

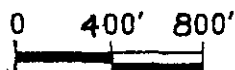
CHANGE OF PROFFERS-3778cc

COUNTY OF HENRICO PLANNING OFFICE

103-A1-42,44 & 102-B1-13,15 & PT. 102-B1-7 & 103-A1-20

FAIRFIELD DISTRICT

C-116C-88



JAS



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

W.F. LaVECCHIA, P.E., AICP
County Manager

January 17, 1989

Re: Conditional Rezoning Case C-116C-88

Virginia Center, Inc.
1001 Technology Park Drive
Glen Allen, VA 23060

Gentlemen:

The Board of Supervisors at its meeting on January 11, granted your request to amend proffered conditions accepted with Conditional Rezoning Case C-20C-80 as they relate to the following described portions of your property:

- A. Property east of Interstate Route 95 - on the east line of Interstate Route 95 beginning approximately 1800 feet north of its intersection with the northern line of Virginia Center Parkway (formerly Golf Course Road) and fronting on Interstate Route 95 approximately 4500 feet.
- B. Property west of Interstate Route 95 - Extending north from Virginia Center Parkway on both the east and west sides of Telegraph Road for a distance of approximately 2800 feet.

The substituted proffered conditions accepted by the Board of Supervisors, further regulate the use of your property in addition to all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance). A copy of the accepted proffered conditions is attached.

The Planning Office has been advised of the action of the Board of Supervisors and will revise its records and place a copy of the accepted proffered condition in the Conditional Zoning Index.

Sincerely,

W. F. LaVecchia, P.E.,
County Manager

Attachments:

cc: Clerk, Board of Supervisors
 Real Estate Assessment
 Conditional Zoning Index
 Edward B. Kidd, Esquire



DEC 14 1988

PLANNING OFFICE
OF HENRICO

PROFFERS FOR CONDITIONAL REZONING

ORIGINAL AMENDED

Pursuant to section 22-121(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:

VIRGINIA CENTER INC.

By: *Edward B. Kidd*

DECEMBER 14, 1988

Signature of Owner or Applicant* Edward B. Kidd, Agent

Date

* If Applicant is other than Owner, Form POF-004-3/87, Special Limited Power of Attorney must be submitted with this application.

The following are submitted in lieu of and in substitution for the proffers which were accepted with rezoning case C-20C-80 and all other proffers previously submitted in case C-116C-88:

1. (a) In connection with the initial plan of development submitted for any portion of the Property, a conceptual master development plan (the "Master Plan") shall be submitted showing the proposed uses and densities of the development of the Property and other undeveloped property then owned by Virginia Center Inc. north of Interstate Route 295 for which development plans have been identified, together with a master-traffic study analyzing the traffic impact of the full development of such property (the "Master Traffic Study"). All property rezoned under case C-20C-80 shall be included in the Master Traffic Study even if no development plans have been identified for such property. For any portion of such property where specific development plans have not been identified, the Master Traffic Study shall be based on the highest and best use for such property. The Master Traffic Study shall provide conceptual roadway configurations and recommendations for intersection treatments and methods or alternatives on any roadway identified as a problem area based on traffic assignments and shall be used with the Master Plan to coordinate the overall development program for the property covered thereby.

(b) In conjunction with the plan of development for any portion of the Property, a traffic study shall be submitted which describes the traffic impact of such proposed development. If such development is contemplated to occur in phases, such traffic study

shall indicate the traffic impact of each phase. Should any proposed development not warrant a traffic study in the opinion of the Henrico County Traffic Engineer, such study may be waived. No such plan of development will be approved until such time as the Planning Commission approves (i) the improvements in roads and intersections which are necessitated by such development and (ii) when and, if the proposed development is to be phased, with which phase such improvements are to be completed. In the event portions of the Property will be developed in phases, any roadway improvements required for any portion of the Property shall be assigned to the applicable phase of the development in the plan of development and shall be constructed in connection with the development of such phase. No certificate of occupancy shall be issued for any phase of development until the required roadway improvements assigned to such phase have been completed. Once such roadway improvements have been determined and assigned to individual phases of such portion of the Property in connection with the plan of development described above, development of such portion of the Property may proceed in phases in accordance with the approved plan of development without submittal of additional traffic studies and without additional road improvements being required.

(c) If, in connection with plans of development for subsequent phases of development on the Property, the traffic study for such phase indicates the need for reconstruction or rearrangement of previously approved public roadway improvements, such improvements shall be made in connection with such subsequent phase of development.

2. With regard to those portions of the Property zoned O-3 located west of Interstate Route 95, access will be provided by no less than a two lane road within a minimum 80 foot wide right-of-way. This right-of-way shall initially connect to either or both of U. S. Route 1 or Virginia Center Parkway. As the need is determined in connection with the review of plans of development for such portions of the Property, such road will be constructed to connect to both U. S. Route 1 and Virginia Center Parkway and shall be widened to four lanes of pavement.

3. With regard to those portions fo the Property zoned O-3 located east of Interstate Route 95, the

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development of such portion of the Property shall continue only to the point at which peak hour one-way traffic volume on the Virginia Center Parkway bridge across Interstate Route 95 exceeds 2,500 cars per hour on a regular basis unless a new road has been constructed connecting Virginia Center Parkway north to Sliding Hill Road east of Interstate Route 95.

4. All portions of the Property north of and within 85 feet of the northern line of Lots 14-20, Block E, Holly Glen and within 65 feet of the northern line of Lot 13, Block E, Holly Glen shall be left in its current undisturbed natural state except for any clearing of underbrush or dead materials.

5. All portions of the Property east of and which are within an area more than 134 feet and less than 234 feet east of the eastern line of Lot 19, Block E, Holly Glen shall be left in its current undisturbed natural state except for any clearing of underbrush or dead materials.

6. All portions of the Property east of and within 100 feet of Lot 11, Block H, Holly Glen shall be left in its current undisturbed natural state except for any clearing of underbrush or dead materials.

7. All portions of the Property within 80 feet of the western lines of Lot 13, Block E, and Lots 1, 2, Block H, Holly Glen shall be left in its current undisturbed natural state, except for providing vehicular access to Lots 1 and 2, Block H, Holly Glen and except for any clearing of underbrush or dead materials.

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