



COUNTY OF HENRICO PLANNING OFFICE

BUSINESS and Office
C-16C-91

78-A2-29
 THREE CHOPT DISTRICT



JAS



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

August 21, 1991

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

Re: Conditional Rezoning Case C-16C-91

S.F.P. Company, L.P.
c/o Mr. James N. Plotkin
Dumbarton Development Company,
General Partner
7113 Staples Mill Road
Richmond, Virginia 23228

Gentlemen:

The Board of Supervisors at its meeting on August 14, granted your request to conditionally rezone property from A-1 Agricultural to B-2C Business District (Conditional), Parcel 78-A2-29, described as follows:

Beginning at a Virginia Department of Transportation monument 832.66' east of intersection of the S. line of Broad Street Road and the E. line of Cox Road; thence with the S. line of Broad Street Road N. 04° 33' 52" E., 6.11'; thence S. 81° 29' 37" E., 906.90'; thence S. 43° 40' 16" W., 1420.59'; thence N. 03° 48' 50" E., 285.60'; thence N. 03° 59' 50" E., 500.11'; thence N. 04° 33' 52" E., 372.92' to the point of beginning, containing 12.132 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):

1. Landscaped Buffer - Broad Street. A non-transitional landscaped buffer to enhance roadside appearance will be provided thirty (30) feet in width adjacent to the right-of-way line of Broad Street, except to the extent necessary for utility easements, signage and access driveways and other purposes requested and specifically permitted, or if required, by the Planning Commission at the time of subdivision approval and/or Plan of Development review, or by any other governmental body. Utilities or access driveways in the landscaped buffer shall be generally perpendicular to Broad Street, except up to ten (10) feet of such buffer may be used for utilities generally parallel to Broad Street provided such ten (10) feet is still landscaped. No storm water retention facilities shall be permitted in the landscaped buffer unless specifically required by the Planning Commission at the time of Plan of Development review.

S.F.P. Company, L.P. 2
c/o Dumberton Development
Company, Inc. (general partner)
August 21, 1991.

2. Building Setback - Broad Street. No building shall be constructed on the property within sixty-five (65) feet of the right-of-way of Broad Street.
3. Parking Lot Lighting. All parking lot lighting standards within 200 feet of Broad Street shall not exceed twenty (20) feet in height above grade level, all other parking lot lighting standards shall not exceed twenty-five (25) feet in height above grade level. All parking lot lighting fixtures shall be of low intensity and shall be positioned in such a manner as to minimize the impact of such lighting on any adjacent office zoned area and Broad Street. Light fixtures shall be of the type that conceals the direct source of light (such as "shoe box" type fixtures). Exterior lighting shall be reduced to security levels after hours of operation.
4. Access to Broad Street. The property shall have no more than two (2) direct vehicular accessways to and from Broad Street, unless other access lanes are specifically requested and approved or are required by any governmental body at the time of Plan of Development review.
5. Outparcels. In the event the property shall contain outparcels, the number of outparcels shall be limited to two (2) outparcels adjacent to Broad Street on the property.

The improvements on all outparcels shall be compatible in architectural treatment and material to each other and the principal structures on the property as determined by the Planning Commission at time of Plan of Development review.

No such outparcels shall be used for a bowling alley or a garden supply store.

No more than one (1) of such outparcels shall be a "fast food" restaurant. For these purposes, a "fast food" restaurant is hereby defined as an establishment whose principal business is the sale of beef, ham, pork, chicken, fish or pizza foods and beverages to consumers in a ready-to-consume state and in which such foods and beverages are usually served in paper, plastic or other disposal containers or wrappers for immediate consumption either within the restaurant building or off the premises.

6. Exterior of Buildings.
 - a. Similar Architectural Treatment and Material. The exposed portion of each exterior wall surface (front, rear and sides) of each building constructed on the

S.F.P. Company, L.P. 3
c/o Dumberton Development
Company, Inc. (general partner)
August 21, 1991

property (excluding roof top screening materials for mechanical equipment) shall be similar to the exposed portions of other exterior walls of such building in architectural treatment and materials.

- b. Exterior Material of Buildings. All buildings constructed on the property shall have exposed exterior walls, above finished grade of face brick, natural or cast stone, glass, exposed aggregate concrete or either dryvit or stucco if applied to a masonry surface; different materials may be specifically approved with respect to the exposed portion of any such wall by the Planning Commission at the time of Plan of Development review.

No building shall be covered with or have exposed to view any painted or unfinished concrete masonry units, sheet or corrugated aluminum, asbestos or metal unless otherwise specifically approved by the Planning Commission at the time of Plan of Development review. Metal, wood, tile, or dryvit may also be used in such a way that it is of a decorative nature, or for roofing.

7. HVAC. Roof-top heating and air conditioning equipment shall be screened from public view at ground level at the property lines, in a manner approved by the Planning Commission at the time of Plan of Development review.
8. Trash Receptacles. Trash receptacles shall be screened from public view at ground level with material compatible with the adjacent building, in a manner approved by the Planning Commission at the time of Plan of Development review.
9. Open Spaces. For any portion of the property for which a Plan of Development for office use is approved, no more than sixty-five (65%) percent of the property may be covered by buildings, driveways and parking areas. For any portion of the property for which a Plan of Development for business use is approved, no more than seventy-five (75%) percent of the property may be covered by buildings, driveways and parking areas. The portion of the property dedicated to the County of Henrico for right-of-way shall not be included as areas of the property covered by driveways in the calculations under this proffer.
10. Master Plan. A Plan showing the coordinated planned development scheme for roads, driveways, utilities, building setbacks and buffers for the entire property shall be filed with the Planning Commission at the time of the Plan of

S.F.P. Company, L.P. 4
c/o Dumberton Development
Company, Inc. (general partner)
August 21, 1991

Development review of any portion of the property. This Plan may be modified upon the filing of subsequent Plans of Development.

11. Use Restrictions. The following uses shall not be permitted on the property:

- a. Adult Book stores;
- b. Billiard or pool parlors;
- c. Amusement or video game parlors;
- d. Service station or filling station;
- e. Flea Market; or
- f. Convenience store.

12. Cox Road Connection. If at the time of POD review, the Henrico County Director of the Department of Public Works requests a right-of-way for a road running generally parallel to Broad Street (to be located within one hundred eighty (180) feet of the southernmost portion of the property) shall be reserved and dedicated to the County of Henrico as part of a road ultimately to connect to Cox Road. Any part of such road crossing subject property shall be constructed to County standards. As part of such reservation and dedication to the County, utility, access, and other easements in the dedicated area shall be reserved for the property as needed. Should the Department of Public Works at some later date determine that the right-of-way is no longer needed by the County, the right-of-way shall be conveyed to its center line to the abutting parcels of land.

13. Signs. Any detached sign on the property shall be ground-mounted and shall not exceed fifteen (15) feet in height, above grade and, if lighted, internally lit. The detached signs on the property shall be compatible in type and appearance with other detached signs on the property.

The non-detached signs on the property shall be compatible in type and appearance with other non-detached signs on the property and, if lighted, shall be internally lit.

14. Height of Buildings. No building on that portion of the property within 200 feet of Broad Street shall exceed two stories or 35 feet in height.

15. Buffers - Eastern and Western Property Lines.

- a. A landscaped buffer will be provided ten (10) feet in width adjacent to the eastern and western property lines of the property for a distance of 300 feet from Broad Street.

S.F.P. Company, L.P. 5
c/o Dumberton Development
Company, Inc. (general partner)
August 21, 1991

- b. A landscaped buffer will be provided adjacent to the remaining portion of the eastern and western property lines of the property as follows:
- (1) Ten (10) feet in width adjacent to properties zoned or used for office or business purposes at the time of Plan of Development review;
 - (2) Twenty Five (25) feet in width adjacent to properties zoned or used for residential purposes at time of Plan of Development review.
- c. The buffers specified in (a) and (b) above will be provided except to the extent necessary for utility easement, access and other purposes requested and specifically permitted or if required, by the Planning Commission at the time of Plan of Development review, or by any governmental body. Any utilities in the landscaped buffer shall be generally perpendicular to the property line. No storm water retention facility shall be permitted in the landscaped buffer unless specifically required by the Planning Commission at the time of Plan of Development review.
16. Irrigation. The buffer in proffer 1 along Broad Street shall be irrigated. That portion of the buffer in proffer 15a along the eastern and western property lines of the property for a distance of 200 feet from Broad Street shall be irrigated.
17. Traffic Impact. A traffic impact study shall be prepared and submitted to the County two weeks prior to the filing of an application of the first 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
Director, Real Estate Assessment
Conditional Zoning Index
Mr. Ralph L. Axselle, Esquire