



SHOP. CTR. MULTI-FAM.

COUNTY OF HENRICO PLANNING OFFICE

C-85C-84

SCALE 86-AI-27,47,31,40,44,45
 0 200' 400' THREE CHOPT DISTRICT



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

January 18, 1985

WILLIAM F. LaVECCHIA, P.E.
 County Manager

Re: Conditional Rezoning Case C-85C-84

The Rich Company
 1146 N. Road Street
 Elizabeth City, North Carolina 27909

Gentlemen:

This is a correction of our letter to you dated January 15, 1985.

The Board of Supervisors at its meeting on January 9, accepted your amended and restated proffered conditions and conditionally rezoned your property from A-1 Agricultural and B-3 General Business to R-5 General Residence and B-2 Community Business District.

The property rezoned to R-5 General Residence and B-2 Community Business is described as follows:

Tax Parcels 86-A1-27, 47, 31, 44, 40, and 45:

Parcel 1 - A-1 to R-5C

Beginning at a point on the W. line of Pemberton Road which adjoins property owned by W. S. Richardson, thence along the arc of a curve to the NE. having a radius of 538.58', 83.36' to a point; thence N. 59° 47' 45" E., 143.41' to a point; thence along the arc of a curve to the NE. having a radius of 675.00', 64.66' to a point; thence N. 63° 35' 40" W., 308.39' to a point; thence N. 26° 24' 20" E., 210.00' to a point; thence N. 83° 35' 40" W., 420.00' to a point; thence S. 74° 24' 20" W., 275.00' to a point; thence N. 17° 08' 20" W., 263.45' to a point; thence N. 63° 35' 40" W., 501.37' to a point; thence S. 26° 31' 46" W., 818.45' to a pipe; thence S. 82° 38' 10" E., 1,523.21' to the point of beginning, containing 18.71 acres.

Parcels 2 and 3 - A-1 and B-3 to B-2C

Beginning at a point on the S. line of Broad Street Road a distance of 429.71' east of Deep Run Farms; thence S. 63° 35' 40" E., 631.81' to a stone; thence S. 26° 24' 20" W., 75' to a point; thence S. 56° 44' 20" E., 83.77' to a point; thence S. 69° 17' 40" E., 50.24' to a point; thence S. 63° 35' 40" E., 100.00' to a point; thence S. 66° 27' 25" E., 100.11' to a point; thence S. 63° 35' 40" E., 200.00' to a stone; thence S. 57° 10' 50" E., 49.22' to a stone; thence S. 69° 29' 50" E., 51.35' to a stone; thence S. 62° 47' 40" E., 23.28' to a stone; thence S. 10° 11' 10" E., 24.02' to a stone; thence S. 39° 29' 25" W., 102.95' to a stone; thence S. 68° 35' 35" E., 9.99' to a stone; thence S. 39° 29' 25" W., 300.50' to a point; thence along the arc of a curve to the SW. having a radius of 675.00'; 174.56' to a point; thence N. 63° 35' 40" W., 308.39' to a point; thence N. 26° 24' 20" E., 210.00' to a point; thence N. 83° 35' 40" W., 420.00' to a point; thence S. 74° 24' 20" W., 275.00' to a point; thence N. 17° 08' 20" W., 263.45' to a point; thence N. 63° 35' 40" W., 71.29' to a point; thence N. 26° 24' 20" E., 576.71' to the point of beginning, containing 16.34 acres.

Parcels 4 and 5 - A-1 to B-2C

Beginning at a point on the S. line of Broad Street Road, at its intersection with the E. line of Deep Run Farms; thence S. $63^{\circ} 35' 40''$ E., 429.71' to a point; thence S. $26^{\circ} 24' 20''$ W., 506.71' to a point; thence N. $63^{\circ} 35' 40''$ W., 430.08' to a point; thence N. $26^{\circ} 31' 46''$ E., 89.69' to a point marked by a stone; thence N. $26^{\circ} 25' 36''$ E., 487.01' to the point of beginning, containing 5.69 acres.

The Board of Supervisors accepted the following proffered conditions which further regulate the above described property in addition to all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance). They are as follows:

1. Landscaped or natural buffer areas, as indicated below, will be provided around portions of the perimeter of the Property, except to the extent necessary for utility easements, roads, driveways or other purposes required by the Planning Commission at the time of Plan of Development review, or by any other governmental body, agency, commission, board, department or official thereof. Existing vegetation, underbrush and fallen, diseased or dead plant growth may be removed from such buffer areas, and additional plantings may be added:
 - a. A buffer area of thirty-five (35) feet in width along the Broad Street Road right-of-way line of the Property.
 - b. A buffer area of twenty-five (25) feet in width along the boundary of Parcel 2 adjoining the right-of-way of Pemberton Road.
 - c. A buffer area of twenty-five (25) feet in width along the boundary of Parcel 1 adjoining the right-of-way of Pemberton Road.
 - d. A buffer area of fifty (50) feet along that portion of the western boundary of Parcel 4 adjoining Deep Run Farms.
2. Parking lot lighting standards within Parcels 2 and 4 shall not exceed twenty-five (25) feet in height. The lighting of the parking lots within Parcels 2 and 4 shall be by lighting fixtures producing a lighting effect substantially similar to the lighting effect produced by the Type SHTAA 400 SP 12 208, High Pressure Sodium, manufactured by the Hi Tec Division of Lithonia Lighting.
3. The parking lots serving Parcels 2 and 4 shall be landscaped, including, but not necessarily limited to, the planting of shrubbery and/or trees in islands located within such parking lots, or between parking rows.
4. There shall be no more than two (2) access drives to or from the Property, to or from Broad Street Road, and there shall be only one (1) access drive to or from the Property, to or from Pemberton Road, which access drive shall be within Parcel 2, unless other access drives to or from the Property are required by any governmental body having jurisdiction with respect thereto.
5. No more than 140,000 square feet of space devoted to permissible principal uses shall be constructed on Parcel 2.

6. No more than two (2) principal buildings constructed on Parcel 2 shall exceed 12,500 square feet in usable finished floor area. The combined usable finished floor area of the buildings on Parcel 2 which are permitted to exceed 12,500 square feet in usable finished floor area shall not exceed a total of 100,000 square feet of usable finished floor area.
7. The ground area covered by buildings located on Parcel 4 shall not exceed twenty percent (20%) of the total area of Parcel 4.
8. No building constructed within Parcels 2 or 4 shall exceed thirty-six (36) feet in height.
9. The exposed portion of each exterior wall surface (front, rear and sides) of each building constructed within Parcels 2 and 4 shall be similar to the other exposed portions of exterior walls of such building (and shall not be untreated or painted cinderblock), in architectural treatment and materials, unless different architectural treatment and/or materials are specifically accepted with respect to the exposed portion of any such wall, by the Planning Commission at the time of Plan of Development approval. The exterior architectural treatment of each building constructed on Parcels 2 and 4 shall be compatible with the exterior architectural treatment of the other buildings constructed on Parcels 2 and 4, except as otherwise approved by the Planning Commission under the provisions of the preceding sentence.
10. No sign attached to any building within Parcels 2 or 4 shall extend above the roof line of the building to which it is attached. Illuminated business signs within Parcels 2 and 4 shall be of a "backlit" type, i.e., the background of the sign shall be dark, and the logos and lettering on such signs shall be illuminated from within the sign structure.
11. The following uses shall not be permitted in Parcels 2 and 4:
 - a. skating rinks
 - b. bowling alleys
 - c. billiard parlors
 - d. repair businesses for electrical, heating or plumbing systems
 - e. mortuaries
 - f. adult book stores
12. No "fast food" or carry-out restaurants shall be permitted within that portion of Parcel 2 lying east of Line B extending perpendicularly from Broad Street Road, as shown on the Zoning Plat. For purposes hereof, "fast food" or "carry-out" restaurant is hereby defined as an establishment whose principal business is the sale of foods and beverages to consumers in a ready-to-consume state and which foods and beverages are usually served in paper, plastic or other disposable containers or wrappers for immediate consumption either within the restaurant building or off the premises.
13. In providing sanitary sewer service to Parcel 2, the owner shall extend the sewer line to the boundary line of Parcel 2 abutting Pemberton Road, and shall grant any necessary easements to Henrico County so as to allow other area property owners to have access to such sewer line.

14. No more than two hundred twenty five (225) dwelling units shall be constructed within Parcel 1.
15. No less than 50 percent of the exposed exterior surfaces of the front, side, and rear walls of principal residential structures constructed within Parcel 1 shall be constructed of brick, and there shall be no exposed cinderblock in such exterior surfaces. The percentage computation shall be in the aggregate, rather than on a building-by-building basis.
16. No more than forty-five percent (45%) of the land area within Parcel 1 (excluding property within the right-of-way of Mayland Drive) shall be covered by residence buildings and/or parking areas.
17. No building constructed within Parcel 1 shall exceed three (3) stories in height.
18. There shall be no direct vehicular access to or from Pemberton Road, to or from Parcel 1, unless required by any governmental body having jurisdiction with respect thereto.
19. No outside music shall be permitted after 11:00 p.m. at clubhouse functions within Parcel 1.
20. No mobile sign shall be placed on the property.

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

Sincerely,

W. F. LaVecchia
W. F. LaVecchia, P.E.,
County Manager

cc: Clerk, Board of Supervisors
Supervisor, Real Estate Assessment
Mr. Jay M. Weinberg
Conditional Zoning Index
Mrs. Katherine Liesfeld
Ms. Teresa L. Buehren
Mr. Joseph E. Liesfeld
Mr. and Mrs. L. E. Charles
Ms. Mary C. Cleghorn
Mr. Charles P. Liesfeld