



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

John A. Vithoukas  
County Manager

August 20, 2019

1420 N. Parham Road, LC  
C/O Mr. Mark H. Slusher  
Thalhimer Realty Partners  
11100 West Broad Street  
Glen Allen, VA 23060

Re: Rezoning Case PUP2019-00009

Dear Mr. Slusher:

The Board of Supervisors at its meeting on August 13, 2019, approved your request for a Provisional Use Permit under Sections 24-32.1(a, c, e, f, g, i, j, k, m, n, o, p, q, r, s, t, v, x, y, z and aa), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow for outdoor vending; an automotive filling station; indoor antique auction; auditorium and assembly hall, coliseum, and stadium; billiard parlor; single offices, clinics and labs for medical, dental and optical uses greater than 30,000 square feet of floor area; grocery or convenience food store greater than 30,000 square feet of floor area; indoor recreation facility/swimming pool greater than 10,000 square feet of floor area; drapery making and furniture upholstering shops; drive-through service window; office-warehouse; parking garage; radio and television stations and studios; outdoor recreation facilities; sign printing and painting shop; television receiving antennas; buildings in excess of 60' in height; density of residential development exceeding 30 dwelling units per acre; open space less than 20 percent; general hospitals; extended hours of operation for any business containing one or two billiard, pool, or bagatelle tables to 2:00 a.m.; number of for-lease multifamily dwelling units exceeding 30 percent of the total units of the UMU district; and parking plan on Parcels 752-743-9774, 752-744-6336, 753-743-9242, and 753-744-2141 located on the south line of Quioccasin Road between Starling Drive and N. Parham Road, subject to the following conditions:

1. Master Plan, Density Limitations and Percentage of For-Lease Multifamily Units. All development on the property shall be in general conformance with the Regency Square UMU Pattern Book (see case file). Development on the property shall not exceed 1,250 residential units, excluding units developed as part of a life care facility, assisted living facility or nursing home. Independent living units within a life care facility shall count towards maximum density restrictions.



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.
  - Indoor recreational facilities/swimming pools and indoor entertainment facilities shall have no limit as to floor area.
  - Grocery or convenience food stores shall have no limit as to floor area.
  - Stores or shops for the conduct of retail sales or services, including but not limited to restaurants, shall have no limit as to floor area.
3. Building Height. Buildings on the Property may exceed 60' in height in accordance with the exhibit entitled "Regency UMU Building Heights (see case file)." No building on the property shall exceed 120' in height.
4. Vendor Areas. Areas of the Property 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, 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 new 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. Fire Protection. All structures, including parking structures, other than open, standalone parking garages, shall be fully sprinkled for fire protection.



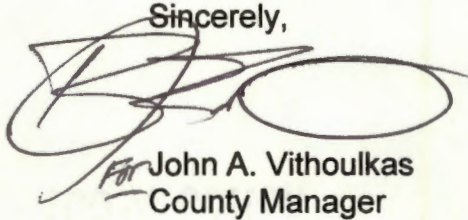
8. Billiard Parlors. Billiard parlors shall be permitted, provided that evidence (i.e. police calls to the premises, complaints from other businesses or the residential community, etc.) does not indicate that the establishment and operation of a billiard parlor is having an adverse effect (i.e. increased public nuisance: loitering, excessive noise outside the building, criminal assaults, traffic, etc.) on the surrounding area. Billiard parlors shall not operate between the hours of 2:00 a.m. to 6:00 a.m.
9. Drive-through Service Windows. Drive-through service windows shall be designed to minimize negative impacts to the pedestrian environment and shall be accessed from internal roadways, unless otherwise approved at the time of Plan of Development review.
10. Automotive Filling and Service Stations. Automotive filling and service stations shall be located and accessed in a manner consistent with the Regency Square UMU Pattern Book (see case file) as determined at the time of Plan of Development and shall be subject to the following requirements:
  - a. No exterior storage or display of automotive parts shall be permitted.
  - b. All sales, installation and service shall be conducted within a completely enclosed, air-conditioned building.
11. Radio and Television Stations and Television Receiving Antennas. Any communications equipment such as satellite dishes or antennas associated with a radio or television station shall be screened from public view at ground level in a manner approved at the time of Plan of Development Review. No stand-alone television or radio antennas shall be permitted.
12. Parking Plan. The applicant shall provide parking consistent with the Regency Shared Parking Demand document (see case file). Each plan of development submitted for the property shall include a tabulation of all parking required per the parking study. Shared parking information, including updates to the parking study demonstrating the parking rate is meeting the needs of approved development on the property, shall be provided with each plan of development or as requested by the Director of Planning. Each plan of development submitted shall identify the location and means of creating additional parking that could accommodate the difference between the reduced parking standard approved by this permit and the standards contained in Section 24-34(m) of the Henrico County Code.
13. 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 Regency Square UMU Pattern Book (see case file) as determined at the time of Plan of Development Review.

1420 N. Parham Road, LC  
August 20, 2019  
Page 4

14. 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.

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: Thalhimer Regency LC  
Holly Hill Parham LLC  
James W. Theobald, Esquire  
Director, Real Estate Assessment  
Police, Special Services