

93-A-45B

LIGHT INDUSTRIAL

BROOKLAND DISTRICT

C-62C-97



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

October 14, 1997

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-62C-97

Mr. Henry L. Wilton
Wilton Development Corp.
6421 Rigsby Road
Richmond, VA 23226

Dear Mr. Wilton:

The Board of Supervisors at its meeting on October 8, 1997, granted your request to conditionally rezone property from B-3 Business and R-3 One Family Residence Districts to M-1C Light Industrial District (Conditional), Parcel 93-A-45B, described as follows:

Beginning at a point on the north line of Indigo Road labeled P.O.B., thence along the line of Dickensdale Subdivision S. 17° 30' 48" W., 21.31' to a point; thence S. 17° 36' 12" E., 361.53' to a point; thence along the right of way of Falmouth Street along a curve to the right with a delta of 59° 42' 00", a radius of 162.53', a chord bearing of S. 34° 26' 33" W., 161.79' to a point; thence S. 64° 17' 33" W., 60.00' to a point; thence along a curve to the right with a delta of 2° 32' 49", a radius of 657.14', a length of 29.21, a tangent of 14.61' to a point; thence along the line of Pollard and Bagby N. 43° 31' 57" W., 629.78' to a point; thence along the line of Newark Properties N. 64° 54' 00" E., 275.00' to a point; thence N. 24° 21' 04" W. 300.00' to a point; thence along the right of way of Perl Road N. 85° 04' 33" E., 89.67' to a point; thence along the line of Perlstein and Joyner S. 42° 56' 27" E., 322.90' to a point; thence along the line of Joyner S. 40° 01' 27" E., 106.30' to the P.O.B., containing 5.606 acres as shown on a Compiled Plat by Koontz-Bryant dated July 31, 1997.

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

1. **Uses.** The uses of the Property shall be the uses permitted and as regulated by the M-1 District. Retail commercial uses first permitted in B-1, B-2, and B-3 Districts are excluded except as otherwise permitted and regulated in an Office/Service District. All permitted industrial uses shall be conducted within an enclosed building which may be an office building or a separate freestanding building used for industrial purposes. Outside storage shall not be permitted.
2. **Buffer.** A natural and/or landscaped buffer adjacent to the R-3 zoned property will be provided within the existing setback requirements established in Section 24-94 of the Henrico County Zoning Ordinance. To further minimize any visual impact, the buffer shall be supplemented as determined by the County after site plan review prior to occupancy permit being issued by Henrico County.

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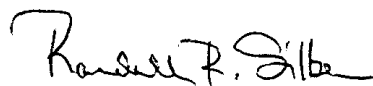
3. Building Materials. Materials used on the Property shall be quality building materials such as architectural concrete, architectural block (including split face block), architectural metals, metal and glass curtain walls, metal curtain construction systems or synthetic stucco. The fronts of building to incorporate no more than 50 percent metal. Painted cinder block may only be used in the rear of the buildings. (See Exhibit 'B' for an example of the front of the buildings) (See case file).
4. Access. Access will be limited to Dickens Place/Perl Road. Indigo Road will not be used to access the property and applicant will support vacating the road with the land being dedicated to the adjacent property owners if requested.
5. Vegetation. To the extent practical, existing trees on the site will be retained with the exception of those necessary for roadways, building construction and footprints, drainage, stormwater retention, parking and storage areas, signage and utility easements. 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 shall be added. Clearing for security purposes shall be allowed.
6. Lighting. Parking lot lighting fixtures shall not exceed twenty (20) feet in height as measured from the grade of the base of the lighting standard unless otherwise requested and specifically permitted, or required by the County. There will be no spill over of lighting in excess of 0.5 candles to residential property. Security lighting will be provided adjacent to business property where needed.
7. Equipment/Other Screenings. All heating and air conditioning equipment, trash receptacles, satellite dishes, electric generators and similar equipment shall be screened from public view at ground level at the property line(s) in a manner approved by the Planning Commission at the time of Plan of Development Review.
8. Hours of Shipping and Receiving and Trash Pickup. All shipping and receiving and trash pick-up operations shall cease by 9:00 p.m. daily and remain closed until 6:00 a.m. the following morning.
9. Loudspeakers. The use of loudspeakers or other public address systems shall not be permitted outside any building.
10. Layout Plan. The Property shall be developed in substantial conformance with the Conceptual Master Plan subject, however, to such traffic engineering and other changes as may be requested by the County, Owner, or any government agency and approved by the Planning Commission at the time of Plan of Development Review. This provision does not prohibit future modifications in the development of the Property, but such future modifications shall be consistent with other provisions of these proffers and the County Code.

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11. Underground Utilities Line. Except for junction boxes, meters and existing overhead utility lines, all utility lines shall be underground.
12. Rezoning to Conservation District. The applicant will apply for rezoning to C-1 Conservation District on all property not needed for an M-1 within two years of final zoning approval. Of the 5.6 +/- acre parcel, approximately two (2) acres will be rezoned to C-1.
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 any of the other proffers or the unaffected part of any such proffer.

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

cc: Director, Real Estate Assessment
Conditional Zoning Index
HMH Realty Co., Inc.