



164 E

A-1*

Mcdonalds, Small Ems

A-1

RELEASE RD

B-3C*

A-1 & M-1C to B-2C
4.089 Acres

EDINBURGH RD

Brookhollow



M-1C*

B-3C

W BROAD ST

BROOKRIVER DR

M-1*

B-3*

W BROAD ST

A-1*



October 2003

ZONING
RETAIL, OFFICE /
RESTAURANT
Ref. 743-762-1538

® C-51C-03
Three Chopt District

0 400 Feet

* Zoning labeled with asterisk, included in the West Broad Street Overlay District



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

February 1, 2005

Mr. Larry D. Willis
4110 Springfield, LLC
1720 East Cary Street
Richmond, VA 23223

RE: Conditional Rezoning Case C-51C-03

Dear Mr. Willis:

The Board of Supervisors at its meeting on January 25, 2005, granted your request to conditionally rezone property from A-1 Agricultural District and M-1C Light Industrial District (Conditional) to B-2C Business District (Conditional), Parcels 742-762-9861, 743-762-1862, 743-762-1538 and part of Parcel 742-762-9178, described as follows:

Commencing at a point on the north line of Broad Street intersected with the east line of Brookriver Road; thence along the east line of Brookriver Drive in a northerly direction for a distance of 1179.04' to a pk-nail found at the place and point of beginning; thence leaving the east line of Brookriver Drive N36°56'12"W for a distance of 152.82' to a found rod; thence S53°03'48"W for a distance of 10' to a round rod; thence N36°56'12"W for a distance of 110' to a rod set; thence N53°03'48"E for a distance of 10' to a point; thence N36°56'12"W for a distance of 495.72' to a found rod; thence N03°03'09"W for a distance of 5' to a found rod on the south line of Interstate 64; thence along the south line of Interstate 64 along a curve to right having a radius of 397.47' and an arc length of 358.74', being subtended by a chord of S84°32'08"E for a distance of 346.69' to a rod set; thence continuing along the south line of Interstate 64 along a curve to the right having a radius of 5623.58' and an arc length of 318.61', being subtended by a chord of S57°17'45"E for a distance of 318.57' to a rod set; thence leaving the south line of Interstate 64 S21°08'45"W for a distance of 435.47' to the place and point of beginning; containing 4.083 acres.

The Board of Supervisors accepted the following proffered conditions, dated January 25, 2005 which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Site Plan.** The Property shall be developed as follows:

- A. As a fitness and health club facility building, customary and accessory uses and such other uses as may be permitted in the B-1 Business District, so long as such other B-1 uses are limited to a total of 10,000 square feet in building space in the aggregate; or
- B. Substantially similar to the site plan prepared by "RiverCity Design" dated November 3rd, 2004 (see case file), unless an alternate plan is specifically requested and approved by the Planning Commission. The Property may be developed in phases. Unless specifically requested and approved by the Planning Commission, the Property shall be developed as follows:
 - 1. At least one of the four buildings constructed on the Property shall be primarily used as an office building.
 - 2. No more than 14,000 square feet of building or individual building space in the aggregate on the Property shall be used for a restaurant.
 - 3. No more than 20,000 square feet of building or individual building space in the aggregate on the Property shall be used for Retail Purposes as is defined herein. For the purposes of this proffer 1, the term "Retail Purposes" shall mean any use other than (a) any use otherwise permitted in any office or residential district (whether by right, provisional use permit or conditional use permit permitted by special exception, or as an accessory use); (b) a fitness, health club, medical, or rehabilitation facility; and (c) a restaurant use. This definition is not intended to grant any rights to use the Property for any use not otherwise permitted in the B-2 zoning district, and any permitted use shall be in accordance with the B-2 district regulations.

2. **Uses.** The following uses shall be prohibited on the Property:

- A. Billiard, bagatelle, video games or bingo parlor;
- B. Flea markets or antique auctions;
- C. Billboards;
- D. Funeral homes, mortuaries, crematories and/or undertaking establishments;

- E. Dance halls, but dancing shall not be prohibited in restaurants as an accessory use;
 - F. Gun shops, sales and repair;
 - G. Parking garages or commercial parking lots;
 - H. Sign painting shops;
 - I. Adult businesses as defined by the Henrico County Zoning Ordinance;
 - J. Bars, which, for purposes of this restriction, shall mean a business establishment whose primary business is the sale of alcoholic beverages for on-premises consumption. This restriction shall not prohibit the sale of alcoholic beverages in restaurants as permitted by the Virginia Department of Alcoholic Beverage Control;
 - K. Sale of gasoline;
 - L. Establishments whose primary business is check and/or for the making of payday loans as defined and regulated by Sections 6.1-432 *et seq.*, and 6.1-444 *et seq.*, of the Code of Virginia (the foregoing shall not preclude banks, savings and loan or similar financial institutions that are not regulated by the foregoing Virginia Code sections); and
 - M. Hotels, motels, and motor lodges.
3. **Existing Church Structure.** Applicant or its successor in interest will arrange with the County's Parks and Recreation so that Parks and Recreation at its option can perform a photographic study of the interior and exterior of the existing church on the Property, in a timely manner, before any modifications to or razing of the church are made.
4. **Refuse and Containers.** Dumpster and trash receptacles shall be screened from public view at ground level in a manner approved at the time of Plan of Development. Dumpster screening shall be compatible with the materials of the main structure(s) of the site. The gates and doors of all refuse screens shall be of a substantial, durable and opaque material as determined at the time of Plan of Development. Support posts, gate frames, hinges and latches shall be of a sufficient size and strength to allow gates to function without sagging or becoming a visual eyesore as determined at the time of Plan of Development. Servicing the dumpsters and parking lot cleaning shall occur only between the hours of 7:00 a.m., and 8:00 p.m., Monday through Saturday.

5. **Existing Graveyard.** The existing graveyard on the Property shall be fenced and have at a minimum one point of access. The property owner will maintain the present landscaping and provide a 10 foot buffer around the perimeter.

6. **Building Materials.** The exposed portions of the exterior wall surfaces (front, rear and sides) of any buildings constructed within the Property shall be similar in high quality of construction and shall have compatible architectural design (incorporating compatible design elements, color and architectural styles). The exposed portion of each exterior wall surface (front, rear and sides) will be finished in a combination of brick face, natural stone, split faced block brick, siding or equivalent permanent architecturally finished materials exclusive of windows, doors, entrances and architectural design features; provided, however, any office building shall have the exposed portion of each exterior wall surface (front, rear and sides) constructed primarily of brick, exclusive of windows, doors, entrances and architectural design features. No building shall be covered with or have exposed any painted or unfinished concrete block, sheet or corrugated aluminum, asbestos or metal.

7. **Exterior Elevations.** Any building to be used primarily for office purposes shall have an architectural style and use design elements substantially similar to the conceptual renderings prepared by River City Design Group, entitled, "4110 SPRINGFIELD CHURCH LANE", DATED November 17, 2004 and attached hereto (the "Office Renderings") (see case file), which such renderings are conceptual in nature and may be revised from time to time as requested and specifically permitted at the time of Plan of Development review and approval.

All other buildings to be constructed on the Property shall have an architectural style and use design elements compatible to the Office Renderings, unless otherwise requested and specifically permitted at the time of Plan of Development review and approval.

8. **Signage.** No detached sign will be located between any buildings on the Property and Interstate 64. All external signs on the Property shall be in compliance with a plan for the coordination of signage on the Property, which plan shall be adopted and enforced by an architectural control committee for the Property. This sign plan will be submitted as part of the Plan of Development for the first building on the Property. There shall be no more than one detached sign on the Property, which shall be (a) a monument sign, (b) no more than eight (8) feet in height, and (c) no more than seventy-five (75) square feet in area.

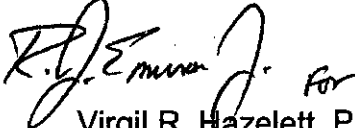
9. **Buffer.** A twenty-five foot (25') natural and landscaped buffer shall be provided along the portion of the boundary of the Property adjoining Interstate 64, which such buffer shall include landscaping with a minimum of transitional buffer 35, as

referenced in the County Zoning Ordinance. Utilities are permitted to cross this buffer and shall be generally perpendicular to such buffer.

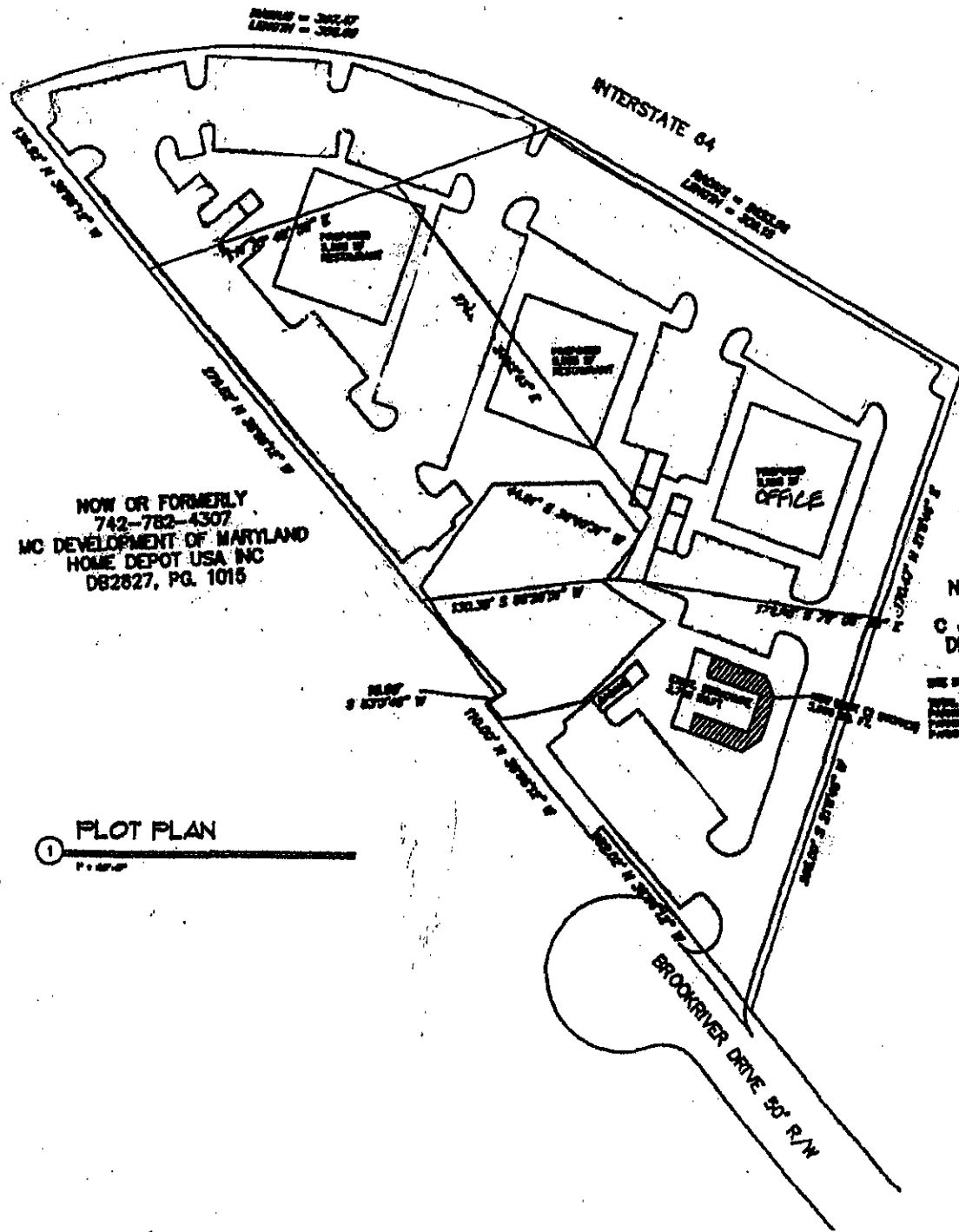
10. **Underground Utility Lines.** All utility lines on the Property shall be underground, except for junction boxes, meters, utility lines in wetland areas and utility lines required to be above ground by the utility company.
11. **Exterior Lighting.** Exterior light fixtures, other than low intensity decorative ornamental fixtures such as gas style lamps, shall be produced from concealed sources of light and shall be reduced to no more than a security level following the close of business operations each day. All parking lot lighting shall be positioned in such a manner as to minimize the impact of such lighting on any adjacent property.
12. **HVAC Screening.** Any heating, ventilation and air conditioning equipment shall be screened from public view at ground level at the perimeter of the Property.
13. **Security Alarms.** Outside speakers shall be prohibited. No external alarm bells or external warning devices that are audible beyond the boundary lines of the Property shall be permitted on the Property.
14. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of any other proffers or the unaffected part of any such proffer.

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,


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

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



**RIVER CI
DESIGN GROUP**

ARCHITECTURE - PLANNING - INTERIORS

A PROFESSIONAL SERVICE FIRM
 1700 EAST CLEM STREET - SUITE
 JACKSONVILLE, FLORIDA 32202
 904-779-9000 904-779-
 9222 FAX: 904-779-9000

COPYRIGHT © BY RIVER CITY DESIGN GROUP
 ALL RIGHTS RESERVED.



PROJECT TITLE

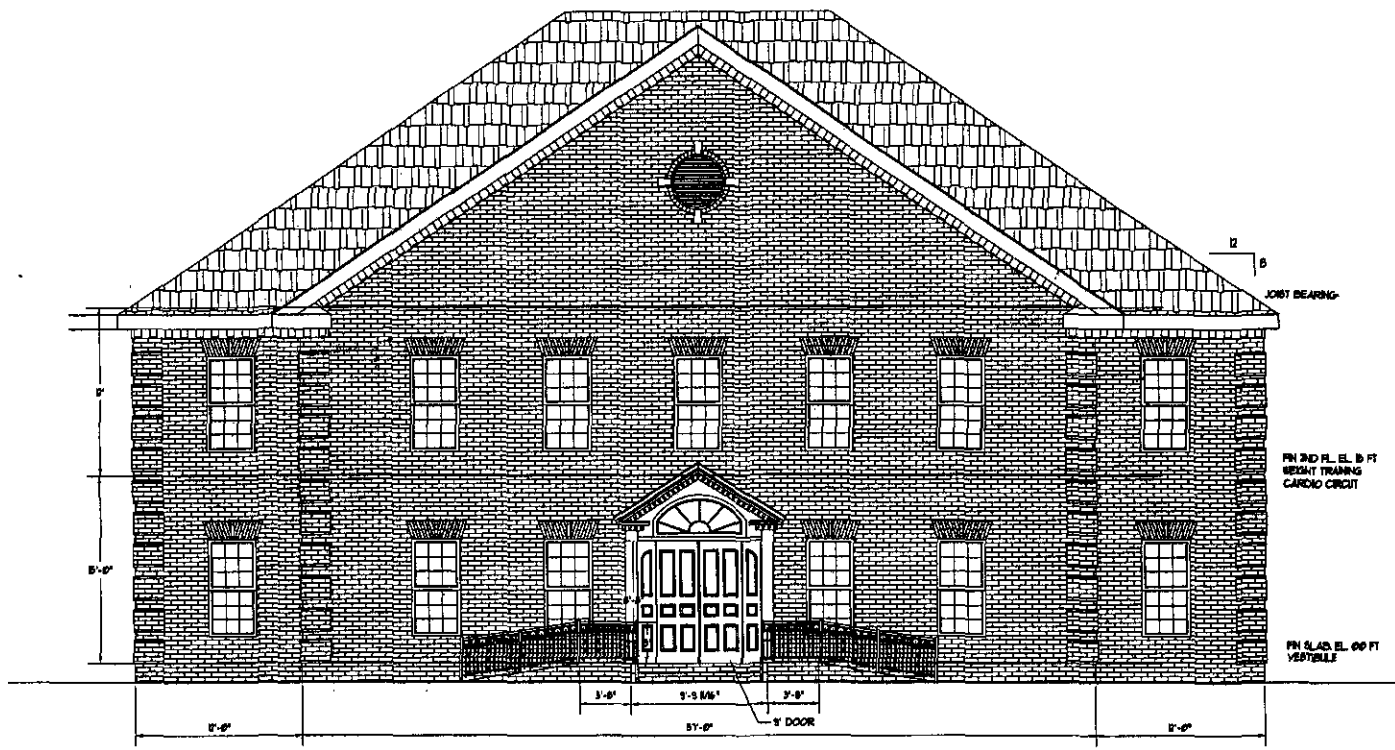
SHEET TITLE

COMPILED FLOT

| REVISIONS | | |
|-----------|-------------|----|
| NO. | DESCRIPTION | BY |
| | | |
| | | |

DATE 11/03/04 SHEET NUMBER C-1
 PROJECT NUMBER

®
C-51C-03



1 FRONT/ REAR ELEVATION
A31 1/4" = 1'-0"

RIVER CITY DESIGN GROUP
ARCHITECTURE... PLANNING... INTERIOR DESIGN
A PROFESSIONAL LIMITED LIABILITY CORP.
1728 EAST CLAY STREET
RICHMOND, VIRGINIA 23223
804 • 776 • 0044 804 • 776 • 0000
EMAIL: info@rivercitydesign.com

Copyright © by RIVER CITY DESIGN GROUP, LLC
ALL RIGHTS RESERVED



PROJECT TITLE
410 SPRINGFIELD CHURCH LANE

SHEET TITLE
ELEVATIONS

| REVISIONS | | |
|-----------|-------------|------|
| NO. | DESCRIPTION | DATE |
| | | |
| | | |

DATE: 11/17/04 SHEET NUMBER: A31
PROJECT NUMBER: 0430