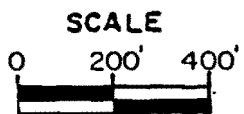


C-60C-81



COUNTY OF HENRICO PLANNING OFFICE
PART OF 92-A2-18
BROOKLAND DISTRICT
G.A.M



FRANK A. FAISON
County Manager

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

December 15, 1981

Re: Conditional Rezoning Case C-60C-81

Laurel Lakes Associates
c/o Mr. Marcus M. Weinstein
2717 Willard Road
Richmond, Virginia 23229

Dear Mr. Weinstein:

At its December 9 meeting, the Board of Supervisors accepted your proffered conditions and rezoned your below described property from R-2 One Family Residence to R-6 General Residence District in accordance with your request and the recommendations of the Planning Commission.

Your rezoned property identified as part of tax parcel 92-A2-18 consisting of Lots 10, 11, 12, 14, 16, 17, 18, 19, 20, and 21, Section B, Laurel Heights Subdivision.

The following proffered conditions were accepted by the Board of Supervisors and further regulate the property in addition to all applicable provisions of Chapter 22 (Zoning Ordinance) of the Code of Henrico:

1. No portion of the Property shall be used for multi-family rental apartment units. Use of the Property shall be limited to offices and financial institutions and such uses as are incidental or accessory thereto.
2. That portion of the Property located within the 100 year flood plain as finally determined by definitive engineering studies undertaken in connection with Plan of Development review shall remain zoned C-1 - Conservation, and no more intensive use shall be made thereof.
3. Lighting in parking areas shall be of low intensity and shall be positioned in such a manner as to minimize the impact of such lighting on any adjacent residential areas and be of such type as is required by the Planning Commission at the time of Plan of Development approval.
4. Supplemental landscaping shall be provided as required by the Planning Commission at the time of Plan of Development approval.
5. (a) As it relates to the physical development and physical operation of the Property, the Owner will cooperate with the County of Henrico regarding traffic patterns and road locations, alignments, and construction.
(b) Owner shall prepare and submit to the County of Henrico a conceptual plan showing generally the proposed uses and square footage within each phase of the

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development and a traffic impact study for such plans.

(c) No plan of development will be approved until such time as the Owner and the County agree to the improvements in the roads and intersections which are necessitated by the traffic impact study and also when and by whom such improvements shall be made. No Certificate of Occupancy shall be requested until the improvements which the Owner has agreed to make have been completed, unless the Owner's failure to perform is for reasons beyond the control of the Owner.

(d) In the event the County and the Owner do not agree on the improvements necessitated by the traffic impact study or when any such improvements shall be made, the disagreement and decisions shall be submitted to non-binding advisory arbitration by a traffic engineering firm acceptable to both the Owner and the County. The costs of such arbitration shall be paid by the Owner.

(e) If a relocation of the proposed development phase or additional development within the phase occurs, a reassessment or reevaluation of the effect of such development on the affected section of the intersection or roads shall be made.

(f) Any and all development by the Owner may continue until the traffic volume generated by the Owner exceeds the traffic volume previously approved. At that point, an additional phase of development and traffic impact study shall be provided.

6. The 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.

7. The exterior finished walls of buildings shall be of finished construction materials, but shall not include concrete block finish exterior above the foundation line and shall be complementary in design to any residential development on adjoining properties, as determined by the Planning Commission at Plan of Development approval.

8. No building shall exceed 45 feet in height above the finished grade.

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 proffered conditions in the Conditional Zoning Index.

Sincerely,



Frank A. Faison,
County Manager

cc: Clerk, Board of Supervisors
Supervisor, Real Estate Assessment
Mr. Jay Weinberg
✓ Conditional Zoning Index