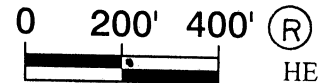


OFFICES AS APPROVED BY THE BOARD OF SUPERVISORS
10/9/01

C-11C-01



53-A-69, 71, 74B, 75 - 79,
81 - 84 & 87
FAIRFIELD DISTRICT

HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

October 16, 2001

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-11C-01

Daniel Corporation
951 East Byrd Street
Suite 115
Richmond, VA 23219

Dear Sir:

The Board of Supervisors at its meeting on October 9, 2001, granted your request to conditionally rezone property from R-2 One Family Residence District, O-2C Office District (Conditional), O/SC Office/Service District (Conditional) and PMD Planned Industrial District to O-3C Office District (Conditional), Parcels 53-A-69, 71, 74B, 75-79, 81-84 and 87 described as follows:

Parcel A

Beginning at a point on the northern boundary of the right of way line of Parham Road said point being 838.46 feet southwest of the intersection of the northern boundary of the right of way line of Parham Road and the western boundary of the right of way line of Park Central Drive. Thence continuing with the northern boundary of the right of way line of Parham Road in a westerly direction with two (2) courses and distances: (1) S 59°09'15" W 75.14 feet to a point; (2) Thence along a circular curve to the left having a delta angle of 03°29'26", a radius of 3859.72 feet and an arc length of 235.13 feet to a point, said point being the Actual Point and Place of Beginning for Parcel A. Thence continuing with the northern boundary of the right of way line of Parham Road in a westerly direction along a circular curve to the left having a delta angle of 05°33'31" a radius of 3859.72 feet and an arc length of 374.45 feet to a point. Thence leaving the northern boundary of the right of way line of Parham Road in a northerly direction with eight (8) courses and distances: (1) N 39°53'41" W 10.00 feet to a point; (2) Thence N 16°22'21" W 337.67 feet to a point; (3) Thence N 53°57'27" E 187.69 feet to a point; (4) Thence N 19°24'13" W 92.85 feet to a point; (5) Thence N 16°33'22" E 94.20 feet to a point; (6) Thence N 83°39'11" E 110.00 feet to a point; (7) Thence along a circular curve to the left having a delta angle of 36°41'56", a radius of 560.00 feet and an arc length of 358.69 feet to a point; (8) Thence S 34°19'33" E 81.47 feet to a point on the northern boundary of the right of way line of Parham Road, said point being the Point and Place of Beginning for Parcel A and containing 2.91 acres.

Parcel B

Beginning at a point on the northern boundary of the right of way line of Parham Road said point being 838.46 feet southwest of the intersection of the northern boundary of the right of way line of Parham Road and the western boundary of the right of way line of Park Central Drive. Thence continuing with the northern boundary of the right of way line of Parham Road in a westerly direction with two (2) courses and distances: (1) S 59°09'15" W 75.14 feet to a point; (2) Thence along a circular curve to the left having a delta angle of 03°29'26" a radius of 3859.72 feet and an arc length of 235.13 feet to a point. Thence leaving the northern boundary of the right of way line of Parham Road in a northerly direction with five (5) courses and distances: (1) N 34°19'33" W 81.47 feet to a point; (2) Thence along a circular curve to the right having a delta angle of 32°12'26", a radius of 560.00 feet and an arc length of 314.79 feet to a point; (3) Thence N 70°11'30" E 205.21 feet to a point; (4) Thence N 87°52'33" E 202.29 feet to a point; (5) Thence S 02°11'01" E 274.44 feet to a point on the northern boundary of the right of way line of Parham Road, said point being the Point and Place of Beginning for Parcel B and containing 2.93 acres.

Parcel C

Beginning at a point on the northern boundary of the right of way line of Parham Road, said point being 838.46 feet southwest of the intersection of the northern boundary of the right of way line of Parham Road and the western boundary of the right of way line of Park Central Drive. Thence leaving the northern boundary of the right of way line of Parham Road in a northerly direction; N 02°11'01" W 274.44 feet to a point; said point being the Actual Point and Place of Beginning for Parcel C. Thence in a westerly direction with nine (9) courses and distances: (1) S 87°52'33" W 202.29 feet to a point; (2) S 70°11'30" W 205.21 feet to a point; (3) Thence along a circular curve to the right having a delta angle of 04°29'30" a radius of 560.00 feet and an arc length of 43.90 feet to a point; (4) Thence along a circular curve to the right having a delta angle of 08°18'03", a radius of 560.00 feet and an arc length of 81.13 feet to a point; (5) Thence N 10°40'26" E 235.12 feet to a point; (6) Thence along a circular curve to the left having a delta angle of 31°20'43", a radius of 660.00 feet and an arc length of 361.07 feet to a point; (7) Thence S 89°18'00" E 350.78 feet to a point; (8) Thence S 01°51'00" E 225.79 feet to a point; (9) Thence S 02°11'01" E 404.01 feet to a point, said point being the Point and Place of Beginning for Parcel C and containing 5.15 acres.

Parcel D

Beginning at a point on the northern boundary of the right of way line of Parham Road said point being 838.46 feet southwest of the intersection of the northern

boundary of the right of way line of Parham Road and the western boundary of the right of way line of Park Central Drive. Thence continuing with the northern boundary of the right of way line of Parham Road in a westerly direction with three (3) courses and distances: (1) S 59°09'15" W 75.14 feet to a point; (2) Thence along a circular curve to the left having a delta angle of 03°29'26", a radius of 3859.72 feet and an arc length of 235.13 feet to a point; (3) Thence along a circular curve to the left having a delta angle of 05°33'31", a radius of 3859.72 feet and an arc length of 374.45 feet to a point. Thence leaving the northern boundary of the right of way line of Parham Road in a northerly direction with two (2) courses and distances: (1) N 39°53'41" W 10.00 feet to a point; (2) N 16°22'21" W 337.67 feet to a point, said point being the Actual Point and Place of Beginning for Parcel D. Thence in a northerly direction with nineteen (19) courses and distances: (1) N 16°22'21" W 61.93 feet to a point; (2) Thence S 87°47'55"W 583.13 feet to a point; (3) Thence N 03°50'55" E 503.87 feet to a point; (4) Thence N 88°19'10" E 177.91 feet to a point; (5) Thence N 02°51'30" E 386.01 feet to a point; (6) Thence S 86°19'15" W 226.61 feet to a point; (7) Thence N 03°37'55" E 173.80 feet to a point; (8) Thence S 82°13'40" E 186.13 feet to a point; (9) Thence N 40°44'44" E 171.45 feet to a point; (10) Thence N 85°43'56" E 206.76 feet to a point; (11) Thence N 62°32'11" E 207.91 feet to a point; (12) Thence S 28°25'46" E 292.12 feet to a point; (13) Thence along a circular curve to the right having a delta angle of 39°06'12" a radius of 660.00 feet and an arc length of 450.44 feet to a point; (14) Thence S 10°40'26" W 235.12 feet to a point; (15) Thence along a circular curve to the left having a delta angle of 08°18'03", a radius of 560.00 feet and an arc length of 81.13 feet to a point; (16) Thence S 83°39'11" W 110.00 feet to a point; (17) Thence S 16°33'22" W 94.20 feet to a point; (18) Thence S 19°24'13" E 92.85 feet to a point; (19) Thence S 53°57'27" W 187.69 feet to a point, said point being the Point and Place of Beginning for Parcel D and containing 19.82 acres.

Parcel E

Beginning at a point on the northern boundary of the right of way line of Parham Road said point being 838.46 feet southwest of the intersection of the northern boundary of the right of way line of Parham Road and the western boundary of the right of way line of Park Central Drive. Thence leaving the northern boundary of the right of way line of Parham Road in a northerly direction with two (2) courses and distances: (1) N 02°11'01" W 678.45 feet to a point; (2) Thence N 01°51'00" W 225.79 feet to a point; said point being the Actual Point and Place of Beginning for Parcel D. Thence in a westerly direction with nine (9) courses and distances: (1) N 89°18'00" W 350.78 feet to a point; (2) Thence along a circular curve to the left having a delta angle of 07°45'28", a radius of 660.00 feet and an arc length of 89.36 feet to a point; (3) Thence N 28°25'46"W 292.12 feet to a point; (4) Thence S 62°32'11" W 207.91 feet to a point; (5) Thence S 85°43'56"

W 206.76 feet to a point; (6) Thence S 40°44'44" W 171.45 feet to a point; (7) Thence N 82°13'40" W 186.13 feet to a point; (8) Thence S 03°37'55" W 45.00 feet to a point; (9) Thence N 79°51'20" W 521.04 feet to a point on the eastern boundary of the right of way line of Scott Road. Thence with the southern boundary of the right of way line of Scott Road in a northeasterly direction with four (4) courses and distances: (1) N 01°05'20" W 140.80 feet to a point; (2) Thence along a circular curve to the right having a delta angle of 23°35'12", a radius of 474.20 feet and an arc length of 195.21 feet to a point; (3) Thence N 23°14'33" E 99.22 feet to a point; (4) Thence N 27°49'37" E 126.48 feet to a point on the eastern boundary of the right of way line of Scott Road. Thence leaving the eastern boundary of the right of way line of Scott Road in an easterly direction with three (3) courses and distances: (1) S 54°02'21" E 512.29 feet to a point; (2) Thence N 29°47'08" E 173.25 feet to a point; (3) Thence N 53°50'04" W 506.04 feet to a point on the eastern boundary of the right of way line of Scott Road. Thence with the southern boundary of the right of way line of Scott Road in a northeasterly direction with three (3) courses and distances: (1) N 31°53'23" E 72.60 feet to a point; (2) Thence along a circular curve to the left having a delta angle of 11°29'45", a radius of 832.29 feet and an arc length of 166.99 feet to a point; (3) Thence N 20°23'39" E 192.65 feet to a point on the eastern boundary of the right of way line of Scott Road. Thence leaving the eastern boundary of the right of way line of Scott Road in an easterly direction with five (5) courses and distances: (1) S 55°53'17" E 330.37 feet to a point; (2) Thence S 75°10'51" E 129.07 feet to a point; (3) Thence S 53°15'57" E 91.33 feet to a point, (4) Thence S 75°36'21" E 858.62 feet to a point; (5) Thence S 01°51'00" E 761.74 feet to a point, said point being the Point and Place of Beginning for Parcel E and containing 28.67 acres.

The Board of Supervisors accepted the following proffered conditions, dated October 9, 2001, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

- 1) Greenbelt. Greenbelts for landscaping, natural open areas and scenic vistas will be provided twenty-five (25) feet in width adjacent to the main entrance road and one hundred twenty-five (125) feet adjacent to Parham Road, except to the extent necessary for utility easements, storm water facilities, fencing, drainage easements, access to and from public rights-of-way (which access driveways shall run generally perpendicular to the greenbelt), bicycle paths, jogging trails, signage, sidewalks, and other purposes requested and specifically approved at the time of Plan of Development.
2. Pedestrian Access. A pedestrian access system shall be provided connecting the major project areas of the development unless otherwise requested and specifically approved at the time of Plan of Development.
3. Underground Utilities. Except for junction boxes, meters and existing

- overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
4. Exterior Materials. The exposed portion of each exterior wall surface (front, rear and sides) of any building constructed on the Property (excluding rooftop screening materials for mechanical equipment) shall be similar to the exposed portions of other exterior walls of such building in architectural treatment and materials. All buildings constructed on the Property shall have exposed exterior walls (above finished grade) predominantly of face brick, glass, split face block, Exterior Insulating Finishing Systems ("E.I.F.S."), stone, marble or granite unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall at the time of Plan of Development.
 5. Detached Signage. Any detached signs shall be ground-mounted, monolithic-type signs and shall not exceed ten (10) feet in height.
 6. Parking Lot Lighting. Parking lot lighting fixtures shall not exceed twenty (20) feet in height above grade level. Parking lot lighting shall be produced from concealed sources of light (i.e., "shoe box" type fixtures).
 7. HVAC. Heating and air conditioning equipment shall be screened from public view at ground level at the property lines in a manner approved at the time of Plan of Development.
 8. Trash Receptacles. Trash receptacles, not including convenience cans, shall be screened from public view at ground level in a manner approved at the time of Plan of Development and shall not be visible from Parham Road. Enclosure areas for dumpsters shall, except for access doors, be constructed of a masonry material.
 9. Scott Road Access. There shall be no vehicular access to or from Scott Road except as may be requested or required at the time of Plan of Development. Construction traffic shall not access the Property from Scott Road.
 10. Setback. No building or any portion thereof shall be constructed within fifty (50) feet of existing Scott Road or any adjacent parcels which are zoned or used for residential purposes for so long as such adjacent parcels are zoned or used for residential purposes.
 11. 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.
 12. Protective Covenants. Prior to or concurrent with the conveyance of any part of the Property covered by a Plan of Development approved by Henrico County (other than for the conveyance of easements, roads, or utilities), the owner of the portion of the Property covered by such Plan of

Development, or its successors and assigns, shall record a document in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the quality and type of development of such portion of the Property. The covenants shall also provide for high standards of uniform maintenance (consistent with Class "A" office parks) of individual sites, common areas, open spaces, landscaping and private streets, and provide for minimum development and operational standards for each site.

13. Main Access Road.

- a. Dedication: An eighty (80) foot public right-of-way (four lanes with a twenty (20) foot wide median) and necessary construction easements related thereto through the Property to also serve parcels to the north shall be dedicated free and unrestricted to, and for the benefit of, the County of Henrico at such time as required by the County of Henrico. Such main access road shall intersect the northern line of the Property at a point between the western property line of Henrico County Tax Parcel 53-A-73 and the middle of Henrico County Tax Parcel 53-A-80E.
- b. Construction: A four (4) lane boulevard entrance shall be developed for a distance of two hundred (200) feet from Parham Road with the first phase of development on the Property, unless otherwise requested by the developer and specifically approved at the time of Plan of Development. Thereafter, the developer shall construct, to County standards, two (2) lanes of pavement within the four (4) lanes of right-of-way for that portion of the main access road as is required to service the phased development of the Property, unless otherwise requested by the developer at the time of Plan of Development
- c. Median and Greenbelt Landscaping/Setbacks: Any applicable greenbelts, setbacks or buffers shall be measured from the four (4) lane section provided above. The greenbelts and the median provided above shall be landscaped and irrigated except in any areas where existing vegetation is retained. Such greenbelts and median landscaping shall be installed with each phase of development and shall, respectively, be generally consistent in design throughout all phases of development on the Property.

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.

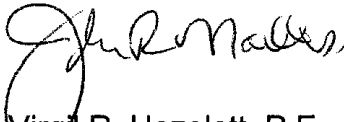
15. Scott Road Buffer. A natural and/or landscaped buffer which may include berms shall be provided for a minimum of fifty (50) feet in width adjacent to Scott Road, except to the extent necessary or allowed for utility easements, grading, signage and access driveways (but only if permitted

pursuant to Proffer 9) and other purposes requested and specifically permitted, or if required, at the time of Plan of Development. Any utility easements (other than existing utility easements) and access driveways permitted within the aforesaid buffer area shall be extended generally perpendicular to the buffer area unless otherwise requested and specifically permitted or if required at the time of Plan of Development.

16. Hotel Features. Any hotel developed on the Property shall comply with the following:
 - a. rooms shall be accessed from interior corridors only;
 - b. the hotel shall be a minimum of three (3) stories in height;
 - c. the hotel shall contain a minimum of sixty (60) units;
 - d. meeting space for purposes of conducting business shall be provided; and
 - e. services to accommodate the business traveler shall be provided, including computer hook ups, photocopying and facsimile services.
17. Master Plan. A Master Plan shall be provided with the first Plan of Development on the Property and shall be updated with each subsequent Plan of Development.

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,


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

cc: Director, Real Estate Assessment
Conditional Zoning Index
Mr. Gerald Hoenig
Mr. James W. Theobald