



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoulkas
County Manager

September 16, 2014

B & T Rental, LLC
C/O Ms. Helen M. Mayers
P.O. Box 9405
Richmond, VA 23228

Re: Rezoning Case REZ2014-00029

Dear Ms. Mayers:

The Board of Supervisors, at its meeting on September 9, 2014, approved your request to conditionally rezone from O-2 Office District to O-3C Office District (Conditional) part of Parcel 778-757-8541 containing 2.6 acres located on the south line of E. Parham Road at its intersection with Lydell Drive, described as follows:

Beginning at a point on the south line of E. Parham Road, said point being approximately 71'± from the centerline extended of Lydell Drive; thence continuing along the south line of E. Parham Road S 89°38'00" E, a distance of 518'± to the point where the current Henrico County C-1 zoning line intersects the south line of E. Parham Road; thence leaving the south line of E. Parham Road and continuing along the current Henrico County C-1 zoning line in a southwesterly direction a distance of 705'±; thence N 58°55'00" W, a distance of 109'± to a point; thence S 61°35'00" W, a distance of 43.80' to a point; thence N 21°19'00" W, a distance of 421.60' to the Point and Place of Beginning, containing 2.6± acres of land.

The Board of Supervisors accepted the following proffered conditions, dated, July 18, 2014, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

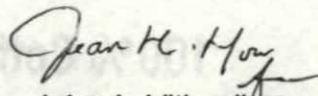
1. **Uses.** Permitted uses of the property shall not include:
 - a) funeral homes or undertaking establishment;
 - b) parking deck;
 - c) child care center;
 - d) employment service or agency;
 - e) general hospital, sanatorium, and charitable institution for human care; and
 - f) establishments whose primary business is check cashing, making motor vehicle title loans, or making payday loans as defined and regulated by Sections 6.2-2100 et seq., 6.2-2200 et seq. and 6.2-1800 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).

2. **Screening of Refuse Containers, Trash Receptacles, and Recycling.** Dumpsters, trash receptacles (not including convenience cans) and recycling receptacles shall be screened from ground level public view at the property lines with enclosures complementary to the architectural design of the buildings and using gates/doors of substantial and durable material, as determined at the time of Plan of Development review. 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 and the number of refuse containers shall be adequate for the development, as determined at the time of Plan of Development review. Convenience cans shall be within or part of a decorative container.
3. **Hours of Operation.** The hours of operation shall be limited to 6:00 AM to 12:00 midnight.
4. **Exterior Lighting.** Exterior lighting fixtures shall not exceed twenty (20') feet in height as measured from the grade of the base of the lighting standard or from the finished grade of the building wall directly below such lighting fixture. Any freestanding lighting above fifteen (15') feet shall not be directly embedded. Lighting shall be directed to minimize glare on public roads and adjacent properties. Adequate safety lighting shall be provided for the walking path connecting to the adjacent property to the east.
5. **Building Height.** No building shall exceed fifty-five (55) feet in height.
6. **Exterior Materials.** Any building constructed on the Property shall have exterior walls of brick and decorative masonry material, exclusive of windows, doors, and architectural treatments which may be constructed of E.I.F.S. or other comparable materials.
7. **HVAC Screening.** Any heating, ventilation and air conditioning equipment and any utility meters shall be screened from public view at ground level at the perimeter of the property with use of landscaping, a wall or other architectural feature similar to the exterior as the building on which it is located, or such other method as may be approved at the time of Plan of Development review.
8. **Loading Dock Screening.** Any loading dock serving a building on the Property shall be screened from public view at ground level from any public roads in a manner approved at the time of Plan of Development review.
9. **Detached Signage.** Any detached signage on the Property shall be ground mounted monumental-type signs and shall not exceed eight (8) feet in height above grade. The base of any such sign shall be landscaped as required at the time of Plan of Development review. No portable signs or signs with changeable copy shall be permitted on the site.
10. **Best Management Practice.** Best Management Practice structures shall be located outside of any landscaped buffer within the Property, except as a landscaping amenity or water-related feature and if requested and specifically permitted Plan of Development review. Any above-ground wet Best Management Practice structure shall include an aeration feature to move water within such structure.

11. **Underground Utilities.** All utility lines on the Property shall be underground, except for already existing utilities, junction boxes, meters, utility lines in and over wetland areas and utility lines required to be above ground by the utility company. Electrical junction boxes and meters shall be screened from public view at ground level at the perimeter of the Property with use of a wall, fencing, landscaping, or such other method as may be approved at the time of Plan of Development review.
12. **Outdoor Speakers.** No public address or speaker systems outside of any building shall be permitted.
13. **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.

The Planning Department has been advised of the action of the Board of Supervisors and will revise its records.

Sincerely,



John A. Vithoulkas
County Manager

pc: Director, Real Estate Assessment
Police, Special Services