

SUBJECT PROPERTY

ZONING

AMEND PROFFERS

Ref. 790-759-6085

C-38C-03

Fairfield District



August 2003





COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

November 19, 2003

Virgil R. Hazelett, P.E.
County Manager

Park Central Associates, LC
c/o Robinson Development Group
150 West Main Street
Suite 1100
Norfolk, VA 23510

Re: Conditional Rezoning Case C-38C-03

Dear Sir:

The Board of Supervisors at its meeting on November 12, 2003, granted your request to amend proffered conditions on Conditional Rezoning Case C-8C-95, Parcels 790-759-6085 and 789-759-9448, described as follows:

Parcel F-1

Beginning at a point on the northern boundary of the right of way line of Park Central Drive, said point being the intersection of the northern boundary of the right of way line of East Parham Road and the eastern boundary of the right of way line of Park Central Drive; thence with the eastern boundary of the right of way line of Park Central Drive in a northerly direction with seven (7) courses and distances: (1) S65°50'40"W 100.69' to a point; (2) thence S59°00'06"W 142.25' to a point; (3) thence S89°00'06"W 117.97' to a point; (4) thence along a circular curve to the right having a delta angle of 26°49'06", a radius of 119', and an arc length of 55.70' to a point; (5) thence N35°01'29"W 121.84' to a point; (6) thence along a circular curve to the right having a delta angle of 04°01'35", a radius of 970', and an arc length of 68.17' to a point; (7) thence N30°59'55"W 86.71' to a point on said right of way line; thence leaving the eastern boundary of the right of way line of Park Central Drive in a easterly direction with two (2) courses and distances: (1) N59°00'06"E 760' to a point; (2) thence S30°59'54"E 400' to a point on the northern boundary of the right of way line of Parham Road; thence with the northern boundary of the right of way line of East Parham Road in a southwesterly direction; S59°00'06"W 388.12' to a point on said line, said point also being the point and place of beginning for Parcel F-1, containing 6.743 acres.

Parcel F-2

Beginning at a point on the northern boundary of the right of way line of Park Central Drive, said point being the intersection of the northern boundary of the right of way line of East Parham Road and the eastern boundary of the right of way line of Park Central Drive; thence with the northern boundary of the right of way line of East Parham Road in

a northeasterly direction; N59°00'06"E 388.12' to a point on said line, said point being the actual point and place of beginning for Parcel F-2; thence leaving the northern boundary of the right of way line of East Parham Road in a northerly direction with four (4) courses and distances: (1) N30°59'54"W 400' to a point; (2) thence N59°00'06"E 694.36' to a point; (3) thence S60°18'10"E 289.97' to a point; (4) thence S28°28'02"E 150.29' to a point on the northern boundary of right of way line of East Parham Road; thence with the northern boundary of the right of way line of East Parham Road in a southwesterly direction with two (2) courses and distances: (1) along a circular curve to the left having a delta angle of 02°31'52", a radius of 3080.34' and an arc length of 136.08' to a point; (2) thence S59°00'06"W 693.62' to a point; a said point on said line, said point also being the point and place of beginning for parcel F-2, containing 7.260 acres.

The Board of Supervisors accepted the following proffered condition, dated October 7, 2003, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

Proffer 3 from Rezoning Case C-8C-95 shall be deleted in its entirety and replaced with the following:

3. **Buffer Area**. A natural and landscaped buffer area of a minimum of 90 feet in width shall be maintained along the right-of-way line of Parham Road (the "Parham Road Buffer"). To the extent practical, the existing mature vegetation and trees in the buffer area shall be retained. Such buffer area may include utility easements, roads, signage, driveways or other purposes required at the time of Plan of Development review. Utility easements and driveways (other than turn lanes required by the County) extended through the buffer area shall be extended generally perpendicular thereto, and where practicable and permitted, areas disturbed for utility installation shall be restored. Fallen, diseased or dead plant growth shall be removed from such buffer areas and to the extent existing trees or vegetation are removed, additional plantings shall be added.

This buffer shall consist of a variable height berm, except to the extent existing mature vegetation or trees are retained, as otherwise prohibited because of wetlands or floodplain area, or as otherwise requested and specifically permitted by the Planning Commission at the time of Plan of Development review. The landscaped portions of the buffer shall be irrigated.

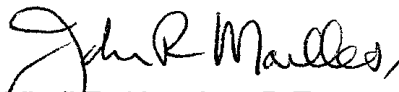
Any building located on the property shall have no more than one double loaded row of parking (2 rows of parking), necessary drive aisles, sidewalks, curb and gutter, and landscaping installed between such building and the Parham Road Buffer, unless otherwise requested and specifically permitted by the Planning Commission at the time of Plan of Development approval.

The Parham Road Buffer may be reduced at the time of Plan of Development as necessary to accommodate (a) any required off-street parking lot setback along the western boundary line of the Property, provided that such reduction shall be no more than two (2) feet, (b) a driveway into the Property from Parham Road, including any turn lanes required by the County, and (c) the existing turn lane from Parham Road into Park Central Drive.

But for the amendment of proffers provided for herein, the proffers set forth in C-7C-95 and C-8C-95 shall continue in full force and effect.

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,


b Virgil R. Hazelett, P.E.
County Manager

pc: Mr. Andrew M. Conclin, Esquire
Director, Real Estate Assessment
Conditional Zoning Index