

PUP2014-00006

Zoning

Urban Mixed-Use

Three Chopt District

500

Feet





COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoulikas
County Manager

March 18, 2014

ME Nuckols, LLC
2250 Old Brick Road, Suite 220
Glen Allen, VA 23060

Re: Provisional Use Permit PUP2014-00006

Dear Sirs:

The Board of Supervisors at its meeting on March 11, 2014, granted your request for a Provisional Use Permit under Sections 24-32.1(a), 24-32.1(i), 24-32.1(k), 24-32.1(n), 24-32.1(s), 24-32.1(w), 24-120 and 24-122.1 of Chapter 24 of the County Code related to a Master Plan for the proposed urban mixed-use development "GreenGate" and to allow certain uses and exceptions to permitted uses, heights, and square footages of uses, on part of Parcels 731-764-5533 and 731-764-4292, subject to the following conditions:

1. **Master Plan. Density Limitations and Percentage of For-Lease Multifamily Units.** All development on the property shall be consistent with the *GreenGate Master Plan Book* (see case file). Development on the property shall not exceed 300 residential units, and shall include a minimum of 80,000 square feet of nonresidential square footage.
2. **Square Footage Limitations.** The maximum square footage of any use other than an office building shall not exceed 10,000 square feet in floor area, except that:
 - Medical offices, clinics or laboratories shall have no limit as to floor area.
 - Retail and service uses shall not exceed 18,000 square feet.
 - Up to one grocery store exceeding 30,000 square feet shall be permitted. The maximum square footage of this grocery store shall be 40,000 square feet.
 - Indoor recreational facilities shall not exceed 18,000 square feet.
3. **Building Height.** The maximum building height on the property shall be 75', provided the location of buildings exceeding 60' is consistent with the locations shown in the *GreenGate Master Plan Book* (see case file).
4. **Vendor Areas.** Areas of the Property not used solely for residential purposes may be designated on the master plan, which may be revised from time to time, or a Plan of Development, for the preparation of food or beverages or the sale or display of merchandise conducted in an open area or structure by one or more individual vendors operating from stalls, stands, carts, vehicles or other spaces which are rented or otherwise made available to such vendors. Such activities may include a market, the sale of merchandise as part of a permitted festival or other similar special event, or the outdoor display or sale by a single food or beverage vendor,

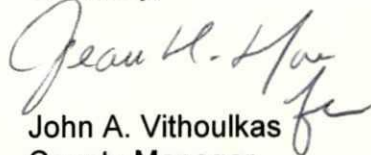
operated as an incidental part of retail activity regularly conducted from within a permanent building on the premises. Sidewalk widths adjacent to outdoor vending areas shall not be reduced to less than five (5) feet, except to accommodate a permitted festival or other similar special event. Trash receptacles shall be provided and conveniently located for each block that contains an outdoor vending area.

5. **Emergency Communication Systems.** The owner shall install a fire command center and emergency radio communication equipment within any building exceeding 60 feet in height to allow for adequate public safety and radio coverage within and between the buildings. A communications consultant shall certify such equipment as compatible with the County's emergency communication system within 90 days of the owner or tenant obtaining a Certificate of Occupancy for any such building. The County shall be permitted to perform communications testing within the buildings at any time.
6. **Fire Protection-Structured Parking.** A 3" standpipe for fire protection shall be provided within all structured parking at approximately 200' intervals. The exact location of these improvements will be determined during Plan of Development review.
7. **Drive-through Service Windows.** Any use incorporating a drive-through service window shall be designed to minimize negative impacts to the pedestrian environment and shall be accessed from secondary access aisles, unless otherwise approved at the time of Plan of Development review. Any drive-through service window shall not front directly onto W. Broad Street or the main entrance drive into the development.
8. **Parking Structures.** Parking structures without ground floor retail uses along at least one facade or without usable floor space for residential or nonresidential uses along any facade that faces a one-family use or public or private street shall be permitted, provided the design of such structures is consistent with the *GreenGate Master Plan Book* (see case file) as determined at the time of Plan of Development Review.
9. **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. The applicant shall implement mutually agreed upon security recommendations.
10. **Proffered Conditions.** All proffered conditions accepted with case REZ2014-00009 shall be made a part of this Provisional Use Permit.
11. **Commercial Development.** A minimum of 80,000 square feet of nonresidential development shall be constructed on the property. The phasing of such construction shall be consistent with Section 24-34(b) of the zoning ordinance.

ME Nuckols, LLC
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The Planning Department has been advised of the action of the Board of Supervisors and requested to revise its records.

Sincerely,


John A. Vithoulkas
County Manager

pc: Gloria L. Freye, Esquire
Director, Real Estate Assessment
Police, Special Services