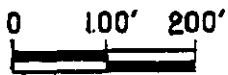


COUNTY OF HENRICO PLANNING OFFICE

OFFICE APARTMENTS
C-47C-91

79-B2-20, 32
 TUCKAHOE DISTRICT



JAS



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO
December 17, 1991

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

Re: Conditional Rezoning Case C-47C-91

Mr. Arthur E. Havens, III, President
Havens Construction Company, Inc.
9020 Quioccasin Road, Suite J
Richmond, Virginia 23229

Dear Mr. Havens:

The Board of Supervisors at its meeting on December 11, granted your request to conditionally rezone property from R-3 One Family Residence to O-1C Office District (Conditional) and R-6C General Residence District (Conditional), Parcels 79-B2-20 and 32, described as follows:

Parcel A - O-1C Zoning:

Commencing at a rod found 0.08 +/- miles east of Pemberton Road; thence N. 9° 44' E., 141.84'; thence S. 83° 36' 48" E., 113.25'; thence S. 9° 44' 171.08'; thence N. 68° 57' W., 115.30' to the point of beginning, containing 0.4061 acre.

Parcel B - R-6C Zoning:

Commencing at a rod found situated at the northwest corner of the above mentioned parcel; thence N. 9° 44' 00" E., 17.91'; thence N. 5° 34' 51" E., 252.24'; thence S. 85° 51' 22" E., 201.19'; thence S. 5° 31' 07" W., 278.00'; thence N. 83° 36' 48" W., 202.74' to the point of beginning, containing 1.2666 acre.

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):

R-6C Parcel:

1. No more than 20 dwelling units shall be constructed on the property.
2. Building Setback--Northern Property Line. The apartment building closest to the Pemberton Townhouses shall be set back at least 35 feet from the northern property line.
3. Natural Buffer--Northern Property Line. A natural buffer will be provided 25 feet in width adjacent to the northern boundary line, along that portion of the line that is adjacent to the Pemberton Townhouses. This buffer shall remain in its natural state, except that dead and fallen growth may be removed. This buffer will be undisturbed, except to the extent necessary to construct a fence and make supplemental plantings

Mr. Arthur E. Havens, III, 2
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December 17, 1991

as required by Proffer No. 4 herein. The area along the remainder of the northern boundary line will be landscaped in accordance with a landscape plan to be approved by the Planning Commission at the Plan of Development stage.

4. Fence--Northern Property Line. A six-foot tall, salt-treated wood opaque fence, finished on both sides, will be placed within the buffer area adjacent to the northern property line, along that portion of the line that is adjacent to the Pemberton Townhouses. The fence shall be no closer than 15 feet to the northern boundary line, and supplemental plantings shall be placed between the fence and the boundary line.
5. Proffered Condition No. 5 shall be deleted in its entirety.
6. Lighting. Lighting standards on the property will not exceed 20 feet in height above grade. All parking lot lighting fixtures shall be of low intensity, be positioned in such a manner as to minimize the impact of such lighting on any adjacent residentially-zoned property. Parking lot lighting shall produce a maximum intensity of 1/2 foot candle at the northern boundary line of the property.
7. Detached Sign. Any detached sign identifying the property shall be ground mounted and not exceed 10 feet in height above grade, and, if lighted, shall be internally lit.
8. Building Design. Any building constructed on the property shall be similar in architectural design, character, and layout to the architectural rendering prepared by Dean E. Hawkins, ASLA, dated September 30, 1991, a copy of which is filed herewith as Exhibit A (See case file). Total exterior wall surfaces shall be at least 50% brick. Percentage of brick calculation will be provided by the applicant at the time of Plan of Development review.
9. Firewall. A cinderblock fire wall, extending from the ground to the roofline, shall be constructed between the fifth and sixth dwelling units in both apartment buildings.

0-1C Parcel:

1. Building Setback--Quioccasin Road. No newly constructed building shall be constructed on the property within 40 feet of the right-of-way of Quioccasin Road, with such right-of-way being determined by the Planning Commission at the time of Plan of Development review.

Mr. Arthur E. Havens, III, 3
President
December 17, 1991

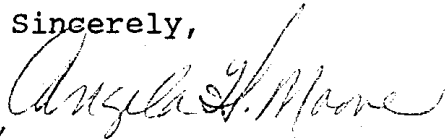
2. Lighting. Lighting standards on the property will not exceed 15 feet in height above grade. All parking lot lighting fixtures shall be of low intensity, be positioned in such a manner as to minimize the impact of such lighting on any adjacent residentially-zoned property. Parking lot lighting shall produce a maximum intensity of 1/2 foot candle at the eastern boundary line of the property, as long as such property is zoned residentially.
3. Detached Sign. Any detached sign identifying the property shall be ground mounted and not exceed 10 feet in height above grade, and, if lighted, shall be internally lit.
4. Single Access on Quioccasin Road. There shall be only one direct vehicular access to the property from Quioccasin Road.
5. Landscaped Buffer--Eastern Boundary Line. So long as the property immediately adjacent to and east of the eastern property line is zoned for residential use, a landscaped buffer 15 feet in width shall be provided adjacent to such property line, except to the extent necessary or allowed for utility easements or other purposes requested and specifically permitted, or if required, by the Planning Commission at the time of Plan of Development review.
6. Quioccasin Road Construction. The right-of-way for the widening of Quioccasin Road shall be granted to the County of Henrico, and the road improvements to Quioccasin Road shall be built by the owner, or construction funds escrowed, as determined appropriate by the Department of Public Works at the time of Plan of Development review.
7. Screening--Northern Property Line. Except for the access drive, a planting screen will be provided on the northern property line of the O-1C zoned parcel in accordance with a landscape plan to be approved by the Planning Commission at the Plan of Development review.
8. Restriction on Uses of the Property. No portion of the property shall be used for a day care center.

Mr. Arthur E. Havens, III,
President
December 17, 1991

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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., AICP,
County Manager

cc: Clerk, Board of Supervisors
Director, Real Estate Assessment
Conditional Zoning Index
Mr. Thomas Rilee, III, Esquire