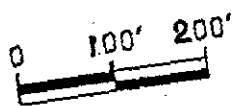


OFFICE  
**C-25C-92**



**80-A1-54, PT. 47**  
**TUCKAHOE DISTRICT**  
HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

November 17, 1992

Virgil R. Hazelett, P.E.  
County Manager

Re: Conditional Rezoning Case C-25C-92

Mr. Sam Kornblau, General Partner  
Omicron Development Company  
2512 W. Cary Street, Suite 210  
Richmond, Virginia 23220

Dear Mr. Kronblau:

The Board of Supervisors at its meeting on November 12, granted your request to conditionally rezone property from R-2 One Family Residence District to O-2C Office District (Conditional), Parcel 80-A1-54 and Part of Parcel 80-A1-47, Ednam Forest Subdivision, Section A, Block A, Reserved Portion.

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. Architectural Treatment. Any building constructed on the property shall be residential in style in appearance and shall have a pitched roof and have exposed exterior building walls (above finished grade) of face brick and wood unless different architectural treatment and/or materials are requested, described, and specifically approved at the time of Plan of Development review.

The exposed portion of each exterior wall surface (front, rear and sides) of any building constructed on the property shall be similar to the exposed portions of other exterior walls of such building in architectural treatment and materials.

The roof of any building constructed on the property shall be of fiberglass shingles or other residential roof materials as requested, described and specifically approved at the time of Plan of Development review.

The exterior architectural style of any building constructed on the property shall be approved by the Planning Commission at the time of Plan of Development review and shall be generally compatible with the attached sketch (Exhibit 1)(See case file) which is conceptual by nature and not exact in detail, specifics or dimensions, all or which may vary.

2. Building Height. No building constructed on the property shall exceed the lesser of one and one-half (1 1/2) story or thirty (30) feet in height.
3. Parking Lot Lighting. All parking lot lighting standards shall not exceed fifteen (15) feet in height above grade level. All parking lot lighting standards shall be of low

intensity, shall be positioned in such a manner as to minimize the impact of such lighting on any adjacent residentially zoned property and shall have concealed sources of light.

Parking lot lighting shall produce a maximum lighting intensity of one-half (1/2) foot candle at the boundary lines of the property.

Parking lot lighting shall be reduced to a minimum level necessary for security purposes following the close of business conducted on the property.

4. Buffers.

(a) Gayton Road. A landscaped buffer will be provided at least ten (10) feet in width adjacent to the right-of-way line of Gayton Road, except to the extent necessary for utility easements, signage and access driveways and other purposes requested, described and specifically permitted, or if required by the Planning Commission at the time of Plan of Development review, or by any other governmental body. Any utilities or access drive in the landscaped buffer shall be generally perpendicular to Gayton Road.

This landscaped buffer shall be irrigated as determined necessary by the Planning Commission at the time of Plan of Development review.

(b) Clearwood Road. A natural and landscaped buffer will be provided at least thirty (30) feet in width adjacent to the right-of-way line of Clearwood Road, except to the extent necessary for access driveway, utility easements and other purposes requested, described 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 or access drive in the buffer shall be generally perpendicular to Clearwood Road. This buffer shall remain in its natural state, except to the extent landscaped in accordance with the Landscape Plan approved by the Planning Commission at the time of Plan of Development review.

(c) Ednam Forest. A natural and landscaped buffer will be provided at least thirty (30) feet in width adjacent to the boundary lines of the property adjacent to the Ednam Forest Subdivision and at least seventy-five (75) feet in width adjacent to Lot 5, Block A, Ednam Forest, except to the extent necessary for utility easements and other purposes requested, described and specifically permitted, or if required by the Planning Commission at the time of Plan of Development review or by any other governmental body. Except as provided in the following sentence, or as otherwise permitted by the Planning Commission at the time of Plan of Development review, any utilities in the buffer shall be generally perpendicular to the adjacent boundary line. In the buffer may also be utility easements that were recorded prior to this rezoning, which utility easements may be located as shown on such recorded easement.

This buffer shall be left in its natural state or consist of berms, fencing and landscaping, or a combination thereof, as determined in the landscape plan approved by the Planning Commission at the time of Plan of Development review.

In addition, there shall be a six (6) foot tall opaque wooden fence located in such buffer approximately ten (10) feet from the boundary of such buffer furthest from the adjoining Ednam Forest boundary line, with such fence running generally parallel to the Ednam Forest boundary line and with such fence terminating ten (10) feet from Gayton Road and thirty (30) feet from Clearwood Road. The fence shall be of the general design, nature and appearance as shown on the attached Exhibit 2 (See case file).

In addition to any other landscaping required by the Planning Commission at the time of the Plan of Development review, there shall be six (6) white pines along Cherrywood Drive and four (4) white pines adjacent to Lot 5, Block A, Ednam Forest Subdivision generally as shown on the attached Exhibit 3 (See case file), which white pines shall be fifteen (15) feet tall at the time of planting.

5. Vehicular Access. There shall be no vehicular access drive on the property to or from Cherrywood Drive, including no temporary vehicular access during construction on the property. There shall be no more than one vehicular access drive on the property to or from Gayton Road, unless other vehicular access on the property to or from Gayton Road is specifically approved by the Planning Commission at the time of the Plan of Development review.
6. Green Spaces. At least fifty percent (50%) of the property shall not be covered by buildings, driveways, sidewalks and parking areas.
7. Setback. Except as provided in the following sentence, any building constructed on the property shall be set back at least eighty (80) feet from boundary lines of the property adjacent to the Ednam Forest Subdivision. Any building constructed on the property shall be set back at least two hundred (200) feet from Lot 5, Block A, Ednam Forest Subdivision.
8. HVAC. 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. Heating and air conditioning equipment shall not be located on the roof of any building constructed on the property.
9. Trash Receptacles. Trash receptacles shall be screened from public view at ground level in a manner approved by the Planning Commission at the time of Plan of Development review. No trash pickup shall occur before 7:00 a.m. or after 7:00 p.m. or on the weekend or any holiday.
10. Conceptual Sketch. The property shall be developed generally compatible with the

Mr. Sam Kornblau, General Partner  
Omicron Development Company  
November 17, 1992

4

attached sketch (Exhibit 3) (See case file) which is conceptual by nature and not exact in detail, specifics or dimensions, all of which may vary.

11. Construction of Fence. The fence described in proffer 4(c) dealing with the buffer adjacent to Ednam Forest shall be constructed prior to commencing construction on any building to be constructed on the property.
12. Dedication of Right-of-Way. The appropriate dedication for the widening of Gayton Road and Clearwood Road as determined at the time of Plan of Development review shall be dedicated at no cost to the County of Henrico or the Virginia Department of Transportation. Should the Director of Public Works, at some later date, determine that the additional right-of-way is no longer needed, the subject property would be deeded back to and made a part of the original parcel of land.

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,



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

cc: Clerk, Board of Supervisors  
Director, Real Estate Assessment  
Conditional Zoning Index  
Mr. Ralph L. Axselle, Jr., Esquire  
Ms. Shannon L. Knight, Esquire