



**A-1 to M-1C
103.802 Acres**

NOTE:
This Rezoning Case Lies Within The Airport Safety Overlay District as Adopted by the Board of Supervisors June 12, 1991, in Accordance with Chapter 24, Addendum 58 (Zoning Ordinance Amendment)

INDUSTRIAL / OFFICE

Pt. 186-A-23 & 24 Pt. 197-A-22A

C-47C-00



VARINA DISTRICT

HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

July 18, 2000

Re: Conditional Rezoning Case C-47C-00

Redford 131, L.C.
Payne 13, L.C.
c/o Mr. Richard Cogan, Manager
5145 Suger Hollow Rd.
Crozet, Virginia 22932

Gentlemen:

The Board of Supervisors at its meeting on July 11, 2000, granted your request to conditionally rezone property from A-1 Agricultural District to M-1C Light Industrial District (Conditional), Part of Parcels 186-A-23, 24 and 197-A-22A, described as follows:

Beginning at a point on the southern right-of-way line of Technology Boulevard, which point is 0.25 ± miles east of the centerline of Memorial Drive; said point being the True Point of Beginning; thence along the southern right of way line of Technology Boulevard S 44°15'31" E 251.91' to a point; thence S 44°15'30" E 759.82' to a point; thence along a curve to the left having a radius of 2,050.00' for a length of 242.58' to a point; thence leaving the southern right-of-way line of Technology Boulevard S 22°05'03" W 100.43' to a point; thence S 27°24'48" W 187.02' to a point; thence S 27°18'18" W 468.92' to a point; thence S 15°42'42" W 352.42' to a point; thence S 25°25'58" W 282.51' to a point; thence S 19°29'06" W 283.55' to a point; thence S 23°22'32" W 924.06' to a point; thence S 18°23'14" W 134.98' to a point; thence N 77°27'22" W 632.11' to a point; thence N 66°09'43" E 73.11' to a point in the centerline of a creek; thence meandering in a northerly direction in the centerline of a creek 826.7' ± to a point; thence N 33°05'37" W 1401.33' to a point; thence N 05°32'30" E 359.73' to a point; thence N 00°12'18" E 322.94' to a point; thence N 04°38'22" E 180.86' to a point; thence N 20°53'08" W 205.94' to a point; thence N 11°52'38" W 197.92' to a point; thence N 82°11'15" E 360.97' to a point; thence N 84°18'16" E 799.10' to a point; thence S 89°54'35" E 181.84' to a point on the southern right-of-way line of Technology Boulevard, said point being the True Point of Beginning, containing 103.802 acres.

The Board of Supervisors accepted the following proffered conditions, dated June 20, 2000, 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 unless otherwise permitted in, and as regulated by, the Office/Service District. Notwithstanding certain restrictions on retail uses set forth in the Office/Service District ordinance, such retail commercial uses may be conducted within buildings that are less than 50,000 square feet in size. Further, such retail uses, excluding showroom sales and service, shall not (i) occupy more than ten (10) percent of each building in which they are located, (ii) exceed 50,000 square feet in the aggregate on the Property, and (iii) exceed 10,000 square feet per user. All principal permitted industrial uses shall be conducted within a completely enclosed building, which may be an office building or a separate, freestanding building used for industrial uses.
2. Safe Conduct of Operations. All industrial uses shall be conducted so as not to create any danger to the health, safety and welfare or have 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 landscaped or natural buffer area a minimum of fifty (50) feet in width shall be maintained along the right-of-way line of Technology Boulevard with the exception of roads, utility easements that may pass through the buffer in a generally perpendicular manner (unless currently existing) and such other uses as may be permitted at the time of Plan of Development.
4. Setback from Technology Boulevard. No building or any portion thereof shall be constructed within one hundred (100) feet of the right-of-way line of Technology Boulevard. No portion of a building exceeding two (2) stories in height shall be constructed within one hundred fifty (150) feet of the right-of-way line of Technology Boulevard. Minimum paving setback for parking will be fifty (50) feet from Technology Boulevard. Mailboxes, newspaper boxes, overnight mail boxes and similar structures shall not be permitted within such pavement setback.
5. Setback on Western Property Line. No building or any portion thereof shall be constructed within one hundred (100) feet of any adjacent parcels along the western property line as shown on the Master Plan (hereinafter defined) for so long as any such parcel is zoned or used for residential purposes.
6. Open Space. At least thirty-five (35) percent of the Property shall be used for permanent open space. The area devoted to the project perimeter buffering, wetlands, Best Management Practice facilities and flood plain, if any, may be counted toward this requirement.

7. Underground Utilities. Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
8. Public Utilities. The public water and wastewater system shall be used. However, well water may be put to non-potable use such as irrigation. Prior to completion of the extension of such systems, alternate systems may be utilized on a temporary basis if approved by the Department of Public Utilities.
9. Building Materials. Exposed exterior wall surfaces of industrial buildings shall be similar in architectural treatment and be constructed primarily of split face block, tilt-up concrete, pre-cast concrete, Exterior Insulating Finishing Systems ("E.I.F.S."), drivit, glass, brick, stone, marble or granite. Notwithstanding the foregoing, for any building within two hundred (200) feet of Technology Boulevard, the wall facing Technology Boulevard shall be brick, stone, marble or granite; the remaining walls of such building may be of other permitted materials, provided that such remaining walls are similar to one another in architectural treatment.
10. Parking Lot Lighting. Parking lot lighting fixtures shall not exceed thirty (30) feet in height as measured from the grade of the base of the lighting standard. Parking lot lighting shall be produced from concealed sources of light (i.e. "shoe box" type or adjustable fixtures with positive cut-off angles) consistent with the standards applicable to White Oak Technology Park or such other source as may be approved at the time of Plan of Development.
11. Signage. No detached sign for an individual building within the Property shall exceed seventy (70) square feet in area or fifteen (15) feet in height above grade. No individual attached sign shall exceed seventy-five (75) square feet and no individual attached sign for retail and service uses shall exceed thirty (30) square feet per user. Directional signs may be used when necessary to direct traffic to a building on the Property. Directional signs shall not exceed twenty-four (24) square feet and shall not exceed eight (8) feet in height.
12. Loading Areas. All tractor and trailer loading areas shall be screened from public view from (i) Technology Boulevard and, (ii) if a building is within six hundred (600) feet of Technology Boulevard, the main internal road through the center of the Property. With regard to any buildings along Technology Boulevard, there shall be no loading areas between the face of such building and Technology Boulevard.
13. Limitation on Vibration Causing Activity. No pile driving, dynamic earth compaction, blasting, vibratory rollers or vibratory plate compactors shall be utilized during site work or the construction of any buildings on the Property unless previously approved by the Development Review Board of the White Oak Technology Park Owners Association or, in

the absence of the formation of such Board, White Oak Semiconductor Partnership or its successors or assigns.

14. No Burning. There shall be no on-site open burning of stumps, limbs, trees or other debris during site work or the construction of any buildings on the Property unless previously approved by the Development Review Board of the White Oak Technology Park Owners Association or, in the absence of the formation of such Board, White Oak Semiconductor Partnership or its successors or assigns.
15. Median Landscaping. The Applicant's Landscape Plan shall include landscaping within the median in Technology Boulevard adjacent to the Property. The applicant shall maintain such landscaping pursuant to an agreement satisfactory to the applicant and the County of Henrico.
16. Irrigation. Landscaped buffer areas on the Property shall be served by an underground irrigation system.
17. Schematic Site Plan. Development of the Property shall be in substantial conformance with the Schematic Master Plan dated June 15, 2000 entitled "White Oak Business Center" filed herewith (the "Master Plan"), unless otherwise requested and specifically approved at the time of Plan of Development review.
18. Access to Technology Boulevard. Except for access at proposed median breaks as shown on the Master Plan, there shall be only one other direct access point from the Property to Technology Boulevard, which access point shall be developed as a right-in/right-out.
19. 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.
20. Transitional Buffer. Where necessary in order to mitigate the visual impact of the development along the western property line, additional vegetative screening shall be provided within the fifty (50) foot transitional buffer unless such plantings are not required in order to provide additional screening as a result of existing evergreen vegetation. The need for such additional vegetative screening shall be determined at the time of Plan of Development.
21. Access. Prior to Plan of Development approval, cross easements for vehicular and pedestrian traffic among Henrico County Tax Parcels 197-A-23, 197-A-22, the property subject to Case No. C-73C-98 and the Property as generally shown on the Master Plan shall be recorded unless otherwise specifically agreed at the time of Plan of Development.

Redford 131, L.C.
Payne 13, L.C.
July 18, 2000

5

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

cc: Director, Real Estate Assessment
Conditional Zoning Index
Mr. Glenn R. Moore, Esquire