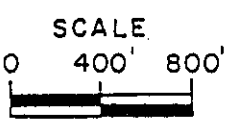


B-1, A-1 TO R-6, B-2
215.338 Ac.

C-53C-79



78-A2-30, 47 & 78
77-B2-12, 44
THREE CHOPT DISTRICT
RWC



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

September 19, 1979

FRANK A. FAISON
County Manager

Re: Conditional Rezoning Case C-53C-79

Messrs. H. F. Stern and
David Arenstein
2020 W. Broad Street
Richmond, Virginia 23220

see also: C-58C-90

Gentlemen:

The Board of Supervisors at its September 12 meeting accepted the owner's proffered conditions and conditionally rezoned the subject property to R-6 General Residence District and B-2 Community Business District in accordance with your request.

Set forth below are descriptions of each of the zoned parcels:

Part of Parcels 77-B2-12 and 44, all of Parcels 78-A2-30, 47, and 78:

Parcel 1 - 20 Acres Conditionally zoned B-2 Community Business District

Beginning at a point on the northern line of Broad Street Road, which point is 1051.58' more or less west of the intersection of the northern line of Broad Street Road with the western line of Innsbrook Road and from said point and place of beginning N. 74° 24' 51" W. 1075' to a point; thence N. 18° 45' 30" E., 782.40' to a point; thence S. 74° 24' 51" E., 1155.43' to a point; thence S 24° 35' 09" W., 790.94' to the point of beginning containing 20 acres.

Parcel 2 - 188.438 Acres Conditionally zoned R-6 General Residence District

Beginning at a point on the northern line of Broad Street Road which point is 375' west of the intersection of the northern line of Broad Street Road with the western line of Innsbrook Road and from said point and place of beginning N. 74° 24' 51" W., 676.58' to a point; thence N. 24° 35' 09" E., 790.94' to a point; thence N. 74° 24' 51" W., 1155.43' to a point; thence N. 18° 45' 30" E., 497.47' to a point; thence S. 74° 54' 52" W., 487.39' to a point; thence N. 38° 54' 00" E., 1029.50' to a point; thence N. 25° 30' 00" E., 649.55' to a point; thence N. 40° 06' 28" W., 147.34' to a point; thence N. 46° 48' 55" E., 329.15' to a point; thence N. 49° 05' 10" E., 448.07' to a point; thence N. 56° 32' 00" E., 795' to a point; thence S. 33° 28' 00" E., 160.00' to a point; thence N. 56° 32' 00" E., 269.97' to a point; thence along the arc of a curve having a radius of 453.49', a distance of 387.30' to a point; thence along the arc of a curve having a radius of 456.05', a distance of 174.01' to a point; thence N. 29° 27' 40" E., 372.50' to a point; thence S. 60° 32' 20" E., 204.75' to a point; thence along the arc of a curve having a radius of 442.00', a distance of 65.23' to a point; thence S. 2° 29' 57" E., 444.07' to a point; thence S. 21° 13' 07" E., 315.75' to a point; thence N. 63° 09' 40" E., 458.48' to a point; thence N. 10° 15' 52" W., 555' to a point; thence N. 79° 44' 08" E., 399.54' to a point;

?
REZONED TO
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(OFFICE -
COMP. -
ZONING)
office
CHW

thence along the arc of a curve having a radius of 302.40', a distance of 251.85' to a point; thence S. 52° 32' 45" E., 143.89' to a point; thence S. 44° 28' 20" W., 156.02' to a point; thence along the arc of a curve having a radius of 1222.04', a distance of 851.16' to a point; thence S. 04° 33' 55" W., 135.59' to a point; thence along the arc of a curve having a radius of 12227.71', a distance of 1043.08' to a point; thence S. 53° 14' 40" W., 503.20' to a point; thence along the arc of a curve having a radius of 2081.12', a distance of 154.73' to a point; thence S. 16° 10' 10" E., 102.96' to a point; thence S. 24° 49' 48" W., 2502.06' to the point of beginning, containing 188.438 acres.

Parcel 3 - 6.9 Acres Conditionally zoned B-2 Community Business District

Beginning at a point on the southern line of Thorncroft Drive, which point marks the dividing line between land now owned by Sydney Realty Corp. (Parcel 2 described above) and the hereinafter described parcel, and from said point along the arc of a curve having a radius of 442.00', a distance of 241.23' to a point; thence N. 79° 44' 08" E., 210.00' to a point; thence S. 10° 15' 52" E., 555.00' to a point; thence S. 63° 09' 40" W., 458.48' to a point; thence N. 21° 13' 07" W., 315.75' to a point; thence N. 2° 29' 57" W., 444.07' to the point of beginning, containing 6.9 acres.

The twenty (20) proffered conditions affecting the rezoned property are as follows:

1. No portion of the Property shall be used for multi-family residential apartment units.
2. Upon an engineering delineation of the portion of the Property which is within the 100 year flood plain, said flood plain shall be deemed restricted to such uses as are then permitted in a Conservation Zoning District and Owners will promptly file a written application with the County of Henrico requesting such rezoning, at the Owners' expense. No request for a building permit on the Property shall be filed until the foregoing has been accomplished.
3. With respect to Zoning Parcel 1 for which B-2 zoning is requested, no more than 120,000 square feet of retail commercial space shall be developed thereon, but the balance of the development otherwise permitted thereon may be devoted to office type uses and such other uses as are incidental or related thereto.
4. Owners shall not request or be entitled to receive any Certificate of Occupancy for any portion of the Property on or before January 1, 1981;
5. Owners shall not request or be entitled to receive Certificates of Occupancy for more than 250,000 square feet of office space in each year commencing with the first day of the month following rezoning of the Property, as requested herein, by the Board of Supervisors. Certificates of Occupancy for more than said amount of square footage shall only be available if in prior years less than said amount of square footage have been developed for which Certificates of Occupancy have been received.
6. Zoning Parcel 3 shall not be developed for any retail commercial usages except office type uses, recreational, health, athletic and leisure facilities and such uses as may be associated therewith or incidental thereto, including, but not limited to, restaurant facilities and meeting rooms.
7. The shopping village/office center to be developed on Zoning Parcel 1 will not be primarily oriented toward Broad Street Road, will be of a market square/pedestrian mall type as opposed to a strip type building and will not have its principal access to Broad Street Road. Ingress and egress will be provided from Cox Road and any other major access road required by the County or any other applicable governmental body,

agency or department, having jurisdiction with respect thereto, to serve the overall development.

8. No building will be constructed within 100 feet of Broad Street Road and 50 feet of Cox Road and any hotel constructed on the Property shall be oriented to the Broad Street Road frontage, in accordance with the applicable requirements of law.

9. No adult book stores, billiard parlors and automotive tire, parts and accessory shop shall be permitted on Zoning Parcel 1 and no roller or ice skating rink, motion picture theater, bowling alley or pool parlor shall be permitted on Zoning Parcel 3.

10. Vehicular access to existing internal residential subdivision streets abutting or in the vicinity of the Property will be designed to eliminate or minimize road connections to the proposed office park, subject to the design criteria required by the Planning Commission of Henrico County, or by any other applicable governmental body, agency or department having jurisdiction with respect thereto.

11. Where necessary, berms will be utilized to supplement or complement natural buffering for the purpose of aesthetically enhancing the landscaping of buildings on the Property in accordance with the Landscaping Plan submitted to and approved by the Planning Commission in accordance with applicable requirements of law.

12. All office and commercial buildings on the Property shall only be served by public water and sewer, to the extent they may be purchased from Henrico County.

13. A natural buffer strip of a minimum of thirty (30) feet in width will be retained around the western and eastern boundaries of the Property which abut single family zoning districts, except to the extent same may be required to construct utility lines and roads.

14. Parking lot lighting standards shall not exceed twenty (20) feet in height without the approval of the Planning Commission. Lighting in parking lots shall be of low intensity, and shall be positioned in such a manner as to minimize the impact of such lighting on adjacent residential areas and be of such type as approved by the Planning Commission.

15. At such time as forty (40) percent of the Property is approved for Plan of Development and Certificates of Occupancy are issued therefor, owner will, at its expense, have provided two (2) vehicular access points to the Property from U.S. Route 250, if such access points are required by Henrico County or any other applicable governmental body, agency or department, having jurisdiction with respect thereto.

16. Applicant shall, at its expense, construct Cox Road, as the Property is developed, to the northernmost boundary of the developed portion of the Property. In any event, Cox Road will, if required by Henrico County, be constructed from U.S. Route 250, to Nuckols Road, by the time eighty percent (80%) of the Property is approved for Plan of Development and Certificates of Occupancy are issued therefor. Cox Road shall be constructed by the owner, at owner's expense, to such width as the County requires, not to exceed four (4) lanes.

17. Parking space shall be provided on the basis of at least one (1) parking space per two hundred fifty (250) square feet of gross rentable office floor area.

18. The development, use and operation of the Property shall be subject to such limitations as to signage, perimeter buffering and exterior architectural treatment as shall be incorporated in the Plan of Development Application and as approved by the Planning Commission of Henrico County.

19. No site in Zoning Parcel 2 shall be developed in excess of the following Site Coverage Ratios:

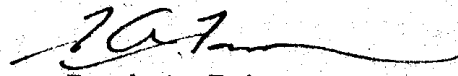
<u>Gross Floor Area of Building</u>	<u>Maximum Site Coverage Ratio</u>
1 sq. ft. to 40,000 sq. ft.	57%
40,001 sq. ft. to 60,000 sq. ft.	58%
60,001 sq. ft. to 80,000 sq. ft.	59%
80,001 sq. ft. to 100,000 sq. ft.	60%
100,001 sq. ft. to 125,000 sq. ft.	61%
Over 125,000 sq. ft.	62%

For purposes hereof, Site Coverage Ratio shall be determined by dividing the gross land area within a site into the portion of the site covered by building ground floor area and paved areas for vehicular movement, loading and parking.

20. Owners shall master plan the adjoining residential acreage which they own (being approximately 166 acres) in a manner which is complementary to the Innsbrook Planned Corporate Office Center and be in furtherance of the goals and objectives of the Land Use Plan.

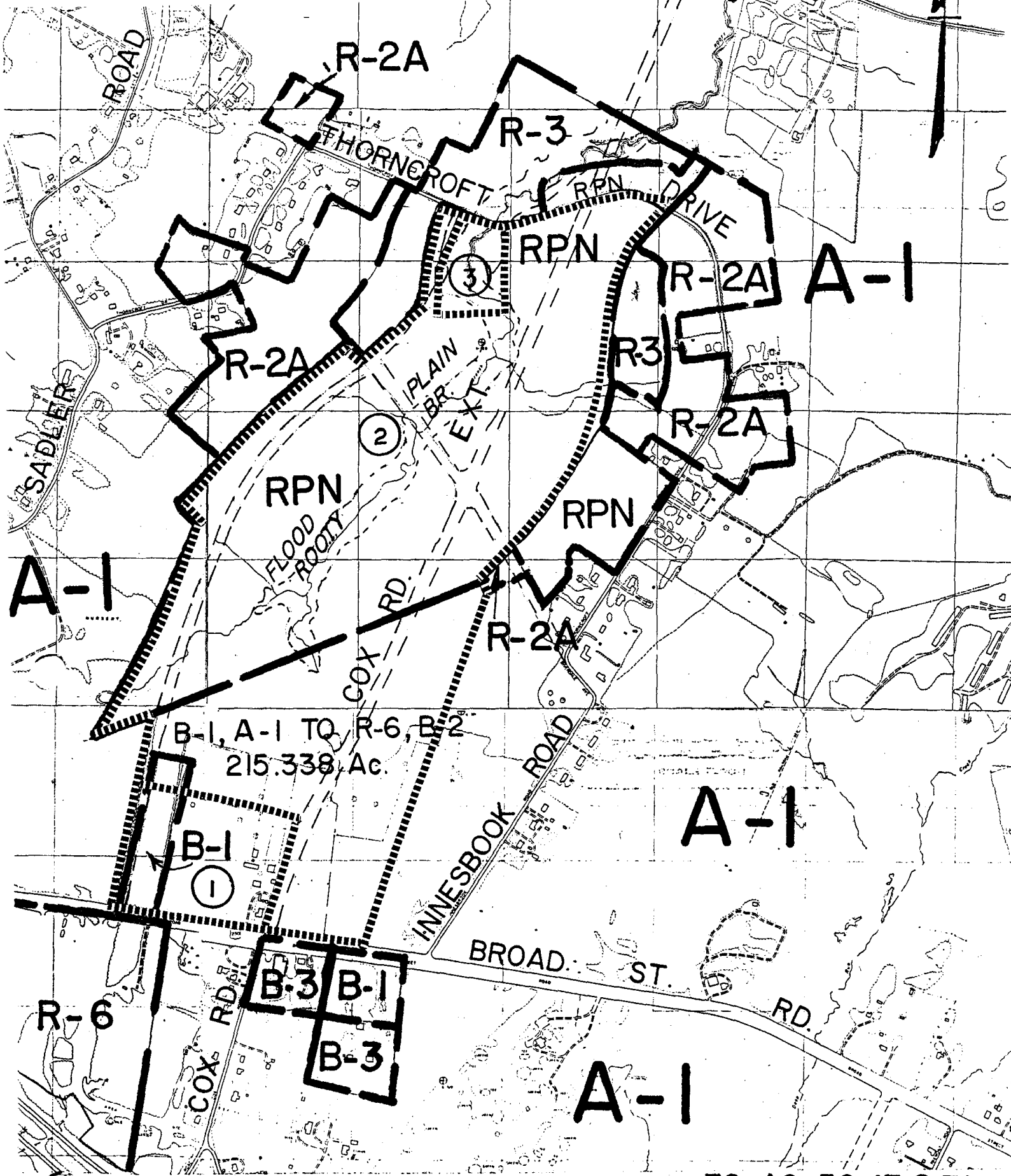
The Planning Office has been advised of the action of the Board of Supervisors and requested to revise its records accordingly and to place a copy of the approved conditions in the Conditional Zoning Index.

Sincerely,

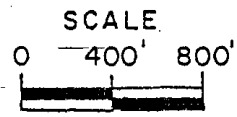


Frank A. Faison,
County Manager

cc: Clerk, Board of Supervisors
Supervisor, Real Estate Assessment
Mr. Jay Weinberg
Conditional Zoning Index ✓



C-53C-79



78-A2-30, 47 & 78
77-B2-12, 44
THREE CHOPT DISTRICT
RWC