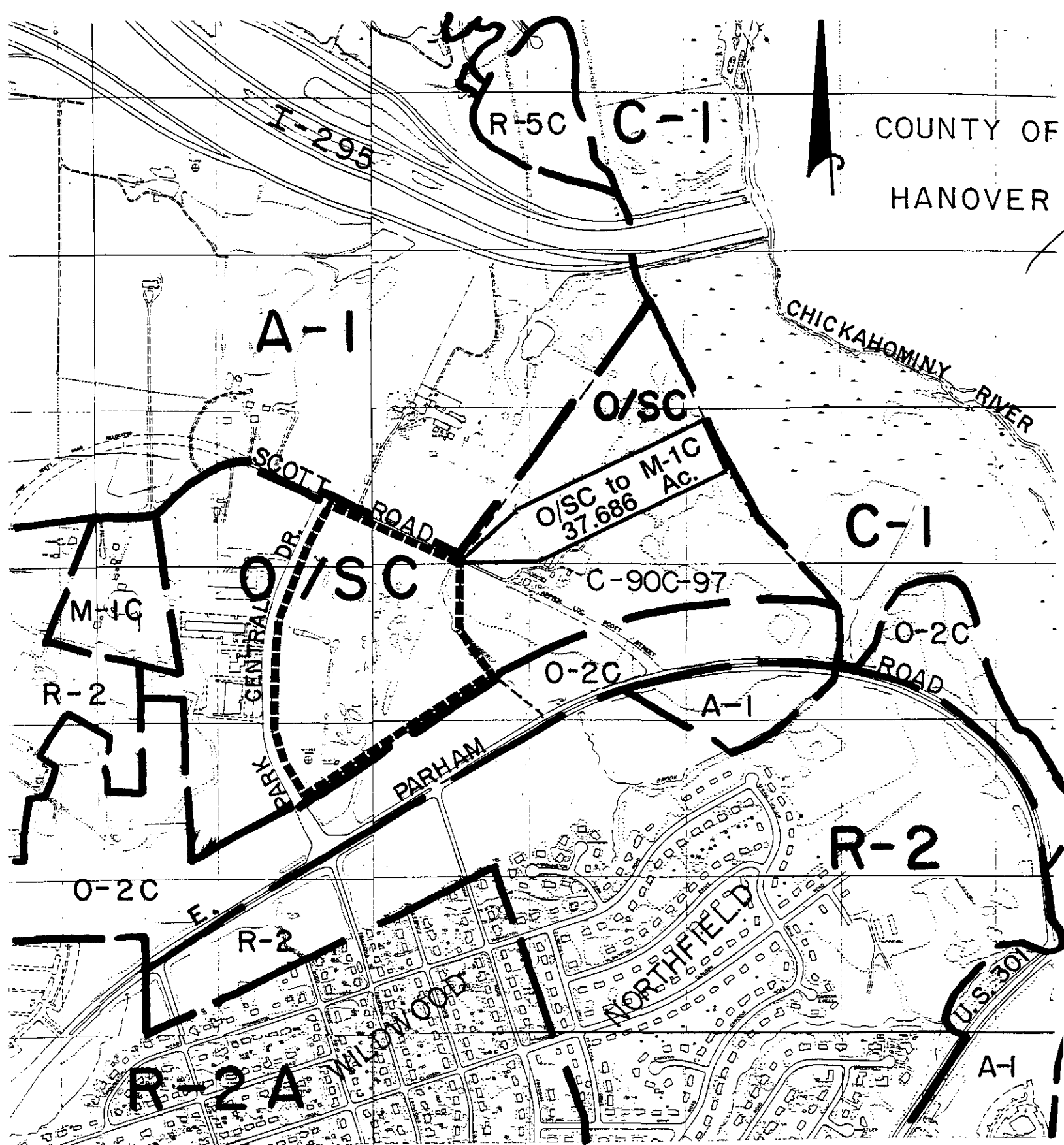


COUNTY OF  
HANOVER



PT. OF 53-A-80B & 80D  
FAIRFIELD DISTRICT

LIGHT INDUSTRY & OFFICE / SERVICE

**C-91C-97**



HENRICO COUNTY PLANNING OFFICE

M-1C  
Park Central

February 17, 1998

Re: Conditional Rezoning Case C-91C-97

Mr. Joseph P. Marchetti, Jr.  
1001 Boulders Pkwy., Suite 401  
Richmond, VA 23225

Dear Mr. Marchetti:

The Board of Supervisors at its meeting on February 11, 1998, granted your request to conditionally rezone property from O/SC Office Service District (Conditional) to M-1C Light Industrial District (Conditional), Part of Parcels 53-A-80B and 80D, described as follows:

Beginning at a point on the E. line of Park Central Drive 450.39' north of the intersection of the N. line of Parham Road and the E. line of Park Central Drive; thence N.  $30^{\circ} 59' 54''$  W., 136.00' to a point; thence along a curve to the right with a radius of 701.30' and a length of 355.57' to a point; thence N.  $1^{\circ} 57' 54''$  W., 302.14' to a point; thence along a curve to the right with a radius of 1,430.20' and a length of 665.04' to a point; thence N.  $24^{\circ} 41' 31''$  E., 463.24' to a point; thence along a curve to the right with a radius of 35.00' and a length of 54.98' to a point; thence N.  $24^{\circ} 41' 31''$  E., 15' to a point; thence along the S. line of Scott Road S.  $65^{\circ} 18' 29''$  E., 905.01' to a point; thence leaving Scott Road S.  $0^{\circ} 00' 00''$  W., 380.00' to a point; thence S.  $30^{\circ} 51' 28''$  E., 379.06' to a point; thence S.  $60^{\circ} 00' 00''$  E., 40.98' to a point; thence N.  $59^{\circ} 00' 06''$  E., 1456.11' to a point, the point of beginning, containing 37.685 acres.

Beginning at the intersection of the N. line of Parham Road and the E. line of Park Central Drive; thence with the E. line of Park Central Drive the following courses: N.  $89^{\circ} 00' 06''$  W., 117.97' to a point; thence along a curve to the right with a radius of 119.00' and a length of 55.70' to a point; thence N.  $35^{\circ} 01' 29''$  W., 121.84' to a point; thence along a curve to the right with a radius of 970.00' and a length of 68.17' to a point; thence N.  $30^{\circ} 59' 54''$  W., 86.71' to a point; thence S.  $59^{\circ} 00' 06''$  E., 1456.11' to a point; thence S.  $60^{\circ} 00' 00''$  E., 289.02' to a point; thence S.  $28^{\circ} 29' 45''$  E., 150.29' to a point; thence with the N. line of Parham Road the following courses: along a curve to the left with a radius of 3,080.34' and a length of 134.54' to a point; thence S.  $59^{\circ} 00' 06''$  W., 1083.26' to a point; thence with the N. line of Parham Road S.  $59^{\circ} 00' 06''$  W., 388.10' to a point; thence S.  $65^{\circ} 50' 40''$  W., 100.72' to a point; thence S.  $59^{\circ} 00' 06''$  W., 142.25' to the point of beginning, containing 14.008 acres.

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):

**Permitted Uses.** The following uses shall be permitted on the Property:

- A.** The following uses shall be unrestricted:
1. Office and office buildings, business, professional and/or administrative;
  2. Banks, savings and loan, s -mall loan establishments and/or similar financial institutions, drive-in or otherwise;
  3. Child care centers;
  4. Hotel or motel in a development of at least 50 acres;
  5. Retail and service facilities (as described in the B-2 district and as regulated in section 24-50.18:1 of the Henrico County Zoning Ordinance in effect at the time of rezoning) including, but not limited to, uses such as barbershops, beauty parlors, dining rooms, exercise rooms, newsstands, restaurants, cocktail lounges, cafeterias, valet service, automobile rental office, travel agency, retail stores for wearing apparel, jewelry, sporting goods, books, records, photographic equipment, gifts, art objects, stationery and office supplies, luggage, flowers, house plants, food, beverages, packaged fruits, tobacco, drugs, sundries, showroom, sales and service areas;
  6. Data processing center;
  7. Radio or television broadcasting studios and/or offices;
  8. Trade or business school, but not involving internal-combustion engines, heavy-duty trucks, construction machinery, heavy-duty equipment, handling equipment or similar vehicles and equipment;
  9. Medical or dental clinics and offices;
  10. Medical or dental laboratories;
  11. Research, experimental, development and testing laboratories, but not testing of explosives;
  12. Repair, packaging and assembly as allowed in the O/S district, but not manufacturing; and
  13. Electronic and micro-processor repair, packaging and assembly.
- B.** The following permitted uses shall be limited to 60% of the total square footage of development at build-out of the Property:
1. Distribution businesses including warehousing;
  2. Wholesaling including warehousing;
  3. Warehousing (excluding mini-warehouses and self-service storage facilities);
  4. Manufacture of medical or dental equipment, drafting, optical and musical instruments, watches, clocks, toys, games, electrical or electronic apparatus, communication equipment, photographic and metering equipment, firearms, electrical appliances, tools, dies, machinery, hardware products or comparable uses; and
  5. Compounding of cosmetics, toiletries, drugs and pharmaceutical products or comparable uses.

2. Development Restrictions

- A. All uses shall be conducted within a completely enclosed building, which may be an office building or a separate, freestanding building used exclusively for restricted uses.
- B. 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 lines.
- C. Retail and service facilities shall be located within a single building containing at least 50,000 square feet of floor area or within a group of buildings totaling 50,000 square feet; provided, that such retail and service facilities shall not occupy more than 20 percent of each building in which they are located.

3. Ratio Enforcement

The applicant shall submit a conceptual Master Plan, which may be revised from time to time, and which provides the total gross square footage of all buildings permitted to be constructed on the Property. The applicant shall submit floor plans with percentage calculations as part of a request for approval of construction plans to demonstrate compliance with Proffer 1B. For any change in use subsequent to approval of construction plans, the applicant shall demonstrate compliance with Proffer 1B by submitting the percentage of total square footage of uses listed in Proffer 1B. When the total square footage in constructed buildings reaches 50% of the total shown on the Master Plan, the applicant may not develop or occupy any additional restricted uses unless and until the applicant has demonstrated compliance with the requirement that 40% of the total square footage of development on the Property is devoted to unrestricted uses.

4. Development Standards

Development of the Property shall be in accordance with the office service standards provided in Henrico County Zoning Ordinance Section 24-50.22 (a)-(d), (f), (h) and (i) in effect at the time of rezoning, except that outside storage would be permitted in a screened, enclosed area as regulated in Section 24-69(c) of the Henrico County Zoning Ordinance.

5. Site Coverage

No more than sixty-five percent (65%) of the Property shall be covered by buildings, driveways and parking areas.

6. HVAC

Heating and air conditioning equipment shall be screened from public view from the property line in a manner satisfactory to and approved by the Planning Commission at the time of Plan of Development review.

7. Building Materials

The exposed portions of all exterior wall surfaces (front, rear and sides) of each building constructed on the Property (excluding rooftop screening materials for mechanical equipment) shall be similar in architectural treatment and materials to the other exterior wall surfaces of such buildings. All buildings constructed on the Property shall have exposed exterior wall surfaces (above finished grade) of face brick, stone, glass, precast architectural panels, or similar materials unless other comparable finished materials are specifically requested and permitted by the Planning Commission at the time of Plan of Development review.

8. Transitional Buffer Area

Utility easements and driveways extended through the transitional buffer areas shall be extended generally perpendicular thereto and where practicable and permitted, areas disturbed for utility installation shall be restored. Existing vegetation and underbrush may, and fallen diseased or dead plant growth shall, be removed from such buffer areas, and if so removed, additional plantings shall be added.

9. Loading Docks

Any loading dock serving a building on the property shall be screened from view of any public street or adjacent agricultural or residential zoned Property in a manner satisfactory to and approved by the Planning Commission at the time of Plan of Development review. In addition, the loading docks for all buildings fronting on Park Central Drive shall be located to the rear of the buildings.

10. Construction Traffic

All construction traffic shall be restricted to Parham Road, via Park Central Drive, and shall not use Scott Road in front of Tax Map Parcel #53-A-04 (the "Cobb Property") which adjoins the Property.

11. Signs

Signs on the Property shall be permitted as regulated in the office/service district in Section 24-104(h) of the Henrico County Zoning Ordinance in effect at the time of rezoning.

12. Alarms and Outside Speakers

Only silent type alarm systems shall be permitted on the Property. No outside speakers shall be permitted on the Property, except for intercom systems.

13. Severance

The unenforceability, illegality, 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.

Joseph P. Marchetti, Jr.  
February 17, 1998  
C-91C-97

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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,

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



RRS:jt

cc: Director, Real Estate Assessment  
Conditional Zoning Index  
Park Central Limited Partnership  
Ms. Gloria L. Freye, Esquire



COMMONWEALTH OF VIRGINIA

# COUNTY OF HENRICO

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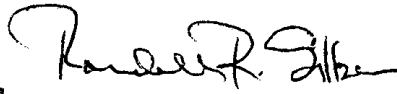
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