



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoukas
County Manager

October 21, 2014

PCG1, LLC
c/o Ms. Pamela C. Gavin
2229 Pump Road
Richmond, VA 23233

Re: Rezoning Case REZ2014-00032

Dear Ms. Gavin:

The Board of Supervisors, at its meeting on October 14, 2014, approved your request to conditionally rezone from B-1 Business District and B-1C Business District (Conditional) to B-2C Business District (Conditional) Parcel 747-757-0157, described as follows:

Beginning at a point on the south line of Three Chopt Road intersected with the east line of Church Road; thence along the south line of Three Chopt Road in an easterly direction for a distance of 189.79 feet to a rod set; thence leaving the south line of Three Chopt Road S 33°35'38" W for a distance of 192.45 feet to a found rod; thence N 47°21'10" W for a distance of 222.07 feet to a brick nail set on the east line of Church Road; thence along the east line of Church Road in a northerly direction for a distance of 159.91' to a rod set; thence N 82°20'06" E for a distance of 42.68 feet to a rod set at the place and point of beginning; containing 0.959 acres.

The Board of Supervisors accepted the following proffered conditions, dated, August 15, 2014, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Any new parking lot lighting on the Property shall be positioned in such a manner as to minimize the impact of such light on adjacent residential areas and be of such type as currently exists or as determined at the time of Plan of Development review, but if no Plan of Development review is required, as approved by the Director of Planning.
2. No exterior wall of any principal building on the Property shall be constructed of exposed cinder block, asbestos shingles or imitation brick or stone siding material, unless otherwise currently existing.
3. Any new dumpsters and trash receptacles, not including convenience containers, shall be (a) screened from public view at ground level at the perimeter of the Property by a substantial and durable material which shall include support posts,

gate frames, hinges and latches of a sufficient size and strength to allow the gates to function without sagging or becoming a visual eyesore; and (b) in a location on the Property as determined at the time of Plan of Development review, but if no Plan of Development review is required, as approved by the Director of Planning.

4. The Property shall not be used for any of the following:
 - a. adult business as defined by section 24-3 of the Henrico County Code including adult video stores;
 - b. automotive filling or service stations including towing service (the foregoing shall not preclude any filling or service station otherwise permitted in the B-1 District pursuant to Sections 24-55 and 24-56 of the County Zoning Ordinance, as may be amended);
 - c. flea markets;
 - d. gun shop sales or repair;
 - e. hotels, motels, motor lodges, or tourist homes;
 - f. theaters;
 - g. bowling alleys;
 - h. skating rinks (ice-skating and roller skating);
 - i. swimming pools;
 - j. tennis courts;
 - k. off track betting;
 - l. electronic video game rooms;
 - m) bingo halls;
 - n) archery ranges;
 - o) self-service storage facilities;
 - p) car wash (automatic or otherwise) (the foregoing shall not preclude a car wash accessory to a filling station);
 - q) billiard hall;
 - r) model racing tracks;
 - s) funeral home mortuary and/or undertaking establishments;
 - t) grocery store in excess of 30,000 square feet;
 - u) a recycling collection facility;
 - v) accessory dwellings;
 - w) on-site dry cleaning;
 - x) establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Section 6.2-2100 et seq. and 6.1-1800 et seq. of the Code of Virginia in effect as of the date of the approval of these proffers (the forgoing shall not preclude banks, savings and loans or similar financial institutions that are not regulated by the foregoing Virginia Code Sections);
 - y) establishments whose primary business is the making of motor vehicle title loans as defined and regulated by Section 6.2 - 2200 et seq. of the Code of Virginia (the forgoing shall not preclude banks, savings and loans or similar financial institutions that are not regulated by the forgoing Virginia Code sections).
5. 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,

A handwritten signature in black ink, appearing to read "John A. Vithoulkas", is written over a horizontal line. The signature is stylized and includes a large flourish on the left side.

John A. Vithoulkas
County Manager

pc: Mr. Andrew M. Condlin, Esquire
Director, Real Estate Assessment
Police, Special Services