate of occupancy within the For-Sale Land Bay, the East R&D Land Bay shall be cleared and rough graded, with water and sewer to the site ("East R&D Preparation"). After completion of the East R&D Preparation, a certificate of occupancy for a building with residential use(s) in the Residential Mixed Use Land Bay may be issued. The owner of the Property shall work with the Henrico Economic Development Department to identify one or more users for the East R&D Land Bay and the West R&D Land Bay.

4. **Future Bus Stop.** Upon written request from the County, the owner of the Property shall dedicate land a maximum of sixteen feet (16') in width and twelve feet (12') in depth, in a mutually agreed upon location along Virginia Center Parkway or J.E.B. Stuart Parkway for the construction of a bus stop (the "Future Bus Stop"). In the event of dedication, but no construction of the Future Bus Stop within fifteen years of the date of dedication, the dedicated land shall be conveyed back to the owner of the adjacent land.

5. **Basins.** Above-ground stormwater basins, if needed, shall not be located in a buffer and shall be designed as an aesthetic amenity.

6. **Construction Activity.** The hours of exterior construction on the Property, including operation of bulldozers and other earthmoving equipment, shall be between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 4:00 p.m. on Saturday, except in emergencies or where unusual circumstances require



extending the specific hours in order to complete work such as concrete pours, asphalt pours, or utility connections. No exterior construction shall occur on Sunday. Primary construction access to the Property shall be from Virginia Center Parkway and J.E.B. Stuart Parkway. All clearing, grading and construction contracts will contain these provisions. Signs, in both English and Spanish, stating the above-referenced provisions shall be posted and maintained at all entrances prior to any land disturbance activities on the Property.

7. **Construction Access.** Battlefield Road shall not be used as a construction entrance for the Residential Mixed-Use Land Bay. Ethelwood Road shall not be used as a construction entrance for the West R&D Land Bay.
8. **Crime Prevention.** Prior to occupancy of any structure containing commercial or office uses, the applicant and the Crime Prevention Unit of the Division of Police shall conduct a security survey of the property with such uses. The applicant shall implement mutually agreed upon security recommendations.
9. **Conservation Areas.** Notwithstanding the uses permitted and regulated by the zoning of the Property, such portion(s) of the Property which lie within a one hundred (100) year flood plain as determined by definitive engineering studies approved by 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 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 Director pursuant to Chapters 19 and 24 of the County Code (the "Zoning Ordinance"). The owner of the property shall, prior to construction plans approval for areas that include such flood plain, apply to rezone such portions of the Property to a C-1 Conservation District. The location and limits of such portion(s) of said Property shall be established by Plan of Development and/or construction plans approved pursuant to the Zoning Ordinance.
10. **Additional C-1 Land.** Prior to POD approval for the Residential Mixed Use Land Bay, GPIN 785-767-1068 shall be rezoned to C-1.

11. **Traffic Signal Warrant Analysis.** Perform a traffic signal warrant analysis for the intersection of J.E.B. Stuart Parkway and Telegraph Road upon request from the County Traffic Department to the owner of the West R&D Land Bay after 100% buildout of the development. This analysis will use new traffic counts taken after 100% buildout and be based on trip distribution shown in the new traffic counts. If the signal is warranted and approved by Henrico County Traffic (and not previously installed by Henrico County), then the owner of the West R&D Land Bay shall install a traffic signal at the intersection of J.E.B. Stuart Parkway and Telegraph Road within 9 months after the approval of the traffic signal design by Henrico County Traffic.
12. **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.

**Applicable to the Residential Mixed-Use Land Bay**

13. **Applicable to all uses in the Residential Mixed-Use Land Bay.**
  - a. **Buffers.**
    - i) A landscaped buffer with a minimum width of fifteen (15) feet shall be provided along the northern boundary of the Residential Mixed-Use Land Bay adjacent to Virginia Center Parkway (the "VCP Buffer"). The VCP Buffer shall be planted in accordance with the planting standard used for the similar along GPIN 784-767-4440's frontage on Virginia Center Parkway.
    - ii) A landscaped buffer with a minimum width of seventy-five (75) feet shall be provided along the eastern boundary of the Residential Mixed-Use Land Bay adjacent to Battlefield Road (the "Battlefield Road Buffer"). The Battlefield Road Buffer shall be planted at 1.5 times the planting standard required for TB50.
    - iii) A landscaped buffer with a minimum width of fifty (50) feet shall be provided along the southern boundary of the Residential Mixed-Use Land Bay adjacent to the lots with R-2A zoning (the "Southern Buffer" and, together with the VCP Buffer and the Battlefield Road Buffer, the "Buffers"). The Southern Buffer shall be planted in accordance with TB50.
    - iv) Utility easements, roads, retaining walls, sidewalks, signage, driveways, jogging/fitness trails or other improvements required by the County, or requested by the developer and specifically permitted at the time of Plan of Development review, shall be permitted within the Buffers; provided, however, any roads, driveways and utility easements must cross the buffer in a substantially perpendicular direction.

- v) A privacy fence shall be installed and maintained in the Residential Mixed-Use Land Bay along the boundary lines dividing (i) the Residential Mixed-Use Land Bay and the lots zoned to the R-2A district and (ii) the Residential Mixed-Use Land Bay and the 1.078-acre O-2 parcel designated as GPIN 784-766-3463. Such fence shall be approximately six (6) feet high (aa) except to the extent it is located within fifteen (15) feet of the front lot line of a lot in the R-2A district, where it shall transition to a height of no more than 42 inches and (bb) subject to site distance requirements for adjacent public rights of way, all as set forth in the Zoning Ordinance.
  
- b. **Architectural Treatment.** The exposed portions of the exterior wall surfaces (front, rear and sides) of any building constructed in the Residential Mixed-Use Land Bay shall be similar in quality of construction and shall have an architectural appearance in general conformance with the “Residential Mixed Use Architectural Examples” provided in the illustrative picture book entitled “Sauer’s Property at VCC Architectural Theming for Various Land Uses” (see case file) attached hereto (“Picture Book”), unless another architectural appearance is approved by the Planning Director at the time of Plan of Development approval. Attention shall be given, especially to the sides and rears facing adjacent residentially zoned properties, to provide a variety of materials, textures, and colors within the Residential Mixed-Use Land Bay and to soften the visual impact on adjacent residentially zoned properties. The façades shall utilize one or more of cornice profiles, textured or flush banding, water table shapes, colors, textures, or other such similar features to be approved by the Planning Director at the time of Plan of Development review.
  
- c. **Density.** There shall be no more than three hundred thirty (330) total residential units.
  
- d. **Materials.**
  - i) All buildings in the Residential Mixed-Use Land Bay shall have exposed exterior walls (above finished grade and exclusive of architectural features, windows and doors) constructed of masonry, brick, brick veneer, stone, stone veneer, cultured stone, pre-cast concrete, exterior insulating finishing systems (E.I.F.S.), cementitious siding (e.g. HardiePlank), metal (other than corrugated), and/or glass, and these buildings may have varying amounts of these exterior materials or an equivalent permanent architecturally finished material, unless different architectural treatment and/or materials are requested and specifically approved by the Planning Director at the time of Plan of Development review. Other materials may be used for parapets, cornices, surrounds, trim, architectural decorations, and design elements.

- ii) No exposed exterior front or side wall surfaces on buildings facing Virginia Center Parkway or J.E.B. Stuart Parkway in the Residential Mixed-Use Land Bay shall be covered with or have exposed to view any painted or unfinished concrete block, sheet or corrugated aluminum unless requested and approved by the Planning Director at the time of Plan of Development review.
- e. **Building Setbacks.** All buildings in the Residential Mixed-Use Land Bay shall be set back at least one hundred (100) feet from the right-of way of Battlefield Road.
- f. **Parking.** Surface parking areas may be located in front of a building.
- g. **Site Lighting Fixtures.** Pole mounted lighting fixtures used in the Residential Mixed-Use Land Bay shall be compatible with the pole mounted lighting fixtures used in the adjacent Stuart Crossing Shopping Center.
- h. **Site Lighting.** Lighting in the Residential Mixed Use Land Bay shall be designed such that the maximum illumination at ground level at any property line adjoining an R district shall not exceed one half (½) foot-candle. The one half (½) foot-candle restriction shall not apply where the R district which adjoins the Residential Mixed Use Land Bay is located across Virginia Center Parkway or across Route 1 from the Residential Mixed-Use Land Bay. For compatibility with the adjacent Stuart Crossing Shopping Center, the illumination requirement for the existing sidewalk along Virginia Center Parkway and Battlefield Road shall be the same illumination provided for the existing sidewalk along Virginia Center Parkway in the adjacent Stuart Crossing Shopping Center. The Planning Director may reduce the minimum average illuminance requirements in the Zoning Ordinance in order to achieve the purpose and intent of achieving a maximum illumination of one half (½) foot-candle at the property lines required by this condition.
- i. **HVAC Screening.** Any heating, ventilation and air conditioning equipment shall be screened from public view at ground level at the perimeter of the Property.
- j. **Refuse Container Service Hours.** All refuse containers shall be serviced only between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 9:00 a.m. to 7:00 p.m. on Saturdays.
- k. **Outside Speakers.** Outside speaker systems, if any, shall be used only for music to complement the uses in the Residential Mixed-Use Land Bay and shall comply with noise regulations in the County Code.
- l. **Signage.** No building-mounted signs facing Battlefield Road or Francis Road and located within 250 feet of an R district shall be internally illuminated. A

tenant sign plan coordinating the design, construction, size, color and types of illumination for building mounted signage on commercial buildings with the signage design, construction, size, color and types of illumination for building mounted signage in the adjacent Stuart Crossing shopping center shall be provided to the County prior to the issuance of sign permits for building-mounted signs on commercial buildings. Building mounted signage shall not be required on the front and rear elevation of a commercial building.

- m. **Existing Sidewalks.** Existing sidewalks along Virginia Center Parkway and Battlefield Road are grandfathered and need not be replaced if the width of these sidewalks do not meet the width required under the CMU zoning district. In the event of repair or replacement, the existing width shall be maintained.

14. **Applicable to all commercial uses in the Residential Mixed-Use Land Bay.**

- a. **Hours of Operation.** Hours of operation shall be between 6:00 a.m. and 2:00 a.m. with the exception of a health club/ fitness center which may remain open at all times without restriction.

15. **Applicable to all residential uses in the Residential Mixed-Use Land Bay.**

- a. **Three-Bedroom Units.** There shall not be more than 10% three-bedroom apartment dwelling units in the Residential Mixed-Use Land Bay.
- b. **Security Cameras.** The owner or operator of the multifamily buildings shall provide and be responsible for the installation, operation, and maintenance of the functioning security camera and video system of professional grade and quality and rated for surveillance of areas mutually agreed upon between the owner and the Crime Prevention Unit of the Police Division. Security camera locations and views shall be mutually agreed upon at the time of the security survey in coordination with Section 9 of these conditions. The security camera system shall, at a minimum, include:
  - i) At minimum, five-megapixel cameras with night vision capturing pedestrian and vehicular access points, multi-family parking areas, and other areas mutually determined.
  - ii) Recordings of all activities under surveillance shall be preserved for a period of one (1) month by the applicant or owner/operator. Authorized representatives of the Henrico County Police Division shall have full and complete access to all recordings upon request.
- c. **Recreation Area.** An indoor recreational/social area for the multiple-family dwelling use shall be provided with a minimum of 3,000 square feet, in the aggregate, for a community gathering area, fitness room and other amenity uses.

## Applicable to the For-Sale Land Bay

### 16. Applicable to all uses in the For-Sale Land Bay.

- a. **Density.** There shall be no more than four hundred fifty (450) total residential units.
- b. **Elevations.** The architectural appearance of buildings in the For-Sale Land Bay shall be in general conformance with the “For Sale Land Bay Architectural Examples” (see case file) provided in the Picture Book, unless another architectural appearance is approved by the Planning Director at the time of plan of development approval.
- c. **Building Materials.** Each building exterior wall material (exclusive of windows, dormers, gables, doors, trim, soffit and fascia) shall be brick, brick veneer, stone, cultured stone, stone veneer, fiber cement siding, cementitious siding (e.g. HardiePlank), vinyl (a minimum of .044” nominal thickness as evidenced by manufacturer’s printed literature), or a combination of the foregoing unless different architectural treatment and/or materials are requested by owner and approved by the Director of Planning. Fiberboard (e.g., Masonite) shall not be permitted as an exterior wall material. Other materials may be used for parapets, cornices, surrounds, trim, architectural decorations, and design elements.
- d. **Road Construction and Dedications.** Prior to the issuance of any Certificate of Occupancy for the For-Sale Land Bay, road improvements and/or dedications shall be made as follows:
  - i) Right turn lane, with a minimum of 200’ of storage and 100’ of taper. along northbound J.E.B. Stuart Parkway into the site entrance across from Technology Park Drive;
  - ii) Add pedestrian accommodations on the east and south sides of the Virginia Center Parkway and J.E.B. Stuart Parkway/Battlefield Road intersection, which pedestrian accommodations shall be ADA ramps, pedestrian signals and a painted crosswalk with no off-site dedications required;
  - iii) Extend the existing left turn lane along eastbound Virginia Center Parkway at its intersection with J.E.B. Stuart Parkway to provide a minimum of 200’ of storage and 100’ of taper; and

- iv) Extend the existing left turn lane along eastbound Virginia Center Parkway at its intersection with Telegraph Road to provide a minimum of 200' of storage and 100' of taper.
- e. **Private Roads.** Prior to the issuance of any Certificate of Occupancy, the applicant shall provide the Planning Department with certification from a licensed engineer that the roadways within the project were constructed according to the approved subdivision plan, and in compliance with Henrico County road design standards and specifications (except as to pavement width and turning radii), to include proper compaction of the subbase soils, utility trenches, base stone, and asphalt surface.
- f. **Site Lighting Fixtures.** Pole-mounted lighting fixtures used in the For-Sale Land Bay shall use a residential-style in appearance, such as, without limitation, contemporary, acorn, colonial or lantern styles. The same style of pole-mounted light fixture shall be used throughout the For-Sale Land Bay.
- g. **Multi-Use Trail.** In the general location shown on the Conceptual Plan (see case file), a 10' (ten foot) wide asphalt multi-use trail shall be installed adjacent to the For-Sale Land Bay's frontage along Virginia Center Parkway and J.E.B. Stuart Parkway. This multi-use trail may be constructed in phases as each Plan of Development is approved. This multi-use trail may be located within or outside of the public right-of-way. Street trees may be located in between the public right-of-way and the multi-use trail and/or on the project side of the multi-use trail. Where this multi-use trail is constructed, a sidewalk shall not be required.
- h. **J.E.B. Stuart Sidewalk Section.** A 5' (five foot) wide sidewalk segment shall be installed adjacent to the For-Sale Land Bay's frontage in the southwest corner of this land bay along J.E.B. Stuart Parkway to connect the multi-use trail to Virginia Center Parkway, in the general location shown on the Conceptual Plan (see case file). Street trees may be located in between the public right-of-way and the sidewalk in a planting strip and/or on the project side of the sidewalk.
- i. **Interstate Sound Suppression Measures.** Buildings within 250' of the travel lanes of Interstate 95 shall include sound suppression measures in windows and walls facing Interstate 95 to minimize the impact of traffic noise based on a sound study completed by a certified sound engineer submitted by the owner at the time of plan of development review. Cross-sectional detail, or other information, shall be provided with the building permit application showing implementation of the sound study recommendation.
- j. **Amenities.** A minimum of 1.5 acres of passive and active recreational area shall be provided for the For-Sale Land Bay. This area may be distributed

throughout the For-Sale Land Bay. At a minimum, the recreational improvements shall include:

- i) A community gathering area near the wet stormwater basin illustrated on the Conceptual Plan (see case file);
- ii) A multi-use area and dog park within the open space next to Interstate 95;
- iii) A central mews with pedestrian ways and with homes fronting on a portion of the mews, as generally shown on the Conceptual Plan (see case file); and
- iv) The following initial improvements:
  - a) An amenity structure:
    - (1) with a minimum square footage of 2,000 s.f. of enclosed and /or enclosable space, unless a different structure design is requested by the owner and approved by the Planning Director at the time of plan of development review,
    - (2) using an architectural style compatible with the architectural style within the For-Sale Land Bay,
    - (3) with a heater within the enclosed and /or enclosable space,
    - (4) using one or more see-through garage door enclosures, as generally illustrated on "Sauer's Property at VCC Garage Door Options for The Pavilion" (see case file) attached hereto, or an alternative design requested by the owner and approved at the time of plan of development review and approval,
    - (5) together with an adjacent outdoor fire pit and grilling/cooking area,
    - (6) to be located in the Community Gathering Area, as generally located and labeled on the Conceptual Plan (see case file),
    - (7) which improvements shall be provided no later than the 100th certificate of occupancy;
  - b) A pedestrian trail network through open space;
  - c) Basins improved as an amenity; and
  - d) A minimum of three (3) of the following improvements: a play area/playground, outdoor game area, benches, landscape patio area, or other similar improvements. The location of these areas and improvements will be determined at the time of plan of development review, notwithstanding what is shown on the Conceptual Plan (see case file).

17. **Applicable to all townhome dwelling uses in the For-Sale Land Bay.**

- a. **Units in a Row.** There shall not be more than eight (8) townhome dwelling units in a building.



- b. **Sod and Irrigation.** Each front and side yard (to the edge of the rear of the home on corner lots adjacent to streets) shall initially be sodded and irrigated, exclusive of mulched flowerbeds and landscaping.
- c. **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 all front elevations and any street-facing side elevations for buildings constructed on slab-on-grade there shall be a minimum of twelve inches (12") of brick, stone, or cultured stone visible above grade. On all other side and rear elevations for buildings constructed on slab-on-grade there shall be a minimum of eight inches (8") of brick, brick veneer, stone, stone veneer or cultured stone visible above grade. Where a hardship of the lot prevents compliance with this proffer, the requirements may be modified or waived by the Director of Planning.
- d. **Foundation Planting.** Foundation beds are required along the entire front façade of the building, excluding hardscaped areas, entrances, architectural features and garages, and shall contain a minimum of fifty (50) percent evergreen material. A minimum of one front corner of the building shall be visually softened with a vertical accent shrub or small evergreen trees.
- e. **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.
- f. **Driveways.**
  - i) 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. If the distance between adjacent driveways is greater than three feet (3') then that area shall either be landscaped or sodded.
  - ii) Driveways serving a garage for dwelling units not serviced by an alley may be located in the front of the dwelling units. No driveways shall have direct access to J.E.B. Stuart Parkway and Virginia Center Parkway.
- g. **Cantilevering.** There shall be no cantilevered treatment of any architectural features on the first floor. Items on the upper floors such as balconies, decks, bump-outs, box or bay-type windows may be cantilevered, but shall include decorative support corbels.
- h. **Home Façades.** Front façades of townhomes located along J.E.B. Stuart Parkway shall face the roadway and front façades of townhomes located along Virginia Center Parkway shall face the roadway.

- i. **Sound Suppression Measures.** Interior walls between units shall have a minimum sound transmission coefficient rating of 54. A cross-sectional detail, reviewed and approved by a certified architect or engineer as to the methodology to accomplish the sound coefficient rating, shall be included in the building permit application.
- j. **Masonry Requirement.** A minimum of fifteen percent (15%) of the exterior portions of the front building wall surface on fifty percent (50%) of the townhome buildings, in the aggregate, shall be of brick, stone, stone veneer or other masonry construction. The wall surface calculation shall exclude the areas for windows, doors, breezeways, gables and architectural design features.

18. **Applicable to all condominium dwelling uses in the For-Sale Land Bay.**

- a. **Foundation Planting.** Foundation planting beds are required along the entire front façade of the building, excluding entrance areas, hardscaped areas and architectural features, and shall contain a minimum of fifty (50) percent evergreen material. The front corner of each building shall be visually softened with a vertical accent shrub or small evergreen tree.
- b. **Irrigation.** Front, side and rear yards shall be sodded and irrigated, excluding mulched beds.
- c. **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 all front elevations and any street-facing side elevations for buildings constructed on slab-on-grade there shall be a minimum of twelve inches (12") of brick, stone, or cultured stone visible above grade. On all other side and rear elevations for buildings constructed on slab-on-grade there shall be a minimum of eight inches (8") of brick, brick veneer, stone, stone veneer or cultured stone visible above grade. Where a hardship of the lot prevents compliance with this proffer, the requirements may be modified or waived by the Director of Planning.
- d. **Parking.** For condominiums buildings along J.E.B. Stuart Parkway and Virginia Center Parkway, parking shall not be located between the condominium and the J.E.B. Stuart Parkway and Virginia Center Parkway right-of-ways.
- e. **Home Façades.** Façades of condo buildings adjacent to J.E.B. Stuart Parkway or Virginia Center Parkway shall include architectural elements that are similar in nature to those commonly found on front elevation.
- f. **Lead Walks to J.E.B. Stuart Parkway.** Two (2) lead walks, at least three (3) feet wide, shall be provided to provide a pedestrian connection from the condominium buildings along J.E.B. Stuart Parkway to the multi-use trail along J.E.B. Stuart

Parkway. The location of these two (2) lead walks are illustrated generally on the Conceptual Plan (see case file).

- g. **Masonry Requirement.** A minimum of fifteen percent (15%) of the aggregate area of the exterior portions of the front, sides and rear building wall surface of the condominium buildings shall be of brick, stone, stone veneer or other masonry construction. The aggregate wall surface calculation shall exclude the areas for windows, doors, breezeways, gables and architectural design features.

#### **Applicable to the East R&D Land Bay**

19. **Multi-Use Trail.** As shown on the Conceptual Plan (see case file), a 10' (ten foot) wide asphalt multi-use trail shall be installed adjacent to the East R&D Land Bay's frontage along J.E.B. Stuart Parkway. This multi-use trail may be constructed in phases as each Plan of Development is approved. This multi-use trail may be located within or outside of the public right-of-way. Street trees must be provided along the Property's frontage on J.E.B. Stuart Parkway and these street trees must be spaced between 35 and 45 feet on center, unless otherwise approved by the Planning Director to avoid utility conflicts or to ensure the visibility of major design features. Street trees may be located in between the public right-of-way and the multi-use trail and/or on the project side of the multi-use trail. Where this multi-use trail is constructed, a sidewalk shall not be required.
20. **Telegraph Road Sidewalk.** A 5' (five foot) wide sidewalk shall be installed adjacent to the East R&D Land Bay's frontage along Telegraph Road. This sidewalk may be constructed in phases as each Plan of Development is approved. Street trees must be provided along the Property's frontage on Telegraph Road and these street trees must be spaced between 35 and 45 feet on center, unless otherwise approved by the Planning Director to avoid utility conflicts or to ensure the visibility of major design features. Street trees may be located in between the public right-of-way and the sidewalk in a planting strip and/or on the project side of the sidewalk.
21. **Elevations.** The architectural appearance of buildings in the East R&D Land Bay shall be in general conformance with the "Research & Development Architectural Examples" (see case file) provided in the Picture Book, unless another architectural appearance is approved by the Planning Director at the time of plan of development approval.
22. **Building Materials.** Exposed exterior wall surfaces of all individual buildings (above finished grade and exclusive of architectural features, windows and doors) shall be constructed of decorative concrete block (including without limitation split face block, fluted block and ground face block), tilt-up or pre-cast concrete, brick, brick veneer, glass, metal (other than corrugated metal), stone, stone veneer, cultured stone, cast stone, granite, marble, stucco, synthetic stucco, cementitious siding (e.g. HardiePlank), glass block or ceramic tile, unless otherwise approved by the Planning

Director at the time of plan of development review. Other materials may be used for parapets, cornices, surrounds, trim, architectural decorations, and design elements.

23. **Setback.** No building or any portion thereof shall be constructed within twenty-five feet (25') of J.E.B. Stuart Parkway.
24. **Open Space.** At least ten percent (10%) of the Property shall be used for permanent open space.
25. **HVAC Screening.** Any heating, ventilation and air conditioning equipment shall be screened from public view at ground level at the perimeter of the Property.
26. **Loading Dock Screening.** Loading docks shall be screened from adjacent property zoned to an R-District at ground level by use of landscaping, walls or other architectural features, or such other method as may be approved at the time of Plan of Development review.
27. **Parking Lot Cleaning.** With the exception of snow removal, the cleaning of the parking lots in the East R&D Land Bay shall occur only between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 9:00 a.m. to 7:00 p.m. on Saturdays.
28. **Refuse Container Service Hours.** All refuse containers shall be serviced only between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 9:00 a.m. to 7:00 p.m. on Saturdays.
29. **Outside Speakers.** Outside speaker systems, if any, shall be used only for music to complement the uses in the East R&D Land Bay and shall comply with noise regulations in the County Code.
30. **Signage.** Changeable message signs facing Interstate 95 shall be prohibited.
31. **Safe Conduct of Operations.** All industrial uses shall be conducted so as not to create any danger to the health, safety and welfare or any material adverse impact on the Property or surrounding areas by creating any excessive noise, vibration, smoke, dust, lint, odor, heat or glare beyond the boundaries of the Property.
32. **Loading Areas.** No loading area for any building immediately adjacent to J.E.B. Stuart Parkway shall be located between the building and the public street to the building is immediately adjacent.
33. **Road Construction and Dedications.** Prior to the issuance of any Certificate of Occupancy within the East R&D Land Bay, road improvements and/or dedications shall be made as follows:

- a. Left turn lane, with a minimum of 200' of storage and 100' of taper, along southbound J.E.B. Stuart Parkway into the site entrance from J.E.B. Stuart Parkway across from the site entrance into GPIN: 785-768-9197;
- b. Right turn lane, with a minimum of 200' of storage and 100' of taper, along northbound J.E.B. Stuart Parkway into the site entrance from J.E.B. Stuart Parkway across from the site entrance into GPIN: 785-768-9197; and
- c. Right turn lane, with a minimum of 100' of storage and 50' of taper, along northbound Telegraph Road into the site entrance from Telegraph Road north of J.E.B. Stuart Parkway, except such minimum distances may be reduced if providing such minimum distances requires off-site property that is not in the right-of-way or cannot be achieved due to road and intersection design requirements.

#### **Applicable to the West R&D Land Bay**

34. **J.E.B. Stuart Parkway Streetscape.** A 5' (five foot) wide sidewalk shall be installed adjacent to the West R&D Land Bay's frontage along J.E.B. Stuart Parkway. This sidewalk may be constructed in phases as each Plan of Development is approved. Street trees must be provided along the Property's frontage on J.E.B. Stuart Parkway and these street trees must be spaced between 35 and 45 feet on center, unless otherwise approved by the Planning Director to avoid utility conflicts or to ensure the visibility of major design features. Street trees may be located in between the public right-of-way and the sidewalk in a planting strip and/or on the project side of the sidewalk.
35. **Buffer.** A transitional buffer fifty feet (50') in width shall be provided where the western property line for the West R&D Land Bay is adjacent to Ethelwood Road. This buffer shall be planted to TB50 standards.
36. **No Access to Ethelwood.** There shall be no vehicular access to Ethelwood Road.
37. **Location of Non-Residential Uses.** Excluding parking, no commercial, industrial nor institutional uses in the West R&D Land Bay shall be located within 150' of an off-site residential dwelling existing at the time of approval of this rezoning request.
38. **Elevations.** The architectural appearance of buildings in the West R&D Land Bay shall be in general conformance with the "Research & Development Architectural Examples" (see case file) provided in the Picture Book, unless another architectural appearance is approved by the Planning Director at the time of plan of development approval.
39. **Building Materials.** Exposed exterior wall surfaces of all individual buildings (above finished grade and exclusive of architectural features, windows and doors) shall be constructed of decorative concrete block (including without limitation split face block,

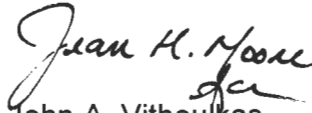
fluted block and ground face block), tilt-up or pre-cast concrete, brick, brick veneer, glass, metal (other than corrugated metal), stone, stone veneer, cultured stone, cast stone, granite, marble, stucco, synthetic stucco, cementitious siding (e.g. HardiePlank), glass block or ceramic tile, unless otherwise approved by the Planning Director at the time of plan of development review. Other materials may be used for parapets, cornices, surrounds, trim, architectural decorations, and design elements.

40. **Setback.** No building or any portion thereof shall be constructed within twenty-five feet (25') of J.E.B. Stuart Parkway.
41. **Open Space.** At least ten percent (10%) of the Property shall be used for permanent open space.
42. **HVAC Screening.** Any heating, ventilation and air conditioning equipment shall be screened from public view at ground level at the perimeter of the Property.
43. **Loading Dock Screening.** Loading docks shall be screened from adjacent property zoned to an R-District at ground level by use of landscaping, walls or other architectural features, or such other method as may be approved at the time of Plan of Development review.
44. **Parking Lot Cleaning.** With the exception of snow removal, the cleaning of the parking lots in the West R&D Land Bay shall occur only between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 9:00 a.m. to 7:00 p.m. on Saturdays.
45. **Refuse Container Service Hours.** All refuse containers shall be serviced only between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 9:00 a.m. to 7:00 p.m. on Saturdays.
46. **Outside Speakers.** Outside speaker systems, if any, shall be used only for music to complement the uses in the West R&D Land Bay and shall comply with noise regulations in the County Code.
47. **Signage.** Changeable message signs shall be prohibited. No building-mounted signs facing Ethelwood Road and located within 250 feet of an R district shall be internally illuminated.
48. **Safe Conduct of Operations.** All industrial uses shall be conducted so as not to create any danger to the health, safety and welfare or any material adverse impact on the Property or surrounding areas by creating any excessive noise, vibration, smoke, dust, lint, odor, heat or glare beyond the boundaries of the Property.
49. **Loading Areas.** No loading area for any building immediately adjacent to J.E.B. Stuart Parkway shall be located between the building and the public street to the building is immediately adjacent.

50. **Road Construction and Dedications.** Prior to the issuance of any Certificate of Occupancy within the West R&D Land Bay, road improvements and/or dedications shall be made as follows:
- a. Right turn lane, with a minimum of 200' of storage and 100' of taper, along eastbound J.E.B. Stuart Parkway into the site entrance located at J.E.B. Stuart Parkway's intersection with Telegraph Road; and
  - b. If a second entrance is constructed onto J.E.B. Stuart Parkway, then that entrance shall include a right turn lane, with a minimum of 200' of storage and 100' of taper, along eastbound J.E.B. Stuart Parkway into the second site entrance from J.E.B. Stuart Parkway, except such minimum distances may be reduced if providing such minimum distances requires off-site property that is not in the right-of-way or cannot be achieved due to road and intersection design requirements.

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: Susan S. Smith  
Director, Real Estate Assessment  
Henrico County Public Schools  
Police, Special Services

# Conceptual Plan Sauer's Property at VCC

Exhibit A  
1.25.23



This illustration is an artistic rendering only and does not always represent the actual landscape, homesites, building sites, or community.

All information is subject to change based on proffers and zoning.

EXHIBIT A

REZ2022-00036



# Sauer's Property at VCC

## Architectural Theming for Various Land Uses





**Research & Development**

**Architectural Examples**

- Larger buildings
- Secure
- Less glass (windows)
- More masonry
- Prominent feature or corner
- Makes a statement
- Unique
- Bigger scale but still still street friendly
- Color as a feature

Sauer's Property at Virginia Center Commons



- For Sale Land Bay**  
Architectural Examples
- 3 Stories
  - Alley Loaded
  - Mews Units
  - Lots of windows
  - Balance of materials
  - Special End Units
  - Color as a feature
  - Pedestrian friendly
  - Street friendly



Stuart's Crossing Shopping Center



**Residential Mixed Use  
Architectural Examples**

- 3/4 Stories
- Lots of windows
- Balance of materials
- Prominent feature, corner and/or entrance
- Color as a feature
- Pedestrian friendly
- Street friendly
- Common area(s)
- Color as a feature

Sauer's Property at Virginia Center Commons

# Sauer's Property at VCC

## Garage Door Option

The illustration provides an example of panel options for the garage doors. Actual style, color, architectural design and materials may vary. Any building details, such as architecture, materials, design elements, and fixtures, are not applicable.



Traditional / Glass Doors

EXHIBIT C

REZ2022-00036