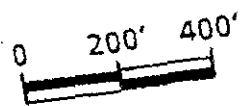


SHOP. CTR. / OFF. BLDG.
C-12C-88



COUNTY OF HENRICO PLANNING OFFICE
 78-A2-8
 THREE CHOPT DISTRICT



W.F. LAVECCHIA, P.E., AICP
County Manager

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

April 19, 1988

Re: Conditional Rezoning Case C-12C-88

Dominion Associates
c/o Mr. E. W. Jennings
First National Bank Building
823 E. Main Street
Richmond, Virginia 23219

Gentlemen:

The Board of Supervisors at its meeting on April 13, granted your request to conditionally rezone from A-1 Agricultural to B-3C General Business (Conditional) and O-3C Office District (Conditional), described as follows:

Parcel 78-A2-81:

B-3C:

Beginning at the point of intersection of the W. line of Dominion Boulevard and the N. line of West Broad Street Road; thence N. $81^{\circ} 7' 15''$ W., 88.94' to a point; thence N. $82^{\circ} 14' 35''$ W., 338.11' to a point; thence N. $70^{\circ} 53' 45''$ E., 933.42' to a point on the S. line of Sadler Road; thence along the arc of a curve to the east having a radius of 1,120.92', 332.46' to a point; thence S. $79^{\circ} 49' 56''$ E., 136.68' to a point; thence S. $51^{\circ} 13' 20''$ E., 60.04' to a point on the W. line of Dominion Boulevard; thence S. $12^{\circ} 3' 45''$ W., 915.56' to a point; thence S. $56^{\circ} 57' 30''$ W., 31.55' to the point of beginning, containing 10.67 acres.

O-3C:

Beginning at the point of intersection of the N. line of Sadler Road and the W. line of Dominion Boulevard; thence S. $71^{\circ} 55' 5''$ W., 63.91' to a point; thence N. $79^{\circ} 49' 56''$ W., 136.68' to a point; thence along the arc of a curve to the southwest having a radius of 1,170.92', 334.16' to a point; thence N. $70^{\circ} 53' 45''$ E., 12.09' to a point; thence N. $80^{\circ} 34' 00''$ E., 124.98' to a point; thence N. $68^{\circ} 11' 35''$ E., 487.01' to a point on the W. line of Dominion Boulevard; thence S. $12^{\circ} 3' 45''$ W., 234.41' to the point of beginning, containing 1.32 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. Site Plan and Elevations.

- (a) The Shopping Center Property shall be developed and buffered in substantial conformance with, and reflecting the general intent of, the following drawings prepared by Beckstoffer & Associates, Architects and Planners, Richmond, Virginia (the "Plans"), unless otherwise requested and specifically permitted or if required by the Planning Commission at the time of Plan of Development review, or by any other applicable governmental body:
- (i) "A Car Care Center" - Perspective Drawing, dated March 3, 1988,
 - (ii) "Site Plan w/ Finish Grading" dated January 25, 1988; last revised March 7, 1988, and
 - (iii) "A Car Care Center" -Section/Elevation, dated March 3, 1988; last revised March 7, 1988, copies of which are submitted herewith (See case file).
- (b) The building wall surface at the southern end of the shopping center building, facing Broad Street, shall be constructed substantially in accordance with a sketch entitled "A Car Care Center - View from Broad Street Entrance", prepared by Beckstoffer & Associates, dated March 3, 1988, a copy of which is submitted herewith, unless an alternative design therefor is specifically approved at the time of Plan of Development review.
- (c) The building walls at the northern end of the shopping center building, facing relocated Sadler Road, shall have the appearance of a building front.
- (d) Parcel A shall be landscaped in substantial conformance with a plan entitled "Schematic Plan for Innsbrook Auto Center, Henrico Co., Va.", prepared by Higgins Associates, Inc., dated February 4, 1988, revised February 16, 1988 (the "Landscape Plan") unless otherwise requested and specifically permitted or if required at the time of Landscape Plan review. Parcel B shall be landscaped in a manner which is consistent with the quality, quantity and general landscaping pattern shown on the Landscape Plan, unless otherwise requested or specifically permitted or if required at the time of Landscape Plan review.

2. Materials. All buildings shall have metal seam roofs, and the exposed portions of exterior building wall surfaces shall be predominantly of brick and/or glass, except to the extent that other materials are used for windows, doors, trim, signage, or architectural decorations. Other aesthetically comparable finished materials may be used if requested and specifically permitted or if required at the time of Plan of Development review. The colors and materials for buildings constructed on the Shopping Center Property shall be as follows, or the substantial equivalent thereof in the event of their unavailability:

- (a) Roof - AEP span slate grey metal. *See POD 73-88*

- (b) Brick - Oversized brick, Jefferson-Wade Tudor Color/Texture Code 483 by General Shale Products Corporation. *See POD 73-88*
 - (c) Store Front Door Mullion - Color P.P.G. 003.-Boysenberry.
 - (d) Door Panels - Color P.P.G. 006 - River Rouge Red. *See POD 73-88*
 - (e) Awnings - Unitex Colonial Forest Green with Grey inserts between stores.
 - (f) Sign background - Off-White, unless otherwise requested and specifically permitted or if required by the Planning Commission at the time of Plan of Development review or by any other applicable governmental body.
3. Building Setback. No building shall be constructed within one hundred (100) feet of the right-of-way line of Broad Street and no financial institution shall be constructed within three hundred (300) feet of the right-of-way line of Broad Street.
4. Buffer Areas and Screening.
- (a) Landscaped buffer areas as indicated below shall be provided around the perimeter of the Shopping Center Property, except to the extent necessary for utility easements, signage, access ways to and from public rights-of-way (which utility easements and access ways shall be generally perpendicular to the affected buffer area) or other purposes if requested and specifically permitted or if required by the Planning Commission at the time of Plan of Development review or by any other applicable governmental body:
 - (i) A landscaped buffer area of a minimum of fifty (50) feet in width or such greater width as may be shown on the Schematic Site Development Plan, along the southern boundary of the Shopping Center Property adjacent to the Broad Street right-of-way, as such right-of-way line is determined at the time of Plan of Development review (the "Broad Street Buffer Area"). An undulating landscaped berm between twenty-four (24) and forty-two (42) inches in height shall be included within the Broad Street Buffer Area; provided, however, that if the grade elevation of either of the buildings in the Shopping Center which is closest to Broad Street is less than six (6) feet below the grade of Broad Street, then the aforesaid berm shall be a minimum of forty-two (42) inches in height, measured from the northern boundary of the Broad Street Buffer Area.
 - (ii) A landscaped buffer area of a minimum of twenty-five (25) feet in width, or such greater width as may be shown on the Schematic Site Development Plan, along the eastern boundary of the Shopping Center Property adjoining Dominion Boulevard (the "Dominion Boulevard Buffer Area") and the northern boundary of the Shopping Center Property abutting Sadler Road Extension. An undulating landscaped berm between twenty-four (24) and forty-two (42) inches in height shall be included within the Dominion Boulevard Buffer Area, for a distance of approximately two hundred fifty (250) feet along the eastern boundary of

the Shopping Center Property commencing at the intersection of Broad Street and Dominion Boulevard. If, however, the grade elevation of either of the buildings in the Shopping Center which is closest to Broad Street is less than six (6) feet below the grade of Broad Street, then the aforesaid berm shall be a minimum of forty-two (42) inches in height measured from the western boundary of the Dominion Boulevard Buffer Area.

- (b) A brick wall a minimum of six (6) feet in height shall be constructed along the western boundary of the Shopping Center Property as shown on the Schematic Site Development Plan.
5. HVAC. Heating and air conditioning equipment shall be screened from public view from adjoining streets and properties in a manner satisfactory to and approved at the time of Plan of Development review.
 6. Trash Receptacles. There shall be a central trash receptacle area which shall be enclosed on three (3) sides with a decorative screen of brick and/or wood or other finished materials and with an opaque gate on the fourth (4th) side in order to provide a visual screen in a manner satisfactory to and approved by the Planning Commission at the time of Plan of Development review or by any other applicable governmental body.
 7. Parking Lot Landscaping. Parking lots serving the Shopping Center Property shall be landscaped, including but not limited to the planting of shrubbery and/or trees in raised islands located within such parking lots or between parking rows.
 8. Vehicle Storage and Repair. No trucks, wrecker, disabled or damaged vehicles or vehicles left for repair shall be parked out of doors overnight unless screened from public view off-site, nor shall any vehicles be repaired (including the changing of tires) out of doors.
 9. Uses. The principal structures constructed on the Shopping Center Property shall be devoted only to one or more of the following uses: automobile rental, service, repair and equipment establishments as permitted in a B-3 zoning district and uses permitted in a B-2 zoning district, except that no financial institution shall be permitted within the southernmost two hundred fifty (250) feet of Parcel A, and the following uses shall not be permitted on any portion of the Shopping Center Property:
 - (a) Billiard parlors;
 - (b) Roller or ice skating rink;
 - (c) Motion picture theatre;
 - (d) Bowling alley;
 - (e) Adult book stores;
 - (f) Funeral parlors and mortuaries;
 - (g) Dancing establishments and any other uses permitted in Section 22-58(c) of the Zoning Ordinance, as of the date hereof;
 - (h) Freestanding "fast food" restaurants;

(i) Automobile body repair shop.

For purposes hereof, "fast food" restaurants are hereby defined as establishments whose principal business is the sale of food and beverages to consumers in a ready-to-consume state, and which food 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.

10. Signage. Signage shall be controlled by the standards applicable to signage in a B-2 zoning district. Detached signs shall be ground mounted, shall not exceed fifteen (15) feet in height from finished grade level, and if lighted, such lights shall be produced by an internal source. The sign bands on which building signs are placed shall be uniform in architectural treatment, design and color.
11. Vehicular Access. There shall be a maximum of one (1) vehicular access drive to or from the Shopping Center Property, to or from Broad Street, and a maximum of two (2) vehicular access points to or from the Shopping Center Property, to or from each of Dominion Boulevard and Sadler Road, unless otherwise required by any governmental body having jurisdiction with respect thereto.
12. Parking Lot Lighting. Parking lot lighting standards shall not exceed twenty (20) feet in height. Parking lot lighting shall be produced from concealed sources, be positioned in such a manner as to minimize the impact of such lighting on adjacent property and be reduced to no more than a security level following the close of business conducted on the Shopping Center Property.
13. Outside Speakers. No outside speakers or paging systems shall be permitted on the Shopping Center.
14. Maximum Floor Area. No more than 87,000 square feet of gross floor area shall be developed on the Shopping Center Property.
15. Phasing of Development. No building permit shall be issued for development on Parcel B until January 1, 1990.
16. Height. No building constructed on the Shopping Center Property shall exceed the lesser of one (1) story or twenty-eight (28) feet in height.

The proffered conditions applicable to the O-3C portion of the property, namely Parcel C consisting of 1.32 acres as shown on the plat filed with this case (the "Office Property"), are as follows:

1. P.O.D. Requirement. Development of each individual site on the Office Property shall be subject to Plan of Development review and approval.
2. Materials. The exposed portions of the exterior wall surfaces (front, rear and sides) of any building constructed on the Office Property (excluding rooftop screening materials for mechanical equipment) shall be similar in quality as to architectural treatment and materials. All buildings constructed on the Office Property shall have exposed exterior walls (above finished grade) of face brick,

natural stone, glass, stucco, drivit, exposed aggregate concrete or an equivalent permanent architecturally finished material. No building shall be covered with or have exposed to view painted or unfinished cinderblock, sheet or corrugated aluminum, asbestos or metal, unless otherwise requested and specifically permitted or if required at the time of Plan of Development review.

3. Buffer Areas. Landscaped buffer areas of a minimum of twenty-five (25) feet in width will be provided along the southern boundary of the Office Property adjoining Sadler Road and along the eastern boundary of the Office Property adjoining Dominion Boulevard, except to the extent necessary for utility easements, signage, access ways to and from public rights-of-way (which utility easements and access ways shall be generally perpendicular to the affected buffer area) or other purposes if requested and specifically permitted or if required by the Planning Commission at the time of Plan of Development review or by any other applicable governmental body.
4. Parking Lot Lighting. Parking lot lighting standards shall not exceed twenty (20) feet in height. Parking lot lighting shall be produced from concealed sources, be positioned in such a manner as to minimize the impact of such lighting on the adjacent residentially zoned property and be reduced to no more than a security level following the close of business conducted on the Office Property.
5. Site Coverage Ratio. Any Plan of Development for all or any part of the Office Property shall be subject to the following Site Coverage Ratios:

Gross Floor Area of Building	Maximum Site Coverage Ratio
1 sq. ft. to 40,000 sq. ft.	57%
40,001 sq. ft. to 60,000 sq. ft.	58%
60,001 sq. ft. to 80,000 sq. ft.	59%
80,001 sq. ft. to 100,000 sq. ft.	60%
100,001 sq. ft. to 125,000 sq. ft.	61%
Over 125,000 sq. ft.	62%

For purposes hereof, Site Coverage Ratio shall be determined by dividing the gross area within a site (which may include any portion of the site within a C-1C District) into the portion of the site covered by building ground floor area and paved areas for vehicular movement, loading and parking.

6. HVAC. Heating and air conditioning equipment shall be properly screened from public view from adjacent streets and property in a manner satisfactory to and approved at the time of Plan of Development review.

Dominion Associates
April 19, 1988

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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,

W. F. LaVecchia, P.E., A.I.C.P.,
County Manager

cc: Clerk, Board of Supervisors
Supervisor, Real Estate Assessment
✓ Conditional Zoning Index
Mr. George G. Goldstein, et. al.
Mr. Jay M. Weinberg
Mr. Alfred Goldstein