



Proffers for Conditional Rezoning

County of Henrico, Virginia

4301 E. Parham Road, Henrico, Virginia 23228

Henrico Planning Web Site: <http://www.henrico.us/planning>

Mailing Address: Planning Department, P.O. Box 90775, Henrico, VA 23273-0775 Phone (804) 501-4602

Facsimile (804) 501-4379

Original Amended Rezoning Case No. REZ 2021 00040 Magisterial District Tuckahoe

Pursuant to Section 24-121 (b) of the County Code, the owner or duly authorized agent* hereby voluntarily proffers the following conditions which shall be applicable to the property, if rezoned:

/ Andrew M. Cordlin
Signature of Owner or Applicant / Print Name

August 10, 2021
Date

*If applicant is other than Owner, the Special Limited Power of Attorney must be submitted with this application

Case REZ2021-00040

August 10, 2021

1. **Concept Plan.** The Property shall be developed in general conformance with Exhibit A, attached (see case file) entitled "Site Plan", dated August 9, 2021, and prepared by Kimley-Horn and Associates, Inc. (the "Concept Plan"). The exact locations, footprints, configurations, size, and details of the lots, drives, roads, buildings and other improvements shown on the Concept Plan are illustrative and are subject to change and may be updated from time to time as required for final engineering design, compliance with governmental regulations or as otherwise approved at the time of Plan of Development review of the Property.

2. **Architectural Treatment.** Any building located on the Property shall be generally in conformance with the elevations attached hereto as EXHIBIT B, unless requested and approved by the Director of Planning at the time of Plan of Development review.

3. **Use Restrictions.** Use of the Property shall be limited to the following:

- (a) All uses permitted in the B-1 Business District shall be permitted.
- (b) All restaurants permitted in the B-2 Business District, including drive-through services, provided, however, no restaurant shall be used for a fast food and/or carryout restaurant, not to exclude, however, fast-casual restaurants such as Panera and Starbucks, restaurants with dedicated parking for the pickup of carry-out food, nor restaurants whose



Proffers for Conditional Rezoning (Supplemental)

County of Henrico, Virginia

4301 E. Parham Road, Henrico, Virginia 23228

Henrico Planning Web Site: <http://www.co.henrico.va.us/planning>

Mailing Address: Planning Department, P.O. Box 90775, Henrico, VA 23273-0775

Phone (804) 501-4602

Facsimile (804) 501-4379

primary business is the sale of specialty coffees or other non-alcoholic beverages or pastry.

4. **Trash Receptacle.** Dumpsters and trash receptacles, not including convenience containers, shall be screened from public view at ground level at the perimeter of the Property, with brick on three (3) sides complementary to the main building on the Property. The fourth (4th) side shall have a gate or door that is of a substantial and durable material as determined at the time of Plan of Development review. Support posts, gate frames, hinges and latches shall be of a sufficient size and strength to allow the gates to function without sagging or becoming a visual eyesore. The location of any dumpster on the Property shall be as generally shown on the Concept Plan.
5. **HVAC.** Any heating, ventilation, and air conditioning units placed on the Property shall be screened by architectural features (such as a fence or wall) which are compatible with the building façade architecture.
6. **Outdoor Speakers.** Any outdoor speaker on the Property shall be limited in audible range so as not to extend beyond the north-eastern right-of-way line at Huguenot Road and River Road.
7. **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.