

197-A-23 & PT. 21B

GENERAL INDUSTRIAL

VARINA DISTRICT

C-60C-97



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

September 24, 1997

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-60C-97

Whiteoak 110, L.L.C.
a Virginia Limited Liability Company
c/o Hood Properties
3228A W. Cary St.
Richmond, VA 23221

Gentlemen:

This is a correction of our letter to you dated September 16, 1997.

The Board of Supervisors at its meeting on September 10, 1997, granted your request to conditionally rezone property from A-1 Agricultural and M-2 General Industrial Districts to M-2C General Industrial District (Conditional), Parcel 197-A-23 and Part of Parcel 197-A-21B, described as follows:

Beginning at a point on the northern right-of-way line of Portugee Road which is 2,239.84' east of its intersection with Memorial Drive, said point being the True Point of Beginning; thence N. 19° 36' 12" E., 305.00' to a point; thence N. 70° 23' 48" W., 300.00' to a point; thence N. 19° 36' 12" E., 528.87' to a point; thence S. 77° 27' 15" E., 489.67' to a point; thence N. 18° 17' 45" E., 135.30' to a point; thence N. 23° 22' 32" E., 924.00' to a point; thence N. 19° 28' 33" E., 283.60' to a point; thence N. 25° 26' 31" E., 282.48' to a point; thence N. 15° 43' 20" E., 352.44' to a point; thence N 27° 17' 53" E., 469.26' to a point; thence N. 27° 24' 21" 187.02' to a point; thence S. 72° 21' 49" E., 349.25' to a point; thence along a curve to the left having a radius of 2,050.00' for a distance of 814.10' to a point; thence S. 72° 21' 49" E., 341.21' to a point; thence S. 4° 43' 28" W., 487.95' to a point; thence S. 8° 42' 28" W., 213.20' to a point; thence S. 15° 24' 28" W., 238.40' to a point; thence S. 31° 54' 28" W., 112.20' to a point; thence S. 55° 54' 28" W., 141.20' to a point; thence S. 62° 16' 28" W., 112.20' to a point; thence S. 40° 39' 28" W., 203.30' to a point; thence N. 60° 27' 32" W., 385.19' to a point; thence S. 32° 04' 28" W., 209.63' to a point; thence S. 17° 07' 28" W., 293.63' to a point; thence S. 37° 41' 49" W., 212.73' to a point in the centerline of a creek; thence meandering along the centerline of the creek in a southwesterly direction 1,778' ± to a point on Portugee Road; thence N. 70° 23' 48" W., 851.40' to the True Point of Beginning, containing 111.3 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 24, Code of Henrico (Zoning Ordinance):

1. Uses. The uses of the Property shall be the uses permitted and as regulated by the M-2 District. Retail commercial uses first permitted in B-1, B-2 and B-3 Districts are excluded unless otherwise permitted in, and as regulated by, the Office/Service

District. Notwithstanding certain restrictions on retail uses set forth in the Office/Service District ordinance, such retail commercial uses may be conducted within buildings that are less than 50,000 square feet in size. All principal permitted industrial uses shall be conducted within a completely enclosed building, which may be an office building on a separate, freestanding building used for industrial uses.

2. Safe Conduct of Operations. All industrial 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. A landscaped or natural buffer area of a minimum of fifty (50) feet in width shall be maintained along the right-of-way line of Technology Boulevard and the eastern boundary of the Property with the exception of roads, utility easements that may pass through the buffer in a generally perpendicular manner (unless currently existing) and such other uses as may be permitted by the Planning Commission at the time of Plan of Development review.
4. Setback from Technology Boulevard. No portion of a building shall be constructed within one hundred (100) feet of the right-of-way line of Technology Boulevard. No portion of a building exceeding two (2) stories in height shall be constructed within one hundred fifty (150) feet of the right-of-way of line of Technology Boulevard. Minimum paving setback for parking will be fifty (50) feet from Technology Boulevard. Mailboxes, newspaper boxes, overnight mail boxes and similar structures shall not be permitted within such pavement setback.
5. Open Space. At least forty percent (40%) of the Property shall be used for permanent open space. The area devoted to the project perimeter buffering, wetlands, Best Management Practice facilities and flood plain, if any, may be counted toward this requirement.
6. Underground Utilities. Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
7. Public Utilities. The public water and waste water system shall be used. However, well water may be put to non-potable use such as irrigation. Prior to completion of the extension of such systems, alternate systems may be utilized on a temporary basis if approved by the Department of Public Works.
8. Setback from Residential. No building or any portion thereof shall be constructed within one hundred (100) feet of any residentially-zoned property.

9. Building Materials. Exposed exterior wall surfaces of industrial buildings shall be similar in architectural treatment and be constructed primarily of split face block, pre-cast concrete, E.I.F.S., drivit, glass, brick or stone. Notwithstanding the foregoing, for any building within 200' of Technology Boulevard, the wall facing Technology Boulevard shall be brick or stone; the remaining walls of such building may be of other permitted materials, provided that such remaining walls are similar to one another in architectural treatment.
10. Parking Lot Lighting. Parking lot lighting fixtures shall not exceed thirty (30) feet in height as measured from the grade of the base of the lighting standard. Parking lot lighting shall be produced from concealed sources of light (i.e. "shoe box" type or adjustable fixtures with positive cut-off angles) consistent with the standards applicable to White Oak Technology Park or such other source as may be approved by the Planning Commission at the time of Plan of Development review.
11. 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 any of the other proffers or the unaffected part of any such proffer.
12. Signage. No detached signage for an individual building within the Property shall exceed seventy (70) square feet in area or fifteen (15) feet in height above grade. No individual attached signage shall exceed seventy-five (75) square feet. Directional signs may be used when necessary to direct traffic to a building on the Property. Directional signs shall not exceed twenty-four (24) square feet each, shall not exceed eight (8) feet in height, and may not contain advertising copy or identify a tenant.
13. Loading Areas. All tractor and trailer loading areas shall be screened from public view from Technology Boulevard and the main internal road through the center of the Property. With regard to any buildings along Technology Boulevard, there shall be no loading areas between the face of such building and Technology Boulevard.
14. Limitation on Vibration Causing Action. No pile driving, dynamic earth compaction, blasting, vibratory rollers or vibratory plate compactors shall be utilized during site work or the construction of any buildings on the Property unless previously approved by the Development Review Board of the White Oak Technology Park Owners Association or, in the absence of the formation of such Board, White Oak Semiconductor Partnership or its successors or assigns.
15. No Burning. There shall be no on-site open burning of stumps, limbs, trees or other debris during site work or the construction of any buildings on the Property unless previously approved by the Development Review Board of the White Oak

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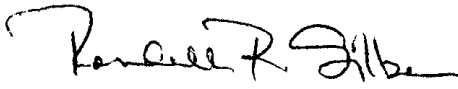
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Technology Park Owners Association or, in the absence of the formation of such Board, White Oak Semiconductor Partnership or its successors or assigns.

16. Median Landscaping. The Applicant's Landscape Plan shall include landscaping within the median in Technology Boulevard adjacent to the Property. The applicant shall maintain such landscaping pursuant to an agreement satisfactory to the applicant and the County of Henrico.
17. Irrigation. Landscaped buffer areas on the Property shall be served by an underground irrigation system.
18. Conceptual Site Plan. Development of the Property shall be in substantial conformance with the Conceptual Site Plan dated August 14, 1997, prepared by Gerstemnaier Design Studio and attached hereto as Exhibit "A" unless otherwise requested and specifically approved by the Planning Commission at the time of Plan of Development review.

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: Director, Real Estate Assessment
Conditional Zoning Index
Mr. James. W. Theobald, Esquire



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

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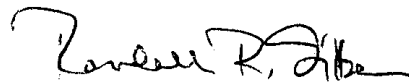
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