

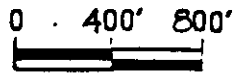
COUNTY OF HENRICO PLANNING OFFICE

OFFICES / DISTRIBUTION FACIL.

PT. 87-AI-1

C-87C-89

THREE CHOPT DISTRICT



JAS



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

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

November 14, 1989

Re: Conditional Rezoning Case C-87C-89

Innsbrook North Associates
P. O. Box 31014
Richmond, Virginia 23294

Gentlemen:

The Board of Supervisors at its meeting on November 8, granted your request to amend proffered conditions on Conditional Rezoning Case C-26C-85, Part of Parcel 87-A1-1.

The attached eleven (11) substitute proffered conditions accepted by the Board of Supervisors, further regulate the use of your property in addition to all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance).

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,

Angela J. Moore
for W. F. LaVecchia, P.E., A.I.C.P.
County Manager

cc: Clerk, Board of Supervisors
Real Estate Assessment
✓ Conditional Zoning Index
Glenn R. Moore, Esquire

PROPOSED AMENDED AND RESTATED PROFFERED CONDITIONS

The revised proffered conditions are indicated by underlining.

1. Development of each individual site on the Property shall be subject to Plan of Development review and approval by the Planning Commission.

2. Prior to or concurrent with the recordation of a subdivision plat approved by the County and before the conveyance of any portion of the Property covered by said subdivision plat (other than for the dedication of easements, roads or utilities), there shall be recorded a document in the Clerk's Office of the Circuit Court of Henrico County, setting forth controls on the development and maintenance of such portions of the Property. Notwithstanding anything contained in this proffer to the contrary, this proffer shall not create any obligation or liability of any kind or nature on the part of the County for the enforcement of any of the specific terms and conditions of said protective or restrictive covenants.

3. A thirty (30) foot landscaped or natural buffer area will be maintained, except to the extent necessary for utility easements, roads, driveways or other purposes required 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, along the indicated boundaries of Parcels 2 and 3, as shown on the Zoning Map filed with Case C-26C-85, for as long as properties adjacent to such buffer area remain zoned for agricultural or residential use. Underbrush and fallen, diseased or dead plant growth may be removed, and additional plantings may be added. Where the placement of utility easements within a buffer area results in the inability of an owner to provide adequate screening within such buffer area, screening shall be provided adjacent to the buffer area, to properly screen development on a parcel from adjacent properties, as determined by the Planning Commission at the time of landscape plan review.

4. No building shall be constructed within fifty (50) feet of the indicated boundaries of Parcels 2 or 3, as shown on the zoning map (Exhibit "A") filed with zoning case C-26C-85, for as long as properties adjacent thereto are zoned to permit agricultural or residential development thereon.

5. Parking lot lighting standards located within fifty (50) feet of the perimeter of the Property shall not exceed twenty (20) feet in height. Other parking lot lighting standards located in the interior of the Property shall not exceed forty (40) feet in height and shall be at a lower height if required by the Planning Commission at the time of Plan of Development

ACCEPTED BY THE
BOARD OF SUPERVISORS
NOV. 8, 1989
174

C-87C-89
P103

approval, or by any other governmental body, agency, commission, board, department or official thereof. Lighting in parking lots shall be of low intensity, shall be positioned in such a manner as to minimize the impact of such lighting on the adjacent residentially zoned areas and be of such type as required by the Planning Commission.

6. Any portion of Parcel 3 developed for office purposes (as permitted in the 0-3 Office District) shall not be developed in excess of the following Site Coverage Ratios:

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

For purposes of this proffer 6, 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.

7. The exposed portion of each exterior wall surface (front, rear and sides) of each building constructed within Zoning Parcels 2 and 3 shall be similar to the other exposed portions of 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 of a building within Parcel 2, by the Planning Commission at the time of Plan of Development approval.

8. No portion of Zoning Parcel 2 shall be developed or used as a neighborhood or community shopping center as those terms are defined in the Henrico County Zoning Ordinance in effect as of this date, nor for a regional shopping center.

9. Except during the period of construction of improvements, all outside storage of materials and supplies within Zoning Parcel 2 shall be enclosed on all sides by an opaque fence, wall or other barrier, of at least seven (7) feet in height. No materials or supplies shall be stored to a height in excess of the height of the fence enclosing same.

10. Direct vehicular access to and from Jones Road, to and from the Property, shall be limited to emergency vehicles, unless

- 2 -

ACCEPTED BY THE
BOARD OF SUPERVISORS
NOV. 8. 1989

C-87C-89
P 2063

175

otherwise required by any governmental body, agency, commission, board, department or official thereof, having jurisdiction with respect thereto.

11. The portion of the Property zoned C-1C (Zoning Parcel 5) shall be maintained as recreation areas, lakes and/or open space, except to the extent necessary for utility easements, roads, driveways or other purposes approved or required by the Planning Commission at the time of Plan of Development review, and by any other governmental body, agency, commission, board, department or official thereof.

8-31-89

J. Lem R. Moore
Attorney-in-Fact
for Owners

- 3 -

ACCEPTED BY THE
BOARD OF SUPERVISORS
176 NOV. 8. 1989

e-87c-89
p 3 of 3