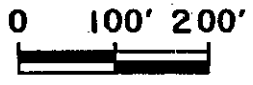


77-B2-38

THREE CHOPT DISTRICT

PARKING

**C-33C-94**



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

June 14, 1994

Virgil R. Hazelett, P.E.  
County Manager

Re: Conditional Rezoning Case C-33C-94

Acme Commercial Corp.  
c/o Messrs. Richard L. Sharp &  
George Pasini  
9950 Mayland Drive  
Richmond, Virginia 23233

Gentlemen:

The Board of Supervisors at its meeting on June 8, 1994, granted your request to conditionally rezone property from A-1 Agricultural District to O-2C Office District (Conditional), Parcel 77-B2-38, described as follows:

Commencing at a point in the N. line of Broad Street Road (State Rt. 250) intersected with the W. line of Old Sadler Road as widened; thence along the W. line of Old Sadler Road as eidened point 640.53' to the Point of Beginning; thence S. 88° 40' 55" W., 239.41' to a point; thence N. 22° 03' 05" W., 100.00' to a point; thence N. 57° 27' 10" E., 250.01' to a point on the W. line of Sadler Road; thence along the W. line of Sadler Road as relocated S. 32° 32' 55" E., 64.00' to a point; thence along a curve to the right having a radius of 274.00', length of 99.25' and a delta of 20° 45' 17" and being subtended by a chord of S. 22d 10' 16" E., 98.71' to a point; thence S. 04° 09' 12" W., 76.52' to the said point of beginning; together with and subject to covenants, easements and restrictions of record, said property being 0.987 acres more or less.

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. Use Restrictions. The Property may only be used for the parking of customer and employee vehicles in connection with the business conducted on Parcels 77-B1-15, 77-B1-27 and 78-A2-86 and uses incidental or accessory thereto.
2. Fence. A six (6) foot high opaque wooden fence shall be constructed along the northern boundary of the Property (250.01 feet), except that the height of said fence may be reduced where it re^Aches the front yard setback of the property at Sadler Road in accordance with applicable County policies.

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3. Landscaped Buffers. (a) A natural and/or landscaped buffer will be provided twenty-five (25) feet in width adjacent to the right-of-way line of Sadler Road, except to the extent necessary to allow for utility easements, grading 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. Any utility easement or use permitted within the aforesaid buffer area 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 installation shall be restored to the extent reasonably practicable.

(b) Northern Property Line. A natural and/or landscaped buffer area, a landscaped berm or a combination thereof will be provided for a minimum width of forty (40) feet along the northern boundary of the Property, except to the extent necessary or allowed for utility easements, grading and such other purposes as may be 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 or public utility. All healthy, mature trees within said buffer area shall, to the extent reasonably practicable, be saved and such buffer area shall be landscaped as required by the Planning Commission at the time of Plan of Development review. Any utility easements or uses permitted within the aforesaid buffer area shall be generally perpendicular to the buffer area unless otherwise requested and specifically permitted or if required by the Planning Commission at the time of Plan of Development review and where permitted are As disturbed for utility installations shall be restored to the extent reasonably practicable.

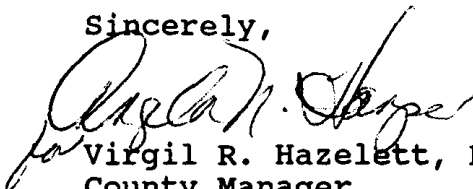
(c) The aforesaid buffers shall be provided and maintained by the owner of the Property and no vehicles shall be parked or displayed in any of the aforesaid buffer areas.

4. Lighting. Parking lot lighting standards shall not exceed twenty (20) feet in height above grade level. Parking lot lighting shall be produced from concealed sources of light (such as shoebox type) and shall not exceed one and one-half (1-1/2) foot candles at the northern and eastern property lines during normal business hours and shall be reduced to no more than one-half (1/2) foot candle at the northern and eastern property lines following the close of business operations.
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.

6. Trash Pickup. Trash pickup from the Property shall be limited to the hours of 7:00 a.m. to 8:00 p.m., Monday through Saturday. There shall be no trash pickup on Sundays.
7. Outside Speakers. No outside loud speakers shall be permitted on the Property.
8. Vehicular Access. There shall be no direct vehicular access to or from the Property to or from Sadler Road or Old Sadler Road unless otherwise required by any governmental body having jurisdiction with respect thereto.
9. Vehicle Storage. No disabled or wrecked vehicles shall be parked or left out of doors, nor shall any vehicles be repaired (including changing of tires) out of doors.
10. Site Coverage. No more than seventy-five percent (75%) of the Property shall be covered by driveways and parking areas. The percentage of space being developed shall be certified by the owner's surveyor or engineer at the time of Plan of Development review.
11. Storm Water Management. All improvements and storm water management facilities on the Property shall be designed to the greatest extent practical from an engineering standpoint at the time of Plan of Development review so that the septic tanks and private well water systems of adjacent residential properties at the time of Plan of Development approval shall not be adversely affected by the improvements on this Property.
12. 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,

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

cc: Director, Real Estate Assessment  
Conditional Zoning Index  
Mr. Jay M. Weinberg, Esquire