Zoning Districts identified on this sheet with an Asterisk (*) are within the West Broad Street Overlay District and are subject to Special Regulations.
October 17, 2006

Kalyan Plaza II, Inc.
c/o Mr. Nick Patel
931 South Avenue
Colonial Heights, VA 23834

Re: Conditional Rezoning Case C-44C-06

Dear Mr. Patel:

The Board of Supervisors at its meeting on October 10, 2006, granted your request to amend proffered conditions accepted with Rezoning Case C-43C-05, on Parcel 735-763-7898, described as follows:

Commencing at a rod found on the northern line of Broad Street Road 343± from the centerline of the entrance to Short Pump Town Center, said rod being the point of commencement; thence along and following said northern line of Broad Street Road N 61° 27' 36" W 101.44 feet to a rod found, said rod being the point of commencement; thence along and following said northern line of Broad Street Road N 61° 27' 36" W 234.91 feet to a rod found; thence N 28° 38' 31" E 22.01 feet to a rod found; thence N 61° 28' 33" W 60.10 feet to a rod found; thence departing the north line of Broad Street Road N 38° 02' 58" E 373.24 feet to a rod found; thence N 23° 49' 34" E 276.21 feet to a rod found; thence S 61° 36' 43" E 371.61 feet to a rod found; thence S 39° 16' 40" W 175.63 feet to a point; thence S 38° 04' 03" W 500.72 feet to a rod found on the northern line of Broad Street Road, said rod being the point of beginning.

Containing 207,404 square feet or 4.761 acres of land.
The Board of Supervisors accepted the amendment to the proffered conditions, dated September 11, 2006, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Except as amended hereby, all proffers contained in C-43C-05 shall remain in full force and effect and shall by this reference thereto be made a part hereof as if fully set forth herein.

2. Proffer 13(l) shall be deleted in its entirety and in its place shall be amended to read "motor or motor lodge".

3. The last paragraph of proffer 13 shall be deleted in its entirety and replaced with the following:

   In addition to the foregoing, no building or individual building space shall contain a single user that occupies more than thirty-two thousand (32,000) square feet in such building or individual building space. Notwithstanding the foregoing, this limitation shall not apply to any hotel or any use otherwise permitted in the O-3 Office district. Any hotel use shall have a conference room facility consisting of one or more conference rooms of at least 1,500 square feet in total and shall contain a maximum of 190 rooms.

4. Proffer 15 shall be amended to include the following at the end of the last paragraph:

   Notwithstanding the foregoing, any hotel use shall have an exterior architectural style generally consistent with the exterior elevation plans entitled "HOLIDAY INN MILENNIUM AT SHORT PUMP", attached as Exhibit A (see case file), subject to such changes as may be requested by the County or owner and approved at the time of Plan of Development review, which such renderings are conceptual in nature and are provided as an illustration of the quality of the design and architectural style of such a hotel use. Development of the Property with a hotel shall substantially conform with the conceptual renderings attached as Exhibit A-1 (see case file) ("Site Plan"), entitled "Kalyan Plaza II, Conceptual Plan, Three Chopt District, Henrico County," prepared by Balzer and Associates, Inc. and dated August 7, 2006, revised August 18, 2006, which such layout is conceptual in nature and may be revised from time to time as required for engineering purposes, as required by any governmental entity and as otherwise requested and specifically permitted at the time of the Plan of Development review.
The Planning Department 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,

Virgil R. Hazelett, P.E.
County Manager

cc:  Mr. Andronikas Moudilos  
Andrew M. Condlin, Esquire  
Director, Real Estate Assessment  
Conditional Zoning Index