

A-1 to M-1C
31.74 ac.

COUNTY OF HENRICO PLANNING OFFICE

LIGHT MFG. / OFFICE / WHSE

C-67C-89

PT. 11-B2-19
VARINA DISTRICT

JAS



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

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

September 19, 1989

Re: Conditional Rezoning Case C-67C-89

P&T Associates II
c/o Brooks Pollock, Jr.
357 Edwin Drive
Virginia Beach, Virginia 23462

Gentlemen:

The Board of Supervisors at its meeting on September 13, granted your request to conditionally rezone property from A-1 Agricultural to M-1C Light Industrial District (Conditional), described as follows:

Part of Parcel 11-B2-19:

Parcel A:

Beginning at an iron rod marking the northwest corner of Lot 1, Block A, Section H, of Sandston, said rod also being on the southerly right-of-way line of Union Street; thence run S. $31^{\circ} 16' 51''$ W., along the northwesterly line of said Block A for 583.32' to an iron rod; thence run S. $61^{\circ} 19' 35''$ W., for 1092.46' to an iron rod; thence run N. $73^{\circ} 15' 19''$ W., for 242.55' to an iron rod on the easterly right-of-way line of "Ramp F" of Interstate 64; thence run along said easterly line of "Ramp F" N. $11^{\circ} 03' 18''$ E., for 7.76' to a VDH&T monument; thence run N. $17^{\circ} 27' 37''$ E., for 519.51' to a VDH&T monument; thence run Northerly and Northeasterly along the arc of a non-tangential curve to the right of radius 798.79' (Delta = $46^{\circ} 21' 12''$) (Chord = N. $34^{\circ} 12' 53''$ E. for 628.75') for 646.23' to a VDH&T monument marking the point of tangency; thence run N. $57^{\circ} 23' 29''$ E., for 451.88' to a VDH&T monument; thence leaving said easterly line of "Ramp F" run S. $32^{\circ} 38' 12''$ E., for 118.05' to a VDH&T monument; thence run N. $83^{\circ} 52' 58''$ E., for 156.22' to a VDH&T monument on the southerly line of Union Street; thence run S. $59^{\circ} 10' 05''$ E., for 446.84' to the point of beginning, containing 24.129 acres.

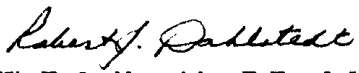
Beginning at an iron rod marking the southwest corner of Lot 1, Block D, Section F, Sandston, said rod also being on the northerly right-of-way line of Union Street; thence run N. $59^{\circ} 10' 05''$ W., along said northerly right-of-way line of Union Street for 632.12' to an iron rod set on the easterly line of "Ramp F" of Interstate 64; thence run along the right-of-way line of said "Ramp F" N. $57^{\circ} 23' 29''$ E., for 478.03' to a VDH&T monument; thence run northeasterly along the arc of a curve to the right of radius 877.44' (Delta = $33^{\circ} 41' 35''$) (Chord = N. $74^{\circ} 14' 16''$ E. for 508.58') for 515.98' to a VDH&T monument; thence run easterly along the arc of a curve to the right of radius 22,724.31' (Delta = $0^{\circ} 13' 08''$) (Chord = S. $88^{\circ} 48' 22''$ E., for 86.85') for 86.85' to an iron rod on the northwesterly line of said Block D, Section F, of Sandston; thence run S. $31^{\circ} 16' 51''$ W., along said northwesterly line of Sandston for 840.44' to the Point of beginning, containing 7.611 acres.

P&T Associates II
Page 2
September 19, 1989

The Board of Supervisors accepted the attached fifteen (15) 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
Mr. Paul Gordon, Ms. Anita Blake,
Ms. Ruth Moe & Mr. David M. Lutkoff, Trustee
c/o Paul Gordon Associates
Jay M. Weinberg, Esquire
James W. Theobald, Esquire



COUNTY OF HENRICO, VIRGINIA

C-67C-89

PROFFERS FOR CONDITIONAL REZONING

ORIGINAL AMENDED AND RESTATED

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:

P & T ASSOCIATES, II

By [Signature]
Signature of Owner or Applicant* Attorney-in-Fact

August 2, 1989
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 industrial uses shall be conducted within a completely enclosed building, which may be an office building or a separate, freestanding building used for light industrial uses.

2. Safe Conduct of Operations. All 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 buffer consisting of either natural areas, berms, or landscaping, or combinations thereof, and a privacy fence for purposes of lessening the visual impact of the development of the Property on adjacent land, of a minimum width, height and location 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) a buffer area of seventy-five (75) feet in width along the existing southeastern boundary of the Property adjacent to Lots 1, 2 and 3, Block A, Section H, and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, Block D, Section F of West Sandston Subdivision (the "Lots").
- (b) a salt-treated wooden opaque privacy fence ten (10) feet in height or of such height as shall specifically be permitted or required by the Planning Commission at the time of Plan of Development approval shall be erected twenty-five and one-half (25-1/2) feet inside said buffer area, parallel thereto and for the length of that portion of the existing southeastern boundary of the Property adjacent to the Lots.

ACCEPTED BY THE BOARD OF SUPERVISORS SEPT. 13, 1989

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- (c) a portion of the buffer area referred to in subparagraph 3(a), which is twenty-five (25) feet in width and adjacent to the northwestern boundary of the Lots shall be conveyed to each of the respective owners of the Lots to the extent that each of said Lots abut said twenty-five (25) foot strip.

Existing vegetation and underbrush may, and fallen, diseased or dead plant growth shall, be removed from such buffer areas. 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. This requirement shall apply to lines serving individual sites as well as to utility lines necessary within the Property, but not to any 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 unfinished concrete, 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. *file*

6. Use Restriction. No hotel or motel shall be permitted on the Property.

7. Loading Dock Treatment. Loading docks and areas, including any outside storage areas, shall be located and/or screened so as to shield them from view from any adjacent residentially-zoned property, unless otherwise requested and specifically permitted, or if required by, the Planning Commission at the time of Plan of Development review.

8. Parking Lot Lighting. Within one hundred (100) feet of any 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 twenty-five (25) feet in height as measured from the grade of the base of the lighting

Case No. C-67C-89

Page 2 of 3

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COUNTY OF HENRICO

142

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).

9. Building Setback. No building or any portion thereof shall be constructed within one hundred (100) feet of any residentially zoned property.

10. Limited Access. There shall be no direct vehicular access to or from the Property to or from Meroyne Drive east of the existing eastern right-of-way line of Trampton Road, or from Union Street, unless required by any governmental body.

11. Height Limitation. No building or any portion thereof constructed on the Property shall exceed the greater of two (2) stories in height or thirty-five (35) feet.

12. Open Space. At least twenty percent (20%) of 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.

13. Screening. No heating or air conditioning equipment shall be placed on the roof of any building unless properly screened from residentially zoned property at ground level in a manner satisfactory to and approved by the Planning Commission at the time of Plan of Development review.

14. Retail Restriction. Neither Applicant nor its successors or assigns shall request or accept Certificates of Occupancy for retail business uses in excess of an aggregate of 80,000 square feet of retail floor area on the Property.

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.

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COUNTY OF HENRICO

Case No. C-67C-89

Page 3 of 3

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SEPT 13, 1989

John