

72-B2-23

THREE CHOPT DISTRICT

SHOPPING CENTER

C-7C-94



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

November 15, 1994

Re: Conditional Rezoning Case C-7C-94

Mr. Craig I. Menin
Short Pump Investors LP
8315 Lee Davis Road, Suite 300
Mechanicsville, Virginia 23111

Gentlemen:

The Board of Supervisors at its meeting on November 9, granted your request to conditionally rezone property from A-1 Agricultural District to B-2C Business District (Conditional), Parcel 72-B2-23, described as follows:

Beginning at a point on the N. line of Broad Street Road, such point lying approximately 389.20' west of the intersection of the N. line of Broad Street and the W. line of Route 271; thence from such point of beginning N. 67° 52' 01" W., 115.00' to a point marked by a rod set; thence N. 5° 50' 07" E., 456.97' to a point marked by a rod set; thence S. 69° 00' 00" E., 93.01' to a point marked by a rod set; thence S. 3° 17' 48" W., 465.37' to a point marked by a rod found, such point being the point and place of beginning, containing a total of 1.0522 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. Exterior Materials and Architectural Treatment. The exposed portions of each exterior wall surface (front, rear and sides) of each building constructed on the Tax Parcel numbered 72-B2-23, hereinafter the "Property", (excluding rooftop screening materials for mechanical equipment and architectural accents) shall be primarily constructed of face brick and/or split faced block (exclusive of windows, doors, facia, canopy and trim) unless different finish materials are approved at the time of Plan of Development (P.O.D.) review. Under no circumstances will exposed CMU (concrete masonry units) be used. No building shall be covered with or have exposed to view any sheet or corrugated aluminum, asbestos or metal (exclusive of metal seam canopy or roof) unless otherwise approved by the Planning Commission at the time of P.O.D. review. The shopping center shall be designed with an architectural treatment consistent with Henrico County's "Goals for Pedestrian Oriented Development in the Short Pump Area".
2. Parking Lot Lighting. Parking lot lighting fixtures on the Property shall not exceed twenty-five (25) feet in height as measured from the grade of the base of the lighting standard and it shall be produced from concealed sources of light and shall be reduced to no more than a security level after the close of business. Parking lot lighting shall

be designed to minimize the impact on nearby residential areas.

3. **Use Restrictions.** The following uses shall not be permitted on the Property:
 - (a) Adult bookstores;
 - (b) Dance halls;
 - (c) Flea markets and antique auctions;
 - (d) Hotels, motels, motor lodges and tourist homes;
 - (e) Lodges, meeting halls, and fraternity organizations;
 - (f) Gun sales and repairs.
4. **Building Height.** No building constructed on the Property shall exceed thirty-five (35) feet in height, exclusive of chimneys or other architectural design features.
5. **Trash Receptacle Areas.** All trash receptacle areas shall be screened from view at ground level in a manner approved at the time of Plan of Development review.
6. **HVAC.** No heating or air conditioning equipment shall be placed on the roof of any building unless properly screened from public view from adjacent residentially occupied properties and public streets in a manner satisfactory to and specifically approved by the Planning Commission at the time of the Plan of Development review.
7. **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.
8. **Buffer Areas.** Landscaped and natural buffer areas shall be maintained as described below, except to the extent necessary for access drives or other purposes specifically approved by the Planning Commission at the time of P.O.D. review;
 - a. A landscaped buffer of twenty-five (25) feet in width parallel and adjacent to the West Broad Street Road right of way as determined at the time of P.O.D. review.
 - b. Stormwater retention facilities shall not be located in the buffer area.
 - c. Only one access drive for the shopping center to Broad Street Road shall be permitted and it shall be installed roughly perpendicular through the landscaped buffer.
9. **Signage.** All signs constructed on the Property shall be architecturally compatible with the buildings constructed on the Property. All lighted signs shall be lit internally.
10. **Site Coordination.** The Property shall be developed as a portion of a shopping center to be developed on the property and the adjacent parcel (72-B2-12), or a portion of such adjacent parcel. The Shopping Center shall not encompass less than fifteen (15) acres, inclusive of outparcels and areas to be dedicated for rights of way. Specifically,

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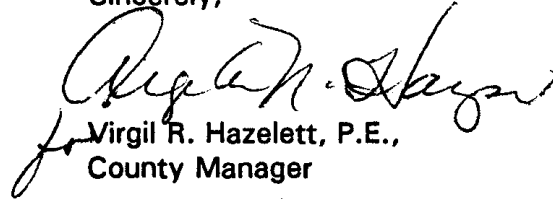
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all buildings and signs shall be similar in architectural treatment and materials; and access shall be coordinated with the adjacent parcel (72-B2-12) or the portion thereof developed as part of the shopping center.

11. Sidewalk. A standard size concrete sidewalk shall be provided along the Broad Street Road frontage at a location to be determined at the time of P.O.D. review.

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. Thomas J. O'Brien, Jr.