

A-1 to O-3C
58.214 Acres

Proposed
White Oak
Business Centre

ZERO LOT LINE SINGLE-FAMILY RESID.

C-73C-98



197-A (VARIOUS PARCELS)
VARINA DISTRICT

HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

September 19, 2000

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-73C-98

Mr. W. A. Robins, et. al.
5424 Boar Swamp Road
Sandston, Virginia 23150

Dear Mr. Robins:

The Board of Supervisors at its meeting on August 8, 2000, granted your request to conditionally rezone property from A-1 Agricultural District to O-3C Office District (Conditional), Parcels 197-A-21A, 21B (part), 21C and 22 (part), Parcels 197-1-1-6 (part), 7 and 7A, and Parcels 197-4-A-1, 2 and 3, described as follows:

Beginning at a point on the eastern right-of-way line of Memorial Drive, which point is the northwest corner of Tax Parcel No. 197-1-1-7A and the southwest corner of Tax Parcel No. 197-1-1-8, said point being the True Point of Beginning; thence S 77°05'55" E 847.48' to a point; thence S 33°05'38" E 1,401.33' to a point in the centerline of an unnamed creek; thence along the meandering of the unnamed creek in a southerly direction a distance of 1,440' ± a point; thence S 77°27'22" E 142.95' to a point; thence S 19°40'28" W 528.02' to a point; thence N 70°21'32" W 300.00' to a point; thence S 19°38'28" W 270.00' to a point; thence along a curve to the left having a radius of 25.00' for a length of 39.27' to a point on the northern right-of-way line of Portugee Road; thence along the northern right-of-way line of Portugee Road N 70°21'32" W 100.00' to a point; thence leaving the northern right-of-way line of Portugee Road along a curve to the left having a radius of 25.00' for a length of 39.27' to a point; thence N 19°38'28" E 270.00' to a point; thence N 70°21'32" W 514.52' to a point; thence S 06°19'18" W 303.58' to a point on the northern right-of-way line of Portugee Road; thence along the northern right-of-way line of Portugee Road N 70°21'22" W 889.40' to a point; thence leaving the northern right-of-way line of Portugee Road N 17°47'50" E 175.89' to a point; thence N 72°05'07" W 35.56' to a point; thence N 17°47'58" E 283.49' to a point; thence N 69°28'13" E 853.05' to a point; thence N 15°44'05" E 1145.72' to a point; thence N 73°44'12" W 884.75' to a point on the eastern right-of-way line of Memorial Drive; thence along the eastern right-of-way line of Memorial Drive N 13°00'15" E 226.33' to the True Point of Beginning, containing 56.214 acres.

The Board of Supervisors accepted the following proffered conditions, dated August 8, 2000, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Uses.** Uses on the Property within the first five hundred (500) feet of the Property from Portugee Road shall be limited to those uses permitted in, and as regulated by, the O-1 zoning district.
2. **Buffers.** A landscaped or natural buffer area a minimum of one hundred (100) feet in width shall be maintained along the right-of-way line of Memorial Drive and Portugee Road. In addition, a landscaped or natural buffer area a minimum of fifty (50) feet in width shall be maintained along those portions of the boundaries of the Property as shown on the Master Plan (as hereinafter defined). 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 at the time of Plan of Development may be placed in the foregoing buffer areas.
3. **Safe Conduct of Operations.** All uses shall be conducted so as not to create any danger to the health, safety and welfare or have 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.
4. **Building Setbacks.** No building or any portion thereof shall be constructed within one hundred (100) feet of a boundary of the Property where a fifty (50) foot buffer is shown on the Master Plan immediately adjacent to a parcel currently used for residential purposes for so long as such parcel is zoned or used for residential purposes.
5. **Open Space.** At least thirty-five percent (35%) of the Property taken as a whole, rather than calculated on a site-by-site basis, 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 Utilities.

8. Building Materials. Exposed exterior wall surfaces of buildings shall be similar in architectural treatment and be constructed primarily of split face block, tilt-up concrete, pre-cast concrete, exterior insulating finishing systems (E.I.F.S.), drivit, glass, brick, stone, marble or granite.
9. Parking Lot Lighting. Parking lot lighting fixtures shall not exceed twenty-five (25) 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 at the time of Plan of Development.
10. 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.
11. No Burning. There shall be no on-site 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 Technology Park Owners Association or, in the absence of the formation of such Board, White Oak Semiconductor Partnership or its successors or assigns.
12. Irrigation. Landscaped buffer areas (as opposed to natural buffer areas) along Memorial Drive and Portugee Road shall be served by an underground irrigation system.
13. Schematic Site Plan. Development of the Property shall be in substantial conformance with the Schematic Master Plan dated June 15, 2000 entitled "White Oak Business Center" filed herewith (the "Master Plan"), unless otherwise requested and specifically approved at the time of Plan of Development review.
14. Access. Prior to Plan of Development approval, cross easements for vehicular and pedestrian traffic among Henrico County Tax Parcels 186-A-22, the property subject to Case No. C-47C-00 and the Property as generally shown on the Master Plan shall be recorded unless otherwise specifically agreed at the time of Plan of Development.

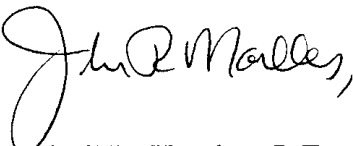
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15. Severance. The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

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,


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

cc: Director, Real Estate Assessment
Conditional Zoning Index
Mr. & Mrs. Mark B. Robins
Mr. Kent W. Robins
Ms. Penny R. Groome
Ms. Marsha R. Clements
Ms. Shelly J. Hunkele