

Community Shopping Center

COUNTY OF HENRICO PLANNING OFFICE
 PT. 9-A2-9 & 9-A2-16
 VARINA DISTRICT

C-32C-86





May 19, 1986

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

Re: Conditional Rezoning Case C-32C-86

S.L.N. Laburnum Associates
P. O. Box 218
Midlothian, Virginia 23113

Gentlemen:

The Board of Supervisors at its meeting on May 14, granted your request to conditionally rezone from A-1 Agricultural & B-1 Neighborhood Business to B-2C Community Business District (Conditional), Parcels 9-A2-16 and part of 9-A2-9 described as follows:

Beginning at a point on the northern line of Gay Avenue; said point being 25.58' in a southwestwardly direction from the intersection of the northern line of Gay Avenue and the western line of Laburnum Avenue extended; thence from said point of beginning along the northern line of Gay Avenue S. 50° 22' 50" W., 636.71' to a point; thence N. 82° 01' 15" W., 121.75' to a point; thence N. 80° 22' 15" W., 75.09' to a point; thence N. 81° 05' 50" W., 180' +- to the center of a creek; thence along the center of a creek in a northwest direction 980' +- to the limited access line of Laburnum Avenue; thence along the limited access line of Laburnum Avenue S. 82° 33' 45" E., 490' +- to a stone; thence S. 81° 14' 25" E., 414.15' to a point on the western line of Laburnum Avenue; thence along the western line of Laburnum Avenue S. 40° 55' 40" E., 468.94' to a point; thence along a curve to the right having a radius of 25' and a length of 39.84' to a point on the northern line of Gay Avenue being the point of beginning, containing 16.16 +- acres.

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. There shall be no more than one (1) access drive to or from the Property, to or from Laburnum Avenue, unless other access drives to or from the Property to or from Laburnum Avenue, are required by the Planning Commission.
2. (a) The shopping center to be constructed on the Property shall be substantially similar in architectural treatment to the buildings shown on a drawing entitled "Laburnum Park Shopping Center, Henrico County, Virginia" prepared by Freeman and Morgan, Architects, a copy of which is filed with the application for rezoning.
(b) Any free standing building constructed on the Property shall be substantially similar in architectural treatment to the shopping center constructed on the Property, unless a different architectural treatment for any such free standing building is specifically approved by the Planning Commission at the time of Plan of Development review.

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3. The exposed portion of each exterior wall surface (front, rear and sides) of each building constructed on the Property shall be similar to the exposed portions of other 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, by the Planning Commission at the time of Plan of Development review. No exposed portion of any exterior wall shall consist of untreated or unpainted cinderblock.
4. No more than 150,000 square feet of gross floor area shall be constructed on the Property.
5. The southeasternmost corner of the Property, having a length of approximately 200 feet along Gay Avenue and a width of approximately 160 feet along Laburnum Avenue, may only be developed with a branch office of a bank or savings and loan institution, and uses accessory thereto, if an acceptable Plan of Development therefore is approved.
6. No building constructed on the Property shall exceed two (2) stories in height.
7. The following uses shall not be permitted on the Property:
 - a. Skating rink, bowling alley, billiard parlor and similar indoor recreational establishment.
 - b. Repair business for electrical, heating or plumbing systems.
 - c. Mortuary.
 - d. Club, fraternity, lodge and similar meeting place.
 - e. Retail clothes cleaning and pressing establishment employing personnel in the actual cleaning process on-site.
 - f. Adult book store.
 - g. Automobile repair and gasoline service station.
8. Landscaped or natural buffer areas, as indicated below, will be provided around portions of the perimeter of the Property, except to the extent necessary for utility easements, signage, roads, driveways or other purposes required or permitted 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:
 - (a) A landscaped or natural buffer area of a minimum of twenty-five (25) feet in width along the right-of-way of Laburnum Avenue, as such right-of-way is determined at the time of Plan of Development review.

See C-2A-00

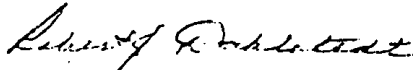
- (b) A landscaped or natural buffer area of a minimum of twenty (20) feet in width along the right-of-way of Gay Avenue, as such right-of-way is determined at the time of Plan of Development review.

Existing vegetation, underbrush and fallen, diseased or dead plant growth may be removed from such buffer areas, and additional plantings and earth berms may be added. Where the placement of utility easements within a buffer area results in the inability of the owner to provide adequate screening within such buffer area, additional plantings shall be provided adjacent to such buffer area to provide appropriate screening for uses on the Property.

9. Any parking lot serving a shopping center constructed on the Property shall be landscaped, including but not necessarily limited to, the planting of shrubbery and/or trees in islands located within such parking lot.
10. Parking lot lighting shall be provided by directional fixtures, which shall be positioned in such a manner as to minimize the impact of such lighting offsite, and which produce a lighting intensity of a maximum of one-half (1/2) foot candle at the boundaries of the Property adjoining Gay Avenue and Laburnum Avenue, except at vehicular access points or as otherwise required by the Planning Commission at the time of Plan of Development approval. Parking lot lighting shall be reduced to a security level, following the closing of business operations on the Property.
11. No portion of a building shall be constructed within that portion of the Property lying within the Henrico County 100 year flood plain, as determined at the time of Plan of Development review.
12. No portable sign shall be placed on the Property.

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.,
County Manager

cc: Clerk, Board of Supervisors
Supervisor, Real Estate Assessment
Conditional Zoning Index
✓ Mr. Jay M. Weinberg
Ms. Thelma Whitfield MCC.
Messrs. Walter R. Robins, Jr. and
H. Robins, Jr.