

A-1 to 0-2C
6.97 Acres

OFFICE and BANK

C-70C-99



18-A-25 & 25A
THREE CHOPT DISTRICT

HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

December 21, 1999

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-70C-99

Mr. Charles S. Macfarlane
Brandywine Operating Partnership, L.P.
300 Arboretum Place
Suite 200
Richmond, VA 23236

Dear Mr. Macfarlane:

The Board of Supervisors at its meeting on December 14, 1999, granted your request to conditionally rezone property from A-1 Agricultural District to O-2C Office District (Conditional), Parcels 18-A-25, and 25A, described as follows:

Beginning at a point on the eastern right of way line of Twin Hickory Lane at its intersection with the northern right of way line of Nuckols Road, said point being the true point of beginning; thence along the eastern right of way line of Twin Hickory Lane N. $44^{\circ} 56' 30''$ E., 787.50' to a rod found; thence S. $64^{\circ} 40' 10''$ E., 358.63' to a rod found; thence S. $44^{\circ} 54' 22''$ W., 981.94' to a rod found on the northern right of way line of Nuckols Road; thence along the northern right of way line of Nuckols Road along a curve to the right having a radius of 1585.02' for a length of 150.26' to a point; thence along a curve to the right having a radius of 1585.02' for a length of 177.98' to a point; thence N. $05^{\circ} 07' 12''$ E., 24.22' to the true point of beginning, containing 6.97 acres.

The Board of Supervisors accepted the following proffered conditions, dated November 18, 1999, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Exterior Materials. The exposed portion of each exterior 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. All buildings constructed on the Property shall have exposed exterior walls (above finished grade) predominantly of face brick and 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.
2. Buffer. A natural and/or landscaped buffer a minimum of fifty (50) feet in width with (i) supplemental plantings consisting of six (6) to eight (8) foot tall Leyland cypress trees

planted ten (10) feet on center the length of such buffer, and (ii) a six (6) foot chain link fence with dark green or black vinyl cladding shall be provided and maintained along the common boundary line with Henrico County Tax Parcel No. 18-A-24 for so long as such tax parcel is zoned or used for residential purposes, except to the extent necessary for utility easements, grading, signage or other purposes specifically permitted or required at the time of Plan of Development. Any utility easements (other than existing utility easements) permitted within the aforesaid buffer area shall be extended generally perpendicular to the buffer area unless otherwise requested and specifically permitted or if required at the time of Plan of Development.

3. **Greenbelt.** A greenbelt for landscaping (which may include berms), natural open areas and scenic vistas will be provided thirty (30) feet in width adjacent to the existing right-of-way line of Nuckols Road, but would in no event be less than twenty (20) feet in width from the ultimate right-of-way line of Nuckols Road and twenty-five (25) feet in width adjacent to the ultimate southern right-of-way line of Concept Road 76-2 (currently known as Twin Hickory Lane) except to the extent necessary for utility easements, bicycle paths, jogging trails, signage, sidewalks, access driveways (which access driveways shall run generally perpendicular to the greenbelt) and other purposes requested and specifically permitted, or if required, at the time of Plan of Development.
4. **Prohibited Uses.** The following uses shall be prohibited on the Property:
 - a. funeral home or undertaking establishment; and
 - b. child care centers.
5. **Parking Lot Lighting.** Parking lot lighting fixtures shall not exceed twenty (20) feet in height above grade level. Parking lot lighting shall be produced from concealed sources of light (i.e., "shoe box" type fixtures) and shall be reduced to no more than a security level following the close of business operations.
6. **HVAC.** Heating and air conditioning equipment shall be screened from public view at ground level at the Property lines in a manner approved at the time of Plan of Development.
7. **Trash Receptacles.** Trash receptacles, not including convenience cans, shall be screened from public view at ground level in a manner approved at the time of Plan of Development. Screening materials shall be of the same finished material (brick) as the buildings, except for the access door or gate.
8. **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.

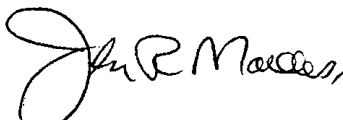
Mr. Charles S. Macfarlane
Brandywine Operating Partnership, L.P.
December 21, 1999

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9. Concept Plan. Development of the Property shall be in substantial conformance with the Conceptual Master Plan attached hereto, unless otherwise requested and specifically approved at the time of Plan of Development.
10. Detached Signage. Any detached signs shall be ground-mounted, monolithic-type signs unless the placement of that type of sign in the proximity of the property line creates a site distance problem in the opinion of the Henrico County Department of Public Works. Detached signs shall not exceed ten (10) feet in height.
11. Site Coverage. No more than seventy percent (70%) of the Property shall be covered by buildings, driveways, sidewalks and parking areas.
12. Pedestrian Access. A pedestrian access system shall be provided within the greenbelt along Twin Hickory Road unless otherwise requested and specifically approved at the time of Plan of Development.

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. James W. Theobald, Esquire
Ms. Peggy G. Nuckols
Mr. and Mrs. Heinz J. MacSwain

RECEIVED 12/10/99
ACCEPTED WITH BOARDS
APPROVAL 12/14/99

CONCOURSE

BRANDYWINE REALTY TRUST


NORTH
SCALE: 1"=100'
AUGUST 16, 1999

