Retail Merchants Association of Greater Richmond
5101 Monument Ave.
Richmond, VA 23230

Re: Conditional Rezoning Case C-63C-05

Dear Sir:

The Board of Supervisors at its meeting on November 8, 2005, granted your request to conditionally rezone property from O-2 Office District to O-3C Office District (Conditional), Parcel 772-735-2049, described as follows:

All that certain parcel of land, together with improvements thereon and appurtenances thereto belonging, lying and being on the southern line of Monument Avenue and between Willow Lawn and Westlyn Drive, as more particularly shown on the survey prepared by Chas H. Fleet & Associates, Engineer and Surveyors, dated June 16, 1986, entitled “Plat of Property Situated on the Southern Line of Monument and between Willow Lawn and Westlyn Drive, Henrico County, Virginia”, to which plat reference is hereby made for a more particular description, as follows:

Beginning on the southern line of Monument Avenue at the eastern terminus of the curve connecting the eastern line of Willow Lawn with the southern line of Monument Avenue; thence along the southern line of Monument Avenue S 53°06'00" E 260.10 feet to a lead hub; thence along a curve to the right with a radius of 19.93 feet, a distance of 31.37 feet to a rod on the western line of Westlyn Drive; thence along the western line of Westlyn Drive S 37°05'46" W 301.0 feet to a rod at the intersection of the western line of Westlyn Drive and the northern line of a 16 foot alley (unimproved); thence along the northern line of the 16 foot alley (unimproved) N 53°06'00" W 300.11 feet to a lead hub on the eastern line of Willow Lawn; thence along the eastern line of Willow Lawn N 37°05'41" E 301.0 feet to a rod; thence along a curve to the right with a radius of 20.07 feet, a distance of 31.46 feet to a lead hub on the southern line of Monument Avenue, being the point and place of beginning.
Being the same property conveyed to Grantor by deed from Virginia Baptist General Board, a Virginia corporation, dated July 1, 1986, recorded July 1, 1986 in the clerk's office of the Circuit Court of Henrico County, Virginia in Deed Book 2011, page 1274.

The Board of Supervisors accepted the following proffered conditions, dated October 28, 2005, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Uses:** Permitted uses are limited to a business school and any use permitted in the O-2 district, except as follows:
   
   a. Business school uses shall be limited to a maximum of 2,000 square feet of area in the aggregate. There shall be no exterior building modification or enlargement, or other changes to landscape areas, buffer areas, or the parking lot to accommodate a business school unless requested and approved by the Planning Commission;

   The following uses shall be prohibited:

   a. Establishments whose primary business is check cashing or making payday loans as defined and regulated by Sections 6.1-432 et. seq. and 6.1-444 et seq. of the Code of Virginia (this shall not preclude banks, savings and loans or similar institutions that are not regulated by the foregoing Virginia Code sections);

   b. Funeral home, undertaking establishment, or crematorium;

   c. Child care center;

   d. Radio and television broadcasting stations which also require towers or antennas;

   e. Private club, lodge, or fraternal organization; and

   f. Adult businesses as defined in the zoning ordinance.

2. **Site Plan:** The property shall be developed substantially similar to the conceptual site plan entitled "Alterations to Retail Merchants Association of Greater Richmond" (see case file) prepared by Lee King Poole & White Architects unless revisions to this plan are specifically requested and permitted by the Planning Commission.
3. **HVAC**: Heating and air conditioning equipment shall be screened from public view at ground level at the Property lines.

4. **Trash Receptacles**: Except for gates and doors, all screening for refuse containers/dumpsters shall be constructed of brick. Gates and doors shall be opaque, substantial, and oriented to minimize views of the enclosures from public rights-of-way, unless otherwise requested and approved at the time of Plan of Development. Support posts, gate frames, hinges, and latches shall be of a sufficient size and strength to allow the gates to function without sagging or becoming a visual eyesore as determined at the time of Plan of Development. Concrete pavement shall be used where the refuse container pad and apron are located.

5. **Signage**: Signage shall be permitted as regulated in the O-2 Office District.

6. **Hours of Operation**: The hours of operation for business school classes shall be limited to between 7:00 a.m. and 10:00 p.m.

7. **Parking Lot Lighting**: All lighting shall be produced from concealed sources of light. Parking lot lighting shall be reduced to a minimum level necessary for security purposes following the close of business conducted on the Property.

8. **Security Alarms**: Outside speakers shall be prohibited. No external alarm bells or external warning devices shall be permitted.

9. **Property Maintenance**: 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.

The Planning Department 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: Architectural & Interior Svcs.
Director, Real Estate Assessment
Conditional Zoning Index