

**SUBJECT PROPERTY**

**C-21C-11**  
**Zoning**  
 Amend Proffered Conditions  
 (C-36C-92 & C-6C-10)  
 Brookland District  
 400 Feet

PS October 2011 Ref: 755-758-3580



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.  
County Manager

January 31, 2012

AJB Properties, LLC  
c/o Fred Babik, Manager  
9221 Chamberlayne Road  
Mechanicsville, VA 23116

Re: Rezoning Case C-21C-11

Dear Mr. Babik:

The Board of Supervisors, at its meeting on January 24, 2012, approved your request to amend proffered conditions accepted with Rezoning Cases C-36C-92 and C-6C-10 on Parcel 755-758-3580 located at the southeast intersection of Springfield Road (State Route 157) and Huron Avenue.

The Board of Supervisors accepted the following proffered conditions, dated December 21, 2011, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

The Proffers previously accepted with cases C-36C-92 and C-6C-10 are hereby deleted in their entirety and the following proffers shall be substituted:

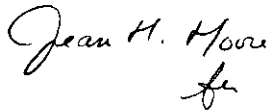
1. **Landscape Buffers.** There shall be a 10' landscape buffer along Springfield Road and Huron Ave. containing trees and shrubs that meet the planting requirements and specifications set forth (on the date these proffers are approved) in the "Transitional buffer 25" category in the Zoning Ordinance. There shall be no less than a 10' landscape buffer along that portion of Old Springfield Road which is immediately adjacent to residentially zoned property. Buffers may be breached to the extent necessary for utility easements, signage, access to and from the property, and other reasons specifically permitted or required by the Planning Commission at the time of plan of development review.
2. **Lighting.** Exterior lighting on the property shall be positioned in such a manner as to minimize the impact of such lighting on adjacent property and shall be of such type as required by the Planning Commission at the time of Plan of Development review and shall be reduced to the level needed for security during hours when the store is not open to the general public.
3. **Prohibited Uses.** All principal uses permitted in the B-2 district shall be permitted except for the uses listed below which shall be prohibited:
  - a. Drapery making and furniture upholstery shops,
  - b. Flea markets and antique auctions,

- c. Gun shop, sales and repair,
  - d. Funeral home, mortuary, and/or undertaking establishment,
  - e. Laundromats and self-service dry-cleaning establishments,
  - f. Private club, lodge, meeting hall and fraternal organization,
  - g. Billiard parlors,
  - h. Hotel, motels, or motor lodges,
  - i. Bars and taverns, which for the purpose of this restriction, shall mean a business establishment whose primary business is the sale of alcoholic beverages for on-premise consumption. This provision does not prohibit the sale of alcoholic beverages in restaurants as licensed by the Virginia Department of Alcoholic Beverage Control,
  - j. Recreational facilities, indoor, including theaters, movie houses, bowling alleys, skating rinks, swimming pools, tennis, model racing tracks, electronic video game rooms, bingo halls, archery ranges, and similar activities,
  - k. Communication tower,
  - l. Attention getting devices,
  - m. Dance halls,
  - n. Adult business as defined by Section 24-3 of the Henrico County Code,
  - o. Check cashing and/or making of payday loans as defined and regulated by Section 6.2-2100 et seq. and Sections 6.2-1800 et seq. of the Code of Virginia, provided the foregoing shall not preclude banks, credit unions, savings and loans, or other similar financial institutions that are not regulated by the foregoing Virginia Code sections,
  - p. Radio and television station and studios or recording studios,
  - q. Automotive service stations,
  - r. Automotive, truck, or recreational vehicle storage lot for new/used cars,
  - s. Automotive, truck, trailer, motorcycle, or bus sales, rental and repair,
  - t. Automotive body shops and repair facilities,
  - u. Billboards, changeable message signs and/or outdoor advertising,
  - v. Boat and boat trailer sales and service storage,
  - w. Car washes,
  - x. Fortune teller, palmist, astrologist, numerologist, clairvoyant, craniologist, phrenologist, card reader, spiritual reader,
  - y. Off-track betting parlors,
  - z. Restaurants with drive-through windows. This provision does not prohibit restaurants, including take-out restaurants so long as they do not have a drive-through window.
  - aa. Making of "motor vehicle title loans" or "title loans" as defined and regulated by Section 6.2-2200 et seq. of the Code of Virginia, provided the foregoing shall not preclude banks, credit unions, savings and loans, or other similar financial institutions that are not regulated by the foregoing Virginia Code sections.
4. Trash Receptacles. Trash receptacles not including convenience cans shall be screened from public view at ground level and enclosed with material similar to material of the existing building approved at the time of Plan of Development.

5. HVAC Screening. Heating and air conditioning equipment shall be screened from public view at ground level at the property lines in a manner approved at the time of Plan of Development.
6. There shall be no more than one access or entrance to the property along Springfield Road. This provision does not prohibit additional entrances along Old Springfield Road.

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

pc: Michael J. Rothermel, Esq.  
Director, Real Estate Assessment  
Conditional Zoning Index