

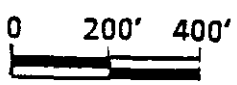
COUNTY OF HENRICO PLANNING OFFICE

OFFICES / DISTRIBUTION FACILITY

PT. 87 - A1-29

C-88C-89

THREE CHOPT DISTRICT



JAS



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

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

November 14, 1989

Re: Conditional Rezoning Case C-88C-89

Innsbrook North Associates
P. O. Box 31014
Richmond, Virginia 23294

Gentlemen:

The Board of Supervisors at its meeting on November 8, granted your request to conditionally rezone property from A-1 Agricultural to M-1C Light Industrial District (Conditional), described as follows:

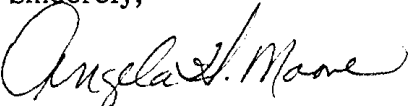
Part of Parcel 87-A1-29:

Beginning at a point on the northern boundary of property owned by Innsbrook North Associates, approximately 1,574.10' west of the W. line of Springfield Road; thence N. $74^{\circ} 50' 33''$ W., 550.00' to a point; then N. $14^{\circ} 48' 18''$ E., 1,135.00' to a point; thence N. $84^{\circ} 4' 51''$ E., 353.54' to a point; thence S. $4^{\circ} 57' 26''$ W., 1,282.39' to the point of beginning, containing 12.276 acres.

The Board of Supervisors accepted the attached eleven (11) proffered conditions and protective covenants 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
✓ Glenn R. Moore, Esquire
Mr. and Mrs. Henry C. Jones, Jr.



PROFFERS FOR CONDITIONAL REZONING

ORIGINAL AMENDED

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:

Thomas L. Moore, Attorney-in-Fact October 24, 1989
Signature of Owner or Applicant Date
for copies

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

INNSBROOK NORTH ASSOCIATES
C-88C-89

RESTATED PROFFERED CONDITIONS

The following conditions restate the proffered conditions filed in this case in their entirety.

1. Plan of Development Requirement. Development of each individual site on the Property shall be subject to Plan of Development review and approval by the Planning Commission.

2. Protective Covenants. Prior to or concurrent with the recordation of a subdivision plat approved by the County and before the conveyance of any portion of the Property conveyed by said subdivision plat (other than for the dedication of easements, roads or utilities), there shall be recorded a document in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of such portions of the Property. Notwithstanding anything contained in this proffer to the contrary, this proffer shall not create any obligation or liability of any kind or nature on the part of the County for the enforcement of any of the specific terms and conditions of said protective or restrictive covenants.

3. Buffer Areas. A thirty (30) foot landscaped or natural buffer area shall be maintained, except to the extent necessary for utility easements, or other purposes required by the Planning Commission at the time of plan of development review or by any other governmental body, agency, commission, board, department or official thereof, along the eastern boundary of the Property, for as long as property adjacent thereto remains zoned for resi-

ACCEPTED BY THE
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PLANNING OFFICE

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dential or agricultural development. Existing vegetation and underbrush may, and fallen, diseased or dead plant growth shall be removed from the buffer area, and if so removed, additional plantings may be added. Where the placement of utility easements within a buffer area results in the inability of an owner to provide adequate screening within such buffer area, screening shall be provided adjacent to the buffer area, to properly screen development on a parcel from adjacent properties, as determined by the Planning Commission at the time of landscape plan review.

4. Building Setback. No building shall be constructed within fifty (50) feet of the eastern boundary of the Property, for as long as property adjacent thereto is zoned for agricultural or residential development.

5. Parking Lot Lighting. Parking lot lighting standards located within fifty (50) feet of a boundary of the Property adjacent to properties zoned for agricultural or residential development shall not exceed twenty (20) feet in height. Other parking lot lighting standards shall not exceed twenty-five (25) feet in height and shall be at a lower height if required at the time of lighting plan approval. Lighting in parking lots shall be of low intensity, shall be positioned in such a manner as to minimize the impact of such lighting on adjacent residentially or agriculturally zoned areas and be of such type as required at the time of lighting plan review.

6. Architectural Treatment. The exposed portion of each exterior wall surface (front, rear and sides) of each building constructed on the Property shall be similar to the other exposed portions of exterior walls of such building in architectural treatment and materials, unless different architectural treatment and/or materials are specifically accepted with respect to the exposed portion of any such wall of a building at the time of plan of development approval.

7. Use Limitation. No portion of the Property shall be developed or used as a neighborhood, community or regional shopping center as those terms are defined in the Henrico County Zoning Ordinance in effect as of September 1, 1989.

8. Outside Storage. Except during the period of construction of improvements, all outside storage of materials and supplies on the Property shall be enclosed on all sides by an opaque fence, wall or other barrier, of at least seven (7) feet in height. No materials or supplies shall be stored to a height in excess of the height of the fence enclosing same.

9. Additional Protective Covenants. Before the conveyance of any portion of the Property (other than for the dedication of easements, roads or utilities), there shall be recorded a docu-

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ment in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the use of the Property and related matters, which document shall be substantially similar in form and content to the Innsbrook Technology Park Protective Covenants, a copy of which is attached hereto as Exhibit "A". Notwithstanding anything contained in this proffer to the contrary, this proffer shall not create any obligation or liability of any kind or nature on the part of the County for the enforcement of any of the specific terms and conditions of said protective covenants.

10. Loading Areas. Buildings or structures having loading areas shall be designed so that loading operations are not visible from any project perimeter adjoining any "A" or "R" district.

11. Exterior Building Materials. No building with exposed exterior wall surfaces of untreated concrete, untreated concrete block or metal (exclusive of trim) shall be constructed on the Property, unless requested and specifically approved at the time of Plan of Development review.

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NOV. 8, 1989