

PROFFERS

1. THE PROPERTY SHALL BE DEVELOPED IN SUBSTANTIAL CONFORMANCE WITH THE REZONING AND SPECIAL USE PERMIT REQUESTS CONCEPT PLAN AND REPORTS FOR VIRGINIA MARKET PLACE DATED OCTOBER 31, 2006, REVISED JANUARY 23, 2007, PREPARED BY ORIENT BAY, LLC AND OTHERS.
2. THE CONCEPT PLAN PROVIDES FOR A PROJECTED TOTAL UNCOVERED AREA OF 36% AND A TOTAL COVERED AREA OF 64%. THE CONCEPT PLAN IS PRELIMINARY IN NATURE AND FINAL SITE DESIGN MAY REQUIRE MINOR CHANGES BECAUSE OF TOPOGRAPHY AND OTHER ENGINEERING DESIGN ISSUES. ANY INCREASE IN COVERED AREA DUE TO ENGINEERING DESIGN ISSUES SHALL NOT EXCEED A TOTAL COVERED AREA OF 70%, THIS GUARANTEEING THAT A MINIMUM OF 30% OF THE PCD AREA SHALL REMAIN UNCOVERED.
3. THE DESIGNATIONS OF PROPOSED USES AS SET FORTH ON THE CONCEPT PLAN ARE PROJECTED PROPOSED USES AND THE EXACT USES ARE UNKNOWN. ACCORDINGLY, THE DEVELOPER RESERVES THE RIGHT TO CONFIGURE THE PROPOSED LOCATION OF USES PROVIDED THAT ANY REVISION SHALL NOT EXCEED THE TOTAL SQUARE FOOTAGES PROPOSED FOR THE PROJECT AND SUCH USE IS PERMITTED IN THE PCD ZONE, AS AMENDED.
4. THE DEVELOPER OR HIS APPROVED DESIGNEE SHALL PROVIDE FOR ARCHITECTURAL REVIEW FOR ANY BUILDING IN ORDER TO ASSURE THAT COMPLEMENTING FORMS AND MATERIALS ARE USED TO CREATE CONTINUITY WITHIN THE DEVELOPMENT. ARCHITECTURAL DETAIL SHALL BE INCORPORATED TO CREATE ARCHITECTURAL CHARACTER. DETAIL INCLUDES HIGHLIGHTING FOUNDATIONS, LINTELS, SILLS AND CORNICES WITH CONTRASTING MATERIALS AND BREAKING UP THE MASS OF THE BUILDING WITH BANDS AT FLOOR LEVELS OR PROJECTIONS AT ENTRIES. WINDOWS AND DOORS SHALL HAVE A REGULAR PATTERN OF SOLIDS AND VOIDS THAT ARE CONSISTENT THROUGHOUT INDIVIDUAL BUILDINGS. BUILDINGS WITH FLAT ROOFS SHALL HAVE A DECORATIVE CORNICE AT THE TOP OF ALL WALLS. APPROPRIATE SCREENING SHALL BE PROVIDED FOR ANY ROOF MOUNTED MECHANICAL EQUIPMENT. DEVELOPER WILL CONFER WITH THE PLANNING DEPARTMENT IN REGARD TO ARCHITECTURAL DESIGN OF ANY BUILDING (INCLUDING THE UTILITY BUILDING FOR THE SEWAGE TREATMENT PLANT) PRIOR TO SITE PLAN SUBMISSION.
5. SOLID WASTE DISPOSAL SHALL BE HANDLED INDIVIDUALLY ON EACH SITE AND ALL DUMPSTER FACILITIES SHALL BE SCREENED FROM ADJACENT PROPERTIES.
6. UPON APPROVAL OF THE REZONING REQUEST THE APPLICANT SHALL SUBMIT A TRAFFIC ANALYSIS REPORT THAT MEETS VIRGINIA DEPARTMENT OF TRANSPORTATION REQUIREMENTS FOR ENTRANCE PERMIT APPROVAL.
7. THE DEVELOPER WILL PROVIDE SHARED RECIPROCAL PARKING AGREEMENTS AS THE DEVELOPER DEEMS NECESSARY TO ASSURE ADEQUATE PARKING IN THE EVENT OF ANY FUTURE DIVISIONS OF THE PROPERTY.
8. THE PROPOSED LANDSCAPE MATERIAL TO BE UTILIZED WITHIN THE REQUIRED TRAFFIC MEDIAN OF THE PROPOSED ENTRANCE SHALL CONSIST OF LOW GROWTH ORNAMENTAL SHRUBBERY THAT WILL NOT IMPEDE SIGHT DISTANCE.
9. IF NECESSARY TO SUPPORT THE DEVELOPMENT, APPLICANT SHALL ENCUMBER ITS ADJOINING PROPERTY WITH AN EASEMENT, RUNNING WITH THE LAND, TO PROVIDE FOR STORM WATER MANAGEMENT PONDS TO SERVE THE SUBJECT PROPERTIES AND DEVELOPMENT.
10. ALL PHONE, CABLE AND ELECTRIC UTILITIES SERVING THE DEVELOPMENT AND THE SEWER FACILITY WILL BE UNDERGROUND.

DEVIATIONS

1. DEVIATION ON THE NUMBER OF PARKING SPACES FROM 1,387 REQUIRED TO 1,255 SPACES, A DEVIATION OF 132 SPACES.
2. DEVIATION ON THE REDUCTION OF LOADING DOCKS FOR THE FURNITURE STORE FROM 19 TO EIGHT (8), A DEVIATION OF ELEVEN (11) DOCKS.
3. DEVIATION ON THE DOCKS FOR THE HOTEL FROM THREE (3) TO ONE (1) DOCK, A DEVIATION OF TWO (2) DOCKS.

CONDITIONS: SHOPPING CENTER SPECIAL USE PERMIT

1. THE PROPERTY SHALL BE DEVELOPED IN SUBSTANTIAL CONFORMANCE WITH THE REZONING AND SPECIAL USE PERMIT REQUESTS CONCEPT PLAN AND REPORTS FOR VIRGINIA MARKET PLACE DATED OCTOBER 31, 2006, AS REVISED JANUARY 23, 2007, PREPARED BY ORIENT BAY, LLC AND OTHERS.
2. PRIOR TO FINAL SITE PLAN APPROVAL THE APPLICANT SHALL OBTAIN ANY NECESSARY VIRGINIA DEPARTMENT OF TRANSPORTATION APPROVALS AND PERMITS, PROVIDED THAT SOIL AND EROSION PERMITS MAY BE ISSUED FOR PRELIMINARY CLEARING, GRUBBING AND GRADING.
3. VERTICAL METAL SIDING SHALL BE PROHIBITED ON ANY BUILDING FRONTING ON STATE ROUTE 220, AND SHALL BE PROHIBITED ON ANY PART OF ANY OTHER BUILDING VISIBLE FROM ANY PUBLIC OR PRIVATE ROAD.
4. BUILDING ELEVATIONS SHALL BE SUBMITTED PRIOR TO FINAL SITE PLAN APPROVAL.
5. A SMALL DECIDUOUS TREE SHALL BE PLANTED EVERY 60 FEET TO 70 FEET IN THE LANDSCAPED ISLANDS BETWEEN ALL PARKING ROWS AS DEPICTED ON THE CONCEPT PLAN.
6. LANDSCAPING B SHALL BE USED ALONG STATE ROUTE 220 IN ACCORDANCE WITH SECTION 25-100(B) OF THE FRANKLIN COUNTY CODE.
7. THE STORMWATER SYSTEM IS TO BE DESIGNED TO RETAIN A 10-YEAR POST DEVELOPMENT STORM AND RELEASE AT A TWO-YEAR PRE-DEVELOPMENT RATE.
8. LOADING SPACES FOR BUILDINGS FACING ON STATE ROUTE 220 SHALL BE AT GRADE LEVEL AND NO OVERHEAD DOORS SHALL BE USED. DOORS MUST BE OF A RESIDENTIAL EXTERIOR STYLE.
9. NO OFF PREMISE SIGNS SHALL BE ALLOWED.
10. BUILDING CONSTRUCTION ON PARCELS/UNITS 1 THRU 4, INCLUSIVE, FRONTING ON STATE ROUTE 220 SHALL BE CONSISTENT WITH THE ARCHITECTURAL GUIDELINES IN PROFFERS AND WITH BUILDING DESIGNS AND RENDERINGS AS SHOWN ON PAGE 40 OF THE CONCEPT PLAN REPORTS.
11. GRADING OPERATIONS ON THE SITE SHALL BE CONDUCTED SO AS TO GIVE CONSIDERATION TO MINIMIZING ANY IMPACT ON THE AREAS BORDERING THE WESCOTT ROAD RESIDENTS UNTIL SUCH TIME AS DISTURBANCE OF THOSE AREAS IS NECESSARY TO REASONABLY ACCOMPLISH GRADING AND OR CONSTRUCTION.

CONDITIONS: PRIVATE ROADS SPECIAL USE PERMIT

1. THE PROPERTY SHALL BE DEVELOPED IN SUBSTANTIAL CONFORMANCE WITH THE REZONING AND SPECIAL USE PERMIT REQUESTS CONCEPT PLAN AND REPORTS FOR VIRGINIA MARKET PLACE DATED OCTOBER 31, 2006, REVISED JANUARY 23, 2007, PREPARED BY ORIENT BAY, LLC AND OTHERS.
2. THE PROPOSED PRIVATE ROADS SHALL MEET THE MINIMUM HORIZONTAL, VERTICAL AND PAVEMENT DESIGN REQUIREMENTS SPECIFIED IN THE VIRGINIA DEPARTMENT OF TRANSPORTATION REGULATIONS. THE FINAL SERVICE COAT SHALL BE ASPHALT PAVEMENT.
3. THE MAINTENANCE OF THE PRIVATE ROADS SHALL BE PROVIDED BY THE DEVELOPER OR BY THE INDIVIDUAL LOT OWNERS, WITH A ROAD MAINTENANCE AGREEMENT TO BE RECORDED IN THE LAND RECORDS OF THE CLERK OF THE CIRCUIT COURT OF FRANKLIN COUNTY PRIOR TO OR SIMULTANEOUSLY WITH THE CONVEYANCE OF THE FIRST OUT PARCEL, OBLIGATING THE INDIVIDUAL LOT OWNERS TO PAY FOR UPKEEP AND MAINTENANCE OF THE PRIVATE ROADS ON A PRO-RATA BASIS OR OTHER BASIS AS DETERMINED.
4. THE INITIAL COAT OF ASPHALT SHALL BE APPLIED ON ANY PRIVATE ROAD SERVING A UNIT PRIOR TO THE UNIT BEING OPENED TO THE PUBLIC FOR BUSINESS.
5. SURETY SHALL BE POSTED WITH THE COUNTY FOR THE CONSTRUCTION OF THE PROPOSED ROADS AND SHALL NOT BE RELEASED UNTIL THE COUNTY HAS RECEIVED A CERTIFICATION FROM AN INDIVIDUAL LICENSED BY THE COMMONWEALTH OF VIRGINIA TO PERFORM SUCH SERVICES IN VIRGINIA STATING THAT THE CONSTRUCTION OF THE ROADS MEET ALL VIRGINIA DEPARTMENT OF TRANSPORTATION DESIGN AND CONSTRUCTION REQUIREMENTS.

CONDITIONS: DAY CARE CENTER SPECIAL USE PERMIT

1. THE PROPERTY SHALL BE DEVELOPED IN SUBSTANTIAL CONFORMANCE WITH THE REZONING AND SPECIAL USE PERMIT REQUESTS CONCEPT PLAN AND REPORTS FOR VIRGINIA MARKET PLACE DATED OCTOBER 31, 2006, AND REVISED JANUARY 23, 2007, PREPARED BY ORIENT BAY, LLC AND OTHERS.

CONDITIONS: PUBLIC WATER/SEWER SPECIAL USE PERMIT

1. THE PROPERTY SHALL BE DEVELOPED IN SUBSTANTIAL CONFORMANCE WITH THE REZONING AND SPECIAL USE PERMIT REQUESTS CONCEPT PLAN AND REPORTS FOR VIRGINIA MARKET PLACE DATED OCTOBER 31, 2006, AND REVISED JANUARY 23, 2007, PREPARED BY ORIENT BAY, LLC AND OTHERS.
2. ANY FUTURE WASTEWATER TREATMENT FACILITY SHALL PROVIDE ADEQUATE TREATMENT TO REDUCE THE EFFLUENT STRENGTH TO THE FOLLOWING MAXIMUM CONTAMINANT LEVELS:

BIOCHEMICAL OXYGEN DEMAND (BOD)	10 MG/1
TOTAL SUSPENDED SOLIDS (TSS)	10 MG/1
TOTAL NITROGEN	5 MG/1
TOTAL PHOSPHORUS	1 MG/1
3. THE APPLICANT SHALL PROVIDE OPERATIONS/MAINTENANCE PLANS FOR THE WATER/SEWER SYSTEMS AND SHALL APPOINT A TRUSTEE WHO SHALL BE RESPONSIBLE FOR THE ADMINISTRATION OF THE PLAN, OR TRANSFER OWNERSHIP TO A LICENSED OPERATOR APPROVED BY THE STATE OF VIRGINIA.
4. DESIGN OF ANY FUTURE WASTEWATER FACILITY SHALL COMPLY WITH THE CURRENT VIRGINIA DEPARTMENT OF HEALTH AND DEPARTMENT OF ENVIRONMENTAL QUALITY SEWAGE TREATMENT AND COLLECTIONS REGULATIONS, AND ANY RELATED INTERPRETATIONS AND GUIDANCE MEMORANDUM POLICIES.
5. THE APPLICANT SHALL CONNECT TO A PUBLIC UTILITY PROVIDING SEWAGE TREATMENT SHOULD IT BECOME AVAILABLE.
6. THE FOLLOWING TAX PARCELS SHALL BE INCLUDED IN THE SERVICE AREA, WITH ANY SERVICE OUTSIDE THIS AREA TO BE SUBJECT TO APPROVAL BY A SEPARATE PETITION FOR AMENDMENT TO THE SPECIAL USE PERMIT: TAX PARCELS #36-222; #44-12; #44-13; #44-14; #44-6; TAX PARCEL 30-223.10; 223.11; 223.12; 223.14; TAX PARCEL #36.1-138.1 AND 183.2.
7. ALL APPLICABLE PERMITS AND APPROVALS FOR CONSTRUCTION OF THE SEWER SYSTEM MUST BE RECEIVED FROM VIRGINIA DEPARTMENT OF HEALTH AND DEPARTMENT OF ENVIRONMENTAL QUALITY PRIOR TO THE FINAL APPROVAL OF ANY SITE PLAN; ALL APPLICABLE PERMITS AND APPROVALS FOR OPERATION OF THE SEWER SYSTEM MUST BE RECEIVED FROM DEPARTMENT OF ENVIRONMENTAL QUALITY AND VIRGINIA DEPARTMENT OF HEALTH PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE UNIT SERVED.

SEE VSMP PERMIT NO DCR01-08-101964 APPROVED MAY 19, 2008

SEE SOIL AND EROSION PLAN DATED OCTOBER 22, 2008
APPROVED OCTOBER 31, 2008

SEE USACE PERMIT NO NAO-2008-2412 DATED OCTOBER 17, 2008

LEGAL REFERENCE: DEED BOOK 851, PAGE 1455 (ORIENT BAY LLC)
DEED BOOK 851, PAGE 1452 (PLAT)
DEED BOOK 841, PAGE 2183 (ORIENT BAY LLC)
DEED BOOK 841, PAGE 1193 (PLAT)
DEED BOOK 837, PAGE 54 (ORIENT BAY LLC)
DEED BOOK 841, PAGE 1193 (PLAT)
DEED BOOK 790, PAGE 2010 (ORIENT BAY LLC)
DEED BOOK 841, PAGE 222 (PLAT)

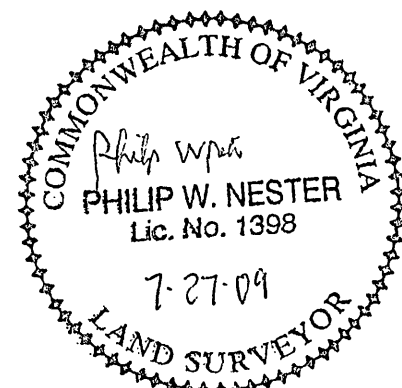
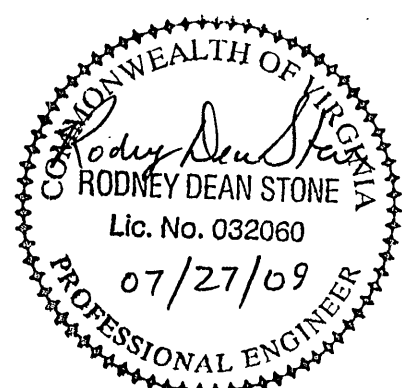
TAX REFERENCE: 044.00-006.00
044.00-013.00
044.00-014.00
036.00-222.00

PROPERTY LOCATED IN HUD FLOOD HAZARD ZONE X. SEE COMMUNITY PANEL NUMBER 5100610160A.

DEVELOPED BY: ORIENT BAY, L.L.C.
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JOEL SHEPHERD

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PHONE: 540-483-0078



PROPOSED WATER LINES AND SEWER LINES
AT
VIRGINIA MARKET PLACE COMMERCIAL CENTER

ORIENT BAY, LLC
JOEL R. SHEPHERD
ANN CLAIRE SHEPHERD

42.049 ACRES ZONED PCD
CASE # R 06-12-01
TAX PARCELS 36-222, 44-6, 44-13, & 44-14
BOONE MAGISTERIAL DISTRICT
FRANKLIN COUNTY, VIRGINIA
JULY 27, 2009
COVER/INDEX
SHEET 1 OF 8

SHEET 1	COVER/INDEX
SHEET 2	WATERLINE # 101
SHEET 3	WATER LINE # 102
SHEET 4	SEWER LINE # 101
SHEET 5	GENERAL WATER AND SEWER SPECIFICATIONS
SHEET 6	GENERAL WATER AND SEWER SPECIFICATIONS
SHEET 7	WATER LINE DETAILS
SHEET 8	SEWER LINE DETAILS

