

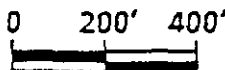
COUNTY OF HENRICO PLANNING OFFICE

RETAIL / OFFICE

pt. 91-A2-21, 91-A2-16

BROOKLAND DISTRICT

C-72C-88



JAS



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

July 19, 1988

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

Re: Conditional Rezoning Case C-72C-88

Mr. Herbert E. Fitzgerald, III  
Ridgeway Development Co.  
5413 Patterson Avenue, Suite 200  
Richmond, Virginia 23226

Dear Mr. Fitzgerald:

The Board of Supervisors at its meeting on July 13, granted your request to conditionally rezone from M-1 Light Industrial and R-2A One Family Residence to B-2C Community Business District (Conditional), property described as follows:

Parcel 91-A2-16 and Part of Parcels 91-A1-21:

Beginning at a point on the northern line of Mountain Road as widened, said point being the intersection of the northern line of Mountain Road and the western line of RF&P Railroad Right of Way; thence from said point of beginning along the northern line of Mountain Road N.  $62^{\circ} 42' 20''$  W., 516.92'; thence N.  $6^{\circ} 44' 35''$  E., 540' +- to a branch; thence in a southeasterly direction 580' +- along a branch to the western line of RF&P Railroad Right of Way; thence along the western line of RF&P Railroad Right of Way S.  $7^{\circ} 33' 55''$  W., 505' +- to the northern line of Mountain Road, being the point and place of beginning, containing 5.6 +- acres.

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

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

Attachments:

cc: Clerk, Board of Supervisors  
Supervisor, Real Estate Assessment  
Conditional Zoning Index  
J. Louis Reynolds Marital Trust

C-726-38

APPROVED BY THE BOARD OF SUPERVISORS ON JULY 13, 1988.

1) Once a determination has been made as to the portion of the property located within the 100-year flood plain, such portion of the property shall be described as a flood plain easement. Application shall be made to rezone said property within the 100 year flood plain to C-1 conservative district as determined by a definitive engineering study.

2) Abutting and to the south of the 100 year flood plain, there shall be a 10 foot buffer zone, a type to be determined and approved by the Planning Commission at the time of P.O.D. approval. In no event shall the distance between the southern line of the buffer zone and the centerline of the flood plain be less than twenty five feet. Underbrush and fallen, diseased or dead plant growth may be removed from such buffer area. Clearing in the buffer zone to the extent necessary for utility easements, signs, fences, roads and other purposes required or permitted by the Planning Commission at the time of P.O.D. approval or by any governmental body, agency, commission, board, department or official shall be permitted, provided that additional plantings are provided for comparable and appropriate screening.

3) Along the southern property line of the property abutting Mountain Road there shall be a 20-foot landscaped buffer that shall allow for freestanding signage. Underbrush and fallen, diseased or dead plant growth may be removed from such buffer area. Clearing in the buffer zone to the extent necessary for utility easements, signs, fences, roads and other purposes required or permitted by the Planning Commission at the time of P.O.D. approval or by any governmental body, agency, commission, board, department or official shall be permitted, provided that additional plantings are provided for comparable and appropriate screening.

4) No portable signage shall be placed on the property.

5) Any freestanding identification or commemorative signage on the property shall be landscaped and shall be predominantly similar to the architectural treatment of the buildings on the property.

6) No buildings shall be used for games of chance, profit or non-profit.

7) No businesses shall be open to the public between 11:00p.m. and 6:00a.m. or prior to 12:00 noon on Sunday.

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COUNTY OF HENRICO

C-72-88

APPROVED BY THE BOARD OF SUPERVISORS ON JULY 13, 1988.

8) The architecture shall be of colonial or Victorian style to be determined and approved by the Planning Commission at the time of P.O.D. and shall be constructed predominantly of brick, glass, stone, drivet or beaded lap siding. The design and the materials shall be predominantly the same on all sides of the building.

9) No building shall exceed two stories or 28 feet in height.

10) The following uses shall not be permitted on the property: (a) skating rinks, (b) billiard parlors, (c) convenience stores, (d) establishments operated primarily as amusements or video game parlors, (e) repair business for construction related electrical, heating or plumbing systems, (f) adult bookstores, (g) hotel or motel, (h) any service or parts store primarily related to construction or automotive works, (i) no store primarily engaged in the sale of packaged liquor for off premise consumption, (j) "fast food" restaurant. For purposes hereof, "fast food" restaurant is defined as an establishment, the principal business of which is the sale of foods and beverages already prepared at the time of ordering to consumers in a ready-to-consume state and which foods and beverages are usually served in paper, plastic or other disposable containers or wrappers for immediate consumption either within the restaurant building or off the premises.

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