



COUNTY OF HENRICO PLANNING OFFICE

CHANGE OF PROFFERS

C-15C-89



78-A1-1
TUCKAHOE DISTRICT

JAS



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

W.F. LaVECCHIA, P.E., AICP
County Manager

March 23, 1989

Re: Conditional Rezoning Case C-15C-89
(Amended C-56C-86)

JAS Associates
7903 West Broad Street
Richmond, Virginia 23229

Gentlemen:

The Board of Supervisors at its meeting on March 8, granted your request to amend proffered conditions accepted on November 12, 1986 with Conditional Rezoning Case C-56C-86 situated on Parcel 78-A1-1.

The attached complied proffered conditions were accepted and amended by the Board of Supervisors on November 12, 1986 and March 8, 1989 respectively and further regulate the use of your property in addition to all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance).

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 condition in the Conditional Zoning Index.

Sincerely,

for W.F. LaVecchia
W. F. LaVecchia, P.E.,
County Manager

Attachments:

cc: Clerk, Board of Supervisors
Real Estate Assessment
✓ Conditional Zoning Index
Mr. Ralph L. Axselle, Jr.



COUNTY OF HENRICO, VIRGINIA

PROFFERS FOR CONDITIONAL REZONING

ORIGINAL

AMENDED AND RESTATED

Pursuant to section 22-121(b) of the County Code, the owner or duly authorized agent hereby voluntarily proffers the following conditions which shall be applicable to the property, if rezoned:

COMPILED ACCEPTED PROFFERED CONDITIONS

NOV. 12, 1986
MARCH 8, 1989

Signature of Owner or Applicant*

Date

* If Applicant is other than Owner, Form POF-004-3/87, Special Limited Power of Attorney must be submitted with this application.

1. The only uses permitted on that portion of the Property zoned B-3C shall be an automobile sales and service facility, and those uses permitted in a B-2 zoning district, except that the following uses otherwise permitted in a B-2 zoning district shall not be permitted: convenience store, gas station, bar, bowling alley, skating rink and billiard parlor. In addition, no "fast-food" or "carry-out" restaurants shall be permitted. For purposes hereof, "fast-food restaurants" or "carry-out restaurants" are hereby defined as establishments whose principal business is the sale of foods and beverages to consumers in a ready-to-consume state and which foods and beverages are usually served in paper, plastic, or other disposable containers or wrappers for immediate consumption either within the restaurant building or off the premises.

2. Signage on the Property shall be controlled by the standards applicable to signage in a B-2 zoning district. All signage shall be lighted by light produced by an internal source. Any detached signage within one hundred (100) feet of Broad Street shall not exceed fifteen (15) feet in height from finished grade level and the support for such signage shall be enclosed or "boxed in" so as to conceal any pylon.

3. The exposed portion of the exterior wall surfaces (front, rear and sides) of any building constructed on the Property (excluding roof-top screening material for mechanical equipment) shall be similar in quality as to architectural treatment and materials. All buildings constructed on the Property shall have exposed exterior walls (above finished grade) of face brick, natural stone, pre-cast or cast-in-place architectural concrete or of exposed aggregate concrete and/or glass or of an equivalent, permanent, architecturally finished

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material. No building shall be covered with or have exposed to view any painted or unfinished concrete block, sheet or corrugated aluminum, asbestos, iron, steel or stucco, except that stucco may be used if applied over masonry backing.

That portion of the property subject to development as a hotel and motel site shall comply with the following conditions:

(a) Unless modified by the Planning Commission at the time of Plan of Development review, the landscaping on such property shall be generally compatible with and include at least the same landscaping shown on the attached preliminary landscape plan shown on the attached Exhibits 1 and 2 which are uncolored and colored versions of such plan. The Planning Commission at the time of Plan of Development review may modify such landscaping as it deems appropriate, including requiring additional landscaping or substituting landscaping. Any grass area shall be properly seeded or sodded and maintained. Underground lawn irrigation systems shall be installed in the vicinity of all landscaped areas in order to facilitate their watering and maintenance.

(b) Unless modified by the Planning Commission at the time of Plan of Development review, the property shall be developed generally consistent with the attached preliminary landscape plan (Exhibits 1 and 2) which is conceptual in nature and not exact in detail, specifics or dimensions, all of which may vary. An access road to serve the property to the south shall be allowed generally along the western property line of the property shown on Exhibits 1 and 2.

(c) Unless modified by the Planning Commission at the time of Plan of Development review, the primary hotel or motel buildings shall be constructed of material and be in a design generally consistent with those buildings pictured on the attached Exhibits 3 and 4; deviations from such exhibits shall be allowed when such deviations are due to the topography of the site, the design and layout on this site and any requirements of governmental authorities. Exhibits 3 and 4 are illustrative and the detail, specifics or dimensions of such buildings may vary as approved by the Planning Commission at the time of Plan of Development review.

(d) The roof material shall consist of "Tamco Heritage, Self-Sealing Asphalt, Weathered Shake" double-tabbed shingles, which shingles are subdued reddish rust in color, or in the absence of the foregoing's reasonable availability, shingles of comparable texture, color and quality may be substituted therefor.

(e) The horizontal members of the deck railing and mansard around the balcony of the principal building shall be made of wood and not aluminum. Vertical support members for the deck railing may be of metal if painted or coated to match the color of the wood."

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(f) The individual letters on any attached signage shall not exceed thirty-six inches (36") in height.

4. No building constructed on the Property shall exceed the lesser of two (2) stories or thirty-five (35) feet in height.

5. No automobile repair work shall be performed outside of any building.

6. The hours of service to the public shall not commence prior to 7:00 a.m. or extend beyond 10:00 p.m.; this provision does not apply to a hotel or a motel.

7. Landscaped or natural buffer areas of a minimum width of twenty (20) feet in width shall be provided along the side yard boundaries of the Property. Utility easements, driveways, signage or other items approved or required by the Planning Commission at the time of Plan of Development review, or by any other governmental body or official thereof may be placed within the aforesaid buffer areas. Existing vegetation, underbrush and fallen, diseased or dead plant growth may be removed, and additional plantings shall be added as determined to be necessary at the time of landscape plan review, to properly screen development on the Property. Where the placement of utility easements within a landscaped or natural buffer area results in the inability of the owner to provide adequate screening within such buffer area, screening shall be provided adjacent to the buffer area, to properly screen development on the Property from adjacent properties, as determined by the Planning Commission at the time of landscape plan review or by any governmental body. No automobiles may be parked or displayed for sale within the aforesaid buffer areas.

8. A building and parking lot setback area of a minimum width of twenty-five (25) feet shall be maintained along the right-of-way line of Broad Street road (as such right-of-way line is finally determined at the time of Plan of Development review). No automobiles may be parked or displayed for sale within the aforesaid setback area.

9. Parking lot lighting shall be provided by directional fixtures, which shall be positioned in such a manner as to minimize the impact of such lighting off-site, and which produce a lighting intensity of a maximum of one-half (1/2) foot candle along the front and side boundaries of the Property.

10. No outside speaker systems shall be placed on the Property.

11. No mobile signs shall be placed on the Property.

12. Heating and air conditioning equipment shall be properly screened from public view in a manner satisfactory to

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and approved by the Planning Commission at the time of Plan of Development review.

13. All dumpster areas shall be enclosed on three (3) sides with salt treated or other finished materials and with an opaque gate on the fourth side in order to provide a visual screen in a manner satisfactory to and approved by the Planning Commission at the time of Plan of Development review."

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