

M-1/A-1/B-3 To B-3C
46.325 ac.

COUNTY OF HENRICO PLANNING OFFICE

SHOPPING CENTER
C-40C-88

PT. 77-BI-3
TUCKAHOE DISTRICT



JAS



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

July 19, 1988

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

Re: Conditional Rezoning Case C-40C-88

Brookhollow of Virginia, Inc.
6800 Paragon Place, Suite 235
Richmond, Virginia 23230

*See C-8C-92
fr amendment*

Gentlemen:

The Board of Supervisors at its meeting on July 13, granted your request to conditionally rezone from A-1 Agricultural, B-3 Business, and M-1 Light Industrial to B-3C Business District (Conditional), property described as follows:

Part of Parcel 77-B1-3:

Beginning at a point marked by a rod in the eastern line of Pouncey Tract Road (Route #271) being 858.94', more or less, north of the intersection of said eastern line of Pouncey Tract Road with the northern line of Broad Street road; thence from said point of beginning north along said eastern line of Pouncey Tract Road as it curves to the left 593.80', said curve being the arc of a circle having a radius of 3,874.71'; thence N. 05° 38' 51" W., 304.10' to a point; thence N. 10° 21' 48" W., 200.00' to a point; thence N. 34° 12' 35" E., 65.42' to a point; thence S. 70° 14' 46" E., 379.23' to a point; thence along a curve to the right 44.23', said curve being the arc of a circle having a radius of 492.96'; thence S. 70° 14' 46" E., 620.77' to a point; thence S. 19° 52' 03" W., 302.52' to a point; thence along a curve to the left 605.83', said curve being the arc of a circle having a radius of 385.00'; thence S. 68° 52' 23" E., 418.65' to a point; thence S. 19° 47' 10" W., 1048.21' to a point in the northern line of Broad Street Road; thence N. 76° 22' 38" W., 139.49' to a point; thence S. 13° 37' 22" W., 7.00' to a point; thence N. 76° 22' 38" W., 618.83' to a point; thence N. 62° 52' 53" W., 51.42' to a point; thence N. 76° 22' 38" W., 75.00' to a point; thence N. 38° 06' 35" W., 65.25' to a point; thence N. 07° 24' 24" W., 273.09' to a point; thence N. 76° 22' 38" W., 166.00' to a point in the eastern line of Pouncey Tract Road; thence N. 16° 03' E. along said eastern line of Pouncey Tract Road 64.78' to a point; thence continuing northwardly along said eastern line of Pouncey Tract Road as it curves to the left 369.59', said curve being the arc of a circle having a radius of 1562.89'; thence N. 04° 29' 35" E., 113.04' along said eastern line of Pouncey Tract Road to the point of beginning, containing 46.325 acres.

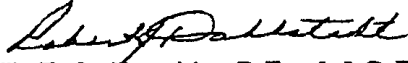
The Board of Supervisors accepted the attached proffered conditions which further regulate the above described property in addition to all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance).

Brookhollow of Virginia, Inc.
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see next page revised s, substituted proffers

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., A.I.C.P.,
County Manager

Attachments:

cc: Clerk, Board of Supervisors
Supervisor, Real Estate Assessment
Conditional Zoning Index
Mr. Philip deB. Rome
Siewers Family Partnership

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July 11, 1988
REVISED AND SUBSTITUTED PROFFERS
Case No. C-40C-88

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COUNTY OF HENRICO

1. A landscaped buffer area fifty feet (50') in width shall be maintained along the proposed right of way of West Broad Street (U.S. Route 250) and a landscaped buffer fifteen feet (15') in width shall be maintained along the right of way of Pouncey Tract Road (State Route 271), except to the extent necessary for utility easements, ingress and egress, signage, or for other purposes as may be approved or required by the Planning Commission at the time of plan of development review or by any other applicable governmental body. Should any easements be required over said buffer areas which cannot be landscaped with grass, shrubs or trees, said buffer areas shall be supplemented so that the designated width of landscaped buffer shall be maintained. Access roads crossing said buffers shall be generally perpendicular thereto. Storm water retention shall not be permitted within said buffer areas unless specifically approved by the Planning Commission upon Plan of Development review; provided, however, that outfall shall be permitted across said buffers.

2. Parking lot lighting shall be provided by directional fixtures with concealed sources of light which shall be positioned in such a manner as to minimize the impact of such lighting off-site. Parking lot light standards located within

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150 feet of Broad Street or Pouncey Tract Road (except those standards adjacent to the access roads serving the Property) shall not exceed twenty-five feet (25') in height. All other parking lot light standards shall not exceed thirty feet (30') in height. After hours of operation, the parking lot lighting shall be reduced to a level adequate for security purposes.

3. All 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. There shall be a minimum of 324 square feet of landscaped area for every 20 parking spaces or portion thereof. The parking lot landscape areas shall be located within the parking lots or immediately adjacent thereto. This landscape requirement shall be in addition to the landscaping required in the perimeter buffer areas described in proffer number 1. A landscaping plan shall be submitted to the Planning Commission for its consideration at the time of Plan of Development approval. Said landscaping plan for any shopping center constructed on the Property shall be substantially comparable to the conceptual landscape plan entitled "Conceptual Landscape Plan, Brookhollow Center, Short Pump, Virginia" prepared by Higgins Associates Inc. and Glave, Newman, Anderson Architects dated July 13, 1988, and filed with the papers in Zoning Case C-40C-88, unless otherwise specifically requested by the developer and approved by the Planning Commission.

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4. Pedestrian walkways shall be provided in the parking lots to facilitate pedestrian traffic to and from the commercial establishments on the Property, including any pad sites or out parcels. Pedestrian scale lighting shall be provided along said walkways where necessary to supplement the parking lot lighting.

5. All trash receptacle areas and HVAC equipment shall be screened from view from the parking areas on the Property and from traffic on Broad Street and Pouncey Tract Road except as may be approved by the Planning Commission at the time of Plan of Development review.

6. The exposed portion of the exterior walls of all buildings constructed on the property (1) shall be composed of face or utility bricks, natural stone, glass, stucco, exposed aggregate cement or an equivalent architecturally finished material unless otherwise specifically approved by the Planning Commission at the time of Plan of Development review, and (2) shall be similar in quality as to architectural treatment. Any shopping center constructed on the Property shall be substantially similar in architectural design, quality and materials to that which is provided on the plans prepared by Glave, Newman and Anderson, Architects, dated July 5, 1988, which have been made a part of this zoning case C-40C-88, unless otherwise specifically approved by the Planning Commission. All buildings constructed on any shopping center pad sites or out

parcels shall also be compatible with said plans unless otherwise specifically exempted as provided above.

7. All signs constructed on the Property shall be architecturally compatible with the buildings constructed on the Property and shall be in accordance with a plan of architectural control of such signs to be submitted to the Planning Commission for its consideration at the time of Plan of Development review. The sign limitations applicable to B-2 zoning districts shall otherwise control the signage on the Property. All lighted signs shall be internally lighted or lighted by an external source not directly visible by traffic on Broad Street or Pouncey Tract Road. All attached signs on retail stores having in excess of 20,000 square feet of floor area shall be affixed to the exterior walls and shall not extend above the roof line of such stores.

8. At least 30% of the Property shall be devoted to permanent open space. This area may be used for landscaping, lawns, screening, public walkways or gathering places, and/or buffer areas and may include bodies of water, works of art, architectural treatments (such as clock towers, bus stop shelters, gazebos, etc.), outdoor recreation or public gathering areas. The areas devoted to the buffers and landscaped areas may be counted toward this requirement.

9. Outside seating and benches shall be incorporated in the common areas.

10. The following uses shall not be permitted on the Property:

- (a) adult book stores;
- (b) mortuaries;
- (c) repair businesses for electrical, heating or plumbing systems;
- (d) public parking garages;
- (e) used or new automobile, truck, motorcycle, trailer, bus or motor home sales or dealerships;
- (f) automobile or truck body or paint shops;
- (g) automobile service, repair or equipment establishments, except in totally enclosed, air-conditioned buildings with no outside storage or overnight parking of vehicles outside the buildings, unless said vehicles are screened from view of traffic on Pouncey Tract Road and Broad Street and from the parking lots serving other businesses on the Property.;
- (h) truck, trailer, machinery, or farm implement sales, service, rental or repair establishments;
- (i) bowling, skating, billiards, video or similar indoor recreational establishments;
- (j) drive-in theatres, golf driving ranges, baseball batting ranges, miniature golf course, pony rides, or similar outdoor amusements or commercial recreational establishments;
- (k) commercial swimming pools, taverns, sales lots or stands;
- (l) riding academies, amusement parks or target ranges;
- (m) laundry, cleaning and dyeing works, wholesale businesses or commercial green houses;
- (n) veterinarian hospitals or clinics;
- (o) outdoor advertising signs and structures;

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- (p) grain and feed mills, milk depots, creameries or cold storage plants;
- (q) coal or wood yards;
- (r) sheet metal shops;
- (s) display houses or "shell" houses;
- (t) public utility service buildings;
- (u) fortune tellers, palmists, astrologists, numerologists, clairvoyants, craniologists, phrenologists, card readers, spiritual readers or advisors;
- (v) dancing establishments and dance halls;
- (w) building material sales yards and outdoor sale of plants and gardening materials, except those sold by a department, grocery or general merchandise store in which case such sales shall be limited to areas specifically designed, constructed and approved by the Planning Commission for such purposes. All building materials and all gardening materials (except those sold by a store primarily selling grocery items) shall be screened from view from Pouncey Tract Road and Broad Street and from the parking areas on the Property.

11. There shall be no more than 2 vehicular access points to the Property from Broad Street (one of which shall be designated exclusively as a service road) and no more than two 2 access points from Pouncey Tract Road. All parcels or sites within the Property shall be served by an internal road system and shall not have any direct access to Broad Street or Pouncey Tract Road other than via the above mentioned access roads which shall serve the entire Property.

12. No outside speakers or paging systems shall be permitted on the Property.

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13. No certificates of occupancy for any shopping center pad sites or out parcels on the Property shall be issued until a certificate of occupancy has been issued for a shopping center thereon. Separate plans of development, elevation drawings, signage plans and landscaping plans for each pad site shall be submitted to the Planning Commission for its review. The architecture, building materials, signage and landscaping for each pad site shall be compatible with the rest of the shopping center as determined by the Planning Commission at the time of plan of development approval.

14. Certificates of occupancy for structures on the Property may be requested and approved as follows:

(a) No more than 323,000 square feet of finished floor area of shopping center space (including out parcel pad sites) shall be permitted prior to (i) the completion of the widening of Broad Street adjacent to the Property to at least four (4) lanes of through traffic or (ii) until January 1, 1993, whichever occurs first.

(b) No more than two (2) out parcel pad sites shall be permitted prior to the widening of Broad Street Road as provided above or January 1, 1993, provided that neither pad site shall be located within 200 feet of Broad Street Road.

(c) Pad sites within 200 feet of Broad Street Road shall be permitted only after the widening of Broad Street Road

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as provided in 14(a) above or January 1, 1993, whichever occurs first.

*Sewers Family Partnership
by Philip L. Stone, attorney
in fact*

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PLANNING OFFICE
COUNTY OF HENRICO



COUNTY OF HENRICO, VIRGINIA

*Sec 8C-92
for amendment*

C-40C-88

PROFFERS FOR CONDITIONAL REZONING

ORIGINAL AMENDED

Pursuant to section 22-121(b) of the County Code, the owner or duly authorized agent hereby voluntarily proffers the following conditions which shall be applicable to the property, if rezoned:
SIEWERS FAMILY PARTNERSHIP

By: *[Signature]*, Attorney-in-Fact July 13, 1988
Signature of Owner or Applicant* Date

* If Applicant is other than Owner, Form POF-004-3/87, Special Limited Power of Attorney must be submitted with this application.

15. Except for the rear of the buildings, all landscaped areas shall be irrigated.

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