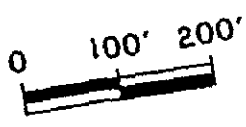


PT. OF 78-A2-9
 THREE CHOPT DISTRICT
 HENRICO COUNTY PLANNING OFFICE

OUTDOOR DINING AREAS
C-42C-93





COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

November 16, 1993

Re: Conditional Rezoning Case C-42C-93

Lakepointe Partners
The Innsbrook Corporation
P. O. Box 31014
Richmond, Virginia 23294

Gentlemen:

The Board of Supervisors at its meeting on November 10, granted your request to conditionally rezone property from B-2C Business District (Conditional) to B-3C Business District (Conditional), Part of Parcel 78-A2-9, Innsbrook, Section J, described as follows:

Beginning at a point which represents the northeast corner of the existing B-3C zoned property as shown on a plat entitled "Compiled Plat for Rezoning B-2C to B-3C for Property owned by Lakepointe Partners and The Innsbrook Corporation, Innsbrook", prepared by J. K. Timmons & Associates, P.C., dated August 26, 1993, thence N. $74^{\circ} 25' 13''$ W., 118.86' to a point; thence S. $15^{\circ} 34' 47''$ W., 27.50' to a point; thence N. $74^{\circ} 25' 13''$ W., 100.22' to a point; thence N. $15^{\circ} 34' 47''$ E., 29.85' to a point; thence S. $74^{\circ} 25' 13''$ E., 219.08' to a point; thence S. $15^{\circ} 34' 47''$ W., 57.35' to the point and place of beginning, containing .23 +- 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):

1. The use of the property shall be limited to those uses permitted in a B-2 community business district and outdoor dining and related activities, except that the following uses shall not be permitted on the Property:
 - (a) Adult bookstore;
 - (b) Automobile parts store;
 - (c) Tire and accessory store;
 - (d) Roller or ice skating rink;
 - (e) Motion picture theaters;
 - (f) Bowling alley;
 - (g) Automobile service station;
 - (h) Freestanding "fast-food" restaurant; or
 - (i) Sales and service of guns and weapons.

For purposes hereof, "fast-food" restaurant is defined as an establishment, the principal business of which is the sale of foods and beverages already prepared at the time of ordering to consumers in a ready-to-consume state and which foods and

Lakepointe Partners
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November 16, 1993

2

beverages are usually wrapped in paper, plastic or other disposable containers or wrappers for immediate consumption either within the restaurant building or off the premises.

2. The exposed portions of the exterior wall surfaces (front, rear and sides) of any buildings constructed on the Property (excluding rooftop screening materials for mechanical equipment) shall be similar in quality as to architectural treatment and materials. All buildings constructed on the Property shall have exposed exterior walls (above finished grade) of face brick, natural stone, glass, stucco, drivit, exposed aggregate concrete, or an equivalent permanent architecturally finished material. No building shall be covered with or have exposed to view any painted or unfinished concrete block, sheet or corrugated aluminum, asbestos or metal, unless otherwise specifically approved by the Planning Commission at the time of plan of development review.
3. Parking lot lighting standards shall not exceed twenty-five (25) feet in height. Parking lot lighting shall be produced from concealed sources of light and shall be reduced to no more than a security level following the close of business conducted on the Property.
4. No heating, air conditioning or other mechanical equipment shall be placed on the roof of any building unless properly screened from public view in a manner satisfactory to and approved by the Planning Commission at the time of plan of development review.
5. Hours of service to the public shall be as permitted and regulated in a B-2 community business district.

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. Glenn R. Moore, Esquire