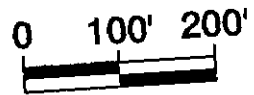


100-12-D-4 & pt. of 3  
TUCKAHOE DISTRICT

PHARMACY

**C-75C-97**



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**

December 23, 1997

Virgil R. Hazelett, P.E.  
County Manager

Re: Conditional Rezoning Case C-75C-97

Mr. E. Carlton Wilton, Jr.  
Beverly Hills, Inc.  
10625 Patterson Ave.  
Richmond, VA 23233

Dear Mr. Wilton:

This is a correction of our letter to you dated December 16, 1997.

The Board of Supervisors at its meeting on December 10, 1997, granted your request to conditionally rezone property from B-1 Business District to B-2C Business District (Conditional), Part of Parcel 100-12-D-3, and Parcel 100-12-D-4, described as follows:

Beginning at a point on the N. line of Patterson Avenue at its intersection with the W. line of Quail Lane; thence in a westerly direction along the N. line of Patterson Avenue; N. 86° 00' 10" W., 224.87' to a point; thence leaving the N. line of Patterson Avenue, N. 03° 59' 59" E., 240.00' to a point on the S. line of Penguin Road; then in an easterly direction along the S. line of Penguin Road, S. 86° 00' 10" E., 282.67' to a point; thence along the arc of a curve to the right having a radius of 15.00', 27.59' to a point on the W. line of Quail Lane; thence along the W. line of Quail Lane, S. 19° 23' 20" W., 217.81' to a point; thence along the arc of a curve to the right having a radius of 15.00', 19.53' to the point and place of beginning, containing 1.48 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. **Architectural Treatment.** Any building constructed on the Property shall be of predominantly brick construction, exclusive of windows, doors, trim and architectural design features, and shall be similar in architectural character to the building perspective identified as Exhibit "A" and submitted as a part of these conditions, unless different architectural treatment is specifically requested by the Developer and approved by the Planning Commission at the time of Plan of Development review. Columns supporting portions of the building shall be of brick construction. The mansard roof treatment shall be continued along the west and north walls of the building (except over the pharmacy drive-thru window) unless otherwise approved at the time of plan of development review.
2. **Rear Yard Screening.** A masonry wall of approximately six (6) feet in height from the finished grade of the Property shall be provided parallel to the northern (rear) property line as a transitional buffer screen alternative as permitted by the Zoning

Ordinance. The visible portion of exterior wall surfaces shall be of brick construction. The location of such wall shall be determined at the time of Plan of Development review. Evergreen plantings shall be installed north of the wall to provide additional screening as approved at the time of Landscape Plan review. To the extent practicable, existing mature trees along Penguin Road in the vicinity of the screening wall will be retained during its installation.

3. Parking Lot Lighting. Parking lot lighting standards erected shall not exceed twenty (20) feet in height above grade level. Such parking lot lighting fixtures shall be positioned horizontally and in such a manner as to minimize the impact of such lighting on any adjacent property. Light fixtures on new parking lot lighting standards shall be of the type that conceals the direct source of light (such as "shoe box" type fixtures).
4. HVAC. Any rooftop heating and air conditioning equipment installed 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 at the time of Plan of Development review.
5. Building Height. No building constructed on the Property shall exceed thirty-five (35) feet in height, exclusive of architectural design features.
6. Use Restrictions. The following uses shall not be permitted on the Property:
  - a. Flea markets;
  - b. Gun shop, sales and repair;
  - c. Massage parlors;
  - d. Adult bookstores;
  - e. Hotels or motels;
  - f. Indoor recreation facilities;
  - g. Radio and television stations;
  - h. Restaurant with dancing;  
Permanent on-site recycling collection facility;
  - i. Self-service storage facility; or
  - k. Car wash.
7. Pharmacy Pick-Up Window. Only pharmaceuticals may be purchased or ordered via a pick-up window.
8. Loudspeakers. No outside loudspeakers or pagers shall be permitted on the Property; however, an intercom system associated with a pick-up/drop-off window shall be permitted. No external alarm bells or external warning devices shall be permitted.


Mr. E. Carlton Wilton, Jr.  
Beverly Hills, Inc.  
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9. Trash Pick-Up. Trash dumpsters located on the Property shall be emptied only between the hours of 7:00 a.m. to 8:00 p.m., Monday through Saturday.
10. Dumpster Screening and Location. No trash collection units shall be located within fifty (50) feet of the northern boundary of the Property. Trash collection units shall be screened by walls having a brick exterior, except for gates to such units.
11. Signage. The aggregate total sign area of all attached, detached and projecting business signs for any pharmacy business operated on the Property shall be limited to three hundred (300) square feet in area. No detached sign shall exceed twenty-five (25) feet in height.
12. Access Limitation. There shall be (i) no vehicular access drive between the Property and Penguin Road, and (ii) a maximum of one (1) vehicular access drive between the Property and Quail Lane, unless required by any governmental body having jurisdiction with respect thereto.
13. Additional Plantings. Shrubbery shall be installed within the landscape strips abutting Patterson Avenue and Quail Lane, in addition to the required trees, as determined at the time of Landscape Plan review.
14. 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 any 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. Glenn R. Moore, Esquire

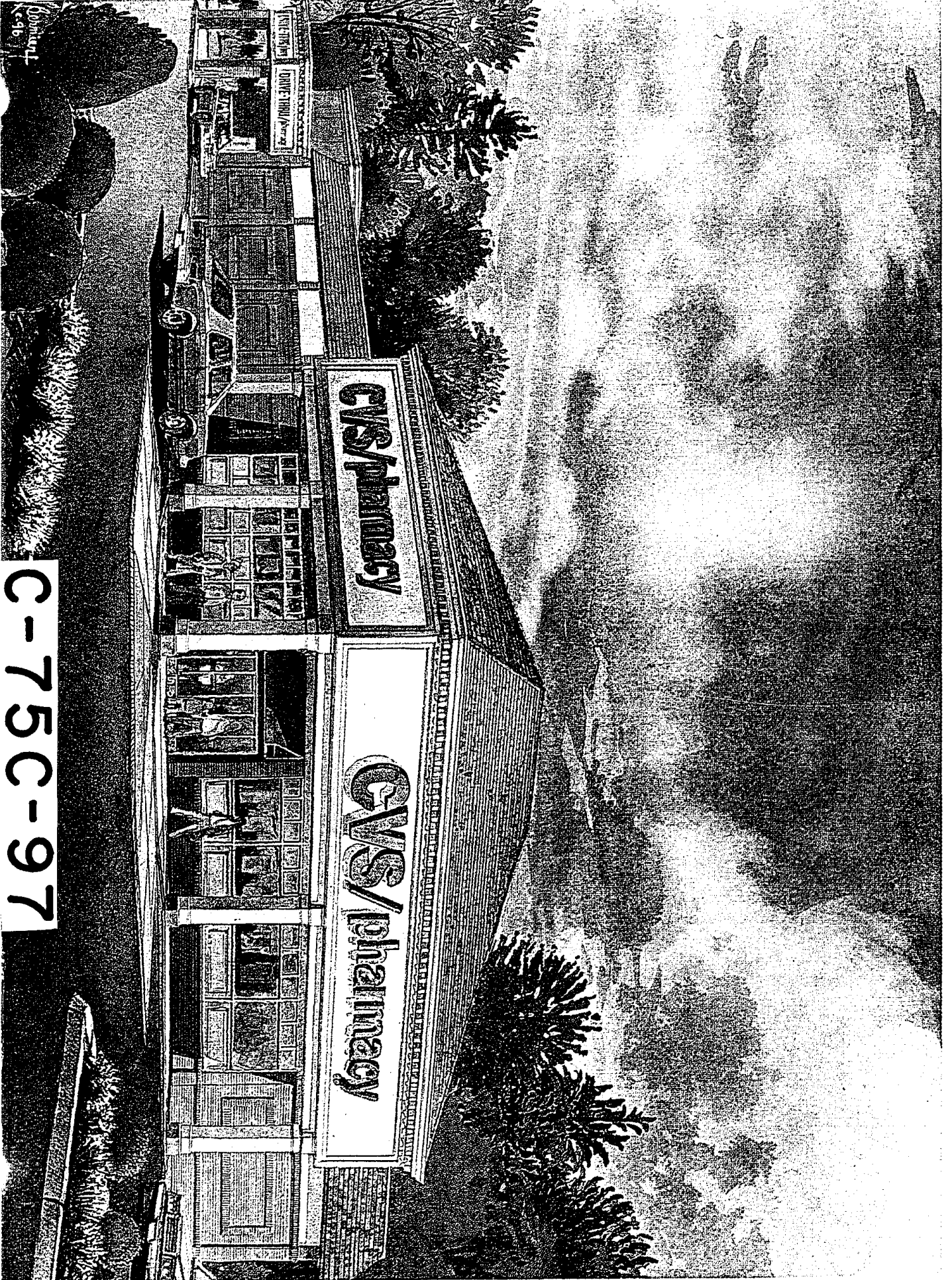


EXHIBIT "A"