



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

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

January 15, 1991

Re: Conditional Rezoning Case C-79C-90

Lakepointe Partners
P. O. Box 31014
Richmond, Virginia 23294

Gentlemen:

The Board of Supervisors at its meeting on January 9, granted your request to amend proffered conditions on Conditional Rezoning Case C-58C-90, Part of Parcel 78-A2-9, Sec. J., Innsbrook Subdivision.

The following substitute proffered conditions accepted by the Board of Supervisors, further regulates the use of your property in addition to all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance):

1. Floor Area Limitation. No more than one hundred twenty thousand (120,000) square feet of retail commercial space shall be developed on the Property, but the balance of the development otherwise permitted thereon may be devoted to office type uses and such other uses as are incidental or related thereto.
2. West Broad Street Access. A maximum of one (1) access drive shall be permitted between West Broad Street and the shopping village/office center developed on the Property, unless otherwise required by any governmental body having jurisdiction with respect thereto. Prior to June 1, 1994, if the Director of Public Works makes a determination that the access drive has created an unacceptable traffic safety condition on West Broad Street, the Director may recommend to the Planning Commission that corrective action be taken. The Planning Commission shall then conduct a hearing to review the operation of the access drive. If the Planning Commission concurs with the determination of the Director of Public Works, it may require corrective action to be taken. Such corrective action may be either (i) the installation of traffic control devices and/or roadway improvements in the vicinity of the access drive, as determined by the Planning Commission to be necessary to cause the access drive to function in an acceptable manner, or (ii) the closing of the access drive.
3. Building Setback. No building will be constructed within one hundred (100) feet of Broad Street Road and fifty (50) feet of Cox Road.
4. Use Restrictions. No adult book stores or automotive tire, parts and accessory shop shall be permitted on the Property.
5. Berms. Where necessary, berms will be utilized to supplement or complement natural buffering for the purpose of aesthetically enhancing the landscaping of buildings on the Property in accordance with the Landscaping Plan submitted to and approved by the Planning Commission in accordance with applicable requirements of law.

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6. Public Utilities. All office and commercial buildings on the Property shall only be served by public water and sewer, to the extent they may be purchased from Henrico County.
7. Parking Lot Lighting. Parking lot lighting standards shall not exceed twenty (20) feet in height without the approval of the Planning Commission. Lighting in parking lots shall be of low intensity, and shall be positioned in such a manner as to minimize the impact of such lighting on adjacent residential areas and be of such type as approved by the Planning Commission.
8. Plan of Development Review. The development, use and operation of the Property shall be subject to such limitations as to perimeter buffering and exterior architectural treatment as shall be incorporated in the Plan of Development Application and as approved by the Planning Commission of Henrico County.
9. Any billiard and/or pool parlor or club established on the Property shall be substantially similar in design, decor and treatment to the billiard establishments depicted in the photographs filed with the application.

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 condition in the Conditional Zoning Index.

Sincerely,

for Angela L. Moore
W. F. LaVecchia, P.E., AICP
County Manager

cc: Clerk, Board of Supervisors
Real Estate Assessment
Conditional Zoning Index
Glenn R. Moore, Esquire