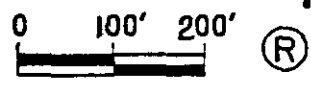


COUNTY OF HENRICO PLANNING OFFICE
 92-BI-16 & 92-BI-17
 THREE CHOPT DISTRICT

AUTO DEALERSHIP
 C-54C-89



JAS

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

W.F. L'VECCHIA, P.E., A.P.P.
County Manager

September 18, 1990

Re: Conditional Rezoning Case C-54C-89

Mr. Max Pearson
Pearsons Enterprise, Inc.
7450 Midlothian Pike
Richmond, Virginia 23225

Dear Mr. Pearson::

The Board of Supervisors at its meeting on September 12, granted your request to conditionally rezone from R-3 One Family Residence to B-3C Business District (Conditional), property described as follows:

Parcels 92-B1-16 and 17:

Beginning at a point on the S. line of Broad Street 600' more or less, west of the center line of Parham Road; thence S. $45^{\circ} 16' 57''$ W., 510.25 to a field pipe; thence N. $18^{\circ} 52' 59''$ W., 277' to a point; thence N. $40^{\circ} 23' 36''$ E., 295' to the south line of Broad Street; thence along the south line of Broad Street to the point and place of beginning, containing 2.547 acres.

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):

1. The principal uses on the property shall be limited to automobile sales, service, repair and equipment establishments, specifically a dealership of a luxury automobile comparable to "Infiniti" with the building to be constructed to be substantially similar in architectural style to the photographs shown as Exhibit 1 attached hereto, and those uses permitted in a B-2 community business district, except that the following uses otherwise permitted in a B-2 zoning district shall not be permitted: recreation facilities as defined and permitted in Section 22-58.1(s) of the Henrico County Zoning Ordinance, hotel, motel, motor lodge, motor hotel and gas stations, or retail automobile tire stores. Further, for all uses permitted for the property the sign sizes and regulations related thereto shall be as provided for in a B-2 community business district.
2. The number of entrances/exits to and from the site shall be limited to two such entrances/exits along Broad Street. One of such entrances shall be at the present western entrance to the property to make the present crossover on Broad Street available for traffic to the site. The second/eastern entrance shall be on Broad Street as close to the eastern boundary of the site as approved by the Planning Commission or such other appropriate governmental authority as has jurisdiction over such matters. Such eastern entrance shall be designed so that it may be shared with the abutting residential properties (presently 3 home sites) to the east of subject site facing Broad Street, at such time as those properties are developed for other than residential purposes. The terms and conditions of such joint use

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shall be as agreed to and set forth in a joint access agreement. In the event of dispute as to the terms and conditions of such joint access agreement the same shall be determined by the Planning Commission or such other appropriate governmental authority as has jurisdiction over such matters. Notwithstanding the foregoing, for such period of time as the property immediately contiguous to the east is used for residential purposes, the eastern exit/entrance to the site shall be located no closer to the eastern property line than 25 feet.

3. Except for windows, doors and exterior trim, there shall be no exposed metal on the front exterior facades on any building facing Broad Street and on the exterior side of such building or buildings for a distance equal to the depth of such building used for sales and administrative offices. There may be exposed metal on the front, rear and sides of other buildings constructed on the property, provided that the portion of any building facing toward any public street, i.e., Broad Street, shall not be more than 50% metal. Further and as the same is not inconsistent with the foregoing, the architectural design buildings shall be similar to the architectural design as shown on photograph marked Exhibit "1" attached hereto and proffered herewith.
4. No building constructed on the property shall exceed the greater of two stories in height or 25 feet.
5. As to automobile dealerships, the hours of service to the public shall not commence prior to 7:00 a.m. nor extend beyond 10:00 p.m. daily, and for repair work shall exclude Sundays. As to other uses on the property the hours of service to the public shall not commence before 6:15 a.m. nor extend beyond 12:00 midnight.
6. Automobile repair work shall only be performed within enclosed buildings on the property, and shall not extend beyond 10:00 p.m. daily.
7. No body repair work shall be performed on the property or in the buildings on the property.
8. Repair areas shall be air conditioned so as to minimize the necessity for opening garage doors during the hours of operation.
9. A landscaped and natural buffer area of the minimum width of 25 feet shall be provided along the right-of-way line of Broad Street Road. The limit of clearing of existing vegetation within the buffer area shall be shown on the plans to be approved by the Planning Commission at the time of POD review. Additionally, along the southern or rear property line a 25 foot buffer area shall be maintained and shall consist of evergreen plantings not less than seven (7) feet in height and shall be designed such as to substantially block from view the subject property from the residential property to the rear along Skipwith Road. Additionally, there shall be a buffer strip along the east property line of the property of not less than twenty-five (25) feet to a depth of two hundred (200) feet and a buffer strip for the remainder of the eastern property line of ten (10) feet so long as the property to the east is used for residential purposes. Where the placement of utility easements or drainage structures within the buffer areas result in the inability of the owner to provide adequate landscaping within the buffer area, screening shall be provided adjacent to the buffer area to properly screen development on the

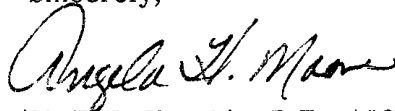
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property from adjacent residential properties, as determined by the Planning Commission at the time of landscaping plan review. No vehicle parking of any kind shall be permitted within the aforesaid buffer areas.

10. Parking lot lighting standards shall not exceed 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 offsite, and which produce a lighting intensity of a maximum of one-half foot candle along the boundaries of the property abutting residential uses. Parking lot lighting shall be reduced to a security level following the closing of business operations daily.
11. No outside speaker systems shall be placed on the property.
12. No mobile or billboard signs shall be placed on the property.

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,


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

cc: Clerk, Board of Supervisors
Supervisor, Real Estate Assessment
Conditional Zoning Index
William S. Smithers, Jr., Esquire
Mrs. Pansy Gary
Mrs. Myrtle L. Holmes
Estate of Nellie S. Oliver