

A-1 to O-2C
2.024 Acres



November 2003

ZONING
OFFICE / CONDO'S
Ref. 741-751-7865



C-63C-03
Tuckahoe District





COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

February 3, 2004

Virgil R. Hazelett, P.E.
County Manager

Pocoshock Commons, LLC
c/o Mr. Christopher Rice
1001 Boulders Parkway, Suite 401
Richmond, VA 23225

Re: Conditional Rezoning Case C-63C-03

Dear Mr. Rice:

The Board of Supervisors at its meeting on January 27, 2004, granted your request to conditionally rezone property from A-1 Agricultural District to O-2C Office District (Conditional), Parcel 741-751-7865, described as follows:

Beginning at a point on east line of Pump Road at the intersection with Ridgefield Parkway; thence on a bearing of S62°17'04"E, for a distance of 117.61' to a point on the northerly right of way line of Ridgefield Parkway; thence on a bearing of N58°23'30"E along the north right of way line of Ridgefield Parkway, for a distance of 209.22' to a point; thence on a bearing of N36°06'52"W, for a distance of 368.03' to a point; thence on a bearing of S57°00'20"W, for a distance of 235.77' to a point on the westerly right of way line of Pump Road; thence on a bearing of S34°01'18"E, for a distance of 67.94' along the easterly right of way line of Pump Road to a point; thence on a curve to the right having a radius of 1185.92' and an arc length of 192.47' to the point of beginning, containing 2.024 acres.

The Board of Supervisors accepted the following proffered conditions, dated December 31, 2003, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Prohibited Uses**. The following uses shall not be permitted on the Property:
 - a. Funeral home or undertaking establishment.
 - b. Banks, savings and loan or small loan establishments.
2. **Building Height**. No building shall exceed 1 story or twenty-six (26) feet in height.

3. **Exterior Lighting.** Exterior lighting fixtures shall not exceed fifteen (15) feet in height as measured from the grade of the base of the lighting standard or from the finished grade of the building directly below such lighting fixture, as the case may be. Exterior light fixtures, other than low intensity decorative ornamental fixtures such as gas style lamps, shall be produced from concealed sources of light and shall be reduced to no more than a security level following the close of business operations each day. At no time shall the parking lot lighting exceed one-half (1/2) foot-candle beyond the boundary lines of the Property. All parking lot lighting shall be positioned in such a manner as to minimize the impact of such lighting on any adjacent property.
4. **Utility Lines.** Except for junction and access boxes, meters and existing overhead utility lines, all utility lines, including, without limitation, electric, telephone, CATV or other similar lines, shall be installed underground. All junction and access boxes and meters shall be screened from view at the perimeter of the Property to the greatest extent practical.
5. **Security Alarms.** Outside speakers shall be prohibited. No external alarm bells or external warning devices that are audible beyond the boundary lines of the Property shall be permitted on the Property.
6. **Detached Signage.** Any detached signs shall be monolithic style signs, the base of which shall be landscaped. No portable signs or signs with changeable copy shall be permitted on the site. Signs shall be lit by ground mounted lighting and shall not be lit internally. No detached sign shall exceed a height of six (6) feet, as measured from the base of the sign.
7. **Trash and Recycling Receptacle Areas.** All dumpsters, trash and recycling receptacles, (not including convenience cans), shall be screened from view at the boundary line of the Property by a masonry fence or wall (which may be a pre-cast panel masonry fence) to match the exterior of the buildings on the property, or as otherwise approved at the time of Plan of Development review.
8. **HVAC Screening.** Any heating, ventilation and air conditioning equipment shall be screened from public view at ground level at the perimeter of the Property. No heating, ventilation and air conditioning equipment shall be placed within twenty (20) feet of the northeastern boundary line of the Property.
9. **Buffers.** The Property shall be developed with the following buffers:
 - (a) A landscaped buffer at least twenty-five (25) feet in width will be provided on the Property adjacent to the right-of-way line of Ridgefield Parkway (as such right-of-way line shall be determined at the time of the initial Plan of Development review of the Property). Such buffer shall be served by an

underground irrigation system and landscaped with a minimum of the transitional buffer 35, as referenced in the County Zoning Ordinance.

- (b) A landscaped buffer at least twenty-five (25) feet in width will be provided on the Property adjacent to the right-of-way line of Pump Road (as such right-of-way line shall be determined at the time of the initial Plan of Development review of the Property). Such buffer shall be served by an underground irrigation system and landscaped with a minimum of the transitional buffer 35, as referenced in the County Zoning Ordinance.
 - (c) A variable width landscaped buffer no less than fifteen feet in width shall be provided along King's Grant Drive and which such buffer shall be screened and landscaped with a minimum of transitional buffer 35, as referenced in the County Zoning Ordinance, including, without limitation, a berm of at least three (3) feet in height and a continuous evergreen hedge, unless otherwise approved at the time of plan of development review.
 - (d) A variable width landscaped buffer no less than fifteen feet in width shall be provided along the northeastern line adjacent to Crown Grant South subdivision and which such buffer shall be screened and landscaped with a minimum of transitional buffer 35, as referenced in the County Zoning Ordinance, which such buffer shall also include a masonry fence or wall (which may be a pre-cast panel masonry fence), finished on both sides, with a height of at least six feet, to be constructed along the northeastern property line and which such fence or wall shall match the exterior of the buildings on the property.
 - (e) Underbrush, fallen, diseased or dead trees and plant growth may be removed from any buffer area; if such underbrush, trees and plant growth are removed, additional supplemental plantings shall be added to such buffer.
 - (f) Utility easements, driveways, roads and signage may be permitted in any buffer so long as any such road or utility easement shall be extended generally perpendicular to such buffer.
10. **Vehicular Drive Restrictions.** There shall be no more than one (1) vehicular access point from the Property to Ridgefield Parkway and no more than one (1) vehicular access point from the Property to Pump Road. There shall be no direct vehicular access from the Property to King's Grant Drive.
11. **Trash Pick Up, Parking Lot Cleaning, and Leaf Blowing.** No trash pick up, parking lot cleaning, or leaf blowing shall occur before 7:00 a.m. or after 8:00 p.m. Monday through Friday or before 10:00 a.m. or after 8:00 p.m. on

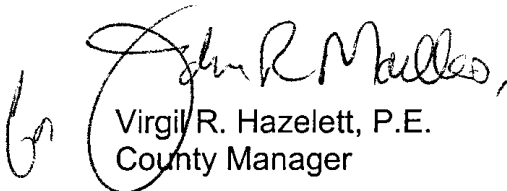
Saturdays. No trash pick up, parking lot cleaning, or leaf blowing shall occur on Sundays.

12. **Exterior Materials; Exterior Appearance.** The exposed portions of all exterior wall surfaces (front, rear and sides) of each building constructed on the Property shall be similar in architectural treatment and materials to each other and to all other buildings on the Property. The exposed exterior wall surfaces (above finished grade) shall consist of wood, brick, stone, glass, architectural precast, EIFS, stucco if applied to a masonry surface or any combination thereof, or other aesthetically comparable finished materials approved by the Planning Commission at Plan of Development review. No building on the Property shall be covered with or have exposed to view any painted or unfinished concrete block, sheet or corrugated aluminum, iron and/or steel or other materials unless requested and specifically permitted at the time of Plan of Development review. Every building constructed on the Property shall have an architectural style and use design elements substantially similar to Springfield Professional Center as shown on the attached Exhibit A (see case file), which such renderings are conceptual in nature and may be revised from time to time as requested and specifically permitted at the time of Plan of Development review and approval. All sides of any building on the Property shall employ fenestration to offset building mass.
13. **Storm Water Facilities.** All storm water facilities (BMP) located on the Property shall be placed underground, unless otherwise approved by the Planning Commission at the time of Plan of Development approval.
14. **Conceptual Sketch.** The property shall be developed generally compatible with the attached sketch (see case file), including the landscaping thereon, attached as Exhibit B (see case file), entitled "RIDGEFIELD COMMONS", dated October 27, 2003, prepared by Dean E. Hawkins, ASLA, and which layout plan is conceptual in nature and may vary in detail. The exact locations, footprints, configurations, sizes and details of the building(s), drives, roads and other improvements are illustrative and may be revised and updated from time to time for engineering or regulatory reasons or other reasons approved at the time of Plan of Development review.
15. **Setback.** No building or parking area shall be constructed within twenty (20) feet of the right-of-way line of King's Grant Drive. No parking area shall be constructed within twenty (20) feet of northeastern boundary line of the property. No building shall be constructed within thirty (30) feet of the northeastern boundary line of the property.
16. **Site Coverage.** No more than eighty percent (80%) percent of the property in the aggregate may be covered by buildings, parking areas and driveways.

17. **Sidewalk**. Subject to approval by the Department of Public Works at the time of plan of development review, a four (4) foot wide sidewalk shall be constructed in compliance with the County of Henrico's standards and specifications for sidewalks within the right-of-way of Ridgefield Parkway as it adjoins the property.
18. **Deliveries**. All deliveries to the property shall occur during the hours of 7:00 am to 8:00 pm Monday through Friday.
19. **Hours of Construction**. The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall be between 7:00 a.m. and 8:00 p.m., Monday through Friday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connectors.
20. **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,


Virgil R. Hazelett, P.E.
County Manager

pc: Mr. Walter C. Miller
Mr. Andrew M. Condlin, Esquire
Director, Real Estate Assessment
Conditional Zoning Index