

COUNTY OF HENRICO PLANNING OFFICE

OFFICES
C-32C-90

77-BI-15,27
THREE CHOPT DISTRICT



JAS



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

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

October 16, 1990

Re: Conditional Rezoning Case C-32C-90

S & K Famous Brands, Inc.
11100 W. Broad Street
P. O. Box 3180
Richmond, Virginia 23294

3M2S, a Virginia General Partnership
7113 Three Chopt Road
Richmond, Virginia 23226

Gentlemen:

The Board of Supervisors at its meeting on October 10, granted your request to conditionally rezone property from A-1 Agricultural to O-3C Office District (Conditional), property described as follows:

Parcels 77-B1-15 and 27:

Beginning at the true point of beginning; thence North fifty one degrees twenty seven minutes zero seconds West (N. $51^{\circ} 27' 00''$ W), a distance of seventy six and 21/100 (76.21) feet; thence along a curve having a radius of five thousand eight hundred thirty five and 58/100 (5835.58) feet, a length of three hundred seventy three and 82/100 (373.82) feet; thence South seventy seven degrees thirteen minutes twenty seconds East (S. $77^{\circ} 13' 20''$ E.), a distance of three hundred forty five and 56/100 (345.56) feet; thence South seventy seven degrees thirteen minutes twenty seconds East (S. $77^{\circ} 13' 20''$ E), a distance of six hundred seventy nine and 5/100 (679.05) feet; thence South sixty eight degrees thirty two minutes fifty seven seconds East (S. $68^{\circ} 32' 57''$ E), a distance of three hundred seventy one and 18/100 (371.18) feet; thence South twenty two degrees three minutes five seconds East (S. $22^{\circ} 03' 05''$ E), a distance of one hundred (100.00) feet; thence North eighty eight degrees forty minutes fifty six seconds East (N. $88^{\circ} 40' 56''$ E.), a distance of two hundred fifty (250.00) feet; thence South four degrees seven minutes twenty seconds West (S. $04^{\circ} 07' 20''$ W.), a distance of three hundred thirty nine and 44/100 (339.44) feet; thence along a curve having a radius of two hundred twenty six and 83/100 (226.83) feet, a length of one hundred forty eight and 48/100 (148.48) feet; thence North forty eight degrees twenty two minutes forty seconds West (N. $48^{\circ} 22' 40''$ W), a distance of sixty three and 48/100 (63.48) feet; thence along a curve having a radius of six hundred sixty (660.00) feet, a length of four hundred twenty three and 84/100 (423.84) feet; thence North eighty five degrees ten minutes twenty seconds West (N. $85^{\circ} 10' 20''$ W., a distance of one hundred fifty seven and 23/100 (157.23) feet; thence South fifteen degrees thirty three minutes fifty six seconds West (S. $15^{\circ} 33' 56''$ W) a distance of twenty five (25.00) feet; thence North seventy four degrees twenty six minutes four seconds West (N. $74^{\circ} 26' 04''$ W), a distance of five hundred thirty one and 30/100 (531.30) feet; thence North fifty one degrees ten minutes eleven seconds West (N. $51^{\circ} 10' 11''$ W), a distance of ninety and 84/100 (90.84) feet to the true point of beginning; and containing nine and 91/100 (9.9147) acres more or less.

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):

1. Buffer & Fence -- Northern Property Line. There shall be a natural buffer area of varying width as set forth below along the entire northern property line of the property. Except as approved by the Planning Commission at the time of Plan of Development or Landscape Plan approval, this buffer area shall be retained in its natural state; underbrush and fallen, diseased or dead plant growth may be removed.

This buffer area may be supplemented with additional trees and plantings as required by the Planning Commission at the time of Plan of Development or Landscape Plan approval.

The buffer area may be disturbed only to the extent necessary for utility easements and other purposes approved by the Planning Commission at the time of Plan of Development or Landscape Plan approval. Any disturbance of the natural buffer for utility easements shall be generally perpendicular to the northern property line. The buffer area may not be disturbed for stormwater detention facilities.

The buffer area along the five hundred twenty-five (525) feet eastward from the western most point of the northern property line shall be forty (40) feet in width.

The buffer area along any point of the northern property line within four hundred twenty-five (425) feet of Sadler Road shall be forty (40) feet in width.

All other portions of the buffer area along the northern property line shall be twenty (20) feet in width.

A seven-foot tall salt treated opaque wood fence shall be placed within the buffer area (not on either periphery of the buffer area) as approved by the Planning Commission at the time of Plan of Development or Landscape Plan approval at a location the Planning Commission determines to preserve as many trees within the buffer area as practicable. No fence shall be required within three hundred fifty (350) feet of the right-of-way of Sadler Road as measured along the property line.

The natural and landscape areas and fence in the required buffers area shall be maintained along the northern property line of the property so long as the property adjacent to and north of that portion of the northern property line is used for residential purposes.

2. Buffer -- Sadler Road. There shall be a landscaped buffer area of thirty (30) feet in width on the property along the right-of-way of Sadler Road. This buffer area shall be landscaped as required by the Planning Commission at the time of Plan of Development or Landscape Plan approval.

This buffer area may be disturbed only to the extent necessary for roads, utilities and other purposes approved by the Planning Commission at the time of Plan of

Development approval. Any disturbance of this buffer shall be generally perpendicular to Sadler Road, unless otherwise approved by the Planning Commission at the time of Plan of Development review.

This buffer area shall be irrigated.

3. Certificate of Occupancy. No Certificate of Occupancy shall be issued for any building on the property until the completion of the relocation of Sadler Road to connect with Dominion Boulevard by the Virginia Department of Transportation.
4. Parking Lot Lighting. All parking lot lighting standards shall be of low intensity, be positioned in such a manner as to minimize the impact of such lighting on any adjacent property and be "absolute cut-off" type (light source being substantively concealed from view by the design of the luminaire).

All parking lot lighting standards shall not exceed twenty (20) feet in height from ground level.

Parking lot and driveway lighting within one hundred (100) feet of an adjacent property used for residential purposes shall be reduced to a minimum level necessary for security purposes at 7:00 p.m. All other parking lot and driveway lighting shall be reduced to a minimum level necessary for security purposes following the close of business conducted on the property.

Parking lot lighting shall produce a maximum lighting intensity of one-half (1/2) foot candle at the northern and eastern boundary lines of the property.

5. Trash Receptacle & Mechanical. All trash receptacle areas and mechanical systems visible from ground level at the property line shall be screened from view with material compatible with the adjacent building and/or in such a manner as required by the Planning Commission at the time of Plan of Development or Landscape Plan review.
6. Set Back.
 - A. No building shall be constructed within four hundred twenty-five (425) feet of the western most point of the northern property line of the property.
 - B. No building shall be located within one hundred (100) feet of any portion of the northern property line that lies within four hundred twenty-five (425) feet of the right-of-way of Sadler Road, so long as the property adjacent to and north of that portion of the northern property line is used for residential purposes.
 - C. No building shall be constructed on the property within fifty (50) feet of the remainder of the northern property line, so long as the property adjacent to and north of that portion of the northern property line is used for residential purposes.
 - D. No building shall be constructed on the property within fifty (50) feet of the right-of-way of Sadler Road.

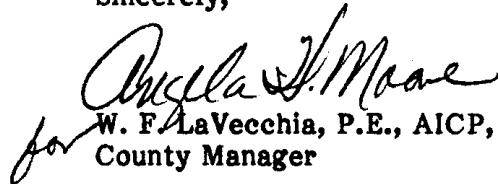
7. **Building Material.** The exposed portions of the exterior wall surfaces (front, rear and sides) of any building constructed on the property (excluding rooftop screening materials for mechanical equipment) shall be similar in quality as to architectural treatment and materials. All buildings constructed on the office property shall have exposed exterior walls (above finished grade) of face brick, utility brick, natural stone, glass, or an equivalent permanent architecturally finished material unless otherwise requested and specifically permitted by the Planning Commission at the time of Plan of Development review. No building shall be covered with or have exposed to view painted or unfinished concrete masonry unit, sheet or corrugated aluminum, asbestos or metal, unless otherwise requested and specifically permitted or if required by the Planning Commission at the time of Plan of Development review or by any other applicable governmental body.
8. **Site Coverage.** A minimum of thirty-five percent (35%) of this site shall be dedicated to green space and buffers unencumbered by parking, driveways or buildings.
9. **Height of Building.** No building on the property within four hundred twenty-five (425) feet of Sadler Road shall exceed two stories above grade or thirty five (35) feet in height. No building located elsewhere on the property shall exceed four stories, above grade or fifty five (55) feet in height.
10. **Detached Sign.** Any detached sign on the property shall be ground mounted and shall not exceed ten (10) feet in height, above grade and, if lighted, internally lit.
11. **Uses.** The following uses shall not be permitted on the property:
 - A. General hospitals, sanitariums and charitable institutions of human care.
 - B. Radio or television broadcasting studios or offices.
 - C. Trade or business school.
 - D. Helistop.
 - E. Private club.
 - F. A printing shop that emits sounds or odors that are detectable at the property line or has outside storage.
 - G. A freestanding communications tower.
 - H. A freestanding printing shop.
12. **Retail and Service Uses.** Any retail and service facilities in an office building as permitted and regulated in Section 22-50.11(g) or its successor which are open to the public shall close at 7:00 p.m.
13. **Utilities.** All utilities outside the buildings on the property shall be underground.
14. **Storm water Management.** All improvements and storm water management facilities on the property shall be designed, to the greatest extent practical from an engineering standpoint at the time of Plan of Development review, so that the septic systems and private well water systems of adjacent residential properties in existence at the time of Plan of Development approval are not adversely affected by the improvements on this property.

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15. Landscape Ordinance. No Plan of Development for the property shall be approved until the Henrico County Landscape ordinance is in effect.
16. Plan of Development. Any building on the property shall be subject to a Plan of Development.

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,


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

cc: Clerk, Board of Supervisors
Supervisor, Real Estate Assessment
✓ Conditional Zoning Index
Ralph L. Axselle, Jr., Esquire