

A-1 To M-2C  
43.757 ac.

COUNTY OF HENRICO PLANNING OFFICE  
OFFICE / GROCERY DISTRIB. FACILITY

30-A 1,2,3,4,5  
VARINA DISTRICT

C-75C-89



JAS



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

COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

October 17, 1989

Re: Conditional Rezoning Case C-75C-89

Ukrop's Super Markets, Inc.  
600 Southlake Blvd.  
Richmond, Virginia 23236

Gentlemen:

The Board of Supervisors at its meeting on October 11, granted your request to conditionally rezone property from A-1 Agricultural to M-2C General Industrial District (Conditional), described as follows:

Parcels 30-A1-2, 3, 4, and 5:


Beginning at a point at the northwest intersection of the right-of-way lines of Seven Hills Boulevard and Miller Road; thence from said point of beginning westwardly along the northern right-of-way line of Seven Hills Boulevard N.  $70^{\circ} 48' 11''$  W., 1,750.84' to a rod; thence from said rod northwardly along the eastern right-of-way line of Laburnum Avenue beginning a curve to the right, said curve having a radius of 3,769.72' for a length of 351.14' to a rod; thence northwardly along the eastern right-of-way line of Laburnum Avenue, N.  $34^{\circ} 02' 34''$  E., 736.06' to a stone; thence along a curve to the left, said curve having a radius of 1,959.86' for a length of 30' more or less to a point in the center line of Caterpillar Branch; thence from said point meandering eastwardly along the center line of Caterpillar Branch 1,272' more or less to a point in the western right-of-way line of Miller Road beneath overhead power lines; thence from said point southwardly S.  $17^{\circ} 10' 59''$  E., 47.00' to a point; thence along a curve to the right, said curve having a radius of 142.74' for a length of 96.90' to a point; thence from said point S.  $21^{\circ} 42' 38''$  W., 248.38' to a point; thence along a curve to the left, said curve having a radius of 111.34' for a length of 149.59' to a point; thence S.  $55^{\circ} 16' 00''$  E., 163.05' to a point; thence along a curve to the right, said curve having a radius of 119.21' for a length of 167.64' to a point; thence from said point southwardly along the western right-of-way line of Miller Road S.  $25^{\circ} 18' 27''$  W., 565.01' to the point of beginning, containing 43.757 +/- acres.

The Board of Supervisors accepted the attached twelve (12) proffered conditions which further regulate the above described property in addition to all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance).

Ukrop's Super Markets, Inc.  
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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  
✓ Miller Road Corporation  
Mr. and Mrs. Frank D. Aigner  
Mr. and Mrs. Charles L. Holmes, Jr.



COUNTY OF HENRICO, VIRGINIA

Case No. 75C-89

PROFFERS FOR CONDITIONAL REZONING

ORIGINAL  AMENDED AND RESTATED

Pursuant to section 22-121(b) of the County Code, the owner or duly authorized agent hereby voluntarily proffers the following conditions which shall be applicable to the property, if rezoned:

*James W. Theobald*

September 13, 1989

Signature of Owner or Applicant\* James W. Theobald, Attorney-In-Fact for Ukrop's Super Markets, Inc. Date

\* If Applicant is other than Owner, Form POF-004-3/87, Special Limited Power of Attorney must be submitted with this application.

1. Enclosed Building Requirement. All principal permitted industrial uses shall be conducted within a completely enclosed building, which may be an office building or a separate, freestanding building used for industrial uses.

2. Safe Conduct of Operations. All industrial uses shall be conducted so as not to create any danger to the health, safety and welfare or any material adverse impact on the Property or surrounding areas by creating any excessive noise, vibration, smoke, dust, lint, odor, heat or glare beyond the boundaries of the Property.

3. Greenbelts. Greenbelts for landscaping, natural areas or berms, or combinations thereof, of a minimum width as set forth below, will be provided and maintained, except to the extent necessary for vehicular and pedestrian access ways, utility easements (such access ways and utility easements to be generally perpendicular to the greenbelt where possible), signage or other purposes specifically permitted by the Planning Commission at the time of Plan of Development review, or by any other governmental body:

- (a) Fifty (50) feet along Laburnum Avenue
- (b) Thirty-five (35) feet along Seven Hills Boulevard
- (c) Twenty-five (25) feet along Miller Road

4. Prohibited Uses. The following principal uses shall not be permitted on the Property:

- (a) Winery
- (b) Asbestos processing
- (c) Brewing or distilling of liquors

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- (d) Crematory
- (e) Junk storage and dismantling
- (d) Race tracks.

See interpretation  
memo from AHM  
dated 8-20-91

5. Underground Utilities. All utility lines such as electric, telephone, CATV or other similar lines shall be installed underground, unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review. This requirement shall apply to lines serving individual sites as well as to utility lines necessary within the Property, but not to existing lines on the Property.

6. Architectural Treatment. The exterior wall surfaces (front, rear and sides) of each individual building shall be similar in architectural treatment and materials. No portion of an exterior wall surface visible from any adjoining property shall contain painted or untreated concrete masonry units or corrugated metal unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review. *concrete or gut*

7. Parking Lot Lighting. Parking lot lighting fixtures shall not exceed thirty-five (35) feet in height as measured from the grade of the base of the lighting standard unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review. Parking lot lighting shall be produced from concealed sources of light (i.e., "shoe box" type or adjustable fixtures with positive cut-off angles).

8. Parking Lot Landscaping. Landscaping shall be maintained in islands on the portion of the Property utilized for parking. Such islands shall be landscaped with shrubbery and vegetation aesthetically compatible with the landscaping and development of the Property.

9. Plan of Development Requirement. A plan of development as regulated by Section 22-106 of the Henrico County Code shall be submitted for each development within the Property.

10. 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.

11. Limited Ingress and Egress. Truck ingress and egress to and from the Property onto Miller Road will be prohibited unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review.

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COUNTY OF HENRICO

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12. Open Space. At least twenty percent (20%) of the Property shall be used for permanent open space. The area devoted to the project perimeter buffering may be counted toward this requirement.

UKROP'S SUPER MARKETS, INC.

By: James W. Theobald  
James W. Theobald,  
Attorney-In-Fact

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