B-2 to B-3C
0.14 Ac.
August 19, 2008

Sam’s Real Estate Business Trust  
Attn Anthony Dodson  
2001 Southeast 10th Street  
Bentonville, AR 72716-0500

Re  Conditional Rezoning Case C-24C-08

Dear Mr Dodson

The Board of Supervisors at its meeting on August 12, 2008, granted your request to conditionally rezone from B-2 Business District to B-3C Business District (Conditional), part of Parcel 757-758-0701, described as follows

Commencing at a point located on the north right-of-way of Broad Street Road, said point being 75 feet from the centerline as shown on a plat recorded in Plat Book 92, Page 138, thence N 49°08'19" E for 26 13 feet to a point, thence N 32°15'48" E for 233 88 feet to an iron pin, thence N 14°19'17" E for 60 00 feet to an iron pin, thence N 14°22'38" E for 90 32 feet to an iron pin, thence N 32°15'48" E for 597 74 feet to an iron pin, thence S 02°01'35" W for 108 22 feet to a point being the Point of Beginning, thence S 57°57'47" E for 152 17 feet to a point, thence S 32°02'13" W for 40 90 feet to a point, thence N 57°57'47" W for 152 17 feet to a point, thence N 32°02'13" E for 40 90 feet to a point being the Point of Beginning Said tract contains 0 14 acres or 6,223 square feet more or less

The Board of Supervisors accepted the following proffered conditions, dated July 8, 2008, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance)

1  **Uses.** Uses on the property subject to this application (the “Property”) shall be limited to B-2 permitted uses other than with regard to a car wash, automatic or otherwise as permitted in a B-3 district, which shall be permitted on the Property

2  **Concept Plan.** The Property shall be developed generally consistent with the concept plan attached hereto as Exhibit A (the “Concept Plan”), (see case
file) The Concept Plan is conceptual in nature and may vary in detail as the exact locations, footprints, configurations, sizes and details of the building shown thereon and may be revised (i) for engineering reasons, (ii) as required by any governmental authority or (iii) as otherwise requested and approved by the Planning Commission at the time of POD review.

3 **Architectural Appearance.** The architectural appearance of the building constructed on the Property shall be substantially similar to the elevations attached as Exhibit B (see case file), unless otherwise requested and approved by the Planning Commission at the time of POD review.

4 **Hours of Operation.** Hours of operation for a car wash located on the Property shall be limited to 7:00 a.m. to 9:00 p.m.

5 **Outdoor Speakers.** No outdoor speakers or public address systems shall be permitted.

6 **Signage.** Signage shall be limited to that permitted in the B-2 Zoning District. No additional detached or mobile signs shall be permitted other than for directional purposes or for providing instructions for customers’ use of the car wash. Attention getting devices and changeable message signs shall be prohibited.

7 **Mechanical Equipment.** Mechanical equipment shall be enclosed in the building or otherwise screened from public view at ground level in a manner as approved at the time of Plan of Development review.

8 **Outdoor Storage, Vending and Vacuums.** No outdoor storage, outdoor food or beverage vending machines or vacuums shall be permitted on the Property.

9 **Dumpsters.** All dumpsters shall be enclosed and screened from public view at ground level with architectural material similar to the main building using the dumpster or as otherwise approved at the time of Plan of Development review.

10 **Building Height.** Any building constructed on the Property shall not exceed twenty (20) feet in height, exclusive of architectural treatments.
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,

[Signature]

Virgil R. Hazelett, P E
County Manager

cc: William G. Homiller, Esquire
Director, Real Estate Assessment
Conditional Zoning Index