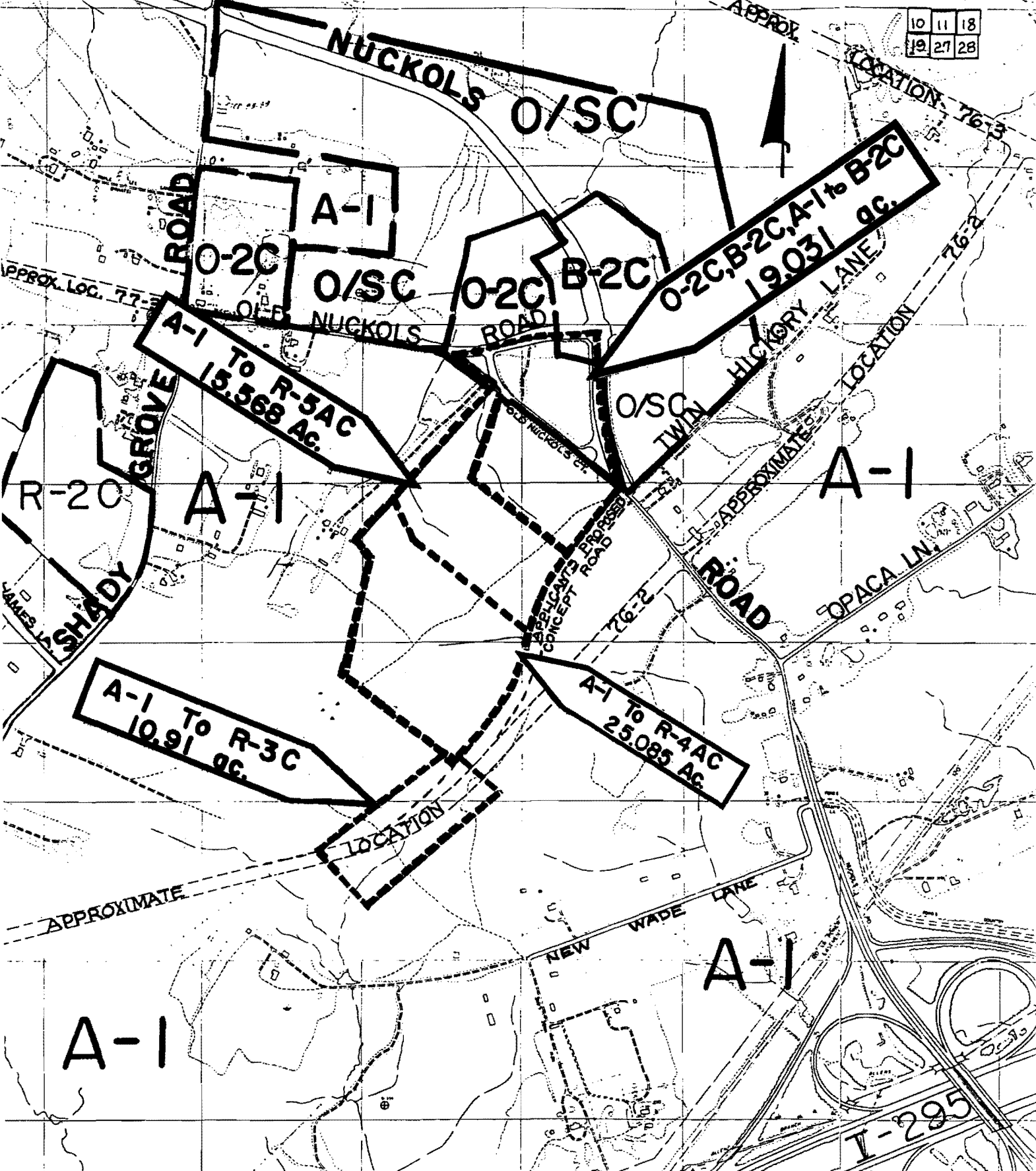
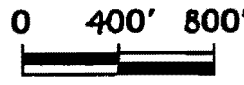


10	11	18
19	27	28



BUSINESS & SINGLE FAM.DET.
WITH ZERO LOT LINES

C-19C-94



PTS. OF 76-A2-2
PTS. OF 76-B2-1&2

THREE CHOPT DISTRICT

HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

June 14, 1994

Re: Conditional Rezoning Case C-19C-94

Young Men's Christian Association
of Greater Richmond, Inc.
2 West Franklin Street
Richmond, Va. 23220

Attention: Mr. Journey Johnson

Loch Levan Land Limited Partnership
c/o The Snyder-Hunt Corporation
3601 Lauderdale Drive
Richmond, Virginia 23233

Attention: Mr. Daniel C. Van Epp

Gentlemen:

The Board of Supervisors at its meeting on June 8, 1994, granted your request to conditionally rezone property from A-1 Agricultural District, O-2C Office District (Conditional) and B-2C Business District (Conditional) to B-2C Business District (Conditional), R-3C, R-4AC One Family Residence Districts (Conditional), and R-5AC General Residence District (Conditional), Part of Parcel 76-A2-2 and 76-B2-1 and 2, described as follows:

Parcel A: B-2C

Beginning at a point on the W. line of Nuckols Road 229.83' south of the S. line extended Old Nuckols Road; from said point of beginning and leaving the W. line of Nuckols Road N. 77° 07' W., 246.98' to a point; thence N. 0° 12' E., 158.11' to a point on the S. line of Old Nuckols Road; thence along the S. line of Old Nuckols Road along a curve to the right with a radius of 749.06' and a length of 32.65' to a point; thence N. 86° 08' 00" E., 172.04' to a point; thence leaving the S. line of Old Nuckols Road S. 47° 35' 34" E., 42.64' to the west line of Nuckols Road; thence along the W. line of Nuckols Road S. 01° 19' 00" E., 198.99' to the point and place of beginning, containing 1.049 acres as shown on plat of 70.5 acres south of Nuckols Road, dated January 27, 1994, last revised June 7, 1994, as prepared by Youngblood, Tyler & Associates.

Parcel B - B-2C

Beginning at a point on the W. line of Nuckols Road 229.83' south of the S. line extended Old Nuckols Road; from said point of beginning along the W. line of Nuckols Road S. 01° 19' 00" E., 126.22' to a point; thence along a curve to the left with a radius of 1218.25' and a length of 302.04' to a point; thence S. 75° 24' 50" W., 10.00' to a point; thence along a curve to

19

Young Men's Christian Association
of Greater Richmond, Inc. and
Loch Levan Land Limited Partnership
c/o The Snyder-Hunt Corporation
June 14, 1994

2

the left with a radius of 1205.86' and a length of 26.58' to a point; thence along a curve to the left with a radius of 1689.02' and a length of 202.19' to a point; thence leaving the W. line of Nuckols Road N. 51° 11' 13" W., 196.59' to a point; thence along a curve to the right with a radius of 30,948.80' and a length of 760.05' to a point on curve; thence along a curve to the right with a radius of 290.00' and a length of 33.13' to a point; thence N. 12° 56' 38" W., 101.44' to a point; thence along a curve to the left with a radius of 25.00' and a length of 37.65' to a point on the S. line of Old Nuckols Road; thence continuing along the S. line of Old Nuckols Road along a curve to the left with a radius of 748.33' and a length of 116.19' to a point; thence N. 77° 03' 09" E., 247.40' to a point; thence along a curve to the right with a radius of 749.06' and a length of 94.38' to a point; thence leaving the S. line of Old Nuckols Road S. 0° 12' 00" W., 158.11' to a point; thence S. 77° 07' 00" E., 246.98' to the point and place of beginning on the W. line of Nuckols Road; containing 6.394 acres of land as shown on a plat of 70.5 acres south of Nuckols Road, dated January 27, 1994, last revised June 7, 1994, as prepared by Youngblood, Tyler & Associates.

Parcel C - B-2C

Beginning at a point on the S. line of Old Nuckols Road 816.61' west of the W. line extended Nuckols Road; from said point of beginning along the S. line of Old Nuckols Road along a curve to the left with a radius of 748.33' and a length of 123.12' to a point; thence leaving the southern line of Old Nuckols Road along a curve to the right with a radius of 25.00' and a length of 37.65' to a point; thence S. 12° 56' 38" E., 101.44' to a point; thence along a curve to the left with a radius of 290.00' and a length of 33.13' to a point on curve; thence along the N. line of Old Nuckols Court N. 49° 53' 30" W., 117.51' to a point; thence along a curve to the left with a radius of 594.70' and a length of 113.31' to the point and place of beginning on the S. line of Old Nuckols Road containing 0.230 acres of land as shown on a plat of 70.5 acres south of Nuckols Road, dated January 27, 1994, last revised June 7, 1994, as prepared by Youngblood, Tyler & Associates.

Parcel D - B-2C

Beginning at a point on the W. line of Nuckols Road 1011.10' south of the southern line of Old Nuckols Road extended; from said point of beginning and leaving the W. line of Nuckols Road in a southeast direction along a curve to the left with a radius of 823.19' and a length of 311.94' to a point; thence S. 38° 25' 00" W., 172.00' to a point; thence N. 51° 35' 00" W., 775.33' to a point; thence N. 25° 03' 22" E., 343.80' to a point; thence along a curve to the left with a radius of 450.00' and a length of 239.63' to a point; thence in a southeast direction along a curve to the left with a radius of 30,948.80' and a length of 727.90' to a point; thence S. 51° 11' 13" E., 196.59' to a point on the S. line of Nuckols Road; thence along the S. line of Nuckols Road along a curve to the left with a radius of 1689.02' and a length of 114.01' to the point and place of beginning, containing 10.475 acres as shown on a plat of 70.5 acres south of Nuckols Road, dated January 27, 1994, last revised June 7, 1994, as prepared by Youngblood, Tyler & Associates.

Parcel F - R-5AC:

Beginning at a point on the western line of Nuckols Road 1011.10' south of the southern line

Young Men's Christian Association
of Greater Richmond, Inc. and
Loch Levan Land Limited Partnership
c/o The Snyder-Hunt Corporation
June 14, 1994

3

extended of Old Nuckols Road; thence leaving the western line of Nuckols Road in a southwest direction along a curve to the left with a radius of 823.19' and a length of 311.94' to a point; thence S. 38° 25' W., 172.00' to the true point and place of beginning; thence S. 38° 25' W., 128.00' to a point; thence along a curve to the left with a radius of 809.54', a length of 373.24' to a point; thence S. 12° W., 96.96' to a point; thence N. 51° 35' 00" W., 891.12' to a point; thence N. 32° W., 338.08' to a point; thence N. 42° 15' 40" E., 977.66' to a point on the north line of Old Nuckols Court; thence S. 49° 53' 30" E., 14.20' to a point; thence along a curve to the left having a radius of 30,948.80' and a length of 32.04' to a point; thence along a curve to the right with a radius of 450.00' and a length of 239.63' to a point; thence S. 25° 03' 22" W., 343.80' to a point; thence S. 51° 35' 00" E., 775.33' to the true point and place of beginning, containing 16.451 acres as shown on a plat of 70.5 acres of land along the southern line of Nuckols Road, dated January 27, 1994, last revised June 7, 1994, as prepared by Youngblood, Tyler & Associates.

Parcel G - R-4AC:

Beginning at a point on the western line of Nuckols Road 1011.10' south of the southern line extended of Old Nuckols Road; thence leaving the western line of Nuckols Road in a southwest direction along a curve to the left with a radius of 823.19' and a length of 311.94' to a point; thence S. 38° 25' 00" W., 300.00' to a point; thence along a curve to the left with a radius of 809.54' and a length of 373.24' to a point; thence S. 12° W., 96.96' to the true point and place of beginning; thence S. 12° W., 128.03' to a point; thence along a curve to the left with a radius of 821.05' and a length of 429.90' to a point; thence S. 42° W., 426.81' to a point; thence N. 51° 46' 15" W., 877.22' to a point; thence N. 12° 08' 10" E., 831.98' to a point; thence N. 47° 27' W., 100.25' to a point; thence N. 42° 15' 40" E., 320.94' to a point; thence S. 32° E., 338.08' to a point; thence S. 51° 35' E., 891.12' to the true point and place of beginning, containing 25.085 acres as shown a plat of 70.5 acres of land along the southern line of Nuckols Road, dated January 27, 1994, last revised June 7, 1994, as prepared by Youngblood, Tyler & Associates.

Parcel H - R-3C:

Beginning at a point on the western line of Nuckols Road 1011.10' south of the southern line extended of Old Nuckols Road; thence leaving the western line of Nuckols Road in a southwest direction along a curve to the left with a radius of 823.19' and a length of 311.94' to a point; thence S. 38° 25' W., 300' to a point; thence along a curve to the left with a radius of 809.54' and a length of 373.24' to a point; thence S. 12° W., 225' to a point; thence along a curve to the left with a radius of 821.05' and a length of 429.90' to a point; thence S. 42° W., 368.68' to the true point and place of beginning; thence S. 51° 46' 17" E., 353.08' to a point; thence S. 49° 12' 56" W., 1115.43' to a point; thence N. 43° 58' 56" W., 484.26' to a point; thence N. 53° 44' 54" E., 1008.11' to a point; thence S. 51° 46' 15" E., 65.73' to a point; thence N. 42° E., 58.13' to the true point and place of beginning, containing 10.914 acres of land as shown a plat of 70.5 acres of land along the southern line of Nuckols Road, dated January 27, 1994, last revised June 7, 1994, as prepared by Youngblood, Tyler & Associates.

Young Men's Christian Association
of Greater Richmond, Inc. and
Loch Levan Land Limited Partnership
c/o The Snyder-Hunt Corporation
June 14, 1994

4

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):

APPLICABLE TO ALL PARCELS:

1. **Pedestrian and Bicycle Access.** Pedestrian and bicycle access ways will be provided within and between major project areas at the time of Plan of Development and/or subdivision approval.
2. **Traffic Study.** In conjunction with any subdivision or plan of development approval process for any portion of the Property, a traffic study shall be submitted which describes the traffic impact of such proposed development. If such development is contemplated to occur in phases, such traffic study shall indicate the traffic impact of each phase. Should any proposed development not warrant a traffic study in the opinion of the Henrico County Traffic engineer, such study may be waived. No such subdivision or plan of development will be approved until such time as the County of Henrico has agreed to (i) the improvements in roads and intersections which are necessitated by such development, (ii) when and, if the proposed development is to be phased, with which phase such improvements are to be completed and (iii) who will complete or cause the completion of such improvements. Where portions of the Property will be developed in phases, any roadway improvements required for any portion of the Property shall be assigned to the applicable phase of the development in the subdivision or plan of development approval process and shall be constructed in connection with the development of such phase. Any right-of-way required for the construction of such roadway improvements shall be dedicated to Henrico County or VDOT, as applicable. Once such roadway improvements have been determined and assigned to individual phases of such portion of the Property in connection with the subdivision or plan of development approval process described above, development of such portion of the Property may proceed in phases in accordance with the approved subdivision or plan of development without submittal of additional traffic studies and without additional road improvements being required.
3. **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.

APPLICABLE TO THE RESIDENTIAL PARCELS:

4. **Foundations.** The exposed exterior portions of exterior residence foundations shall be constructed of brick or natural stone; however, the exposed exterior portions of exterior foundations for single family detached residences may be constructed of drivit if applied to a masonry surface, provided that the exterior walls of such residence are sided primarily in drivit.
5. **Chimneys.** No chimneys or gas vent units shall be cantilevered. The exposed portions

Young Men's Christian Association
of Greater Richmond, Inc. and
Loch Levan Land Limited Partnership
c/o The Snyder-Hunt Corporation
June 14, 1994

5

of all fireplace chimneys shall be brick or a siding similar to the exterior treatment of the dwelling. This proffer shall not apply to direct vent gas fireplaces or appliances. The exposed bases of all chimneys shall be of the same material as the dwelling foundation.

6. Protective Covenants. Prior to or concurrent with the recordation of a subdivision plat approved by the County and before the conveyance of any portion of the Property covered by said subdivision plat (other than for the dedication of easements, roads or utilities), there shall be recorded a document in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of such portions of the Property.
7. Dwelling Type. All dwellings constructed on the R-5A parcel shall be detached structures.
8. Greenbelt. A greenbelt for landscaping (which may include berms), natural open areas and scenic vistas will be provided twenty-five (25) feet in width adjacent to the right-of-way line of the concept road located southeast of Parcels "F" and "G" on the Zoning Plat prepared by Youngblood, Tyler & Associates, P.C. dated January 27, 1994, last revised June 7, 1994, which has been filed herewith, except to the extent necessary for utility easements, bicycle paths, jogging trails, signage, sidewalks, access driveways for major project areas (which access driveways shall run generally perpendicular to the greenbelt), and other purposes requested and specifically permitted, or if required by the Planning Commission at the time of subdivision approval, or by any other governmental body. The greenbelt shall be in addition to the minimum yard requirements.

APPLICABLE TO THE B-2 PARCEL:

9. 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 Relocated and twenty-five (25) feet in width adjacent to the right-of-way lines of Old Nuckols Road and the concept road along the southeast boundary line of Parcel "D" on the Zoning Plat except to the extent necessary for utility easements, bicycle paths, jogging trails, signage, sidewalks, access driveways for major project areas (which access driveways shall run generally perpendicular to the greenbelt), and other purposes requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review, or by any other governmental body.
10. Open Space. No more than sixty-five percent (65%) of the Property may be covered by buildings, driveways and parking areas.
11. Exterior Materials. The exposed portion of each exterior wall surface (front, rear and sides) of each 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 either, or a combination of, face brick, natural stone, glass, stucco, drivit, split-face block, or an equivalent permanent architecturally finished material, 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 review. No building shall be covered with or have exposed to view any painted or unfinished plain concrete block, sheet or corrugated aluminum, asbestos or metal, unless otherwise specifically approved by the Planning Commission at the time of Plan of Development review.

12. Density Limitation. No more than an average of eight thousand (8,000) square feet of building floor area per acre shall be developed on the Property.
13. Outparcel Restrictions. Any free standing building constructed on the Property shall be complementary in architectural treatment to any shopping center constructed on such parcels, unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review, or by any other governmental body. There shall be a maximum of four (4) outparcels permitted on the property.
14. Use Restrictions. The following uses shall not be permitted on the Property:
 - (a) Adult book stores;
 - (b) Dance halls;
 - (c) Gun shops;
 - (d) Hotels/motels;
 - (e) A facility for the sale or display of pornographic material (as determined by community standards for the area in which the Property is located);
 - (f) Flea markets;
 - (g) Massage parlors;
 - (h) Private fraternal club or lodge organizations and meeting halls;
 - (i) Towing services;
 - (j) Communication towers;
 - (k) Bingo; and
 - (l) Video game parlor businesses.
15. 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) and shall be reduced to no more than a security level following the close of business operations.
16. HVAC. Roof-top heating and air conditioning equipment shall be screened from public view at ground level, in a manner approved at the time of Plan of Development review.

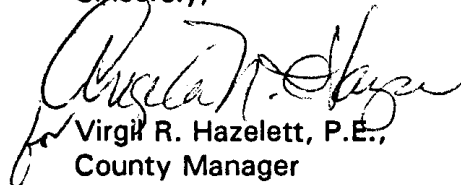
Young Men's Christian Association
of Greater Richmond, Inc. and
Loch Levan Land Limited Partnership
c/o The Snyder-Hunt Corporation
June 14, 1994

7

17. Trash Receptacles. Central 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 Review.
18. Vacation of Old Nuckols Court. The owner shall seek to vacate that portion of Old Nuckols Court as cross-hatched on the Zoning Plat.
19. Conceptual Master Plan. A Conceptual Master Plan for the entire project to be constructed on the Property shall be submitted with the first request for Plan of Development approval and shall be updated with each subsequent request for Plan of Development approval.
20. Coordinated Development. Upon full development, the Property shall have two (2) or more users exclusive of outparcel users, the intent being to promote a coordinated development of multiple users rather than the use of the Property by a single, large retailer.
21. Signs. Detached signs on the Property shall be compatible in type and appearance with other detached signs on the Property. The non-detached signs on the Property shall be compatible in type and appearance with other non-detached signs on the Property and, if lighted, shall be internally lit.

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

cc: Director, Real Estate Assessment
Conditional Zoning Index
Mr. James W. Theobald, Esquire
Mr. Douglas C. Tatum
Ms. Lynne T. Williamson
Mr. & Mrs. G. Leroy Edwards
Ms. Daisy T. Carson
Mr. Malcolm M. Slovic
Mr. W. Mathew Slovic