



AUTOMOBILE DEALERSHIP

C-32C-00



59-A-5
THREE CHOPT DISTRICT

HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

May 16, 2000

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-32C-00

Mr. Stuart E. Haynes, Jr.
Haynes Jeep
9520 West Broad St.
Richmond, VA 23294

Dear Mr. Haynes:

The Board of Supervisors at its meeting on May 9, 2000, granted your request to conditionally rezone property from A-1 Agricultural District to B-3C Business District (Conditional), Parcel 59-A-5, described as follows:

BEGINNING at a point on the south right-of-way line of West Broad Street Road, 781.15 feet west of the west line of Tuckernuck Drive; thence departing said right-of-way line S31°15'05"W, 1351.45 feet to a point; thence N63°32'15"W, 339.10 feet to a point; thence N33°19'05"E, 1373.09 feet to a point on the south right-of-way line of Broad Street Road; thence along said right-of-way line S63°49'44"E, 290.08 feet to the POINT OF BEGINNING, containing 9.857 acres of land, all as shown on plat by Foster & Miller P.C., entitled "Plat of 9.857 Acres Located on the South Line of West Broad Street Road, Three Chopt District, Henrico County, Virginia", dated 5-21-97 and 5-27-97.

The Board of Supervisors accepted the following proffered conditions, dated April 13, 2000, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Landscape Strip. A landscaped strip shall be maintained a minimum of twenty-five (25) feet in width along the northern boundary line of the Property adjacent to the ultimate right-of-way line of West Broad Street Road, except to the extent necessary or allowed for sidewalks, utility easements, grading, drainage, signage, access driveways and other purposes requested and permitted at the time of Plan of Development. Any new utility easement or access driveway permitted within the landscaped strip shall be extended generally perpendicular thereto, unless otherwise required and approved at the time of Plan of Development. There shall be no parking or displaying of vehicles within such twenty-five (25) foot landscaped area.
2. Buffer. A thirty-five (35) foot transitional buffer shall be provided for a distance of approximately five hundred (500) feet along the western property line from West Broad Street Road to the rear corner of the proposed automobile dealership building(s). The remaining transitional buffer adjacent to residentially-zoned property shall be increased

to thirty-nine and one-half (39.5) feet. To the extent reasonably practicable at the time of development, healthy, mature trees of a minimum of six inch (6") caliper shall be retained within the first twenty (20) feet of all transitional buffers measured from the property line where adjacent to residentially-zoned property. A berm of a minimum of three (3) feet in height shall be provided within the increased transitional buffer beyond the tree save area. On the berm within the increased transitional buffer, and where necessary within the thirty-five (35) foot transitional buffer, evergreens of a minimum height of six (6) feet shall be planted and shall be staggered and no farther apart than ten (10) feet on center, unless such plantings are not required in order to provide additional screening as a result of existing evergreen vegetation.

3. Lighting. Parking lot lighting shall be produced from concealed sources of light (such as shoebox-type fixtures) and the lighting filament and bulb shall not extend below the frame of the light fixture. Parking lot lighting standards shall not exceed twenty-five (25) feet in height as measured from the grade at the base of the lighting standard and shall be positioned in such a manner as to minimize the impact of such lighting offsite. Lighting levels will be reduced to a security level after the close of business.
4. Overhead Doors. There shall be no overhead service doors on the western facade of any building on the Property.
5. Loading. Loading and unloading of vehicle deliveries to an automobile dealership shall be performed only on site within the boundaries the Property. No loading or unloading of vehicle deliveries to an automobile dealership shall occur in the area between the front of the showroom building of such dealership on the Property and West Broad Street Road.
6. Use Restrictions. The only uses permitted on the Property shall be as follows:
 - a. Automobile dealerships, including sales, rental and repair and/or a storage lot for new or used cars, and other accessory uses, not otherwise prohibited, customarily accessory and incidental to a permitted use, including towing service, tires and parts sales, car wash and body repair.
 - b. Those uses permitted in a B-2 Business District, excluding, however, the following:
 - i) any facility that provides for the sale, rental, distribution or display (including one that utilizes computer technology) of pornographic materials (as determined by the community standards for the area in which the property is located);
 - ii) billiard, bagatelle, video game or a bingo parlor;
 - iii) dance halls;

- iv) funeral home, mortuary and/or undertaking establishment;
- v) flea markets and antique auctions;
- vi) rifle or pistol range;
- vii) gun shop, sales or repair;
- viii) massage parlors;
- ix) helistops;
- x) restaurants with drive-through windows;
- xi) printing, publishing and engraving, blueprinting and photographic shops that emit sounds or odors that are detectable at the perimeter of the Property or which have outside storage;
- xii) private clubs;
- xiii) freestanding communications tower;
- xiv) outdoor advertising sign as defined in Section 24-3 of the Code of Henrico, or billboards of any kind;
- xv) indoor recreation facilities, including theaters, bowling alleys, skating rinks (ice skating and roller skating), swimming pools, tennis, model racing tracks, electronic video game rooms, bingo halls, archery ranges and similar activities;
- xvi) laundromats and self-service dry-cleaning establishments; or
- xvii) outside vending machines for food, beverage and similar merchandise.

All uses permitted in the B-2 zoning district shall be subject to the development standards set forth in the B-2 zoning district.

7. Hours of Operation. As to automobile dealerships, the hours of service to the public shall be limited to 6:30 a.m. to 10:00 p.m. Monday through Saturday and 11:00 a.m. through 6:00 p.m. on Sundays for the service facilities, and 8:00 a.m. to 10:00 p.m. Monday through Saturday and 11:00 a.m. through 6:00 p.m. on Sundays for all other activities (including the loading and unloading of vehicles). Hours of operation for other permitted uses shall be regulated pursuant to B-2 District standards.
8. Public Address. No outdoor public address or speaker system outside of any building, other than an intercom system which is not audible at the Property lines, shall be permitted on the Property.
9. Underground Utilities. Except for junction boxes, meters and existing overhead utility lines and utility lines running through or over wetlands, if any, all utility lines shall be underground. All junction and access boxes and meters shall be screened to the extent permitted by the applicable utility provider.
10. Trash Receptacles. Enclosure areas for dumpsters on the Property shall, except for access doors, be constructed of a masonry material. Access doors shall be opaque.

10. Trash Receptacles. Enclosure areas for dumpsters on the Property shall, except for access doors, be constructed of a masonry material. Access doors shall be opaque. Trash pickup from the site shall be limited to the hours of 7:00 a.m. to 8:00 p.m. Monday through Saturday. There shall be no trash pickup on Sundays.
11. Mechanical Equipment. Mechanical equipment shall be screened from public view at ground level at the perimeter of the Property in a manner approved at the time of Plan of Development.
12. Severance. The unenforceability, elimination, revision or amendment or any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of any of the other proffers or the unaffected part of any such proffer.
13. Architectural Style and Treatment. Any automobile dealership showroom developed on the Property shall have an exterior architectural style generally consistent with the exterior elevations attached hereto as Exhibit A unless otherwise requested by the owner and specifically approved at the time of Plan of Development. No building(s) shall be covered with or have exposed to exterior view any painted or unadorned concrete masonry block or corrugated metal.
14. Conceptual Plan. Any automobile dealership developed on the Property shall be developed generally in conformance with the layout plan entitled "Haynes Jeep, West Broad Street", prepared by Balzer and Associates, Inc., attached hereto as Exhibit B, which layout plan is conceptual in nature and may vary in detail. The exact location, footprint, configuration, size and detail of the building(s), parking, storage area and BMP facilities are conceptual. The Property may be developed in phases.
15. Vehicle Service and Repair. There shall be no vehicle service or repair on the Property conducted within four hundred fifty (450) feet of the rear property line of the Property.
16. Limitation on Storage Lot Area. No more than seven (7) acres of the Property shall be utilized as a vehicle storage lot during any period that the storage of vehicles is the primary use of the Property.
17. Signage. Any poles for detached pylon signs shall be boxed with a finished material and not exposed to view. The height of any detached pylon sign shall not exceed thirty (30) feet in height; the size of such sign shall not exceed 130 square feet in size.
18. Sidewalks. Subject to obtaining all required governmental easements, approvals and permits, a standard size pedestrian sidewalk shall, concurrent with the development of a building on the Property, be installed in accordance with County standards in the County's right-of-way along the southern right-of-way line of West Broad Street Road.

Mr. Stuart E. Haynes, Jr.
Haynes Jeep
May 16, 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 conditions in the Conditional Zoning Index.

Sincerely,

A handwritten signature in black ink, appearing to read "Virgil R. Hazelett, P.E.", written in a cursive style.

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

cc: Director, Real Estate Assessment
Conditional Zoning Index
Wallace Realty, L.L.C.
Mr. James W. Theobald, Esquire