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October 17, 2023

REZ-23-12 Spring Branch LLC
Proffer Statement

In accordance with § 15.2-2303 and Article II of the Powhatan County Zoning Ordinance, I do hereby voluntarily proffer, as the owner of record of the property or the applicant of this rezoning request, the conditions listed below. I hereby acknowledge that the rezoning of the subject property gives rise to the need for these conditions.

1. Uses. Commerce Center uses as listed in the Zoning Ordinance shall be allowed as applicable by regulations of those chapters, except for the following:

a. Sec. 83-241. Permitted Uses

- (1) Forestry and logging
- (6) Telecommunications facility, collocated
- (14) Courthouse facility
- (27) Surface transportation passenger station/terminal
- (32) Bar or lounge
- (35) Nightclub
- (53) Check cashing establishment
- (65) Tattoo or body piercing establishment
- (66) Taxidermy shop
- (70) Automotive wrecker service
- (73) Parking lot or parking structure (as a principal use)
- (78) Convenience center, county
- (79) Recycling drop-off center
- (82) Shed sales, outdoor

b. Sec. 83-242. Conditional Uses

- (8) Adult book or video store
- (9) Adult motion picture theater
- (14) Country club
- (15) Marina, commercial
- (16) Recreation facility, commercial outdoor
- (17) Flea market
- (19) Truck hauler business
- (22) Wood and stump recycling business
- (23) Contractor's storage yard

c. Sec. 83-243. Accessory Uses

- (4) Clubhouse
- (15) Parking or storage of large vehicles
- (20) Small wind energy system
- (21) Solar energy collection system
- (23) Television or radio antenna

2. Buffers.

- a. A fifty (50) foot buffer shall be provided along the western property line adjacent to Branch Forest Way, except where existing riparian buffers are located.
- b. A sixty (60) foot buffer shall be provided along the common property lines with Parcels 027-24 and 027-22, except where existing riparian buffers are located. The buffer shall be planted with 2 canopy trees per 100 linear feet plus 4 understory trees per 100 linear feet plus 8 evergreen shrubs per 100 linear feet. The buffer

shall utilize existing vegetation and a mixture of broadleaf and conifer evergreen shrubs.

- c. A stream protection buffer along the drainage swale located in the southwest portion of the property shall be provided.
 - d. The exact location, design and specifications for these buffer areas shall be reviewed and approved with the site plan.
3. Natural Conservation. In addition to the riparian buffer areas on the Property, the residual land north of the northern-most riparian buffer area shall also be considered Natural Conservation and remain undisturbed.
4. Transportation Studies. In conjunction with each site plan submittal, a trip generation analysis shall be reviewed and approved by the Virginia Department of Transportation (VDOT). In the event VDOT agrees that a Signal Warrant Analysis (SWA) is required after review of a trip generation analysis, then a SWA shall be submitted by the owner/developer of the Property. If VDOT agrees that a signal is warranted based on the findings in the SWA, a Signal Justification Report (SJR) shall be submitted and reviewed by VDOT to determine the appropriate signalized intersection phasing and control method.
5. Transportation Improvements. The following road improvements shall be completed. The Virginia Department of Transportation (VDOT) shall approve the exact design, length, and/or other modifications to the road improvements.
 - a. Extension of the existing left turn lane serving Waterspring Drive from eastbound Route 60 to provide 200 feet of stacking and 200 feet of taper.
 - b. Construction of additional pavement along Route 60 to provide a separate right turn lane for a right in/right out entrance.
6. Phasing Plan. Prior to any site plan approval, a phasing plan for the road improvements identified in Proffered Conditions 4 and 5 above shall be submitted to and approved by the Virginia Department of Transportation (VDOT).
7. Access. There shall be no direct pedestrian and/or vehicle access to Branch Forest Way.
8. Erosion Control. Enhanced erosion control measures in the form of a 25% increase to storage capacities for sediment basins and sediment traps shall be provided. The exact design shall be reviewed and approved in conjunction with any site plan submitted for the Property.