

48-A-42 Parts of 41 & 40
 THREE CHOPT DISTRICT

BUSINESS USES

C-36C-96



HENRICO COUNTY PLANNING OFFICE

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO



Virgil R. Hazelett, P.E.
County Manager

July 17, 1996

Re: Conditional Rezoning Case C-36C-96

Mr. H. Ashley Pierce, III
Signet Bank/Virginia
P. O. Box 25339
Richmond, Virginia 23060

Dear Mr. Pierce:

The Board of Supervisors at its meeting on July 10, 1996, granted your request to conditionally rezone property from O-3C Office District (Conditional) to B-2C Business District (Conditional), Parcel 48-A-42, described as follows:

pt. 41, 40, 55

Beginning at a point on the E. line of Cox Road +- 800' south of Broad Street Road; thence leaving Cox Road S. 67° 49' 14" E., 499.83' to a point; thence N. 22° 09' 17" E., 2.42' to a point thence S. 67° 44' 43" E., 231.10' to a point; thence N. 17° 43' 45" E., 4.86' to a point; thence S. 67° 47' 13" E., 139.30' to a point on the north line of proposed Westerre Parkway; thence with the N. line of proposed Westerre Parkway along a curve to the left with a radius of 637.50' and a length of 268.30' to a point; thence S. 88° 05' 57" W., 165.00' to a point; thence along a curve to the right with a radius of 562.50' and a length of 169.95' to a point; thence N. 63° 59' 08" W., 96.01' to a point; thence N. 67° 49' 14" W., 164.72' to a point; thence along a curve to the right with a radius of 35.00' and a length of 54.98' to a point on the E. line of Cox Road; thence with the E. line of Cox Road N. 22° 10' 46" E., 119.53' to the point of beginning, containing 1.970 acres of land.

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 Areas.

- A. A landscaped buffer area shall be provided along the Cox Road frontage of the Property, a minimum of thirty (30) feet in width.

The aforesaid buffer area shall be landscaped with 3 1/2" - 4" caliper shade trees planted thirty (30) feet on center. The aforesaid buffer area shall also be landscaped with clusters of evergreen shrubbery and ornamental trees. The landscaping in the buffer area shall be maintained in accordance with high standards which shall be established in the restrictive covenants governing the Property. All plant materials shall be specimen quality. Any dead or diseased trees

and vegetation shall be replaced.

Measurement of the aforesaid buffer area shall be from the ultimate right-of-way line of Cox Road as determined at the time of Plan of Development review.

- B. Utility easements, grading, underground drainage facilities, signage, access drives and other purposes required or permitted at the time of Plan of Development review may be permitted within the aforesaid buffer areas, except that any driveway or utility easement within any such buffer area shall run generally perpendicular thereto, unless otherwise requested and specifically permitted, or if required, by the County at the time of Plan of Development review. Where permitted, areas disturbed for utility installation shall be restored to the extent reasonably practicable. Additionally, pedestrian pathways may be installed in the buffer areas as required at the time of Plan of Development review, to facilitate accessibility of uses developed on the Property.
2. Trash, Recycling Receptacle and Outdoor Storage Areas. Brick covered enclosures shall screen from view at ground level all outdoor storage areas, dumpsters and other containers for trash. Such enclosures shall have opaque gates and concrete aprons at the gates.
 3. HVAC. Roof top heating and air conditioning equipment and ventilation equipment shall be screened from public view at ground level at the boundaries of the Property by means of parapets or other architectural features, in a manner approved by the Planning Commission at the time of Plan of Development review.
 4. Parking Lot Lighting. Parking lot lighting standards shall not exceed twenty (20) 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.
 5. Irrigation. All landscaped areas around buildings, around parking lot perimeters, along the Cox Road frontage and in entrance medians shall be irrigated. Parking lot islands which contain grass or shrubs shall also be irrigated. Parking lot islands which do not contain grass or shrubs do not need to be irrigated, subject to the approval of the Planning Commission at the time of Plan of Development review.
 6. Architectural Considerations. The exposed portion of the exterior wall surfaces (front, rear and sides) of any building constructed on the Property shall be similar in quality as to architectural treatment and materials. A

minimum of seventy percent (70%) of each building constructed on the Property shall have exposed exterior walls (above finished grade) of face brick and glass with the predominant portion being of face brick and the glass utilized in connection with store front displays, entrances and windows. The remaining percentage of each building shall be constructed of natural stone, pre-cast or cast-in-place architectural concrete, exposed aggregate concrete, exterior insulating finish system ("EIFS") and standing seam metal roofing and canopies or of an equivalent, permanent, architecturally finished material, unless otherwise requested, described and specifically permitted, or if required at the time of Plan of Development review. No building shall be covered with or have exposed to view any painted or unfinished concrete block, sheet or corrugated aluminum, iron, steel or stucco (except that stucco may be used if applied over masonry backing).

7. Prohibited Uses. The following uses shall not be permitted on the Property:
- (1) Automotive filling and service stations, including towing service.
 - (2) Flea markets and antique auctions.
 - (3) Garage, parking or storage.
 - (4) Bowling alleys, skating rinks and swimming pools.
 - (5) Sign painting and painting shops.
 - (6) Self-service storage facilities.
 - (7) Billiard parlors.
 - (8) Dyeing and cleaning works.
 - (9) Adult bookstores.
 - (10) Commercial parking lots.
 - (11) Bingo halls.
 - (12) Car washes.
 - (13) Laundromats.
 - (14) "Fast food" delivery uses and "fast food" restaurants, which for purposes hereof, shall be defined as establishments whose principal business is the sale of food and beverages to consumers in a ready-to-consume state, and which food and beverages are usually served in disposable wrapping or containers for consumption either within the restaurant building or off the premises or delivered off-site.
 - (15) Convenience stores.
 - (16) Garden centers (as a principal or accessory use).
8. Building Height. No building constructed on the Property shall exceed the lesser of two (2) stories or thirty-five (35) feet in height, exclusive of architectural design features.
9. Signage. There shall be no portable or mobile signs on the Property. If lighted, attached signs shall be composed with individual letters which may

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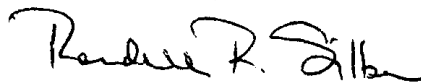
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not exceed twenty-four (24) inches in height and which shall be lighted by an internal source. Lighted attached signs shall not be exposed neon signs.

10. Outdoor Speakers. Outdoor public address, paging or speaker systems, audible outside of any building, shall not be permitted on the Property.
11. 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
Ms. Gloria L. Freye, Esquire