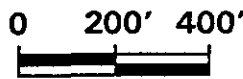


PT. OF 72-B2-21 AND PT. OF 70-A2-6

THREE CHOPT DISTRICT

BUSINESS / MULTI-FAMILY UNITS

**C-67C-94** <sup>®</sup> <sub>A</sub>



HENRICO COUNTY PLANNING OFFICE

July 18, 1995

Re: Conditional Rezoning Case C-67C-94

Messrs. Gerald W. and Frank J. Wyatt, Jr.  
P. O. Box 14509  
Richmond, Virginia 23221

Gentlemen:

The Board of Supervisors at its meeting on July 12, 1995, granted your request to conditionally rezone property from A-1 Agricultural District and R-5C General Residence District (Conditional) to R-5C General Residence District (Conditional), Parcels 70-A2-6 and 72-B2-21, described as follows:

Beginning at a point on the N. line of Three Chopt Road 1150' +/- from the W. line of Pump Road; thence along the N. line of Three Chopt Road N. 61° 55' 34" W., 618.10' to a point; thence leaving the S. line of Three Chopt Road N. 28° 42' 35" E., 1382.98' to a point; thence S. 76° 19' 08" E., 197.07' to a point; thence S. 71° 23' 33" E., 350.36' to a point; thence along a curve to the left having a radius of 50.00' an arc length of 109.69' an included angle of 130° 59' 29" and a chord of S. 71° 44' 23" E., 90.99' to a point; thence S. 28° 57' 50" W., 1505.19' to the point of beginning, containing 20.633 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. **Buffer.** A natural and/or landscaped buffer will be provided forty (40) feet in width adjacent to the ultimate right-of-way line of Three Chopt Road, except to the extent necessary or allowed for sidewalks, utility easements, grading, and signage 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 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. The buffer areas shall consist of berms, fencing, natural areas and landscaping, or a combination thereof. The buffer areas shall also be coordinated with an overall uniform design and appearance.
2. **Building Setback - Three Chopt Road.** No building shall be constructed on the property within fifty (50) feet of the ultimate right-of-way line of Three Chopt Road.
3. **Architectural Treatment.** The exposed portion of each exterior wall surface (front, rear and sides) of any building to be constructed on the property (excluding roof top

screening materials for mechanical equipment) shall be similar to the exposed portions of the other exterior walls of such building in architectural treatment and materials. Exposed portions of exterior walls (front, rear and side) shall be a minimum of fifteen (15%) percent brick construction, exclusive of windows, doors and architectural design features. Other principal exterior wall materials (above finish grade) shall be wood, Hardiplank, masonite-type siding or wood products, unless different architectural treatment and/or materials are specifically approved with respect to exposed portion of any such wall, at the time of Plan of Development review.

4. Foundation. The visible portions of exterior residential foundation shall be constructed of brick, stone or finished stucco.
5. Height. No buildings constructed on the Property shall exceed the lesser of three (3) stories or forty (40) feet in height, exclusive of chimneys and architectural design features. Any building within one hundred (100) feet of the northern right-of-way line of Three Chopt Road shall be no more than two (2) stories in height.
6. 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. No trash pick up shall occur before 7:00 a.m. or after 7:00 p.m. No trash pick up shall occur on Saturday or Sunday. Any central trash receptacles on the property shall be located at least one hundred and fifty (150) feet from the northern right-of-way line of Three Chopt Road.
7. Exterior Recreational Areas. Any exterior recreational areas 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. Any exterior recreational areas shall be located at least one hundred fifty (150) feet from the northern right-of-way line of Three Chopt Road.
8. Parking Lot Lighting. Parking lot lighting standards shall not exceed twenty (20) feet in height above grade level. All parking lot lighting fixtures shall be of low intensity and shall be positioned 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.
9. Outdoor Speakers. No outdoor speaker system shall be installed on the property.
10. Covered Parking. At least twenty percent (20%) of the residential units constructed on the Property shall have access to a minimum of one covered parking space.
11. Sprinklers. All apartment units shall contain sprinkler systems.
12. Parked or Stored Vehicles. No recreational vehicles, campers, trailers or boats shall

Messrs. Gerald W. and  
Frank J. Wyatt, Jr.  
July 18, 1995

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be permitted to be parked or stored on the property unless in enclosed garages.

13. Access to Three Chopt Road. Access from the property to Three Chopt Road shall be located at a point opposite Camden at Wellesley unless specifically permitted, or if required, by the Planning Commission at the time of Plan of Development review, or by any other governmental body.
14. Bedroom Limitation. No more than fifteen percent (15%) of the apartment units constructed on the property shall have more than two (2) bedrooms.
15. Development Limitation. No more than two hundred and seventy (270) apartment units shall be constructed on the property.
16. 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.

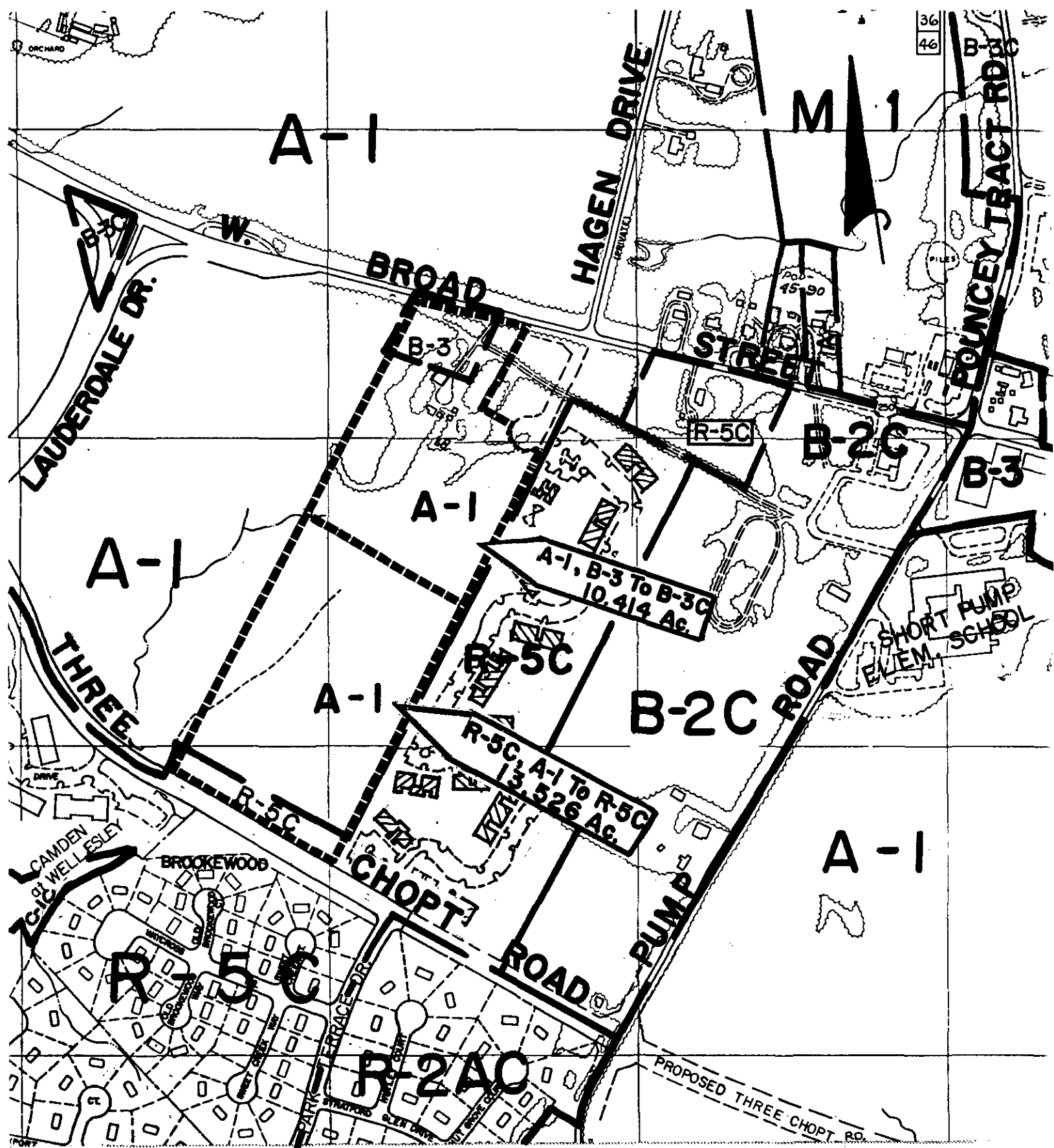
The Planning Office has been advised of the action of the Board of Supervisors and will revise its records and place a copy of the accepted proffered conditions in the Conditional Zoning Index.

Sincerely,

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

 AH:jt

cc: Director, Real Estate Assessment  
Conditional Zoning Index  
Mr. Ralph L. Axselle, Esquire



PT. 72-B2-21 PT. 70-A2-6

THREE CHOPT DISTRICT

BUSINESS / MULTI-FAMILY UNITS

**C-67C-94**



HENRICO COUNTY PLANNING OFFICE