

PT. 86-B2-5

AMENDMENT OF PROFFERS

BROOKLAND DISTRICT

C-5C-93



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

April 20, 1993

Re: Conditional Rezoning Case C-5C-93

Mr. Paul B. Hutchins
11200 Midlothian Tpke.
Richmond, Virginia 23235

Dear Mr. Hutchins:

The Board of Supervisors at its meeting on April 14, granted your request to amend proffered conditions on Conditional Rezoning Case C-11C-88, being Part of Parcel 86-B2-5.

The following amended and restated proffered conditions accepted by the Board of Supervisors in their entirety those previously accepted in Case C-11C-88 as it relates to the subject 2.7 acres and further regulate the use of your property in addition to all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance).

1. The principal uses of the Property shall be limited to automobile service, repair and equipment establishment as permitted in a B-3 zoning district and uses permitted in B-2 zoning districts. All services shall be performed inside the building constructed at the site, which building shall be air conditioned and the doors thereto kept closed except for vehicles entering and leaving the building.
2. The parking lot and other exterior lighting shall be low intensity and shall be positioned in such a manner as to minimize the impact of such lighting on any adjacent noncommercial areas; and lighting shall be reduced to a level sufficient to maintain security when the business on the property closes to the public. Exterior lighting fixtures shall be of "shoe box" or "can" design, and shall not exceed twenty (20) feet in height, and shall be installed so that the direct or reflected illumination does not exceed one (1) foot candle above background measured at the property lines.
3. A minimum of forty-five (45) foot wide buffer area will be maintained along the eastern boundary line of the property abutting Virginia Home for Boys property and landscaped as required by the Planning Commission at the time of Plan of Development approval. No utility easements shall be permitted in this buffer area. Within this buffer area a minimum seven (7) foot berm will be provided, as shown on the site plan identified as Exhibit A-1, prepared by Steele & Associates, Architects, dated 3/10/93 (see case file).
4. Hours of operation shall be restricted to 6:00 a.m. to 9:00 p.m., Monday through Friday, and 7:00 a.m. to 6:00 p.m. on Saturday. Trash collection, parking lot cleaning and grounds maintenance shall be permitted only between the hours of 7:00 a.m. and 9:00 p.m. The business located on the property shall not open to the public on Sunday.

5. A landscaped area fifteen (15) feet wide shall be constructed along the eastern line of the right-of-way of Homeview Drive, except at entrances into the property, as approved by the Planning Commission at the time of POD approval. There shall be no retention areas therein.
6. No external loudspeaker or paging system shall be operated on the property.
7. All inoperable, wrecked or damaged vehicles which are waiting for repairs will be kept inside the building on the property or behind the privacy gates which are shown on the site plan identified as Exhibit A-1, prepared by Steele & Associates Architects, dated 3/10/93, and there shall be no outside storage or parts or auto repair materials.
8. Signage on the property shall be limited to B-2 zoning district standards. Detached signs shall not exceed fifteen (15) feet in height, and limited to eighty-six (86) square feet on each face thereof.
9. The exterior walls shall be constructed of masonry, glass, and finished metal, as shown and designated on Exhibits A-3 and A-4 prepared by Steele & Associates, Architects, both dated 3/10/93 (See case file). This may only be changed as specifically requested and approved by the Planning Commission in conjunction with Plan of Development approval.
10. The building shall not exceed thirty-five (35) feet in height, and shall be set back not less than fifty (50) feet from the eastern line of the right-of-way of Homeview Drive.
11. The building shall be located and constructed on the property substantially in accord with site plan and elevations identified as Exhibits A-1, A-3, A-4, and A-5, prepared by Steele & Associates, Architects, dated 3/10/93 (see case file), and may only be changed as specifically requested and approved by the Planning Commission in conjunction with Plan of Development approval.
12. The building shall have no service bays facing Homeview Drive.
13. All auto body parts, equipment, trash, debris, waste, paint, thinners, cleaners and other similar products shall be located within the building on the premises, or in appropriate commercial trash receptacles which are screened by the masonry wall which is shown on the site plan identified as Exhibit A-1, prepared by Steele & Associates, Architects, dated 3/10/93 (see case file).
14. Heating, air conditioning and exhaust system equipment shall be screened from public view from the north, south and western directions.

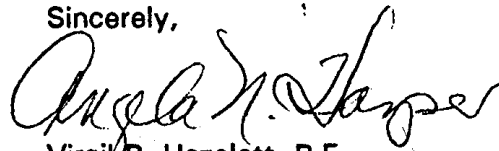
Mr. Paul B. Hutchins
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15. The walls shown on portions of the north and south lines of the property shall be constructed of masonry which is identical to the masonry on the building, and the wall on the north line of the property shall extend from a point north of the building to the berm along the east line of the property.
16. There shall be no burning on the property during construction, and provisions shall be made during construction to control dust by water or otherwise.
17. At the time of POD approval, an emergency area that is screened from public view at the property line shall be designated on the site plan for vehicles brought to the property for repair after the stated hours of operation. Vehicles shall be removed from the emergency area when the business resumes operation.
18. The materials used to construct the building and walls shown on the elevations and site plan herein described in Proffers 7 and 11 shall be substantially similar or equal to those materials filed herewith on Exhibit A-6, (see case file), prepared by Steele & Associates, Architects.

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 condition in the Conditional Zoning Index.

Sincerely,



Virgil R. Hazelett, P.E.,
County Manager

cc: Clerk, Board of Supervisors
Director, Real Estate Assessment
Conditional Zoning Index
Homeview Associates
Mr. Edward E. Willey, Jr., Esquire