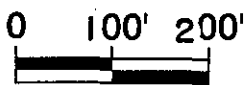


59 - A - 85, 86, 87, 90

AUTO SALES AND SERVICE

THREE CHOPT DISTRICT

**C-50C-96**



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

August 21, 1996

Virgil R. Hazelett, P.E.  
County Manager

Re: Conditional Rezoning Case C-50C-96

Mr. Robert L. McGeorge  
701 Tiber Lane  
Richmond, Virginia 23226

Dear Mr. McGeorge:

The Board of Supervisors at its meeting on August 14, 1996, granted your request to conditionally rezone property from R-3 One Family Residence District to B-3C Business District (Conditional), Parcels 59-A-85, 86, 87, and 90, described as follows:

Beginning at a rod found on the southern right-of-way line of W. Broad Street where the subject property abuts that property owned by Poppas Associates, Signet Bank Prop. Mgmt., Tax Parcel 92-B1-34, which is the True Point of Beginning; thence S. 60° 06' 38" W., 250.11' to a rod found; thence N. 44° 31' 56" W., 90.46' to a rod found; thence S. 54° 25' 07" W., 79.54' to a 20' pine tree; thence N. 38° 24' 49" W., 89.93' to a rod set; thence S. 55° 21' 41" W., 286.69' to a rod found; thence N. 14° 47' 46" W., 109.93' to a rod found; thence N. 45° 13' 07" E., 509.55' to a rod set on the southern right-of-way line of W. Broad Street; thence along said right of way in a southeasterly direction on a curve to the right having a radius of 1377.39' for a length of 189.84' to a nail set in concrete; thence leaving said right of way S. 39° 35' 59" W., 12.651' to a VDOT monument found; thence S. 50° 08' 59" E., 11.937' to a rod set; thence N. 55° 27' 05" E., 13.114' to a rod found; thence S. 43° 14' 20" E., 200.10' to the True Point of Beginning; containing 3.133 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. **Architectural Treatment.** The exposed portion of each exterior (above finished grade) wall surface (front, rear and sides) of any building 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. Except as provided below, any building constructed on the Property shall have exposed exterior walls (above finished grade) of face brick, natural stone, split face block, glass, stucco, drivit, exposed aggregate concrete, or an equivalent permanent architecturally finished material, or a combination of the foregoing, 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. Except for windows, doors and exterior trim, no building shall be covered with or have exposed to view any painted or unfinished concrete block, sheet or corrugated

aluminum, asbestos or metal, unless otherwise specifically approved by the Planning Commission at the time of Plan of Development review.

2. **Screening.** A solid board privacy fence of a minimum height of seven feet shall be maintained generally along the southwestern boundary line of the Property adjacent to the property known as tax parcel numbers 59-A-78 and 81 located between the Property and Skipwith Road and along the southeastern boundary line of the Property adjacent to tax parcel numbers 59-A-92, 93 and 94 or at such other locations as approved by the Planning Commission at the time of Plan of Development review, for such period of time as such parcels are used or zoned for residential purposes.

3. **Buffers.**

- a. **Rear Property Line.** A natural and/or landscaped buffer area shall be maintained a minimum of fifteen (15) feet in width along the southwestern boundary line of the Property adjacent to the property known as tax parcel numbers 59-A-78 and 81 for such period of time as such parcels are used or zoned for residential purposes, except to the extent necessary or allowed for utility easements, grading, drainage and other purposes requested and permitted by the Planning Commission at the time of Plan of Development review.

- b. **West Broad Street Road.** A landscaped strip shall be maintained a minimum of twenty (20) feet in width along the northeastern boundary line of the Property adjacent to the existing right of way line of West Broad Street Road (without regard to the notched-out area located approximately in the center of the northeastern boundary line of the Property), except to the extent necessary or allowed for sidewalks, utility easements, grading, drainage, signage, access driveways and other purposes requested and permitted by the Planning Commission at the time of Plan of Development review. Any utility easement or access driveway permitted within the landscaped strip shall be extended generally perpendicular thereto, unless otherwise required and approved or as required by the Planning Commission at the time of Plan of Development review.

- c. **Parking.** No parking or display of merchandise shall be permitted within the buffer area or landscaped strip described in subparagraphs a. and b. above.

4. **Use Restrictions.** The only uses permitted on the Property shall be as follows:

- a. Those uses permitted in a B-2 Business District, excluding, however, the following:

- i. A facility for the sale or display of pornographic material (as determined by community standards for the area in which the Property is located);
- ii. massage parlors;
- iii. Billiard, bagatelle or bingo parlor;
- iv. 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;

- v. Gun shops, sales and repair; and
  - vi. Flea markets.
- b. Automobile dealerships, including sales, rental and repair, including other accessory uses,, not otherwise prohibited, customarily accessory and incidental to a permitted use, including towing service, tires and parts sales, a storage lot for new or used cars and car wash, but specifically excluding body repair.
5. Hours of operation. As to automobile dealerships, the hours of service to the public shall not commence prior to 7:00 a.m. nor extend beyond 10:00 p.m. daily. For all other uses permitted on the Property the hours of operation shall be as regulated in the B-2 Business District.
  6. No Outside Speakers. No outside speaker systems shall be placed on the Property.
  7. Lighting Standards. Exterior lighting standards shall not exceed twenty-five (25) feet in height above grade level. All exterior light fixtures shall be positioned in such a manner as to minimize the impact of such lighting on any adjacent property and shall be of the type that conceals the direct source of light (such as, but not limited to "shoe box" type fixtures). Exterior lighting shall be reduced to security levels after hours of operation.
  8. HVAC. Heating and air conditioning equipment shall be screened from public view at ground level at the Property lines in a manner approved by the Planning Commission at the time of Plan of Development review.
  9. Signs and Attention-Getting Devices. Signs shall be regulated as provided for in the B-2 Business District. Except as set forth below, any detached sign on the Property shall be ground-mounted and shall not exceed fifteen (15) feet in height above grade and, if lighted, internally lit; notwithstanding the foregoing, one dual-pole mounted sign, not in excess of twenty-five (25) feet in height, which advertises a luxury automobile dealership (such as Mercedes) shall be permitted. In addition, 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 of any building constructed on the Property.
  10. Access. Vehicular access to and from the Property and West Broad Street shall be limited to one combined entrance and exit.
  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.
  12. Outparcels. There shall be a maximum of two (2) outparcels on the Property.

Mr. Robert L. McGeorge  
August 21, 1996

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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