

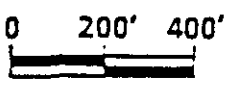
COUNTY OF HENRICO PLANNING OFFICE

77-BI-3

SHOPPING CENTER AMENDMENTS

THREE CHOPT DISTRICT

C-25C-91



JAS



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

July 16, 1991

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

Re: Conditional Rezoning Case C-25C-91

Mr. Russell B. Harper
Short Pump Plaza Associates, L. P.
7201 Glen Forest Drive, Suite 306
Richmond, Virginia 23226

Dear Mr. Harper:

The Board of Supervisors at its meeting on July 10, granted your request to amend proffered conditions on a portion of the conditionally Rezoned with Case C-40C-88. The amended proffers affect the property more particularly described as follows:

Part of Parcel 77-B1-3:

Beginning at a point on the northern right-of-way of West Broad Street formerly Broad Street Road, (U.S. Route 250), said point being 328.05' in a easterly direction from the intersection of the eastern line of Pouncey Tract Road (State Route 271) and the northern right-of-way of Broad Street Road (U.S. Route 250) as extended and also being the point and place of beginning; from said point of beginning; thence departing said northern right-of-way of Broad Street Road (U.S. Route 250) N. 38° 01' 04" W., 65.18' to a rod set; thence N. 07° 23' 32" W., 273.22' to a rod set; thence N. 76° 26' 25" W., 166.32' to a rod found on the eastern right-of-way of Pouncey Tract Road (State Route 271); thence along said Pouncey Tract Road (State Route 271) N. 16° 04' 24" E., 64.95' to a rod found; thence along a curve to the left having a radius of 1562.89' and an arc length of 369.57' to an iron rod found; thence N. 04° 31' 27" E., 113.08' to a rod found; thence along a curve to the left having a radius of 3874.71' and an arc length of 593.69' to a rod set at the base of a monument found; thence N. 05° 39' 30" W., 304.11' to a VDH&T monument found; thence N. 10° 20' 26" W., 200.12' to a VDH&T monument found; thence N. 33° 52' 48" E., 65.63' to a VDH&T monument found on the southern right-of-way of Interstate Route 64; thence along said southern right-of-way Interstate Route 64 S. 70° 10' 00" E., 335.35' to a VDH&T monument found; thence S. 70° 14' 07" E., 664.92' to a rod found on the western right-of-way on the Interstate Route 295; thence along said western right-of-way, Interstate Route 295 S. 19° 54' 58" W., 302.52' to a rod found; thence along a curve to the left having a radius of 385.00' and an arc length of 605.83' to a rod found; thence S. 68° 52' 27" E., 418.65' to a rod set; thence departing said Interstate Route 295, S. 19° 47' 06" W., 1048.21' to a rod set on the northern right-of-way of West Broad Street (U.S. Route 250); thence along said northern right-of-way of West Broad Street (U.S. Route 250) N. 76° 22' 42" W., 139.49' to a rod set; thence S. 13°

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37' 18" W., 7.00' to a rod set; thence N. 76° 22' 42" W., 618.83' to a rod set; thence N. 62° 52' 57" W., 51.42' to a rod set; thence N. 76° 22' 42" W., 75' to a rod set, being the point and place of beginning containing 46.318 acres less and except 12.0 acres shown as Tract 1 as shown on a plat by Dewberry & Davis dated May 10, 1989, Revised October 20, 1989, entitled "Plat showing improvements on 46.318 acres of land located on the northern line of Broad Street Road and on the east line of Pouncey Tract Road, Tuckahoe District, Henrico County, Virginia."

The following substitute proffered conditions accepted by the Board of Supervisors, further regulate the use of your property in addition to the remaining proffered conditions accepted with C-40C-88 and all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance).

1. Proffer 10(k) is amended and restated as follows:

(k) commercial swimming pools, sales lots or stands;

2. Proffer 12 is amended and restated as follows:

No outside speakers or paging systems shall be permitted on the Property. The preceding sentence shall not, however, prohibit the use of intercom-type systems as commonly associated with drive-through facilities.

3. Proffer 14(a) is amended and restated as follows:

No more than 298,000 square feet of finished floor area of shopping center space, inclusive of any such space now or hereafter developed on any land that was originally the subject of Case No. C-40C-88 (including outparcel pad sites), shall be permitted prior to (i) the completion of the widening of Broad Street adjacent to the Property to at least four (4) lanes of through traffic or (ii) until January 1, 1993, whichever occurs first.

4. Proffers 14(b) and 14(c) are hereby deleted.

5. Proffer 15 is amended and restated as follows:

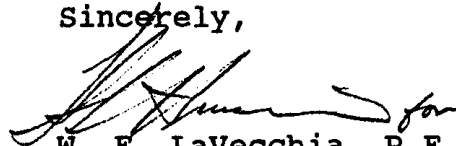
Except for the rear of the buildings and small planter boxes of less than 64 square feet in area each within the parking and paved areas, all landscaped areas shall be irrigated, unless otherwise requested and specifically permitted, or if required by the Planning Commission at the time of Plan of Development review or by any governmental body.

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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,


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

cc: Clerk, Board of Supervisors
Director, Real Estate Assessment
- Conditional Zoning Index
Mr. James W. Theobald, Esquire