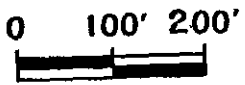


PT. OF 68-A1-16
THREE CHOPT DISTRICT

BUSINESS USE

C-30C-94



HENRICO COUNTY PLANNING OFFICE

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO



Virgil R. Hazelett, P.E.
County Manager

June 14, 1994

Re: Conditional Rezoning Case C-30C-94

Duma Associates
7113 Three Chopt Road, Suite 103
Richmond, Virginia 23226

Gentlemen:

The Board of Supervisors at its meeting on June 8, 1994, granted your request to conditionally rezone property from R-5 General Residence District to B-2C Business District (Conditional), Part of Parcel 68-A1-16, described as follows:

Beginning at a point on the northern right-of-way line of Ridgefield Parkway at its intersection with the western right-of-way line of Gayton Road; thence on a curve to the left with a radius of 4,653.76'; 172.15' to a point; thence N. 10° 21' 04" E., 71.53' to a point; thence N. 06° 39' 14" E., 320' to a point; thence S. 83° 20' 46" E., 215' to a point on the western right-of-way line of Gayton Road; thence S. 06° 39' 14" W., 119.91' to a point; thence S. 13° 29' 48" W., 100.72' to a point; thence S. 06° 39' 14" W., 131.30' to a point; thence S. 41° 19' 55" W., 63.03' to the point and place of beginning, containing 1.88 acres.

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 exposed portion of each exterior wall surface (front, rear and sides) of any building to be constructed on the Property (excluding rooftop screening materials for mechanical equipment) shall be similar to the exposed portions of other exterior walls of such building in architectural treatment and materials. The buildings to be constructed on the Property shall have exposed exterior walls (above finished grade) predominantly of either, or a combination of, face brick or glass unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development review. Split-face block, drivit or stucco, if said stucco is applied to a masonry surface, may be used as decorative trim materials accessory to those predominant materials referenced above. No building on the Property shall be covered with, or have exposed to view, any sheet or corrugated aluminum or metal, exposed aggregate concrete, unpainted or unfinished plain concrete masonry units or asbestos, unless otherwise specifically requested and approved by the Planning Commission at the time of Plan of Development review. The building to be constructed on the Property shall be as shown on the renderings labeled "North Elevation", "West Elevation", "East Elevation" and "South Elevation", copies of which are attached as Exhibit "A" (see case file),

unless otherwise specifically requested and approved by the Planning Commission at the time of Plan of Development review. The eastern and southern facades of the building shall include some or all of the following architectural design features: brick columns, vertical accent designs within the brick work and/or recessed window-like arches as more particularly shown on the rendering entitled "Conceptual Facade Detail", a copy of which is attached as Exhibit "C" (see case file), unless otherwise specifically requested and approved by the Planning Commission at the time of Plan of Development Review. The entranceway design shall be as shown on the "Conceptual Facade Detail".

2. Parking Lot Lighting. Parking lot lighting standards shall not exceed fifteen (15) feet in height above grade level. All parking lot lighting fixtures shall be of low intensity and shall be positioned horizontally and in such a manner as to minimize the impact of such lighting on any adjacent property. Light fixtures shall be of the type that conceals the direct source of light (such as "shoe box" type fixtures). Exterior lighting shall be reduced to security levels after hours of operation. Any canopy lighting shall be recessed (i.e., no dropped bezel).
3. Use Restrictions. The following uses shall not be permitted on the Property:
 - a. A facility for the sale or display of pornographic material (as determined by community standards for the area in which the Property is located);
 - b. Flea market;
 - c. Gun shop, sales and repair;
 - d. Massage parlors;
 - e. Automotive filling, service and repair facilities;
 - f. Freestanding "fast food" restaurants. For these purposes, a "fast food" restaurant is hereby defined as an establishment whose principal business is the sale of beef, ham, pork, chicken, fish or pizza foods and beverages to consumers in a ready-to-consume state and in which such foods and beverages are usually served in paper, plastic or other disposable containers or wrappers for immediate consumption either within the restaurant building or off the premises;
 - g. Convenience food store;
 - h. Funeral home;
 - i. Banquet hall, auditorium or other place of public assembly;
 - j. Car wash;
 - k. Garden center;
 - l. Indoor recreation facilities;
 - m. Animal hospital or clinic;
 - n. Self-service laundromats;
 - o. Adult book stores;
 - p. Private club, lodge, meeting hall and fraternal organization; and
 - q. Restaurants as a principal use.
4. HVAC. Rooftop heating and air conditioning equipment shall be screened from public view at ground level at the Property lines by means of parapets or other architectural

features, in a manner approved by the Planning Commission at the time of Plan of Development review.

5. Central Trash Receptacles. Central trash receptacles, not including convenience cans, 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. Except for the gates, the trash enclosure shall be of the same face brick as the building. Trash pick up from the Property shall be limited to the hours of 7:00 a.m. to 8:00 p.m. Monday through Saturday. No trash pick up shall be permitted on Sundays.
6. Buffers. A natural and/or landscaped buffer will be provided twenty-five (25) feet in width along the western, northern and eastern boundary of the Property, and fifty (50) feet in width adjacent to the southern boundary of the Property, in the areas shown on the Conceptual Site Plan, except to the extent necessary or allowed for sidewalks, utility easements, grading, drainage, signage and access driveways and other purposes requested 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 shown on the Conceptual Site Plan, any utility easement or use permitted within the aforesaid buffer areas shall be extended generally perpendicular to the buffer area unless otherwise requested and specifically permitted, or if required by the County at the time of Plan of Development review and where permitted, areas disturbed for utility installations shall be restored to the extent reasonably practical.
7. Outside Speakers. No outside speakers which can be heard beyond the boundaries of the Property shall be permitted on the Property.
8. Building Heights. No building constructed on the Property shall exceed the lesser of (2) stories or twenty-five (25) feet in height, exclusive of chimneys or other architectural design features on any building. The peak of the top roof over the entranceway as shown on the Elevations attached (see case file) shall not exceed thirty-five (35) feet in height.
9. Conceptual Site Plan. The Property shall be developed in substantial conformance with the Conceptual Site Plan prepared by Lanier/Azzarone, a copy of which is attached as Exhibit "B" (see case file), unless otherwise specifically requested and approved by the Planning Commission at the time of Plan of Development review.
10. Hours of Operation. No business conducted on the Property shall be open to the public before 8:00 a.m. nor after 11:00 p.m.
11. Signs. Any detached sign on the Property shall be groundmounted and shall not exceed ten (10) feet in height above grade and, if lighted, internally lit. The detached signs on the property shall be compatible in type and appearance with other detached signs on the Property. The non-detached signs on the Property shall be compatible in type and appearance with other non-detached signs on the Property and, if lighted, shall be internally lit. Non-detached signs shall have predominantly white lettering unless otherwise specifically requested and approved by the Planning Commission at

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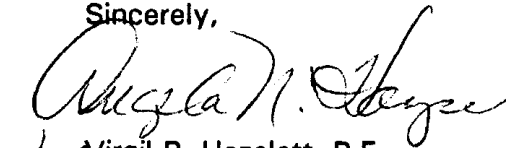
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the time of Plan of Development review. No non-detached sign shall be placed above the line where the brick side walls meet the roof.

12. Attention Getting Devices. Pennants, banners, streamers, propellers, disks, cold air balloons and all other fluttering, spinning or similar type signs and advertising devices shall not be permitted on or outside any building constructed on the Property.
13. Deliveries. Deliveries shall be limited to the hours of 7:00 a.m. to 8:00 p.m. Monday through Saturday. No deliveries shall be permitted on Sundays.
14. Activities at Rear of Building. No drive aisles, parking or loading areas shall be permitted between the western (rear) face of the building to be constructed on the Property and the western boundary line of the Property.
15. Severance. The unenforceability, 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.

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: Director, Real Estate Assessment
Conditional Zoning Index
Mr. James W. Theobald, Esquire
The Virginia Christian Missionary
Society, Inc.