

CASE NO. _____
PROFFERED CONDITIONS

The property owners and applicant in this rezoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the property under consideration (the "Property") will be developed according to the following proffers if, and only if, the rezoning request submitted herewith is granted with only those conditions agreed to by the owners and applicant. In the event this request is denied or approved with conditions not agreed to by the owners and applicant, the proffers shall immediately be null and void and of no further force or effect.

Case No. 07SN00372

The Applicant amends Proffered Condition 1 of Case No. 07SN00372 to read as follows:

1. Master Plan. The Textual Statement dated July 1, 2020, shall be the Master Plan. In addition, the property shall be developed in general conformance with the schematic master plan filed herewith entitled "Hancock Station Master Plan" dated June 24, 2020 and prepared by sekivsolutions (the "Master Plan").

The Applicant amends Proffered Condition 2 of Case No. 07SN00372 to read as follows:

2. Elevation. The Property shall be developed in general conformance with the elevations filed herewith entitled "Hancock Station Building D Conceptual Design" and prepared by Bignell Watkins Hasser (the "Elevation").

The Applicant amends Proffered Condition 3 of Case No. 07SN00372 to read as follows:

3. Public Water and Wastewater. The public water and wastewater systems shall be utilized.

The Applicant amends Proffered Condition 5 (w) of Case No. 07SN00372 to read as follows:

4. Prohibited Uses.

Freestanding fast-food restaurants with drive-through windows, not to exclude, however, fast-casual restaurants such as Panera, restaurants with dedicated parking for the pickup of carry-out food, nor restaurants whose primary business is the sale of specialty coffees or other non-alcoholic beverages or pastry. The Director of Planning shall determine if a restaurant is fast food or fast casual pursuant to the above.

The Applicant amends Proffered Condition 6 of Case No. 07SN00372 to read as follows:

5. Building Height. No building constructed on the Property shall exceed two stories in height, but in no event exceed 40' in height.

The Applicant amends Proffered Condition 7 of Case No. 07SN00372 to read as follows:

6. Maximum Square Footage. Buildings on the Property shall not exceed 51,000 gross square feet in the aggregate.

The Applicant amends Proffered Condition 8 of Case No. 07SN00372 to read as follows:

7. Fence. A wooden fence a minimum of six (6) feet in height shall be provided along a portion of the rear property line as shown on the Master Plan.

The Applicant amends Proffered Condition 12 of Case No. 07SN00372 to read as follows:

8. Access. Direct vehicular access to Route 360 shall be limited to one (1) entrance/exit located towards the western property line. The exact location of this access shall be approved by the Transportation Department.

The Applicant amends Proffered Condition 13 of Case No. 07SN00372 to read as follows:

9. Transportation. Prior to any issuance of certificate of occupancy, the developer shall be responsible for the following:
 - a. construction of additional pavement along the westbound lanes of Route 360 at the approved access to provide a separate right turn lane; and
 - b. dedication to Chesterfield County, free and unrestricted, any additional right-of-way (or easements) required for the improvements identified above.

The Applicant deletes Proffered Condition 14 of Case No. 07SN00372 in its entirety.

The Applicant amends Proffered Condition 15 of Case No. 07SN00372 to read as follows:

10. Exterior Materials. Any building shall have exposed exterior walls of brick, split face textured block, EIFS, textured “brick-like” concrete panels, or cementitious (i.e. “Hardiplank”) siding or a combination of the foregoing. Smooth concrete block, painted or otherwise, shall be prohibited.

The Applicant amends Proffered Condition 16 (c. i) of Case No. 07SN00372 to read as follows:

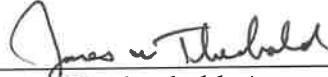
11. Stormwater Management/Quality.
 - i. Stormwater from the subject Property shall be managed in accordance with the latest edition of the Virginia Stormwater Management regulations at the time of the design. Should stormwater quantity and quality measures not be achievable on-site through approved DEQ practices, then stormwater from the subject Property may also be discharged into the existing stormwater management facility

located to the north and placed in a County easement. The developer shall then expand the existing stormwater management facility located to the north as required to meet the overall stormwater requirements generated by the subject Property. If expansion of the stormwater management facility is required, the developer shall then upgrade or replace the existing basin principal outlet structure with a traditional riser and trash rack anti-vortex device.

In addition, the following Proffered Condition is added to the Proffered Conditions set forth in Case 07SN00372:

12. Pedestrian/Bikeway Path. Contemporaneously with the first Certificate of Occupancy on the Property, a five (5) foot wide pedestrian/bikeway path shall be provided within the Route 360 right-of-way and /or within the fifty (50) foot setback along Route 360.

EWN INVESTMENTS, INC.,
a Virginia corporation

By: 
James W. Theobald, Attorney-in-Fact

Date: 7-7-20