

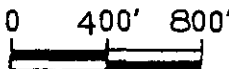
COUNTY OF HENRICO PLANNING OFFICE

15-B2-44 / 15-B2-70

VARINA DISTRICT

OFFICE, WHSE / LIGHT INDUS.

C-38C-89



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COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

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

January 16, 1990

Re: Conditional Rezoning Case C-38C-89

Old Williamsburg Associates
C/O Ross-Kreckman Development Corp.
P. O. Box 31715
Richmond, Virginia 23294

Gentlemen:

The Board of Supervisors at its meeting on January 10, granted your request to conditionally rezone property from R-5 General Residence, RTH Residential Townhouse, R-3 One Family Residence and A-1 Agricultural to M-1C Light Industrial District District (Conditional), property described as follows:

Parcels 15-B2-44 and 70:

Beginning at a point on the northern right-of-way line of Old Williamsburg Road approximately 1,600' in an easterly direction to the W. line of Dry Bridge Road Extended; thence continuing along the northern right-of-way line of Old Williamsburg Road in a westerly direction along a curve to the right, said curve having a radius of 1,847.79', 491.99' to a point; thence N. 78° 58' 00" W., 470.73' to a point; thence N. 12° 22' 20" E., 448.07' to a point; thence N. 78° 40' 50" W., 174.29' to a point; thence N. 80° 27' 15" W., 339.81' to a point; thence N. 78° 34' 40" W., 527.66' to a point; thence S. 11° 55' 30" W., 18.08' to a point; thence N. 74° 58' 40" W., 420.66' to a point; thence S. 15° 03' 30" W., +- 410.00' to a point in the northern right-of-way line of Old Williamsburg Road; thence continuing along the northern right-of-way line of Old Williamsburg Road in a westerly direction along a curve to the left with a radius of 1,655 +-', 410.00+-' to a point; thence N. 11° 15' 00" W., +- 40.00' to a point; thence S. 78° 45' 00" W., +- 57.00' to a point; thence N. 49° 27' 00" E., +- 324.00' to a point; thence N. 55° 19' 20" E., 572.27' to a point; thence N. 50° 16' 20" E., 469.51' to a point; thence N. 42° 49' 05" E., 140.13' to a point; thence N. 50° 26' 25" E., 299.84' to a point; thence N. 50° 26' 25" E., 365.00' to a point; thence N. 76° 57' 30" W., 294.60' to a point; thence N. 84° 08' 30" W., 304.00' to a point; thence N. 86° 58' 30" W., 461.69' to a point; thence N. 83° 34' 30" W., 210.66' to a point; thence N. 09° 41' 30" E., 410.18' to a point; thence N. 76° 13' 30" W., 605.12' to a point; thence N. 00° 55' 05" E., 566.00' to a point; thence S. 68° 46' 45" E., 10.00' to a point; thence N. 65° 36' 35" E., 70.00' to a point; thence S. 68° 46' 45" E., 350.00' to a point; thence N. 21° 11' 15" E., 18.35' to a point; thence S. 68° 46' 45" E., 1,714.49' to a point; thence S. 69° 37' 55" E., 350.17' to a point; thence S. 66° 10' 40" E., 691.05' to a point; thence S. 00° 23' 45" W., 1,975.11' to a point in the northern right-of-way line of Old Williamsburg Road and the place of beginning, containing +- 104.9 acres.

The Board of Supervisors accepted the attached fourteen (14) proffered conditions which further regulate the above described property in addition to all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance).

Old Williamsburg Associates
C/O Ross-Kreckman Development Corp.
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January 16, 1990

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 conditions in the Conditional Zoning Index.

Sincerely,

A handwritten signature in cursive script, appearing to read "Allen D. LaVecchia" with "CLA" written at the end.

for W. F. LaVecchia, P.E., A.I.C.P.,
County Manager

cc: Clerk, Board of Supervisors
Supervisor, Real Estate Assessment
Conditional Zoning Index
James W. Theobald, Esquire
Jay M. Weinberg, Esquire



COUNTY OF HENRICO, VIRGINIA

C-38C-89

PROFFERS FOR CONDITIONAL REZONING

ORIGINAL AMENDED AND RESTATED PROFFERS

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:

Signature of Owner or Applicant: James W. Theobald, Attorney-In-Fact for Seven Pines Limited Partnership and Urban Corridor Properties
Date: December 13, 1989
If Applicant is other than Owner, Form POF-004-3/87, Special Limited Power of Attorney must be submitted with this application.

1. Enclosed Building Requirement. All principal permitted light industrial uses shall be conducted within a completely enclosed building, which may be an office building or a separate, freestanding building used for light industrial uses.

2. Safe Conduct of Operations. All uses shall be conducted so as not to create any danger to the health, safety and welfare or any material adverse impact on the Property or surrounding areas by creating any excessive noise, vibration, smoke, dust, lint, odor, heat or glare beyond the boundaries of the Property.

3. Buffers. Buffers consisting of natural areas, berms or landscaping, or combinations thereof, for purposes of lessening the visual impact of the development of the Property on adjacent land, of a minimum width as set forth below, will be provided and maintained, except to the extent necessary for vehicular and pedestrian access ways, utility easements (such access ways and utility easements to be generally perpendicular to the buffer where possible and shall not include within a buffer area man-made storm water detention unless used as a permanent decorative pool), signage or other purposes specifically permitted by the Planning Commission at the time of Plan of Development review, or by any other governmental body:

- (a) sixty-five (65) feet in width of buffer adjacent to the northern property lines of Tax Parcels 15-B2-6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 28, 16 and 77 for so long as such Tax Parcels are residentially zoned ("R" district) parcels or are used for residential purposes.
(b) fifty (50) feet in width of buffer along the remaining boundaries of the Property, except as

ACCEPTED BY THE BOARD OF SUPERVISORS
JAN 10, 1990

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may be adjacent to public rights of way, for so long as such boundaries are adjacent to residentially zoned ("R" district) property or property used for residential purposes.

Existing vegetation and underbrush may, and fallen, diseased or dead plant growth shall, be removed from such buffer area, and if so removed, additional plantings shall be added. Should it be necessary to run drainage, utility or other easements through the buffer areas, such areas shall be compensated to the extent interrupted by said easement to maintain the integrity of the buffer area.

4. Underground Utilities. - All utility lines such as electric, telephone, CATV or other similar lines shall be installed underground. This requirement shall apply to lines serving individual sites as well as to utility lines necessary within the Property, but not to existing lines on the Property.

5. Architectural Treatment. The exterior wall surfaces (front, rear and sides) of each individual building shall be similar in architectural treatment and materials. No portion of an exterior wall surface visible from any adjoining property shall contain painted or untreated concrete or unfinished concrete masonry units, sheet or corrugated aluminum, asbestos, stucco, or metal unless otherwise specifically approved by the Planning Commission at the time of Plan of Development review. All rooftop heating and cooling equipment shall be shielded so that it is screened from public view at ground level.

6. Use Restrictions. The only uses permitted on the Property shall be as follows:

- (a) Those uses first permitted as principal uses in an M-1 Light Industrial district;
- (b) Those uses permitted in an O-3 Office district;
- (c) Data processing centers;
- (d) Repair facilities;
- (e) Wholesaling;
- (f) Showroom sales and service areas, but excluding automobile or truck sales showrooms and truckstops;

- (g) Medical or dental laboratories;
- (h) Cafeterias or restaurants in association with and in support of and incidental to other permitted uses; and
- (i) Such other accessory uses, not otherwise prohibited, as are customarily accessory and incidental to any permitted use.

7. Loading Dock Treatment. Loading docks and areas shall be located and/or screened so as to shield them from view from Old Williamsburg Road and any adjacent residentially-zoned property, unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review.

8. Parking Lot Lighting. Within one hundred (100) feet of any agriculturally or residentially zoned property, parking lot lighting fixtures shall not exceed twenty (20) feet in height as measured from the grade of the base of the lighting standard. Parking lot lighting fixtures on the remainder of the Property shall not exceed thirty (30) feet in height as measured from the grade of the base of the lighting standard unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review. Parking lot lighting shall be produced from concealed sources of light (i.e., "shoe box" type).

9. Open Space. At least twenty percent (20%) of the Property shall be used for permanent open space. This area shall be used for landscaping, lawns, screening and/or buffer area and may include bodies of water, works of art and outdoor recreation areas. The area devoted to the project perimeter buffering may be counted toward this requirement.

10. Signage. Signage for parcels adjacent to I-64 shall be controlled by the standards applicable to signage in a B-3 zoned district unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review.

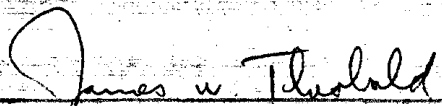
11. Plan of Development/Master Plan Requirement. A plan of development as regulated by Section 22-106 of the Henrico County Code shall be submitted for each development within the Property. A conceptual master plan or update thereof for the entire development shall be submitted with each plan of development. In addition, each plan of development shall provide a cumulative

summary of the amount and types of uses preceding the proposed development and any changes in uses then in effect.

12. Parking Lot Landscaping. Landscaping shall be maintained in islands on the portion of the Property utilized for parking. Such islands shall be landscaped with shrubbery and vegetation aesthetically compatible with the landscaping and development of the Property.

13. No Access. Vehicular access to and from the Property shall not be permitted to Dakar Drive and Howard Street nor Old Williamsburg Road between Tax Parcels 15-B2-37 and 15-B2-6 unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review.

14. Severance. The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer


James W. Theobald, Attorney-
In-Fact for Seven Pines
Limited Partnership and Urban
Corridor Properties

ACCEPTED BY THE
BOARD OF SUPERVISORS
JAN. 10, 1990