

63-7-A-1

FAIRFIELD DISTRICT

AMEND PROFFERED CONDITIONS

C-70C-97



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

November 18, 1997

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-70C-97

Mr. Robert M. Attack
Chamberlayne Farms Shopping Center, L.C.
4435 Waterfront Dr.
Glen Allen, Virginia 23060

Dear Mr. Attack:

The Board of Supervisors at its meeting on November 12, 1997 granted your request to amend proffered conditions on Conditional Rezoning Case C-40C-91 being Parcel 63-7-A-1.

The following substitute proffered conditions accepted by the Board of Supervisors, further regulate the use of your property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance).

1. Permitted Uses. The use of the Property shall be limited to those uses permitted and as regulated in a B-1 Business District with the exceptions of:
 - (a) a restaurant, takeout and meal delivery service as permitted in §24-58.1(t) of the Henrico County Code (the "Code"), and expanded hours of operation which may be permitted as a provisional use under §24-58.2 of the Code; and
 - (b) the easternmost 14,400 square feet of the principal building on the Property may be used as follows:
 - (i) Approximately 5,200 square feet for administrative and dispatcher offices for a courier service,
 - (ii) Approximately 3,000 square feet for servicing of the vehicles used in the courier service operation; and
 - (iii) Approximately 6,200 square feet of exhibition space for a maximum of twenty-five (25) restored antique vehicles.

substantially as shown on the layout plan attached hereto as Exhibit A (contained in case file).
- (iv) The hours of operation shall be no earlier than 7:30 a.m. nor later than 9:30 p.m.

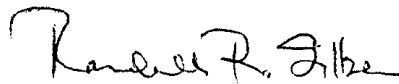
Mr. Robert M. Atack
Chamberlayne Farms Shopping Center, L.C.
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2. Restriction on Usage. The uses permitted in §§ 24-58.1(t) and 24-58.2(a) shall be limited to Pizza Hut of America, Inc. The uses permitted under Paragraph 1 (b) hereof shall be restricted as follows:
 - (a) Subject to obtaining a Provisional Use Permit pursuant to §24-58.2(c), only the servicing of vehicles utilized in the courier service which do not exceed an empty weight of 5,000 pounds and antique vehicles in the showroom shall be permitted on the Property and only within an enclosed building and subject to such other conditions as provided for in the Provisional Use Permit.
 - (b) No more than twenty-eight (28) vehicles not exceeding an empty weight of 5,000 pounds used in the courier service business may be parked overnight on the shopping center parking lot and only in the portion thereof designated for such purposes and approved by the Director of Planning or his or her designee.
3. Signage. Signage for the restaurant shall be limited in size to that allowed in a B-1 Business District and may remain illuminated until 2:00 a.m. on Saturday and Sunday. Signage for the courier service shall be limited in size to that allowed in a B-1 Business District.
4. Outside Speakers. There shall be no outside speakers which may be heard beyond the boundaries of the Property.
5. Perimeter Landscaping. The existing natural and/or landscaped buffer areas around the perimeter of the Property shall be maintained in a good, healthy state by the Owner of the Property and no vehicles shall be parked in the aforesaid buffer areas. Fallen, diseased and dead plant growth shall be removed and replaced with comparable (at maturity) healthy plant materials.

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,



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

cc: Director, Real Estate Assessment
Conditional Zoning Index
Mr. Jay M. Weinberg, Esquire