

LAKELAND TOWNES

RTHC

R-6C

R-4

B-1

M-1

B-3C

R-4

B-1

B-2

B-2C

R-4

B-1 & R-4 TO B-2C
5.534 AC.

B-1

M-1

STORAGE ARE

M-2

DIRT PILES

M-1

R-3

M-1C

M-2

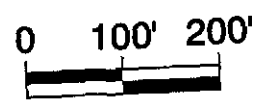
B-2C

R-3

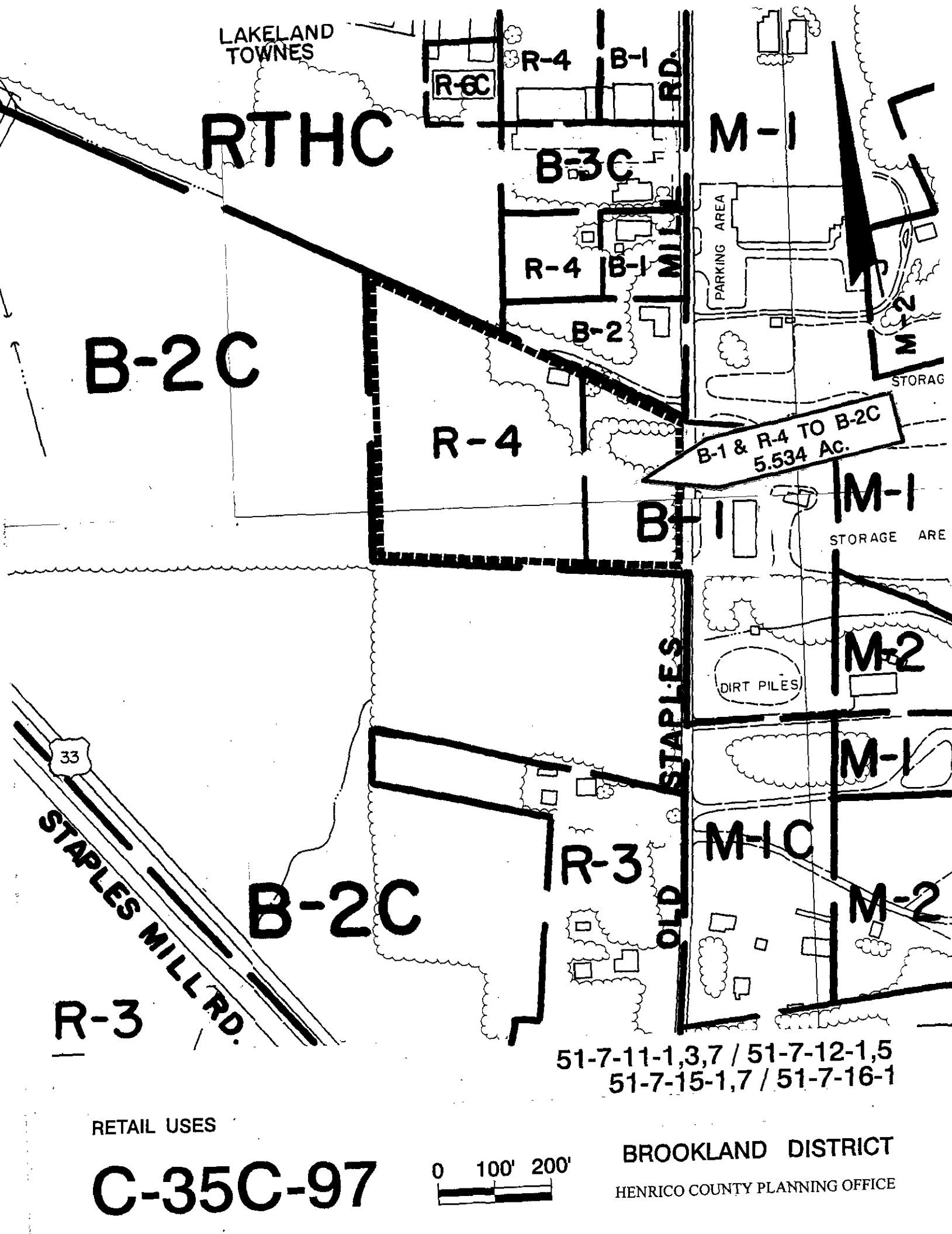
51-7-11-1,3,7 / 51-7-12-1,5
51-7-15-1,7 / 51-7-16-1

RETAIL USES

C-35C-97



BROOKLAND DISTRICT
HENRICO COUNTY PLANNING OFFICE





COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

July 15, 1997

VIRGIL R. HAZELETT, P.E.
County Manager

Re: Conditional Rezoning Case C-35C-97

Staples Mill Development Company
c/o Mr. Robert L. Marchetti
Pollard & Bagby
2 South Fifth St.
Richmond, VA 23219

Gentlemen:

The Board of Supervisors at its meeting on July 9, 1997, granted your request to conditionally rezone property from R-4 One Family Residence and B-1 Business Districts to B-2C Business District (Conditional), Parcels 51-7-11-1, 3, 7; 51-7-12-1, 5; 51-7-15-1, 7; 51-7-16-1 (also known as West Jenningsville Subdivision); and Parcel A being the southern 40' of abandoned Old Coal Pit Railroad (total width 80'), described as follows:

Beginning at a point on the western line of Old Staples Mill Road, said point being 137.06' southwardly from the intersection of the western line of Old Staples Mill Road and the southern line of Village Street (a 40' row in the Plan of West Jenningsville, not an open street); thence from said point of beginning N. 76° 49' 50" W., 546.99' to a point; thence N. 7° 54' 15" E., 548.88' to a point; thence S. 56° 18' 00" E., 605.83' to a point in the western line of Old Staples Mill Road; thence along the western line of Old Staples Mill Road S. 8° 02' 15" W., 335.45' to a point being the point and place of beginning containing 5.534 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 24, Code of Henrico (Zoning Ordinance):

1. Buffer - Adjoining Parcel PIN 50-A-68. A natural and/or landscaped buffer will be provided fifty (50) feet in width adjacent to the northern (rear) property line of the Property adjacent to Parcel PIN 50-A-68, except to the extent necessary or allowed for utility easements 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 buffer 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 so permitted, areas disturbed for utility installations shall be restored to the extent reasonably practical.

The forty (40) feet of such buffer nearest to the northern (rear) property line of the Property adjacent to Parcel PIN 50-A-68 shall be left in its natural state. Additional landscaping will be added to the buffer if determined necessary in the landscape plan approved by the Planning Commission at the time of Plan of Development review.

The other ten (10) feet of the fifty (50) feet natural and/or landscaped buffer shall be landscaped as required by the Planning Commission at the time of Plan of Development review, including, but not limited to a row of evergreen trees six feet tall at the time of their planting. In addition, there shall be installed along the entire length of the southern line of such buffer a six-foot tall black vinyl coated chain link fence.

This buffer and plantings therein shall be generally consistent with attached Exhibit A (see case file) dated January 8, 1995 by Gerstenmaier Design Studio.

2. Architectural Treatment. The exposed portion of each exterior wall surface (front, rear and sides) of any building to be constructed on the Property (excluding rooftop 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. The buildings to be constructed on the Property shall have exposed exterior walls (above finished grade) predominantly of either, or a combination of, face brick, natural stone, split-face block, decorative face block or glass 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. Any building constructed predominantly of split-face block shall incorporate other approved materials as trim, architectural decoration or design elements. Drivert or stucco, if applied to a masonry surface, may be used as a material accessory to those predominant materials referenced above.

Any building on any out-parcel of the Property shall be compatible in architectural treatment to the principal building constructed on the Property as determined by the Planning Commission at time of Plan of Development review.

3. Parking Lot Lighting. Parking lot lighting standards shall not exceed twenty-five (25) feet in height above grade level, except that parking lot lighting standards on out-parcels 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 (such as "shoe box" type fixtures). Exterior lighting shall be reduced to security levels after hours of operation.

4. Use Restrictions. The following uses shall not be permitted on the Property:
 - a. A facility for the sale or display of pornographic material (as determined by community standards for the area in which the Property is located);
 - b. Flea market;
 - c. Gun shop, sales and repair;
 - d. Massage parlors
 - e. Bingo games
 - f. Game rooms
5. HVAC. Rooftop heating and air conditioning equipment shall be screened from public view at ground level at the Property lines by means of parapets or other architectural features, in a manner approved by the Planning Commission at the time of Plan of Development review.
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 8:00 p.m.
7. Building Heights. No building constructed on the Property shall exceed the lesser of two (2) stories or thirty-five (35) feet in height, exclusive of chimneys or other architectural design features on any building.
8. Out-parcel. The Property shall be developed adjacent to Old Staples Mill Road with no more than one out-parcel. Access to any such out-parcel shall be by an internal access road on the Property and not by direct access to and from Old Staples Mill Road.
9. Signs. All signs on the Property shall be internally lit, if lighted. There shall not be any exterior portable signs on the Property. The design, color, lettering and other features of the signs on the Property shall be coordinated to compliment each other and the buildings on the Property.
10. Deliveries; Cleaning. No deliveries shall be made before 7:00 a.m. or after 8:00 p.m. in the area located between the northern (rear) property line of the Property adjoining Parcel PIN 50-A-68 and the rear of the buildings on the Property (if such area is within 150 feet of such property line). No cleaning of the parking or service area shall be conducted before 7:00 a.m. or after

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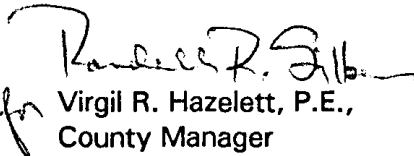
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8:00 p.m. in the area located between the northern (rear) property line of the Property adjoining Parcel PIN 50-A-68 and the rear of the buildings on the Property (if such area is within 150 feet of such property line).

11. Inflatable Attention Getting Devices. No inflatable attention getting devices shall be permitted on the Property.
12. Traffic. If so requested by the Director of Public Works or his designee, a traffic impact study shall be done regarding the proposed development on the Property prior to the approval of a Plan of Development for the Property. There shall be no more than one point of access from the Property to Old Staples Mill Road.
13. 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,


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

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