

COUNTY OF HENRICO PLANNING OFFICE

Pt. 86-A1-25,26,47
THREE CHOPT DISTRICT

C-66C-86



JAS

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO



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

October 14, 1986

Re: Conditional Rezoning Case C-66C-86

Investors Service Corporation
c/o Willis Blackwood
9211 Forest Hill Ave., Suite 103-A
Richmond, Virginia 23235

Gentlemen:

The Board of Supervisors at its meeting on October 8, granted your request to conditionally rezone property from A-1 Agricultural and O-2C Office (Conditional) to B-2C Community Business District (Conditional), described as follows:

Part of Parcels 86-A1-25 and 47 and Part of Parcel 86-A1-26 known as Lots 1 through 6, Deep Run Farms Subdivision.

Beginning at a point on the W. line of Pemberton Road, approximately 602.03' south of its intersection with Broad Street Road; thence along a curve to the southwest having a radius of 675.00', 64.66' to a point; thence S. 59° 47' 45" W., 119.77' to a point on the W. line of Pemberton Road; thence N. 63° 35' 40" W., 1490.32' to a point; thence N. 26° 31' 46" E., 231.36' to a point; thence S. 63° 35' 40" E., 501.37' to a point; thence S. 64° 6' 45" E., 415.29' to a point; thence S. 51° 40' 55" E., 373.30' to a point; thence S. 63° 35' 40" E., 308.39' to the point of beginning, containing 7.47 acres.

Although the Board of Supervisors did not accept your original proffered conditions 5, 7, and 20, it did accept the following proffered conditions which further regulate the use of your property in addition to all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance).

1. The exposed portion of each exterior wall surface (front, rear, and sides) of each building constructed on the property shall be similar to the exposed portions of other exterior walls of such building 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, at the time of Plan of Development review. No exposed portion of any exterior wall shall consist of untreated or painted cinder block.
2. No more than 295,000 square feet of space devoted to permitted principal uses shall be constructed on the Property and the property which is the subject of zoning case C-65C-86, in the aggregate.
3. Landscaped (with undulating berms) and/or natural buffer areas will, as indicated below, be provided around portions of the perimeter of the Property, except to the extent necessary for utility easements, roads, signage, driveways or other

purposes required by the Planning Commission at the time of Plan of Development Review, or by any other applicable governmental body:

- a. A buffer area a minimum of twenty-five (25) feet in width along the Broad Street Road right-of-way line of the Property (as such right-of-way line is determined at the time of Plan of Development review).
- b. A buffer area of a minimum of thirty-five (35) feet in width along the right-of-way line of Pemberton Road (as such right-of-way is determined at the time of Plan of Development review).

Existing vegetation and underbrush may and fallen, diseased or dead plant growth shall be removed from such buffer areas, and if so removed, additional plantings and/or berms shall be added. Berms placed within the buffer area along Broad Street Road will be a minimum of three (3) feet in height. Berms within the buffer area along Pemberton Road shall be a minimum of five (5) feet in height. The limits of clearing within the buffer areas shall be shown on the approved Plan of Development(s).

4. No building, parking space or access drive shall be constructed on the southeasternmost corner of the Parcel 4, designated as Parcel "A" on the Zoning Plat, extending one hundred (100) feet along Pemberton Road and one hundred twenty-five (125) feet in a westerly direction from Pemberton Road, into the Property. Parcel "A" shall be retained as a landscaped buffer area, except to the extent necessary for utility easements or other purposes approved by the Planning Commission at the time of landscape plan review.
5. Not accepted by the Board of Supervisors.
6. White pines of a minimum of seven (7) feet in height (or, if unavailable, trees having a similar screening effect) shall be planted at approximate intervals of fifteen (15) feet along the southern boundary of the Property between Pemberton Road and Stillman Drive, at such time as, and to the extent that the presence of such trees shall become necessary to properly screen development on the Property from Pemberton Road.
7. Not accepted by the Board of Supervisors.
8. Parking lot lighting shall be provided by directional fixtures, which shall be positioned in such a manner as to minimize the impact of such lighting off-site, and which produce a lighting intensity of a maximum of one-half (1/2) foot candle at the boundaries of the Property adjoining Broad Street Road and Pemberton Road, except at vehicular access points or as otherwise required at the time of Plan of Development review. Parking lot lighting shall be reduced to no more than a security level, following the closing of business operations on the Property.
9. Parking lots serving the Property shall be landscaped, including, but not limited to, the planting of shrubbery and/or trees in islands located within such parking lots or between parking rows.

10. No building permit for the construction of improvements on the Property shall be obtained until plans for the completion of Mayland Drive between Pemberton Road and Gaskins Road, and a vehicular access drive connecting Mayland Drive and Broad Street Road (which vehicular access drive may be the extension of Stillman Parkway from Broad Street Road to Mayland Drive) are approved by appropriate governmental bodies having jurisdiction with respect thereto, and a completion bond for such roads or access drive (if necessary) is posted with the Henrico County Department of Public Works, guaranteeing the completion of the aforesaid roadway improvements within one (1) year of the posting of such bond.
11. There shall be no more than one (1) access drive to or from the Property, to or from Broad Street Road, and there shall be no access drive to or from the Property, to or from Pemberton Road, unless other access drives to or from the Property are required by any governmental body having jurisdiction with respect thereto.
12. The ground area covered by buildings located on the Property, and on Parcel 3 as shown on the Zoning Plat, shall not exceed twenty-two percent (22%), in the aggregate.
13. No building constructed on the Property shall exceed the lesser of two (2) stories or thirty-six (36) feet in height, exclusive of chimneys or other architectural design features.
14. No sign attached to any building on the Property shall extend above the roof line of the building to which it is attached. Illuminated business signs 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.
15. The following uses shall not be permitted on the Property:
 - (1) skating rinks;
 - (2) billiard parlors;
 - (3) establishments operated primarily as amusement or video game parlors;
 - (4) repair business for electrical, heating or plumbing systems;
 - (5) mortuaries; and
 - (6) adult book stores.
16. No automobile gasoline service station, hotel, motel or "fast-food" or "carryout" restaurant shall be permitted within that portion of the Property lying east of Line "B" extending perpendicularly from Broad Street, as shown on the Zoning Plat. For purposes hereof, "fast-food" or "carryout" 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.
17. Existing dwellings on Parcel 4 shall be removed within (90) days following Plan of Development approval for any development on the Property, subject to any leases existing as of the date of these proffered conditions.
18. No mobile sign shall be placed on the Property.

MAP ATTACHED *
TO C-65C-BG
P-188A


Investors Service Corp.
October 14, 1986

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19. All trash receptacle areas will be screened from view off-site.
20. Not accepted by the Board of Supervisors.

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
Dominion Development Group
Mr. Howard O. Robertson, Jr.
Mr. and Mrs. John C. Alley
Mr. and Mrs. Bernard L. Farris
Ms. Stella A. Hamilton
Mr. Jay M. Weinberg
Feld Development Corp.