

COUNTY OF HENRICO PLANNING OFFICE

PT. 86-A1-28
THREE CHOPT DISTRICT

C-63C-87



JAS



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

September 24, 1987

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

Re: Conditional Rezoning Case C-63C-87

Haynes Furniture Company, Inc.
c/o Mr. Curt Rosenbach
5324 Virginia Beach Blvd.
Virginia Beach, Va. 23462

Gentlemen:

The Board of Supervisors at its meeting on September 23, granted your request to conditionally rezone from B-3 General Business, B-3C General Business (Conditional), R-6C General Residence (Conditional) and A-1 Agricultural to B-2C Community Business District (Conditional), Part of Parcel 86-A1-28 and part of Tracts 3, 4, 5, 6, 7, 8, and 9, Broad Acres Subdivision, described as follows:

Beginning at a point on the S. line of Broad Street Road approximately 167.62' east of its intersection with the E. line of Pemberton Road extended; thence S. 65° 5' 33" E., 17.92' to a point; thence S. 62° 43' 03" E., 232.82' to a point; thence S. 65° 20' 46" E., 19.83' to a point; thence S. 24° 50' 08" W., 542.20' to a point; thence N. 65° 9' 52" W., 168.24' to a point; thence S. 24° 48' 42" W., 57.35' to a point; thence N. 65° 24' 57" W., 452.07' to a point on the E. line of Pemberton Road; thence N. 58° 10' 9" E., 32.45' to a point; thence N. 38° 31' 39" E., 175.65' to a point; thence N. 37° 47' 54" E., 228.69' to a point; thence S. 65° 21' 18" E., 239.84' to a point; thence N. 24° 38' 42" E., 190.00' to the point of beginning, containing 6.32 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. Landscaped buffer areas, as indicated below, will be provided around portions of the perimeter of the Property, except to the extent necessary for utility easements, roads, signage, driveways or other purposes required by the Planning Commission at the time of Plan of Development Review, or by any other applicable governmental body:
 - (a) A buffer area of a minimum of twenty (20) feet in width along the Broad Street Road right-of-way line of the Property (as such right-of-way line is determined at the time of Plan of Development Review).
 - (b) A buffer area of a minimum of thirty (30) feet in width along the right-of-way line of Pemberton Road (as such right-of-way is determined at the time of Plan of Development Review).

Existing vegetation and underbrush may, and fallen, diseased or dead plant growth shall be removed from such buffer areas, and if so removed,


additional plantings and/or berms shall be added. Specifically, berms of approximately five (5) feet in height shall be included within the buffer area along the right-of-way line of Pemberton Road, as reasonably necessary to screen loading areas from Pemberton Road, which berms shall be planted with landscaping (including evergreen plantings), to enhance the screening effect of the berms. Any berms installed within buffer areas shall be developed in such a manner as to have no adverse effect on traffic safety on adjacent roadways and access points thereto, to and from the Property. Installation of the berms along the right-of-way line of Pemberton Road shall begin concurrently with the commencement of building construction on the Property, and shall be diligently pursued to completion. The limits of clearing within the buffer area shall be shown on the approved Plan of Development(s).

2. A building setback of a minimum of thirty (30) feet shall be maintained between any building and land adjacent thereto zoned R-6C at the time a building is constructed on the Property. Any such setback area shall be appropriately landscaped, as determined by the Planning Commission at the time of landscape plan review.
3. The principal building constructed on the Property shall be similar in architectural appearance to the building shown on a drawing entitled "Haynes Furniture Showroom", prepared by Stuart Liss & Associates, Architects, dated July 23, 1987, a copy of which has been filed with this case.
4. Parking lot lighting shall be provided by concealed sources of light, except at vehicular access points or as otherwise required at the time of Plan of Development Review. Parking lot lighting standards shall not exceed twenty-five (25) feet in height. Parking lot lighting shall be reduced to no more than a security level, following the close of business operations on the Property.
5. Parking lots serving the Property shall be landscaped, including, but not limited to the planting of shrubbery and/or trees in raised islands located within such parking lots or between parking rows.
6. No building constructed on the Property shall exceed the lesser of two (2) stories or thirty-six (36) feet in height, exclusive of chimneys or other architectural design features.
7. The following uses shall not be permitted on the property:
 - (a) skating rinks,
 - (b) billiard parlors,
 - (c) establishments operated primarily as amusements or video game parlors,
 - (d) repair business for electrical, heating or plumbing systems,
 - (e) mortuaries,
 - (f) adult book stores,
 - (g) automobile gasoline service station,
 - (h) hotel or motel.
 - (i) dance halls,
 - (j) recreational centers,
 - (k) automobile repair and/or tire installation businesses.

8. All trash receptacle areas shall be screened from view off site.
9. There shall be a maximum of one (1) access drive to and from the Property, to and from Pemberton Road (excluding any access drive serving residences on property adjacent to the Property to the south) and such access drive shall be designed to line up with the access drive proposed to serve development on the west side of Pemberton Road, unless otherwise required by any governmental authority having jurisdiction with respect thereto.
10. There shall be no more than one loading area (excluding customer pick-up areas) to serve trucks bringing inventory to and from the Property, on the side of a building most directly facing Pemberton Road.
11. A solid, salt-treated wood fence of a minimum of six (6) feet in height, shall be installed along the northern boundary of property now owned by Christopher Bolton, Jr., and his wife, Anne P. Bolton (exclusive of the portion thereof within Mr. and Mrs. Bolton's front yard).
12. Loading and unloading of inventory outside a building on the premises shall be limited to hours of service permitted in a B-1 neighborhood business district.
13. No more than seventy-five percent (75%) of the Property shall be covered by building and parking areas.

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. Jay M. Weinberg
Mr. Robert Heider
Mr. Forrest G. Urban
Mr. and Mrs. M. F. Dunn
Ms. Virginia D. Long, L. I., et. als.