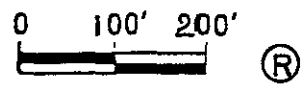


COUNTY OF HENRICO PLANNING OFFICE  
Pt. 86 - A1 - 63

RETAIL / SERVICE USES  
**C-14C-92**



**THREE CHOPT DISTRICT**  
JAS



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.  
County Manager

May 20, 1992

Re: Conditional Rezoning Case C-14C-92

ELB Associates  
9534 Old House Drive  
Richmond, Virginia 23233

Gentlemen:

The Board of Supervisors at its meeting on May 13, granted your request to conditionally rezone property from B-1C and B-2C Business Districts (Conditional) to B-1C and B-2C Business Districts (Conditional), Part of Parcel 86-A1-63, described as follows:

**B-1C (Parcel A):**

Beginning at an old rod marking the intersection of the northern line of West Broad Street and the eastern line of Fort McHenry Parkway; thence (1) in a northwardly direction along the said eastern line of Fort McHenry Parkway N.  $8^{\circ} 28' 10''$  E., 303.66' to a stone monument, the point of curve; thence (2) along a curved line to the right with a radius of 975.51' and a length of 16.17' to an old rod; thence (3) in an eastwardly direction S.  $58^{\circ} 17' 13''$  E., 259.14' to an old rod; thence (4) in a southwardly direction S.  $10^{\circ} 19' 13''$  E., 260.0' to an old rod on the northern line of West Broad Street; thence (5) in a westwardly direction along the said northern line of West Broad Street N.  $81^{\circ} 06' 43''$  W., 16.03' to an old rod; thence (6) N.  $76^{\circ} 30' 05''$  W., 62.20' to an old rod; thence (7) N.  $81^{\circ} 16' 09''$  W., 223.34' to an old rod; thence (8) N.  $34^{\circ} 44' 27''$  W., 30.18' to an old rod on the eastern line of Fort McHenry Parkway, the point of beginning, containing 1.82 acres less and except 0.0827 acre as shown as "Parcel B" on a plat of survey by Charles H. Fleet and Associates, Engineers and Surveyors, P.C., dated April 17, 1992. The above described parcel of land contains 1.7364 acres.

**B-2C (Parcel B):**

Commencing at an old rod marking the intersection of the northern line of West Broad Street and the eastern line of Fort McHenry Parkway; thence (1) in a northwardly direction along the said eastern line of Fort McHenry Parkway N.  $8^{\circ} 28' 10''$  E., 218.33' to a point; thence (2) in an eastwardly direction S.  $81^{\circ} 31' 50''$  E., 90.53' to a point on the western outside face of a one-story building being the northwest corner of 10184 West Broad Street, the Point of Beginning; thence (1) in an eastwardly direction S.  $81^{\circ} 31' 50''$  E., 60.04' along a party wall between said No. 10184 West Broad Street and No. 10188 West Broad Street to a point on the eastern outside face of said building; thence (2) in a southwardly direction S.  $8^{\circ} 24' 10''$  W., 60.00' along said eastern outside face of building to a point; thence (3) in a westwardly direction N.  $81^{\circ} 27' 50''$  W., 60.09' along a party wall with said No. 10184 West Broad Street and No. 10180 West Broad Street to a point along the western outside face of said building; thence (4) in a northwardly direction, N.  $8^{\circ} 28' 10''$  E., 59.93' along the outside western face of said building to the Point of Beginning.

The above described parcel of land contains 3602.39 sq. ft. or 0.0827 acre as shown on a plat of survey by Charles H. Fleet and Associates, Engineers and Surveyors, P.C., dated April 17, 1992.

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):

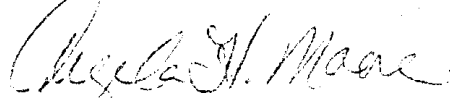
1. No additional access points should be provided to West Broad Street from this property.
2. Signage restrictions on the B-2C portion of the property shall be limited to that required by the B-1 zoning classification, except that business signs may remain illuminated between 12:00 midnight and 6:00 a.m.
3. Lighting in parking lots shall be of low intensity, shall be positioned in such a manner as to minimize the impact of such light on adjacent residential areas and be of such type as required by the Planning Commission.
4. No exterior wall of any principal building on the Property shall be constructed of exposed cinder block, asbestos shingles or imitation brick or stone siding material.
5. The property shall not be used for any of the following: adult bookstore; automotive filling or service stations, towing service and/or convenience food store; flea market or antique auction, garage parking or storage; garden center; gun shop sales or repair; hotels, motels, motor lodges, or tourist homes; lawn mower, yard and garden equipment rental sales or services; radio or television stations or studios; theaters; bowling alleys; skating rinks (ice-skating and roller skating); swimming pools; tennis courts; off track betting; electronic video game rooms; bingo halls; archery ranges; self-service storage facilities; auto part service and/or installation; car wash; billiard and pool parlors; restaurants or establishments which primarily provide outside delivery of packaged goods to patrons; or model racing tracks.
6. The property shall continue to meet the B-1C requirements for lot area and widths, minimum yard depths, general height and bulk standards, off street parking and loading, exterior display and storage, landscaping, screening, refuse, drainage, lighting, services and production of goods, and temporary outdoor Christmas tree sales.
7. The elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

ELB Associates  
May 20, 1992

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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 Virgil R. Hazelett, P.E.,  
County Manager

cc: Clerk, Board of Supervisors  
Director, Real Estate Assessment  
Conditional Zoning Index  
Mr. James P. Guy, II, Esquire