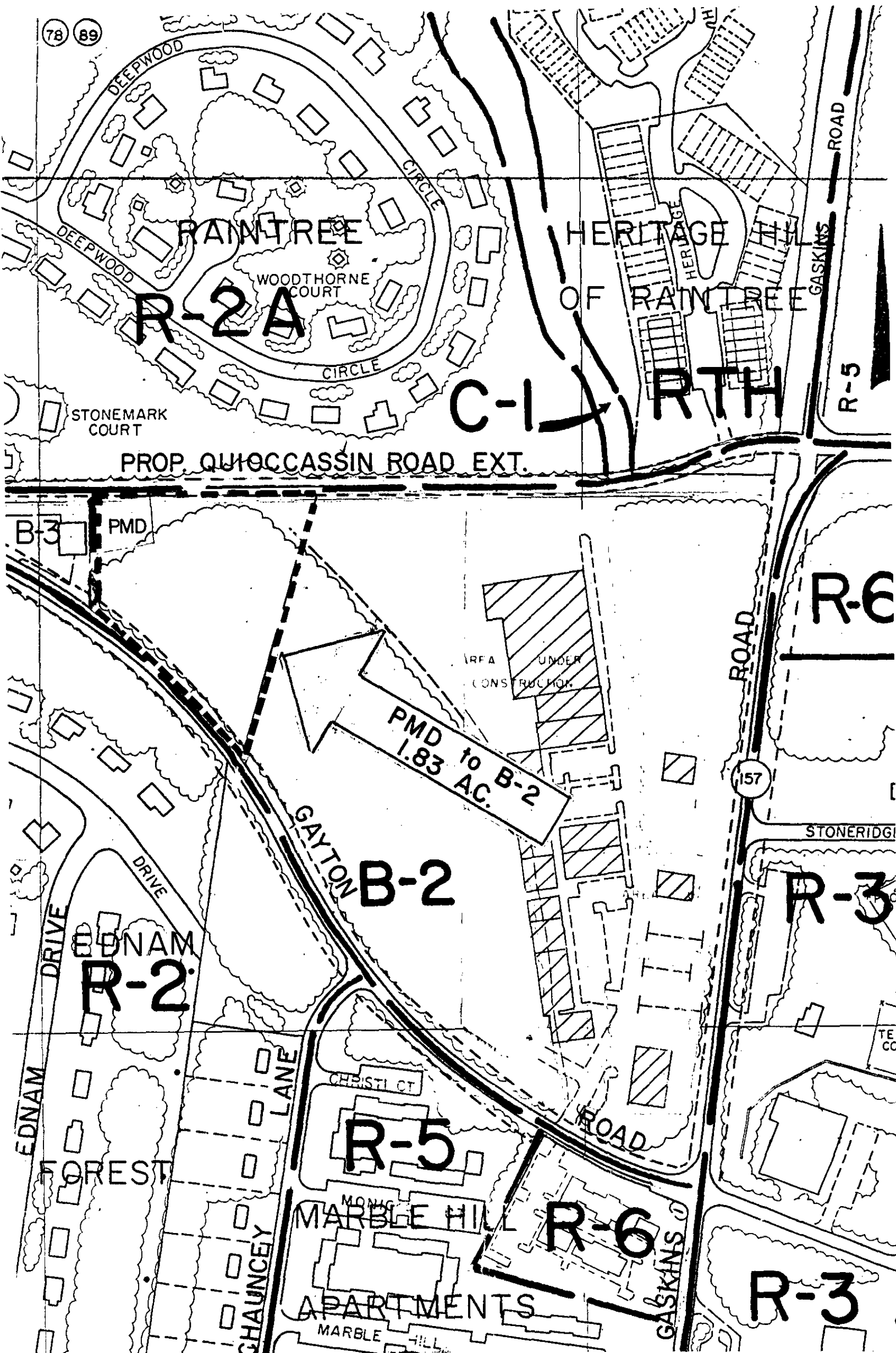
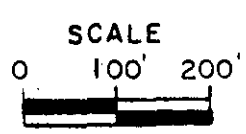


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C-79C-79



79-BI-9
TUCKAHOE DISTRICT
J.A.S.



FRANK A. FAISON
County Manager

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

January 14, 1980

Re: Conditional Rezoning Case C-79C-79

Gayton & Gaskins Limited Partnership
9607 Gayton Road
Richmond, Virginia 23233

Gentlemen:

The Board of Supervisors at its meeting on January 9, accepted the owners proffered conditions and conditionally rezoned the subject property to B-2 Community Business District. Set forth below are the proffered conditions regulating the use of the property:

1. Applicant makes it a condition to the rezoning that it be required to construct upon the property a community shopping center, colonial in design and conceptually similar to the Sycamore Square Shopping Center in Chesterfield County, Virginia, consisting of a coordinated group of local retail business establishments, indoor and outdoor, with common parking and service areas. This community center shall include retail business establishments serving the general public.

2. Applicant warrants that the following uses which are allowed under B-2 zoning will not be made on the property.

- a. Dancing establishments and dance halls;
- b. Hotels;
- c. Motels;
- d. Motor lodge;
- e. Motor hotel;
- f. Carpenter;
- g. Electrical;
- h. Plumbing;
- i. Heating;
- j. Job printing;
- k. Upholstery;
- l. Furniture or appliance repairing;
- m. Mortuary;
- n. Bowling, skating or billard establishment.

3. Applicant agrees to the elimination from the center any "fast food" or carry-out restaurant. A fast food or carry-out restaurant for this purpose is defined as:

An establishment whose principal business is the sale of foods and beverages to customers in a ready to consume state and which foods and beverages are: (a) usually served in edible containers; or (b) in paper, plastic or other disposable containers and/or wrappers; for immediate consumption either within the restaurant building or off the premises.

January 14, 1980

4. Applicant agrees to eliminate service stations from the project but this is not to include the elimination of the sale of motor fuels or lubricants at a self or full service operation.
5. Applicant will make use of lighting of a low level intensity that is compatible to residential developments in the general vicinity and similar to what may be found in the Brookfield Development on Broad Street.
6. In the event the applicant develops any free standing out parcel buildings to be located on the property, then applicant warrants that any such buildings will be architecturally compatible with the buildings developed within the center.

The property subject to the above proffers is tax parcel 79-B1-9 which is described as follows:

Beginning at a rod on the southerly line of Quioccasin Road (which point of beginning is located as follows: from a point on the southerly line of Quioccasin Road where the same would be intersected by the northerly extension of the western line of Block A of Ednam Forest Subdivision, plat of which is recorded in the hereinafter mentioned Clerk's Office in Plat Book 42, pages 48 and 49; thence along the southerly line of Quioccasin Road S. 82° 46' 50" E., a distance of 178.98'; thence S. 83° 22' 03" E., a distance of 140.00' to a rod which marks the point of beginning); thence from said point of beginning S. 83° 22' 03" E. along the southerly line of Quioccasin Road and distance of 101.42' to a rod; thence continuing along Quioccasin Road and Old Gayton Road (unimproved) as it curves to the right following the arc of a circle having a radius of 262.90', a distance of 141.35' to a rod; thence leaving Quioccasin Road and Old Gayton Road S. 15° 39' 22" W., a distance of 396.28' to a point on the northerly line of Gayton Road; thence in a westwardly direction along the northerly line of Gayton Road as it curves to the left following the arc of a circle having a radius of 1,170.92' a distance of 394.15' to a point; thence leaving Gayton Road N. 18° 01' 23" E., a distance of 59.72' to a rod; thence S. 83° 22' 03" E., a distance of 94.14' to a rod; thence N. 6° 37' 57" E., a distance of 95.0' to a rod; which marks the aforesaid point of beginning on the southerly line of Quioccasin Road, containing 1.83 acres.

The Planning Office has been advised of the action of the Board of Supervisors and requested to revise its records accordingly and to place a copy of the accepted proffers in the Conditional Zoning Index.

Sincerely,



Frank A. Faison,
County Manager

cc: Clerk, Board of Supervisors
Supervisor, Real Estate Assessment
Mr. Robert G. Butcher, Jr.
Conditional Zoning Index