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**Rezoning Proffers**  
from Dan Nice of Beechwood Co. and Design Master Associates, Inc.  
to James City County Planning Division

These proffers made this 3rd day of January, 1994, by Beechwood Co., a Virginia Corporation, by Dan Nice, vice-president, acting on behalf of the company, together with their successors, heirs and assigns, the "OWNER".

**Recitals**

- A. Owner is the owner of certain property located in James City County, Virginia, containing approximately .75 acres, more or less, commonly known as Point O' Woods Road, Design Master Associates, Inc., Offices, (hereafter referred to as the "Property") and more particularly described on James City County Real Estate Tax Map Number (13-4). Parcel Number(1-13), no address yet. (see drawing of Vicinity Map).
- B. All of the Property is currently zoned R-1 Residential. Owner has applied to re-zone the Property from R-1 to B-1, with proffers.
- C. Owner for itself and its successors and assigns desires to offer to the County certain conditions on the development of the Property for the protection of the community that are intended to mitigate possible impacts from the development of the surrounding area.

Now, therefore, for and in consideration of the approval by the Board of Supervisors of the County of the requested rezoning, Owner agrees that it will meet and comply with all of the following conditions for the development of the Property.

**Conditions**

- 1. The Property shall be used only for the following purposes: - Business, government and professional offices;- Photography studios and sales, artist and sculptor studios, art and crafts and handicraft shops, antique shops, reproduction and gift shops. There shall be no exterior storage space on the site, except for storage within a fully enclosed building.
- 2. The building shall be no more than one story in height.
- 3. The building's exterior materials shall be brick and beaded vinyl siding.
- 4. The site shall have no more than one entrance off of Point O' Woods road and the entrance to the site shall, to the maximum extent possible, be located across from an entrance to the proposed Child Development Resources facility.
- 5. The building's design, and any alterations to its exterior, shall be approved by the Development Review Committee. The design shall, to the maximum extent possible, be compatible with surrounding residential development.
- 6. Any exterior signs on the site shall be freestanding and shall be ten feet or less in height. In addition, they shall be non-internally illuminated.
- 7. The applicant shall submit an enhanced landscape plan for the site to help mitigate the visual impacts of the parking area. This plan shall be approved by the Development Review Committee.

Beechwood Co. By: Dan Nice  
Dan Nice - Vice President

State of Virginia City of Newport News  
~~County of James City~~, to-wit:

VIRGINIA: City of Williamsburg and County of James City to-wit:  
In the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City the 16 day of January 1994. This document was presented with the certificate annexed and admitted to record at 4:05 o'clock. Teste: Helene S. Ward, Clerk  
By: Helene S. Ward  
County Clerk

The foregoing instrument was acknowledged before me this 3rd day of January, 1994, by Dan Nice, a duly authorized corporate officer, acting on behalf of the Beechwood Co.

Notary Public Douglas B. Rieger

My commission expires: Aug. 31, 1994