

June 10, 2016

VIA EMAIL

Mr. Willy Thompson
Senior Planner
City of Richmond
Planning and Development Review
Land Use Administration
900 East Broad Street, Suite 511
Richmond, Virginia 23219

Re: East End Grocery Store Rezoning

Dear Willy:

Please find enclosed our proffered condition regarding the Conceptual Master Plan, and a pdf of the Plan. Also enclosed is a revised application in which we are changing the requested zoning category to B-5, and updating the parcel information as all but the DPW parcel have been conveyed to Church Hill North Holdings, LLC. The applicant's report is enclosed and has been updated to reflect the B-5 request. I will provide you with original signatures for the proffer and the application prior to June 20.

Also enclosed are the conceptual elevations which were shared with the community at the District meeting this past Wednesday. The elevations are for informational purposes and subject to further refinement.

Should you have any questions regarding the enclosures, please do not hesitate to contact me.

Sincerely yours,



Penny Giles
Legal Assistant

/pg

Enclosures

cc: Mr. Steven A. Markel (via email w/enclosures)
Mr. Mark H. Slusher (via email w/enclosures)
Mr. Jim Scanlon (via email w/enclosures)
Mr. Ivan Wu (via email w/enclosures)
Mr. Mark Kronenthal (via email w/enclosures)
Mr. TK Somanath (via email w/enclosures)
Mr. Samuel Patterson (via email w/enclosures)
New Visions Civic League of East End/Mary W. Thompson (via email w/enclosures)
Union Hill Civic Association/Charles R. Field, P.E. (via email w/enclosures)
Unity Civic League/Willie Andrews (via email w/enclosures)
Church Hill Central Civic Association/J. David Conmy/Jennifer Parham
(via email w/enclosures)

PROFFERED CONDITION

The property owners and applicant in this rezoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of the City of Richmond, for themselves and their successors or assigns, proffer that the property under consideration will be developed according to the following proffer if, and only if, the rezoning request submitted herewith is granted with only this condition agreed to by the owners and applicant. In the event this request is denied or approved with conditions not agreed to by the owners and applicant, the proffer shall immediately be null and void and of no further force or effect.

1. Conceptual Master Plan. Development of the Property shall be in general conformance with the conceptual master plan entitled "25th Street Grocery, City of Richmond – Virginia, Conceptual Layout – Option A" dated June 7, 2016, prepared by Timmons Group, attached hereto, which Conceptual Master Plan is conceptual in nature and may vary in detail, unless otherwise requested and specifically approved by the Director of Planning and Development Review at the time of plan of development review.

[SEE ATTACHED SIGNATURE PAGES]



Application for REZONING/CONDITIONAL REZONING

Department of Planning and Development Review
Land Use Administration Division
900 E. Broad Street, Room 511
Richmond, Virginia 23219
(804) 646-6304
<http://www.richmondgov.com/>

Project Name/Location

Project Name: East End Grocery Store Date: May 16, 2016

Property Address: See Attached Tax Map #: See Attached

Fee: _____ Total area of affected site in acres: 3.241
(See page 3 for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: B-2 & R-6

Existing Use: Vacant

Is this property subject to any previous land use cases? B-5

Yes No

If Yes, please list the Ordinance Number: _____

Proposed Zoning/Conditional Zoning

(Please include a detailed description of the proposed use and proffers in the required applicant's report)

Applicant/Contact Person: James W. Theobald, Esq.

Company: Hirschler Fleischer

Mailing Address: P.O. Box 500

City: Richmond State: VA Zip Code: 23223

Telephone: (804) 771-9513 Fax: (804) 644-0957

Email: jtheobald@hf-law.com

Property Owner: See Attached

If Business Entity, name and title of authorized signee: _____

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: () Fax: ()

Email: _____

Property Owner Signature: See attached signature pages

(The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. Faxed or photocopied signatures will not be accepted.)

**EAST END GROCERY SITE
APPLICATION/PROPERTY INFORMATION**

Property Owner Information:

Church Hill North Holdings, LLC
 c/o Mr. Steven A. Markel
 119 Tempsford Lane
 Richmond, VA 23226
 804.310.5268
 smarkel@markelcorp.com

City of Richmond Public Works
 900 East Broad Street, Room 701
 Richmond, Virginia 23279

Property Owner	Property Address	Tax Map Number	Current Zoning
Church Hill North Holdings, LLC	1329 N. 24 th Street	E0000618035	R-6
Church Hill North Holdings, LLC	1327 N. 24 th Street	E0000618034	R-6
Church Hill North Holdings, LLC	1325 N. 24 th Street	E0000618033	R-6
Church Hill North Holdings, LLC	1323 N. 24 th Street	E0000618032	R-6
Church Hill North Holdings, LLC	1321 N. 24 th Street	E0000618031	R-6
Church Hill North Holdings, LLC	1317 N. 24 th Street	E0000618026	R-6
Church Hill North Holdings, LLC	1315 N. 24 th Street	E0000618025	R-6
Church Hill North Holdings, LLC	1313 N. 24 th Street	E0000618024	R-6
Church Hill North Holdings, LLC	1311 N. 24 th Street	E0000618023	R-6
Church Hill North Holdings, LLC	1309 N. 24 th Street	E0000618022	R-6
Church Hill North Holdings, LLC	1305 N. 24 th Street	E0000618020	R-6
Church Hill North Holdings, LLC	1303 N. 24 th Street	E0000618018	R-6
Church Hill North Holdings, LLC	1300 N. 25 th Street	E0000618017	B-2
Church Hill North Holdings, LLC	1302 N. 25 th Street	E0000618016	B-2
Church Hill North Holdings, LLC	1304 N. 25 th Street	E0000618015	B-2
Church Hill North Holdings, LLC	1306 N. 25 th Street	E0000618013	B-2
Church Hill North Holdings, LLC	1310 N. 25 th Street	E0000618012	B-2
Church Hill North Holdings, LLC	1312 N. 25 th Street	E0000618011	B-2
Church Hill North Holdings, LLC	1314 N. 25 th Street	E0000168010	B-2
Church Hill North Holdings, LLC	1318 N. 25 th Street	E0000618007	R-6
Church Hill North Holdings, LLC	1320 N. 25 th Street	E0000618005	R-6
Church Hill North Holdings, LLC	1324 N. 25 th Street	E0000618004	R-6
Church Hill North Holdings, LLC	1326 N. 25 th Street	E0000618003	R-6
Church Hill North Holdings, LLC	1328 N. 25 th Street	E0000618002	R-6
Church Hill North Holdings, LLC	1330 N. 25 th Street	E0000618001	R-6

Church Hill North Holdings, LLC	1404 N. 26 th Street	E0000712004	B-2
Church Hill North Holdings, LLC	1405 N. 25 th Street	E0000712029	B-2
Church Hill North Holdings, LLC	1401 N. 25 th Street	E0000712028	B-2
Church Hill North Holdings, LLC	2500 Nine Mile Road	E0000712023	B-2
Church Hill North Holdings, LLC	2516 Nine Mile Road	E0000712017	B-2
Church Hill North Holdings, LLC	2518 Nine Mile Road	E0000712016	B-2
Church Hill North Holdings, LLC	2520 Nine Mile Road	E0000712015	B-2
Church Hill North Holdings, LLC	2522 Nine Mile Road	E0000712014	B-2
Church Hill North Holdings, LLC	2524 Nine Mile Road	E0000712013	B-2
Church Hill North Holdings, LLC	2526 Nine Mile Road	E0000712012	B-2
Church Hill North Holdings, LLC	2528 Nine Mile Road	E0000712011	B-2
Church Hill North Holdings, LLC	2530 Nine Mile Road	E0000712010	B-2
Church Hill North Holdings, LLC	2532 Nine Mile Road	E0000712009	B-2
Church Hill North Holdings, LLC	1400 N. 26 th Street	E0000712007	B-2
City of Richmond Public Works	2534 Nine Mile Road	E0000712008	B-2

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**CHURCH HILL NORTH RETAIL CENTER, INC.
EAST END GROCERY STORE
APPLICANT'S REPORT**

1. INTRODUCTION.

The mission of the City of Richmond Redevelopment and Housing Authority (“RRHA”) is to be the catalyst for quality affordable housing and community revitalization. RRHA works closely with the City of Richmond (the “City”) to combat blight and revitalize and beautify the city through the construction of new housing and commercial properties and the redevelopment of existing housing and commercial properties. Church Hill North Retail Center, Inc. (the “Applicant”) has partnered with RRHA to develop a plan to redevelop and revitalize approximately three (3) acres in an area known as the Church Hill Redevelopment Area. The Applicant proposes a pedestrian-oriented, mixed-used development including a grocery store approximately 30,000 square feet in size, additional retail space, and may include a neighborhood clinic, restaurant space, and multifamily housing, all with associated parking. The site consists of forty (40) parcels totaling approximately 3.2 acres of land located in the City, on the north side of Nine Mile Road between 26th and 24th Streets (the “Property”). The Property is advantageously located along a major travel route for Church Hill and eastern Henrico County. Despite increased residential development that has occurred in the neighborhoods, the commercial corridor including 25th Street and Nine Mile Road remains challenged and uninviting for the shopper and for the small business owner. There are very few retail shops left to serve neighborhood needs. The only grocery store serving the neighborhood closed in late 2007. Thus, the area is a food desert. Many of the parcels have never been developed, and the area has been targeted for redevelopment and revitalization. The proposed development will help eliminate existing blight and the long-term conditions that result in deteriorating neighborhoods. The Property is adjacent to, if not within, the Church Hill North Conservation Area adopted in 1995 which was designed to eliminate blight and deterioration within a 26-block area in a historic area of Church Hill, north of Broad Street. The Property is also adjacent to, if not within, the Nine Mile Road Redevelopment & Conservation Plan approved by RRHA Board of Commissioners in 2011. RRHA has long been developing redevelopment plans for the area. The Applicant’s proposed mixed-use development including a grocery store will promote investment in the area, will be a catalyst for continued growth and improvement in this area of Nine Mile Road. The development of the mixed-use community will also require alley closings simultaneous with zoning.

2. PROPERTY/AREA.

The Property is shown on the enclosed survey prepared by Timmons Group dated September 23, 2015, last revised March 2, 2016. The Property is currently zoned B-2 and R-6. The majority of the lots comprising the Property are unimproved, with a few lots having unused improvements located upon them.

Neighboring properties include a mixture of uses. Properties near the southern property line of the Property include retail properties zoned B-2 and vacant lots. The remainder of the Property is surrounded by mostly vacant lots zoned R-6. RRHA determined

that there are vacant and deteriorating buildings in the area, deteriorated infrastructure, and blight influences consisting of poor site maintenance, crumbling curbs and sidewalks, etc. The City's Master Plan suggests Community Commercial for the area, and Mixed Use immediately adjacent.

3. **DEVELOPMENT OVERVIEW.**

In partnership with RRHA, the Applicant plans to redevelop and revitalize approximately three (3) acres in an area known as the Church Hill Redevelopment Area. The Applicant proposes a pedestrian-oriented, mixed-used development including a grocery store approximately 30,000 square feet in size, additional retail space, and may include a neighborhood clinic, restaurant space and multifamily housing, all with associated parking. A sense of place will be established at the roundabout at Nine Mile Road and 25th Street, and the portion of 25th Street which will become private will be a pedestrian-friendly area linking the two portions of the Property together. Alleys running through the Property will be closed simultaneously with zoning. A proposed layout of the development and elevations of the grocery building have been provided to the City for informational purposes. The proposed development is in keeping with RRHA's plans for the area, as well as with the City's Master Plan for the area.

To permit the development of the pedestrian-friendly, mixed-use development, the Applicant requests the City's approval of a rezoning for the Property from the current B-2 and R-6 classifications to the B-5 classification.

The Applicant's proposed investment in the Property will help further RRHA's vision of the area, relieve blight, promote redevelopment and revitalize the area. The development will help increase the City's tax base.

4. **CONCLUSION.**

Currently, the Property is underutilized and ripe for development. The area is a food desert. The development is in response to years of planning for the area by RRHA, and furthers the goals and vision of the City's Master Plan. The proposed request will help stimulate the Nine Mile Road area, and increase the City's tax base. The development will help RRHA in achieving its mission of being the catalyst for quality affordable housing and community revitalization for the City.