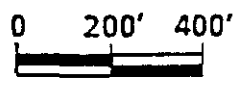


COUNTY OF HENRICO PLANNING OFFICE

INDUSTRIAL  
**C-2C-92**

**PT. II-AI-6**  
 FAIRFIELD DISTRICT



JAS



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

February 18, 1992

Virgil R. Hazelett, P.E.  
County Manager

Re: Conditional Rezoning Case C-2C-92

Ms. Tracey Brownfield  
Oakleys Center Associates  
700 E. Main Street, Suite 1504  
Richmond, Virginia 23219

Dear Ms. Brownfield:

The Board of Supervisors at its meeting on February 12, granted your request to conditionally rezone property from M-1C Light Industrial to M-2C General Industrial District (Conditional), Part of Parcel 11-A1-6, described as follows:

Beginning at a point on the S. line of Oakley's Lane, approximately 0.40 +- miles west of Holly Avenue; thence along the center line of a private road S. 35° 17' 30" W., 25.00' to a point; thence along a curve to the left with a radius of 467.05', a length of 204.05' to a point; thence S. 10° 15' 35" W., 369.97' to a point; thence along a curve to the left with a radius of 708.18', a length of 116.15' to a point; thence S. 89° 08' 15" E., 175.01' to a point; thence leaving said private road S. 00° 51' 45" W., 480.00' to a point on the N. line of the Norfolk and Southern Railroad; thence N. 89° 08' 15" W., 720.20' to a point; thence leaving the line of said railroad N. 10° 15' 35" E., 1256.00' to a point; thence N. 72° 13' 35" E., 320.48' to a point on the S. line of Oakley's Lane; thence along the S. line of Oakley's Lane in a curve to the left with a radius of 678.87', a length of 207.42' to a point; thence S. 54° 42' 32" E., 55.00' to the point of beginning, containing 16.01 acres.

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

1. Buffer Areas. Landscaped and/or natural buffer areas will, as indicated below, be provided around portions of the perimeter of the Property, except to the extent necessary for utility easements, roads, signage, driveways or other purposes required at the time of Plan of Development review, or by any other applicable governmental body:

A buffer area of a minimum of twenty-five (25) feet in width along the Oakley's Lane right-of-way line adjacent to the Property (as such right-of-way line is determined at the time of Plan of Development review).

Existing vegetation and underbrush may and fallen, diseased or dead plant growth shall be removed from such buffer areas, and if so removed, additional plantings shall be added. Where placement of driveways or utility easements within the buffer areas result in the inability to provide adequate screening within the buffer area, landscaping shall be provided adjacent to the buffer areas, to properly screen development on the

Property from adjacent properties, as determined by the Planning Commission at the time of landscape plan review.

2. Natural Area. A natural building and parking lot setback area of a minimum of fifty (50) feet in width, shall be maintained along the western boundary of the Property, for as long as property adjacent thereto remains zoned for agricultural or residential use.
3. Flood Plain. Notwithstanding the uses permitted and regulated by the zoning of the Property, such portion(s) of the Property which lie within a one hundred (100) year flood plain as determined by definitive engineering studies approved by the Department of Public Works; and/or such portion(s) of the Property which may be inundated by waters impounded to a maximum elevation determined in a controlled, regulated manner by a structure or structures approved by the Department of Public Works, may only be used for the following purposes:
  - (a) Storm water management and/or detention areas.
  - (b) Ponds, lakes and similar areas intended as aesthetic and/or recreational amenities and/or wildlife habitats.
  - (c) Such additional uses to the uses identified in (a) and (b) above, as may be deemed compatible and of the same general character by the Planning Administrator (Director of Planning) pursuant to Section 22-109 of Chapter 22 of the County Code (the "Zoning Ordinance").
  - (d) Access drives, railroad tracks, truck loading areas and walkways installed in a manner to minimize their impacts.

The location and limits of such portion(s) of said Property shall be established by Plan(s) of Development approved pursuant to Section 22-106 of the Zoning Ordinance.

The above permitted uses shall also be governed by the requirements of the Chesapeake Bay Act, unless legally excepted from those provisions.

4. Use Restriction.
  - (A) No retail use shall be permitted on the Property (exclusive of vending machines, cafeteria or snack bar services with no exterior signage, operated primarily for persons working on the Property).
  - (B) The only M-2 uses permitted shall be:
    - (1) Automobile or aircraft assembly or major repair, provided that any ground testing of aircraft shall be conducted at least twelve hundred feet from any "R" district and shall be subject to special exception.
    - (2) Foundrycasting lightweight nonferrous metals, or electric foundry not causing noxious fumes or odors.
    - (3) Structural steel fabricating plant.
    - (4) Boiler shop, metal working shop employing reciprocating hammers or punch presses over seventy-five tons rated capacity.
    - (5) Brick, tile, or terracotta manufacturing.
    - (6) Enameling, lacquering, or japanning.

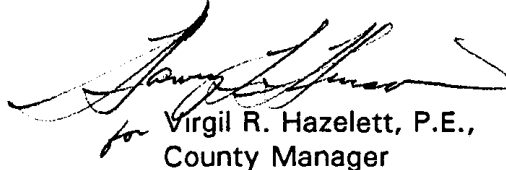
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- (7) Forge or foundry works.
  - (8) Hair processing or hair products manufacturing.
  - (9) Wire or rod drawing, nut, screw or bolt manufacturing.
  - (10) Vehicle storage area; provided, that it shall be within an enclosed area which is shielded or screened from public view.
  - (11) Oil paint, shellac, turpentine, varnish, or enamel manufacturing or the grinding of colors by machine.
5. Outside Speakers. No outside speakers or paging systems shall be permitted on the property that is subject of this rezoning.
  6. Noise. The level of noise generated by the tenant(s) within the building on the property that is the subject of this rezoning shall not exceed 65 dbA as measured along the perimeters of the Oakleys Center Industrial Park.
  7. Severance. The unenforceability, illegality, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect validity or enforceability of the other proffers or the unaffected part of any such proffer.

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,

  
for Virgil R. Hazelett, P.E.,  
County Manager

cc: Clerk, Board of Supervisors  
Director, Real Estate Assessment  
Conditional Zoning Index  
Ms. Gloria Freye, Esquire  
Mr. John V. Cogbill, III, Esquire