

PIZZA HUT
C-95C-85

COUNTY OF HENRICO PLANNING OFFICE



93-B2-7
 BROOKLAND DISTRICT
 J.A.S.



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

January 6, 1986

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

Re: Conditional Rezoning Case C-95C-85

Tertiary Properties
13635 Genito Road
Midlothian, Virginia 23113

Gentlemen:

The following is an amendment to the approval letter sent to you on December 17, 1985, concerning the above referenced case. You will recall that when your request was being considered by the Board of Supervisors, you removed Lot 4, Block A of West Broad Street Village from consideration. The request was subsequently approved without Lot 4. As a result of the approval, Proffer Number 6 should have been amended to reflect the proper location of the 25 foot buffer. Please substitute this letter for the one sent on December 17. The only revision to the proffered conditions was to eliminate the words "across the ten (10) foot alley," from Proffer Number 6.

The Board of Supervisors, at its meeting on December 11, accepted your proffered conditions and conditionally rezoned your property from R-4 One Family Residence to B-3C General Business District.

The property conditionally rezoned is described as follows:

Part of Parcel 93-B2-7, Part Lots 5-11, Block A, West Broad Street Village Subdivision described as follows:

Beginning at the point of intersection of Fountain Avenue and Deep Run Avenue, thence S. 66° 38' 00" W., along the N. line of Deep Run Avenue; 40' to the point and place of beginning; thence S. 66° 38' 00" W., 115.00' to a point; thence N. 23° 22' 00" W., 280.0' to a point; thence N. 66° 38' 00" E., 115.0' to a point; thence S. 23° 22' 00" E., 280.0' to the point of beginning, containing 0.739 acre.

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


1. The use of the Property shall be limited to those uses first permitted in a B-2 Community Business District. Hours of operation shall be as permitted in a B-3 General Business District, except as may be limited by proffered conditions.
2. The hours of operation for the Property shall be as follows:
 - (a) 11:00 a.m. to 12:00 midnight, on Sunday through Thursday.
 - (b) 11:00 a.m. to 1:00 a.m. the following day on Friday and Saturday.
3. No business signs (except a sign not exceeding six (6) feet in height to serve a drive-up window) shall be placed on the Property.
4. No building constructed on the Property shall exceed thirty-five (35) feet in height.

4. Parking lot lighting standards shall not exceed twenty-five (25) feet in height. Parking lot lighting shall be provided by concealed sources of light and shall be positioned in such a manner as to minimize the impact of such lighting on adjacent residential properties. Parking lot lighting shall be reduced to no more than a security level following the close of business operations on the Property.
5. No outside speaker system shall be placed on the Property.
6. The visible portions of the exterior walls of any building constructed on the Property shall be similar in architectural treatment and materials to the visible portions of the other exterior walls of such building in architectural treatment and materials. No such portion of any exterior wall surface shall consist of untreated or painted cinder block, or be predominantly of metal construction (exclusive of architectural design elements).
7. Automobile repair work shall only be performed within enclosed buildings on the Property. No body repair work shall be performed on the Property.
8. Signage on the Property shall be controlled by the standards applicable to signage in a B-2 zoning district.
9. An opaque stockade-type fence of a minimum of five (5) feet in height shall be maintained along boundaries of the Property adjacent to property zoned for residential development. In addition to the aforesaid fence, a buffer area of a minimum of ten (10) feet in width shall be maintained within and adjacent to the aforesaid fence. The buffer area shall be landscaped with evergreen plantings approximately eight (8) feet in height when planted, as determined to be necessary by the Planning Commission at the time of Landscape Plan review, to supplement existing plantings in order to properly screen development on the Property from adjacent residential properties. Utility easements, storm drainage facilities or other items required by the Planning Commission at the time of Plan of Development review may be placed within the aforesaid buffer area; provided that any utility easements extended therein shall run generally perpendicular to the buffer area.
10. There shall be no direct vehicular access to or from the Property, to or from the ten (10) foot alley adjoining the northern property line of the Property, or to or from Fountain Avenue.

JLW Associates
c/o Mr. Lawrence J. Page
Page 3
February 16, 1988

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

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