



COUNTY OF HENRICO PLANNING OFFICE

pt. 86-BI-20

SCALE

0 200' 400'

THREE CHOPT DISTRICT

C-8C-84



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

FRANK A. FAISON
County Manager

March 21, 1984

Re: Conditional Rezoning Case C-8C-84

Deep Run Business Center, Inc.
P. O. Box 31014
Richmond, Virginia 23294

Gentlemen:

The Board of Supervisors, at its meeting on March 14, accepted your amended and additional proffered conditions and conditionally rezoned your property from A-1 Agricultural to M-1 Light Industrial District.

The property conditionally rezoned is described as follows:

Part of Parcel 86-B1-20:

Beginning at the point of intersection of proposed Ramp G to the future Gaskins Road interchange to Interstate 64 and the SW. corner of Deep Run Business Center Section B, thence S. $63^{\circ} 58' 43''$ E., 1104.39' to a point; thence S. $50^{\circ} 40'$ W., 988.98' to a point on the right-of-way line of proposed Ramp G to the future Gaskins Road interchange; thence along the right-of-way line of proposed Ramp G as ultimately determined in accordance with final design plans for the future Gaskins Road interchange, which is expected to be generally N. $10^{\circ} 48' 38''$ E., 58.46' to a point; thence N. $2^{\circ} 55' 49''$ W., 86.64' to a point; thence along the arc of a curve to the north having a radius of 1029.94', 122.41' to a point; thence N. $4^{\circ} 05' 42''$ W., 55.10' to a point; thence N. $28^{\circ} 0' 7''$ W., 55.10' to a point; thence along the arc of a curve to the NW. having a radius of 1029.94', 318.23' to a point; thence N. $24^{\circ} 25' 11''$ W., 88.86' to a point; thence along the arc of a curve to the NE. having a radius of 424.18', 291.57' to a point; thence N. $15^{\circ} 5' 48''$ E., 87.76' to a point; thence N. $19^{\circ} 56' 30''$ E., 13.56' to the point of beginning, containing 11.85 +- 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 22, Code of Henrico (Zoning Ordinance). They are as follows:

1. No building shall be constructed within 50 feet of the right-of-way of any publicly dedicated road, or within 25 feet of any property line bordering a side or rear yard (except the northern boundary adjoining the existing Deep Run Business Center).
2. No parking areas will be constructed within 15 feet of any property line or right-of-way line.
3. No portion of the Property shall be developed or used as a neighborhood or community shopping center as those terms are defined in the Henrico County zoning ordinance in effect as of this date, nor for a regional shopping Center.

4. (a) A buffer strip of a minimum of fifty (50) feet in width (which shall remain undisturbed, but may also be enhanced with additional trees and foliage in accordance with landscaping plans approved by the Planning Commission) shall be maintained along the southeastern boundary of the Property, except to the extent required for utility easements, roads or other purposes required by the Planning Commission, or by any other governmental body, agency, commission, board, department or official thereof. Any such utility easement will be replanted as appropriate and permitted. The Developer agrees that utility easements will not be granted in such a manner as to run parallel to the southeastern boundary of the Property. Underbrush and fallen, diseased or dead plant growth may be removed from the buffer area. (b) In addition, a seven (7) foot decorative opaque, treated wooden fence shall be constructed and maintained along the southeastern boundary of the Property (subject to adjoining property owners granting a temporary ten (10) foot construction easement to enable the Developer to build such fence along the southeastern boundary of the Property) which fence will be built in a timely manner, beginning with the commencement of construction of the first building on a parcel adjoining the southeastern boundary of the Property.
5. Parking lot lighting standards located within fifty (50) feet of the perimeter of the Property (except the northern boundary) shall not exceed twenty (20) feet in height. Other parking lot lighting standards located in the interior of the Property shall not exceed forty (40) feet in height and shall be at a lower height if required by the Planning Commission at the time of Plan of Development approval, or by any other governmental body, agency, commission, board, department or official thereof. Lighting in parking lots shall be of low intensity, shall be positioned in such a manner as to minimize the impact of such light on adjacent residentially zoned areas and be of such type as required by the Planning Commission.
6. The development of each site within the Property shall be subject to Plan of Development approval, in accordance with the terms of Section 22-106 of the Henrico County Code.
7. Except during the period of construction of improvements, all outside storage of materials and supplies shall be enclosed on all sides by an opaque fence, wall or other barrier, of at least seven (7) feet in height.
8. Prior to or concurrent with the recordation of a subdivision plat approved by the County and before conveyance of any portion of the Property covered by said subdivision plat, Applicant, its successors or assigns, shall record a document with respect to such section of Property and improvements to be constructed thereon, in the Clerk's Office of the Circuit Court of Henrico County, which will subject such section of the Property to Protective Covenants (as such covenants may be amended and in effect at such time) on record with respect to development of the existing Deep Run Business Center.
9. Neither Applicant nor its successors or assigns shall request or accept Certificates of Occupancy for predominantly retail business uses in excess of an aggregate of 40,000 square feet of net retail floor area on the Property without a favorable traffic impact study approved by the Planning Commission as a part of Plan of Development approval.

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10. Vehicular access to or from the Property, to or from the southeastern boundary of the Property, shall be limited to emergency vehicles only, unless otherwise required by any governmental authority having jurisdiction with respect thereto.
11. No external loud speaker systems will be placed on the Property.
12. No building shall be constructed within seventy-five (75) feet of the southeastern boundary of the Property.
13. No portion of a building within two hundred (200) feet of the southeastern boundary of the Property shall exceed thirty (30) feet in height, from finished grade to top of roof.
14. No hotel or motel will be developed on the Property, unless a favorable traffic impact study has been submitted to and approved by the Planning Commission.

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 proffers in the Conditional Zoning Index.

Sincerely,



Frank A. Faison,
County Manager

cc: Clerk, Board of Supervisors
Supervisor, Real Estate Assessment
Mr. Jay Weinberg
W. S. Richardson Trust
✓ Conditional Zoning Index

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