

A-1
 RE-ZONING
 CASE
 C-30C-86

**A-1 To M-1C
 28.273 ac.**

BROAD

BROAD STREET

MAGISTERIAL ROAD

**COUNTY OF HENRICO PLANNING OFFICE
 77-B1-18,24 PT. 77-B2-1
 TUCKAHOE DISTRICT**

C-30C-86

0 200' 400'

IAS



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

June 18, 1986

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

Re: Conditional Rezoning Case C-30C-86

Mr. Theodore L. Chandler, Jr., Trustee
P. O. Box 1320
Richmond, Virginia 23210

"Brookhollow"

Dear Mr. Chandler:

The Board of Supervisors at its meeting on June 11, granted your request to conditionally rezone property from A-1 Agricultural to M-1C Light Industrial District (Conditional).

The rezoned property is described as follows:

Parcels 77-B1-18 and 24 and Part of 77-B2-1:

Beginning at a point on the N. line of U.S. Route 250, 1937.56' west of Interstate Route 64 at Broad Street (U.S. Route 250); thence N. $25^{\circ} 55' 26''$ E., 980.22' to a point; thence N. $21^{\circ} 88' 45''$ E., 248.54' to a point; thence N. $64^{\circ} 57' 31''$ E., 220.72' to a point on the S. line of Interstate 64; thence along a curve to the right having a radius of 5623.58' and a length of 824.89' to a point; thence S. $08^{\circ} 46' 59''$ W., 900.32' to a point on the N. line of U.S. Route 250; thence along the N. line of U.S. Route 250; N. $81^{\circ} 16' 38''$ W., 454.91' to a point; thence along a curve to the right having a radius of 5689.58 and a length of 486.58' to a point; thence N. $76^{\circ} 22' 38''$ W., 298.38' to the point of beginning as shown on a plat by J. K. Timmons & Associates, P.C. dated 11/22/85 and last revised 3/6/86, containing 28.325 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. No building shall be constructed within fifty (50) feet of the northern line of the right of way of Broad Street Road as determined at the time of plan of development approval, or within forty (40) feet of any other public street constructed within the Property.
2. (a) At least 20 percent of every site within the project shall be used for permanent open space. This area shall be used for landscaping, lawns, screening and/or buffer areas and may include bodies of water, works of art and outdoor recreation areas. The area devoted to the minimum project perimeter, minimum required landscaping along streets and parking lot landscaping may be counted toward this requirement.
- (b) A landscaped area of a minimum of thirty (30) feet in width shall be established and maintained (except for necessary entrance drives and utility easements) on the Property along the northern line of Broad Street Road as located at the time of POD approval; provided, however, that the northern line of said landscaped area shall be no further than 55 feet of the northern right of way line of Broad Street Road as presently located.

(804) 747-4206 PARHAM & HUNGARY SPRING ROADS / P. O. BOX 27032 / RICHMOND, VIRGINIA 23273

- SPRINGFIELD
BAPTIST
CHURCH*
- (c) A landscaped area of a minimum of twenty-five (25) feet in width shall be established and maintained (except for necessary entrance drives and utility easements) along all internal public streets constructed on the Property.
 - (d) An undisturbed natural buffer area of a minimum of thirty (30) feet in width shall be retained along the common boundaries of the subject Property and Tax Parcels numbered 77-B1-10, 11, 12 and 13 (excluding those portions of Parcel 77-B1-13 used for access only and until such time as said Tax parcels adjoining such buffered areas are devoted to a use other than for residential or religious purposes).
 - (e) The landscaped areas described in paragraphs 2(b) and 2(c) above shall be planted with such trees, shrubs, grass or other appropriate vegetation as may be approved or required by the Planning Commission at the time of the approval of a plan of development for the Property. Likewise, no buildings or parking shall be permitted in any landscaped or buffer areas required pursuant to paragraphs 2(b) through 2(d) above except for necessary entrance drives and landscaping structures as may be approved by the Planning Commission.
3. Exterior lighting on the Property shall be positioned in such a manner as to minimize the impact of such lighting on adjacent properties and be of such a type as approved or required by the Planning Commission at the time of Plan of Development review. Parking lot lighting standards within the Property shall not exceed twenty (20) feet in height.
 4. The exposed portion of the exterior wall surfaces (front, rear and sides) of any building constructed on the Property shall be similar in quality as to architectural treatment and materials. All buildings constructed on the Property shall have exposed exterior walls (above finished grade) of face brick, natural stone, pre-cast or cast-in-place architectural concrete or of exposed aggregate concrete and/or glass or of an equivalent, permanent, architecturally finished material. No building shall be covered with or have exposed to view any painted or unfinished concrete block, sheet or corrugated aluminum, asbestos, iron, steel or stucco, except that stucco may be used if applied over masonry backing.
 5. Prior to or concurrent with the recordation of a subdivision plat of the Property approved by the County and before the conveyance of any part of the Property covered by such subdivision plat which is to be developed for commercial uses, the applicant, its successors or assigns, shall record a document in the Clerk's Office of the Circuit Court of Henrico County setting forth controls on the development of such sections of the Property. The covenants shall, at a minimum, provide for the creation of a property owner's association, provide for maintenance of individual sites, common areas, open spaces, and private streets, and provide for a minimum development and operational standards for each site.
 6. (a) No freestanding permanent signs may be installed on the Property which exceed ten (10) feet in height and whose face area exceeds seventy-five (75) square feet per face (150 square feet for a double-faced sign). There shall be no more than one permanent freestanding sign on a building site, provided that one additional sign identifying a major tenant shall be permitted for

multi-tenant office buildings exceeding 50,000 square feet in gross leaseable area. In the event two signs are constructed, and the sign area of the major tenant sign shall not exceed fifty (50) square feet per face.

- (b) In addition to the permanent signs permitted by paragraph (a) above, the Developer shall be permitted one (1) permanent project identification sign at each public entrance to the project from Broad Street provided that said identification sign has a face area not exceeding seventy-five (75) square feet per face.
 - (c) Attached signs shall be permitted, two for each building, but the aggregate total area of these signs shall not exceed forty-eight (48) square feet and each sign shall identify either the name of the building or one principal occupant. In no case shall either of the two signs exceed twenty-four (24) square feet. In lieu of the two signs above, one sign may be provided for each tenant if such tenant space has direct access from the exterior of the building. Said signs shall not exceed twelve (12) feet in area for each tenant.
 - (d) Directional signs, limited in area to three (3) square feet each shall be permitted, when necessary to direct traffic to a building on the same premises. Such signs shall not contain advertising copy or identify any tenant in the project. The aggregate area of all such signs shall not exceed forty-five (45) square feet.
 - (e) A project identification map sign shall be permitted in addition to the above directional signs. Such sign shall not exceed twenty-four (24) square feet, shall be located only on a private road within the project, and shall have a vehicular turnout provided to permit the sign to be read from a vehicle stopped or parked off of the moving traffic lane.
 - (f) No mobile, portable or temporary signs or banners shall be placed on the Property except that each site developed within the Property shall be allowed one temporary leasing or construction sign not to exceed fifty (50) square feet.
 - (g) No sign shall be erected on the Property supported by an exposed metal pole or poles.
7. All roof-mounted equipment which rises above the roofline of any building or structure shall be effectively screened from view from any street (except interstate highways) by an architecturally suitable method.
8. Parking shall be permitted only in parking areas approved in the Plan of Development. The parking lots serving the Property shall be landscaped including, but not necessarily limited to, the planting and maintaining of shrubbery, trees or other vegetation in islands located within such parking lots or between parking rows as may be required or approved by the Planning Commission.
9. Development of each individual site on the Property shall be subject to a Plan of Development review and approval by the Planning Commission.

10. No articles, goods, materials, refuse, refuse receptacles, incinerators, storage tanks, or other items shall be stored in the open or exposed to public view from any street or from adjacent land. If it shall become necessary to keep or store such materials or items in the open, the portion of the building site used for such storage shall be screened from view by a wall or screening fence of permanent construction designed of solid materials. All storage shall be limited to the rear forty-five percent (45%) of any developed site (with reference to the linear depth of the lot) provided that in no event shall any outside storage be permitted in the front yard of any lot nor shall any materials or equipment be stored closer than ten (10) feet to any side or rear property line not fronting on any street or proposed street.

11. No use shall be permitted which is offensive by reason of odor, fumes, dust, smoke, noise or pollution or which is hazardous by reason of danger of fire or explosion, or injurious to persons or Property, or in violation of the laws of the United States, Commonwealth of Virginia or County of Henrico. Specifically, the following uses shall be prohibited on the Property:

- A. Bowling, skating, billiards and similar indoor recreational establishments.
- B. Dancing establishments and dance halls.
- C. Dyeing and cleaning works.
- D. Drive-in theaters, golf driving ranges, baseball batting ranges, miniature golf courses, pony rides, and similar outdoor amusements or commercial recreation establishments.
- E. Riding academies, amusement parks and target ranges.
- F. Veterinary hospitals or clinics which have facilities for treatment of large animals and boarding kennels for small animals.
- G. Outdoor advertising signs and structures.
- H. Building material sales yards.
- I. Coal and wood yards.
- J. Sheet metal shops.
- K. Display houses or "shell" houses.
- L. Fortune tellers, palmists, astrologists, numerologists, clairvoyants, craniologists, phrenologists, card readers, spiritual readers or advisors.
- M. Carnivals, fairs and circuses.
- N. Blacksmith, welding, or other metal shop.
- O. Bottling, cold storage, or milk processing and distribution plants.
- P. Tire dealerships and tire manufacturing, rebuilding or recapping plants.
- Q. Sand, gravel or clay pits, quarries, mines and other extractive operations, including topsoil removal.
- R. Mixing of cement concrete.
- S. Automobile body shops, automobile repair shops, automobile dealerships, car washes and truck terminals.

12. No more than 25% of the acreage within the Property shall be used for retail purposes. For purposes of this paragraph and paragraph 13, "retail purposes" shall be deemed not to include hotel or motel uses, and the property affected by Cases C-30C-86 and C-31C-86 shall be aggregated.

Theodore L. Chandler, Jr., Trustee
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13. No more than 30% of the linear frontage of the Property on Broad Street Road will be devoted to retail purposes. For purposes of this proffer, the property affected by Cases C-30C-86 and C-31C-86 shall be aggregated.
14. There shall be no more than five (5) access drives and/or streets (public or private) to and from the Property and Broad Street Road unless additional access drives and/or streets are required by the Planning Commission. For purposes of this proffer, the property affected by Cases C-30C-86 and C-31C-86 shall be aggregated.
15. All principal buildings constructed on the Property shall be served by public utilities.
16. The development of the Property in cases C-30C-86 and C-31C-86 shall be phased over a five year period so that the traffic generated by the development of the aggregate acreage, as computed below, does not exceed the cumulative totals shown in the following table:

Year 1*	3840 Trips/day
Year 2	7680 Trips/day
Year 3	11,520 Trips/day
Year 4	15,360 Trips/day
Year 5 and thereafter	19,200 Trips/day

*Calculated from the date of the issuance of the first certificate of occupancy for a building on the Property.

The trips generated by the project shall be based on the improvements constructed on the Property and shall be calculated according to the formulas published by the Institute of Transportation Engineers in the Trip Generation Handbook, Third Edition, which are summarized below:

<u>Use</u>	<u>Trips per day</u>
Quality restaurant	74.9/1000 sq. ft.
Specialty retail	40.7/1000 sq. ft.
Convenience retail	82/1000 sq. ft.
Office	10.9/1000 sq. ft.
Hotel	10.5/room
Office/Warehouse	4.9/1000 sq. ft.


Provided, however, that improvements on the Property may be constructed which would result in the generation of more traffic than as set forth above only if a comprehensive traffic study is prepared by the Developer and approved by the Planning Commission evidencing that any such additional traffic may be accommodated safely by the existing road system.

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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 accepted proffered conditions in the Conditional Zoning Index.

Sincerely,


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

cc: Clerk, Board of Supervisors
Real Estate Assessment
Conditional Zoning Index ✓
Mr. Phillip DeB. Rome
C. Champion Bowles Estate
R. A. Siewers, Inc.
Short Pump Civic Assoc., Inc.
Messrs. Percy L. Granger, Jr. &
B. L. Granger