



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoukas
County Manager

October 16, 2018

Parham & Broad LLC
9530 Midlothian Turnpike
North Chesterfield, VA 23235

Re: Rezoning Case REZ2018-00031

Dear Sirs:

The Board of Supervisors, at its meeting on October 9, 2018, approved your request to amend proffers with Rezoning case C-10C-97 on Parcel 762-754-3266 located at the northeast intersection of W. Broad Street (U.S. Route 250) and Parham Road.

The Board of Supervisors accepted the following proffered conditions, September 11, 2018, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

THE PROFFERED CONDITIONS OF CASE NO. C-17C-83, AS REVISED WITH REZONING CASE C-78C-86, AND AS REVISED WITH REZONING CASE C-10C-97 ARE HEREBY AMENDED AND RESTATED IN THEIR ENTIRETY AS FOLLOWS:

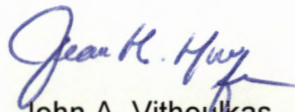
1. **Permitted Uses.** The only permitted B-3 uses shall be limited to automobile, truck and motorcycle sales, service and repair, a single automatic car wash, and uses accessory thereto. All uses permitted in a B-2 business district shall be permitted, except the following uses:
 - a. billiard, bagatelle, video game or a bingo parlor;
 - b. flea markets or antique auctions;
 - c. recycling facilities;
 - d. funeral homes, mortuaries, crematories and/or undertaking establishments;
 - e. dance halls;
 - f. truck stops;
 - g. gun shop, sales and repair;
 - h. recreational facilities;
 - i. parking garages or commercial parking lots as a principal use;

- j. sign painting shops;
 - k. establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Sections 6.2-2100 et seq. and 6.2-1800 et seq. of the Code of Virginia (the foregoing shall not preclude banks, savings and loans or similar financial institutions that are not regulated by the foregoing Virginia Code sections);
 - l. bars, which, for purposes of this restriction, shall mean a business establishment whose primary business is the sale of alcoholic beverages for on-premises consumption. This restriction shall not prohibit the sale of alcoholic beverages in restaurants as licensed by the Virginia Department of Alcoholic Beverage Control;
 - m. 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.
 - n. recording studios; and
 - o. private club, lodge, meeting hall and fraternal organization.
2. **Hours of Operation.** The hours of service for the B-3 uses shall not begin before 7:00 a.m. or extend beyond 10:00 p.m., daily. The foregoing shall not preclude servicing of vehicles in a completely enclosed building with bay doors closed between 10:00 p.m. and 7:00 a.m.
 3. **No Body Repair.** No body repair work shall be performed on the Property or in buildings on the Property.
 4. **Exterior Materials.** The exposed portion of each exterior wall surface (front, rear and sides) of any building constructed on the Property shall be of finished materials similar to the other exposed portions of exterior walls of such building in architectural treatment and materials and no exposed unfinished cinderblock shall be permitted. Building materials may include brick, glass, E.I.F.S., stone, stone veneer, split face block, cementitious, composite-type siding, architectural-grade metal panels or a combination of the foregoing, 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.
 5. **Repair Areas.** No automobile repair work shall be performed outside of a building on the Property. Additionally, no body repair work will be performed on the property. Repair areas shall be air conditioned so as to minimize the necessity for opening garage doors during hours of operation.
 6. **Setback.** 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 and a minimum of eight (8) feet shall be maintained along the right-of-way line of Parham Road (as such rights-of-way lines are finally determined at the time of Plan of Development). No vehicles shall be parked within such setback areas.

7. **Parking Lot Lighting.** Parking lot lighting standards shall not exceed twenty-five (25) feet in height. 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 boundary of the Property abutting Parham Road. Parking lot lighting shall be reduced to no more than a security level, except during hours of service.
8. **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.
9. **Outside Speakers.** No outside loud speakers, which can be heard beyond the boundaries of the Property, shall be permitted on the Property.
10. **Signage.** To the extent that an existing freestanding sign that is nonconforming is removed, a new freestanding sign may be erected but such new sign shall not exceed 15 feet in height and the sign face shall not exceed 100 square feet. The design and location of any new freestanding sign shall be approved as part of Plan of Development.

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

Sincerely,



John A. Vithoukas
County Manager

pc: James W. Theobald, Esquire
Director, Real Estate Assessment