

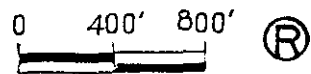
A-1 To M-1C  
250.25 ac.  
PARCEL A

A-1 To M-1C  
150.87 ac.  
PARCEL B

COUNTY OF HENRICO PLANNING OFFICE  
45-A 2-9, 39 / 44-B2-11, 14, 19, 22  
44-B1-5 PT. 6  
VARINA DISTRICT

OFFICE / WHSE. LIGHT INDUS.

C-64C-89



JAS



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

W.F. LAVECCHIA, P.E., AICP  
County Manager

August 15, 1989

Re: Conditional Rezoning Case C-64C-89

IMG/Interchange Associated Limited Partnership  
1 Charter Crossing  
Mechanicsville, Virginia 23111

Gentlemen:

The Board of Supervisors at its meeting on August 9, granted your request to conditionally rezone property from A-1 Agricultural to M-1C Light Industrial District (Conditional), property described as follows:

Part of Parcels 44-B1-5, and 6, and Parcels 44-B2-11, 14, 19, 22, 45-A2-9, and 39, described as follows:

Zoning Parcel 1:

Beginning at the intersection of the E. line of Interstate Route 295 with the south line of Meadow Road; thence S.  $70^{\circ} 05' 49''$  E., 453.77' along the S. line of Meadow Road to a point; thence S.  $67^{\circ} 02' 13''$  E., 448.23' to a point; thence N.  $22^{\circ} 57' 47''$  E., 35.00' to a point; thence S.  $67^{\circ} 02' 13''$  E., 38.27' to a point; thence along a curve to the left having a radius of 729.79' and an arc distance of 253.88' to a point; thence S.  $86^{\circ} 58' 08''$  E., 18.54.01' to a point; thence along a curve to the right having a radius of 7198.36' and an arc distance of 199.57' to a point; thence S.  $85^{\circ} 22' 49''$  E., 212.39' to a point; thence along a curve to the right having a radius of 10569.04' and an arc distance of 462.38' to a point; thence S.  $82^{\circ} 52' 25''$  E., 868.44' to a point; thence S.  $74^{\circ} 55' 30''$  E., 831.06' to a point; thence S.  $73^{\circ} 52' 02''$  E., 719.50' to a point; thence along a curve to the right having a radius of 1788.57' and an arc distance of 247.87' to a point; thence S.  $65^{\circ} 55' 37''$  E., 193.33' to a point; thence leaving the S. line of Meadow Road S.  $32^{\circ} 59' 25''$  W., 689.40' to a point; thence S.  $34^{\circ} 25' 41''$  W., 286.38' to a point; thence S.  $10^{\circ} 28' 58''$  W., 371.73' to a point; thence S.  $02^{\circ} 51' 54''$  E., 115.00' to a point along the north line of the southern railroad; thence along the N. line of the southern railroad S.  $88^{\circ} 38' 06''$  W., 1693.39' to a point; thence S.  $88^{\circ} 36' 28''$  W., 999.48' to a point; thence along a non-tangent curve to the right having a radius of 3397.75' and an arc of 744.99' and a chord bearing of N.  $85^{\circ} 06' 25''$  W., and a chord distance of 743.50' to a point; thence N.  $78^{\circ} 49' 33''$  W., 1392.23' to a point; thence leaving the N. line of the Southern Railroad along the E. line of Interstate Route 295 N.  $33^{\circ} 57' 19''$  W., 456.39' to a point; thence N.  $13^{\circ} 06' 35''$  E., 42.12' to a point; thence S.  $87^{\circ} 21' 16''$  W., 36.09' to a point; thence N.  $33^{\circ} 57' 19''$  W., 55.68' to a point; thence N.  $37^{\circ} 18' 13''$  W., 538.26' to a point; thence N.  $22^{\circ} 53' 35''$  W., 583.03' to a point; thence N.  $17^{\circ} 59' 22''$  W., 318.87' to a point; thence N.  $18^{\circ} 03' 32''$  W., 245.51' to a point; thence N.  $32^{\circ} 01' 25''$  W., 345.12' to a point and place of beginning, containing 250.246 acres.


Zoning Parcel 2:

Beginning at the intersection of the E. line of Interstate Route 295 with the S. line of the Southern Railroad; thence N.  $65^{\circ} 53' 52''$  E., 132.27' along the S. line of the Southern Railroad to a point; thence S.  $78^{\circ} 47' 23''$  E., 624.66' to a point; thence S.  $83^{\circ} 23' 26''$  E., 376.00' to a point; thence S.  $76^{\circ} 49' 55''$  E., 520.84' to a point; thence N.  $29^{\circ} 10' 13''$  E., 49.95' to a point; thence N.  $56^{\circ} 22' 17''$  W., 175.35' to a point; thence along a non-tangent curve to the left having a radius of 3477.75' and an arc of 426.25' and a chord bearing of S.  $87^{\circ} 52' 39''$  E., and a chord of 425.98' to a point; thence N.  $88^{\circ} 36' 42''$  E., 981.17' to a point; thence N.  $88^{\circ} 38' 06''$  E., 1827.76' to a point; thence S.  $17^{\circ} 05' 24''$  W., 95.28' to a point; thence S.  $78^{\circ} 31' 45''$  E., 250.81' to a point; thence N.  $89^{\circ} 50' 45''$  E., 149.17' to a point; thence S.  $76^{\circ} 54' 15''$  E., 237.55'; thence S.  $83^{\circ} 33' 25''$  E., 142.54' to a point; thence S.  $75^{\circ} 07' 20''$  E., 145.57' to a point; thence leaving the S. line of the Southern Railroad S.  $20^{\circ} 56' 11''$  W., 635.15' to a point; thence S.  $56^{\circ} 48' 19''$  E., 414.67' to a point; thence S.  $29^{\circ} 04' 31''$  W., 965.25' to a point along the N. line of Interstate Route 64; thence along the N. line of Interstate Route 64 N.  $80^{\circ} 00' 37''$  W., 155.13' to a point; thence along a non-tangent curve to the left having a radius of 756.20' and an arc of 55.95' and a chord bearing of N.  $68^{\circ} 13' 12''$  W., and a chord of 55.94' to a point; thence S.  $10^{\circ} 06' 05''$  W., 11.43' to a point; thence N.  $80^{\circ} 00' 37''$  W., 387.42' to a point; thence N.  $79^{\circ} 46' 33''$  W., 194.84' to a point; thence S.  $16^{\circ} 46' 56''$  W., 153.42' to a point; thence N.  $71^{\circ} 36' 15''$  W., 1336.37' to a point; thence N.  $71^{\circ} 21' 32''$  W., 468.00' to a point; thence N.  $61^{\circ} 46' 12''$  W., 90.41' to a point; thence N.  $61^{\circ} 44' 11''$  W., 182.95' to a point; thence N.  $61^{\circ} 53' 58''$  W., 353.94' to a point; thence N.  $62^{\circ} 28' 25''$  W., 277.49' to a point; thence N.  $69^{\circ} 21' 47''$  W., 464.98' to a point; thence N.  $81^{\circ} 21' 57''$  W., 638.96' to a point; thence N.  $65^{\circ} 10' 11''$  W., 96.16' to a point; thence N.  $63^{\circ} 52' 19''$  W., 475.80' to a point; thence N.  $45^{\circ} 53' 31''$  W., 351.58' to a point; thence N.  $23^{\circ} 16' 19''$  W., 225.62' to the point of beginning, containing 150.873 acres.

The Board of Supervisors accepted the attached 16 proffered conditions which further regulate the above described property in addition to all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance).

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 W. F. LaVecchia, P.E., A.I.C.P.,  
County Manager

Attachments:

cc: Clerk, Board of Supervisors  
Supervisor, Real Estate Assessment  
✓ Conditional Zoning Index  
Messrs. Jay M. Weinberg &  
James W. Theobald  
29564 Associates



COUNTY OF HENRICO, VIRGINIA

PROFFERS FOR CONDITIONAL REZONING

ORIGINAL

THIRD AMENDED AND RESTATED PROFFERS

Pursuant to section 22-121(b) of the County Code, the owner or duly authorized agent hereby voluntarily proffers the following conditions which shall be applicable to the property, if rezoned:

*James W. Theobald*

August 8, 1989

Signature of Owner or Applicant: James W. Theobald, Attorney-In-Fact for IMG/Interchange Associates Limited Partnership

Date

If Applicant is other than Owner, Form POF-004-3/87, Special Limited Power of Attorney must be submitted with this application.

1. Enclosed Building Requirement. All light industrial uses shall be conducted within a completely enclosed building, which may be an office building or a separate, freestanding building used exclusively for light industrial uses.

2. Safe Conduct of Operations. All light 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. Buffers consisting of natural areas, berms or landscaping, or combinations thereof, for purposes of lessening the visual impact of the development of the Property on adjacent land, of a minimum width as set forth below, will be provided and maintained, except to the extent necessary for vehicular and pedestrian access ways, utility easements, signage or other purposes specifically permitted by the Planning Commission at the time of Plan of Development review, or by any other governmental body:

(a) one hundred (100) feet in width of buffer along Meadow Road.

(b) fifty (50) feet in width of buffer along the eastern boundaries of the Property for so long as such boundaries are adjacent to property used for or permitted to be used for residential purposes.

ACCEPTED BY THE BOARD OF SUPERVISORS  
AUGUST 9, 1989

C-64C-89  
P1075

PLANNING OFFICE

Existing vegetation and underbrush may, and fallen, diseased or dead plant growth shall, be removed from such buffer area, and if so removed, additional plantings shall be added. Should it be necessary to run drainage, utility or other easements through the buffer areas, such areas shall be compensated to the extent interrupted by said easement to maintain the integrity of the buffer area.

4. Underground Utilities. All utility lines such as electric, telephone, CATV or other similar lines shall be installed underground, unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review. This requirement shall apply to lines serving individual sites as well as to utility lines necessary within the Property, but not to existing lines on the Property.

5. Architectural Treatment. The exterior wall surfaces (front, rear and sides) of each individual building shall be similar in architectural treatment and materials. No portion of an exterior wall surface visible from any adjoining property shall contain painted or untreated concrete masonry units, sheet or corrugated aluminum, asbestos, or metal unless otherwise specifically approved by the Planning Commission at the time of Plan of Development review. All rooftop equipment shall be shielded so that it is screened from public view at ground level.

6. Use Restrictions. The only uses permitted on the Property shall be as follows:

- (a) Those uses first permitted as principal uses in an M-1 Light Industrial district;
- (b) Those uses permitted in an O-3 Office district;
- (c) Data processing centers;
- (d) Repair facilities;
- (e) Wholesaling;
- (f) Showroom sales and service areas, but excluding automobile or truck sales showrooms and truckstops;
- (g) Medical or dental laboratories;

Case No. C-64C-89

Page -2- of 5

ACCEPTED BY THE  
BOARD OF SUPERVISORS  
AUGUST 9, 1989

- (h) Cafeterias or restaurants in association with and in support of and incidental to other permitted uses; and
- (i) Such other accessory uses, not otherwise prohibited, as are customarily accessory and incidental to any permitted use.

7. Phasing. Neither the Applicant nor its successors or assigns shall request or accept temporary or final Certificates of Occupancy (except for a sales center from which the Property may be marketed) until a two (2) lane bridge and roadway are completed connecting the Property from its southern boundary to U.S. Route 60. Thereafter, neither the Applicant nor its successors or assigns shall request or accept temporary or final Certificates of Occupancy in excess of an aggregate of 2,000,000 square feet of floor area on the Property, of which no more than 50,000 square feet of floor area may be devoted to those retail uses permitted in Proffer No. 6, without a traffic impact study being approved by the Planning Commission as a part of Plan of Development approval, or the Property having direct access to Interstate Route 64.

8. Loading Dock Treatment. Loading docks and areas shall be located and/or screened so as to minimize visual impact from Meadow Road and any adjacent agriculturally or residentially-zoned property, unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review. No loading docks shall be located nearer than one hundred and fifty (150) feet from Meadow Road.

9. Parking Lot Lighting. Within one hundred (100) feet of any agriculturally or residentially zoned property, parking lot lighting fixtures shall not exceed twenty (20) feet in height as measured from the grade of the base of the lighting standard. Parking lot lighting fixtures on the remainder of the Property shall not exceed thirty (30) feet in height as measured from the grade of the base of the lighting standard unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review. Parking lot lighting shall be produced from concealed sources of light (i.e., "shoe box" type).

10. Limited Ingress and Egress. Truck ingress and egress to and from the Property onto Meadow Road will be prohibited other than for emergency vehicles and construction traffic unless otherwise requested and specifically permitted, or if required

Case No. C-64C-89

Page -3- of 5

ACCEPTED BY THE  
BOARD OF SUPERVISORS  
AUGUST 9, 1989

by, the Planning Commission at the time of Plan of Development review.

11. Historical Marker. A site of a minimum of one (1) acre to be chosen by the Applicant at a prominent location accessible to the public shall surround a historical marker to commemorate past events of historical significance occurring on the Property. The Applicant shall consult with the Henrico County Historical Society in the creation of such a marker.

12. Open Space. At least twenty percent (20%) of every site within the Property shall be used for permanent open space. This area shall be used for landscaping, lawns, screening and/or buffer area and may include bodies of water, works of art and outdoor recreation areas. The area devoted to the project perimeter buffering may be counted toward this requirement.

13. 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.

14. Signage. Signage for parcels adjacent to I-64 shall be controlled by the standards applicable to signage in a B-3 zoned district unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review.

15. Parking Lot Landscaping. Any parking lot containing more than twenty-five (25) spaces must be landscaped with plantings and trees. The landscaped areas shall be equal to at least one hundred sixty-two (162) square feet for every twenty (20) parking spaces of portion thereof. The required landscaping shall be placed within the boundaries of the parking lot or be immediately adjacent thereto. This requirement is in addition to any landscaping requirements in the project perimeter, required open space or along the streets.

16. Plan of Development/Master Plan Requirement. A plan of development as regulated by Section 22-106 of the Henrico County Code shall be submitted for each development within the Property. A conceptual master plan or update thereof for the entire

Case No. C-64C-89

Page -4- of 5

ACCEPTED BY THE  
BOARD OF SUPERVISORS  
AUGUST 9, 1989

130

development shall be submitted with each plan of development. In addition, each plan of development shall provide a cumulative summary of the amount and types of uses preceding the proposed development and any changes in uses then in effect.

**IMG/INTERCHANGE ASSOCIATES  
LIMITED PARTNERSHIP**

By: *James W. Theobald*  
**James W. Theobald,  
Attorney-In-Fact**

**Case No. C-64C-89**

**Page -5- of 5**

**ACCEPTED BY THE  
BOARD OF SUPERVISORS  
AUGUST 9, 1989**