



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

March 21, 2000

Virgil R. Hazelett, P.E.
County Manager

Re: **Conditional Rezoning Case C-14C-00**

Trammell Crow BTS, Inc.
7535 E. Hampden Ave., Suite 650
Denver, Colorado 80231

Gentlemen:

The Board of Supervisors at its meeting on March 14, 2000, granted your request to amend proffered conditions on Conditional Rezoning Case C-59C-94, being Parcel 90-6-A-2.

The following substitute proffered conditions, dated March 13, 2000, 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).

These proffers, as amended, amend and restate the existing proffers in their entirety:

1. The parcel shall only be used for (1) an automobile service station including, but not limited to, providing the following services: oil changes and lubrication, brakes, alignments, tune ups, battery replacements and/or charging, tire sales, installations and repairs, air conditioning and cooling systems, state inspections in Virginia and/or (2) such other uses as permitted in a B-1 district except that there shall be no food service or sale of alcoholic beverages or retail sale of gasoline allowed to the general public.
2. Signage shall not be greater than that as allowed and regulated in a B-2 district.
3. Hours of service to the public shall be restricted to between 7:00 a.m. and 9:00 p.m. daily, seven days per week but such limits shall not prohibit customers from dropping off or picking up their vehicles between 9:00 p.m. and midnight or between 6:00 a.m. and 7:00 a.m.
4. All buildings erected on the parcel including accessory buildings shall be constructed of a standard size brick similar to the adjacent shopping center. The exterior of such building shall be the same and uniform on all sides of all buildings. The color of the brick shall be complementary to the adjacent shopping center. The architectural character of the building shall be substantially similar to that shown on the attached Exhibit A.


5. Lighting shall be of a low intensity nature (similar to the lighting in the adjacent shopping center) and shielded (such as "shoe box" type fixtures) to minimize any off premises lighting or glare to adjacent residential areas with lighting to be reduced to minimal levels as necessary for security during closure hours. Lighting fixtures shall not exceed twenty (20) feet in height from ground level.
6. Trash and any exterior storage of related automotive supplies will be enclosed and screened in a brick enclosure to be located in the southwestern corner of the property. However, any trash collection will not take place before 7:00 a.m. in the morning or after 7:00 p.m. in the evening.
7. There shall be no ingress or egress by Starling Drive. The existing curb cut on Starling shall be closed and all ingress and egress shall be through the adjoining shopping center development located on the property's western and northern boundaries and as approved by the County of Henrico.
8. Any rooftop mechanical systems which are visible from ground level at property line shall be screened from view in such manner as required by the Planning Commission at the time of Plan of Development review.
9. 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.
10. There will be a landscaped buffer area of a minimum of 15' in width, one foot of which may be used for a retaining wall, along the eastern line of the subject property (right-of-way line of Starling Drive). There also will be a landscaped buffer area of a minimum of 6 feet in width along the northern line of the subject property.
11. The islands along the internal drive on the western boundary of the property will be landscaped.
12. No automotive bays shall face Starling Drive.
13. No loudspeaker, public address systems, boom boxes, outdoor audible security systems or any kind of exterior communication systems shall be built, installed or used at the facility.

Trammell Crow BTS, Inc.
March 21, 2000

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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: Director, Real Estate Assessment
Conditional Zoning Index
Mr. John C. Moore, Esquire
ORS Limited Partnership



Exhibit A Approved with
Recurring case C-44C-06 on 3-14-00.