

**REZ2013-00019**

**Zoning**

**Amend Proffered Conditions  
(C-23C-98)**

**Fairfield District**

400

Feet



PS September 2013 Ref: 784-766-3463



COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**

John A. Vithoulikas  
County Manager

December 17, 2013

Womack Properties III, LLC  
Attn: Mr. Milton Womack  
6 Tow Path Circle  
Richmond, VA 223221

Re: Rezoning Case REZ2013-00019

Dear Mr. Womack:

The Board of Supervisors, at its meeting on December 10, 2013, approved your request to amend proffered conditions accepted with Rezoning Case C-23C-98 on Parcel 784-766-3463 located on the north line of Francis Road approximately 320' east of Brook Road (U.S. Route 1).

The Board of Supervisors accepted the following proffered conditions, dated November 12, 2013, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Use Prohibitions.** Funeral homes or undertaking establishments shall be prohibited. There shall be no parking decks on the Property.
2. **Architecture; Building Height.** Any new building constructed on the Property shall be residential in character. No building on the Property shall exceed thirty (30) feet in height above the finished grade of the building at the front of the building, exclusive of architectural design features permitted in Section 24-95(a)(1) of the Henrico County Zoning Ordinance.
3. **Vehicular Drive Restrictions.** Unless otherwise specifically approved at the time of Plan of Development there shall be no more than one (1) vehicular access point from the Property to Bundle of Joy Lane and no direct vehicular access point from the Property to Francis Road.
4. **Exterior Materials.** The exposed portions of each exterior wall surface (front, rear and sides) of each building constructed on the Property (excluding rooftop screening materials for mechanical equipment) shall be similar to the exposed portions of other exterior walls of such buildings in architectural treatment and materials. Any building shall have exposed exterior walls (above finished grade and exclusive of trim) of brick, glass, E.I.F.S., stone, stone veneer, split face



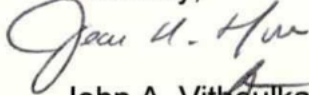
block, cementitious, composite-type siding, or a combination of the foregoing, unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development.

5. **Rooftop Screening.** Any rooftop mounted equipment shall be screened from public view at ground level at the perimeter of the Property.
6. **Parking Lot Lighting.** Parking lot lighting fixtures shall not exceed twenty (20) feet in height as measured from the grade at the base of the lighting standard, unless otherwise requested, described and specifically approved, or if required, at the time of Plan of Development. 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. At no time shall the parking lot lighting exceed one-half (1/2) foot-candle at the right-of-way line of Francis Road. Lighting shall be directed to minimize glare on public roads and adjacent properties. Direct embedded light poles and standards shall be prohibited.
7. **Underground Utilities.** All utility lines on the Property shall be underground, except for junction boxes, meters, existing and/or relocated existing overhead utility lines and lines in wetland areas. Electrical junction boxes and meters shall be screened from public view at ground level at the perimeter of the tract with use of a wall, fencing, landscaping, or such other method as may be approved at the time of Plan of Development and/or subdivision review.
8. **Outside Speakers.** Outside speakers shall be prohibited.
9. **Detached Signage.** Any detached signs shall be monolithic style signs, the base of which shall be landscaped. All such signage shall be six (6) feet or less in height.
10. **Trash and Recycling Receptacle Areas.** Dumpsters, trash receptacles, not including convenience cans, and recycling receptacles shall be screened from public view with masonry enclosures compatible with the architectural design of the office buildings at ground level at the Property line as approved at the time of Plan of Development. The gates and doors on the masonry refuse screens shall be of a substantial and durable 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 the gates to function without sagging or becoming a visual eyesore as determined at the time of Plan of Development. The number of refuse containers shall be adequate for the development as determined at the time of Plan of Development. Convenience cans shall be within or part of a decorative container. No trash pickup shall occur before 7:00 a.m. or after 7:00 p.m. Monday through Friday or before 9:00 a.m. or after 7:00 p.m. on Saturdays. No trash pickup shall occur on Sundays.

11. **Parking Lot Cleaning.** No parking lot cleaning shall occur before 7:00 a.m. or after 7:00 p.m. Monday through Friday or before 9:00 a.m. or after 7:00 p.m. on Saturdays. No parking lot cleaning shall occur on Sundays.
12. **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 the other proffers or the unaffected part of any such proffer.
13. **Landscaped Buffer.** A landscaped and/or natural buffer area shall be provided adjacent to Francis Road which shall consist of an unbroken strip or open space a minimum of fifteen (15) feet wide and planted with (i) four (4) large deciduous or evergreen trees with an ultimate height of fifty (50) feet or greater plus (ii) two (2) small evergreen or deciduous trees with an ultimate height of twenty (20) feet or greater and (iii) twenty-five (25) shrubs for every one hundred (100) linear feet or portion thereof.

The Planning Department 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,



John A. Vitoulkas  
County Manager

pc: James W. Theobald, Esquire  
Director, Real Estate Assessment  
Conditional Zoning Index