



COUNTY OF HENRICO PLANNING OFFICE

98-AI-8,9,10,11,94,91
 BROOKLAND DISTRICT

C-70C-86



JAS



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

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

August 19, 1986

Re: Conditional Rezoning Case C-70C-86

Laurel Park Joint Venture
c/o Quattro Development Corp.
Suite 1100
5454 Wisconsin Avenue
Chevy Chase, MD. 20815

Attention: Mr. Leslie A. Fleisher, President

Gentlemen:

The Board of Supervisors at its meeting on August 13, granted your request to conditionally rezone property from R-3 One Family Residence, B-1 Neighborhood Business and B-2C Community Business (Conditional) to B-2C Community Business District (Conditional), Parcels 98-A1-8, 9, 10, 11, 91 and 94 described as follows:

Beginning at a point on the N. line of Hungary Road 355.27' west from the intersection of Hungary Road with the W. line of Woodman Road Extended; thence S. $65^{\circ} 05' 40''$ W., 202.43' along the N. line of Hungary Road to a point; thence 275.70' along the N. line of Hungary Road along the arc of a curve to the right having a radius of 748.90' to a point; thence N. $01^{\circ} 11' 05''$ W., 199.13' to a rod; thence N. $28^{\circ} 47' 55''$ W., 207.72' to a rod; thence N. $28^{\circ} 28' 35''$ W., 189.47' to a rod; thence 171.82' along the arc of a curve to the right having a radius of 1805.79' to a stone; thence N. $23^{\circ} 25' 15''$ W., 85.00' to a rod; then S. $66^{\circ} 34' 45''$ W., 64.43' to a rod; thence N. $23^{\circ} 25' 15''$ W., 195.94' to a rod; thence N. $67^{\circ} 46' 15''$ E., 404.31' to a rod; thence N. $67^{\circ} 42' 30''$ E., 423.37' to a rod; then S. $31^{\circ} 37' 26''$ E., 222.68' to a rod; then 348.97' along the arc of a curve to the right having a radius of 1392.79' to a stone; thence S. $17^{\circ} 16' 06''$ E., 173.51' to a lead hub; then S. $72^{\circ} 43' 54''$, 42.64' to a rod; then S. $58^{\circ} 14' 25''$ W., 207.38' to a rod; thence S. $32^{\circ} 12' 40''$ E., 122.25' to a rod; thence S. $63^{\circ} 09' 45''$ W., 135.00' to a railroad spike; thence S. $32^{\circ} 14' 55''$ E., 160.08' to the point of beginning, containing 17.152 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 business shall begin service to the public or any outside activity before 6:00 a.m. nor extend its hours of service or any outside activity after 12:00 p.m. midnight.
2. No business shall permit any loading, unloading or trash pick-up after 12:00 midnight nor before 6:00 a.m.

3. Berms, 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, signage, roads, driveways or other purposes required or permitted 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:
 - a. A landscaped or natural buffer area of a minimum of twenty (20) feet in width along the northern boundary of the Property.
 - b. A landscaped berm of a minimum of three (3) feet in height, except for appropriate tapering on each end thereof, shall be installed and maintained along and parallel to the Woodman Road frontage of the Property for a distance of approximately two hundred twenty-five (225) linear feet from the Northern boundary of the Property and a landscaped buffer area of a minimum of ten (10) feet in width shall be installed and maintained along the balance of the rights-of-way of Hungary Road and Woodman Road, as such rights-of-way are 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 earth berms shall be added. Where the placement of utility easements within a buffer area results in the inability of the owner to provide adequate screening within such buffer area, additional plantings shall be provided adjacent to such buffer area to provide appropriate screening for uses on the Property.

4. The parking lot serving the shopping center constructed and to be constructed on the Property shall be properly repaired and/or replaced as necessary, sealed to give a uniform appearance and restriped, and shall be landscaped, including but not necessarily limited to, the planting of shrubbery and/or trees in islands located within such parking lot.
5. The following uses shall not be permitted on the Property:
 - a. Skating rink, bowling alley, billiard parlor, bingo parlor and similar indoor recreational establishments. *Weight room not included in this project. JACCERSIZE - OK = 3/10/85*
 - b. Mortuary.
 - c. Club, fraternity, lodge and similar meeting place.
 - d. Adult book store.
6. No business will sell any drugs or drug paraphernalia, other than a drug store by licensed pharmacist, as directed by a licensed physician; provided, however, that nothing herein contained shall prevent the sale of nonprescription medicines.

7. All indoor recreation and other uses utilizing music and/or amplified sound shall be regulated and operated only within completely enclosed and air conditioned and sound proof buildings in accordance with Section 22-58(d) and (e) of Chapter 22 of the Code of Henrico (Zoning Ordinance) in order to protect the welfare, peace and solitude of the adjacent residential neighborhood.
8. No building constructed on the Property shall exceed the greater of two (2) stories in height or thirty-five (35) feet.
9. There shall be no more than two (2) access drives to or from the Property to or from Woodman Road, nor more than two (2) access drives to or from the Property to or from Hungary Road, unless other access drives to or from the Property to or from Woodman Road or to or from Hungary Road, are required by any governmental body having jurisdiction with respect thereto.
10. 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 offsite and which produce a lighting intensity of a maximum of one-half (1/2) foot candle at the boundaries of the property adjoining residentially-zoned property except at vehicular access points or as otherwise required by the Planning Commission at the time of Plan of Development review. Parking lot lighting shall be reduced to a security level following the closing of business operations on the Property.
11. No overnight parking of commercial vehicles of any type shall be permitted on the Property.
12. No portable sign shall be placed on the Property.
13. No heating, air conditioning or other mechanical equipment shall be placed on the roof of any building unless properly screened from public view in a manner satisfactory to and approved by the Planning Commission at the time of Plan of Development review.
14. Any free-standing buildings constructed on the Property shall be substantially similar in architectural treatment to the renovated shopping center on the Property, unless a different architectural treatment for any such free-standing building is specifically approved by the Planning Commission at the time of Plan of Development review.

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15. Owner shall install a pedestrian access from the cul-de-sac at the eastern end of Shecardee Lane to the shopping center and shall maintain same unless and until such time as the owner is directed to close same by the Planning Commission of Henrico County or by any other governmental body having jurisdiction thereof.

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. Jay M. Weinberg
Laurel Park Investors
The Virginia Museum Foundation
Ms. Dixie Lee Bruffey
Ms. Doris S. Bookman, et. als.
Lawrence G. & V. K. Watts
Messrs. David M. White and K. Graham