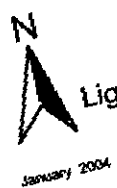


A-1, M-1, M-2 to M-2C  
105.164 Acres

**ZONING**

Light Industrial Manufacturing with  
possible Hotel/ Retail  
Ref. 819-704-9284

**C-13C-04**  
Varina District



January 2004

Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulations



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.  
County Manager

February 15, 2005

Mr. Mike Fleetwood  
International Real Estate Development, Inc.  
6207 Settler Road  
Richmond, VA 23231

Re: Conditional Rezoning Case C-13C-04

Dear Mr. Fleetwood:

The Board of Supervisors at its meeting on February 8, 2005, granted your request to conditionally rezone property from A-1 Agricultural District, M-1 Light Industrial District and M-2 General Industrial District to M-2C General Industrial District (Conditional), Parcels 819-704-9284, 820-705-3941, 820-705-5372, 820-706-5002, 820-705-6725 and 819-703-7057, described as follows:

**Legal Description: Overall Parcel**

Beginning at a point, said point being at the intersection of the western line of Monahan Road and the southern line of C & O Railroad near Charles City Road; thence, from said point of beginning, S00°29'19"E, 856.90' to a point; thence, N53°23'12"W, 176.50' to a point; thence, S00°05'01"E, 266.39' to a point; thence, S00°03'40"W, 87.29' to a point; thence, S55°48'44"E, 174.49' to a point; thence, along a curve to the left with a radius of 8221.45', a tangent length of 271.16', a central angle of 3°46'41", the radius of which bears N89°26'21"E, the long chord of which bears S02°27'00"E for a distance of 542.02'; thence along the arc of said curve for a distance of 542.12' to a point; thence, S03°15'27"W, 879.26' to a point; thence, S01°54'19"W, 206.42' to a point; thence, N83°48'45"W, 2067.28' to a point; thence, N12°23'51"E, 687.31' to a point; thence, S78°40'41"W, 40.63' to a point; thence, N12°25'17"E, 223.79' to a point; thence, along a curve to the right with a radius of 40', a tangent length of 40', a central angle of 90°00'00", the radius of which bears S77°34'43"E, the long chord of which bears N57°25'17"E for a distance of 56.57'; thence along the arc of said curve for a distance of 62.83' to a point; thence, N12°25'17"E, 90' to a point; thence, along a curve to the right with a radius of 40', a tangent length of 40', a central angle of 90°00'00", the radius of which bears N12°25'17"E, the long chord of which bears N32°34'43"W for a distance of 56.57'; thence along the arc of said curve for a

distance of 62.83' to a point; thence, N12°25'17"E, 920.20' to a point; thence, along a curve to the right with a radius of 40', a tangent length of 39.82', a central angle of 89°44'06", the radius of which bears S77°38'13"E, the long chord of which bears N57°13'50"E for a distance of 56.44'; thence along the arc of said curve for a distance of 62.65' to a point; thence, N12°25'17"E, 66' to a point; thence, S77°34'53"E, 634.03' to a point; thence, N12°24'00"E, 863.49' to a point; thence, along a curve to the right with a radius of 390.28', a tangent length of 48', a central angle of 14°01'26", the radius of which bears S16°21'26"E, the long chord of which bears N80°39'17"E for a distance of 95.29'; thence along the arc of said curve for a distance of 95.53' to a point; thence, S77°46'06"E, 744.89' to the point of beginning, containing 105.164 acres.

**Legal Description: M-2 Zoning**

Beginning at a point, said point being at the intersection of the western line of Monahan Road and the southern line of C & O Railroad near Charles City Road, thence, from said point of beginning, S00°29'19"E, 856.90' to a point; thence, N53°23'12"W, 176.50' to a point; thence, N53°24'19"W, 202.50' to a point; thence, N53°13'56"W, 487.67' to a point; thence, N43°01'16"W, 69.74' to a point; thence, N00°55'34"E, 445.86' to a point; thence, S77°46'06"E, 744.89' to the point of beginning, containing 11.123 acres.

**Legal Description: A-1 Zoning**

Commencing at a point, said point being at the intersection of the western line of Monahan Road and the southern line of C & O Railroad near Charles City Road; thence from said point of beginning S00°29'19"E, 856.90' to a point; N53°23'12"W, 176.50' to the true and actual point of beginning; thence, from said true and actual point of beginning, S00°05'01"E, 266.39' to a point; thence, N53°24'19"W, 202.50' to a point; thence, N00°05'01"W, 266.39' to a point; thence, S53°24'19"E, 202.50' to the true and actual point of beginning, containing 0.993 acres.

**Legal Description: Parcel D**

Commencing at a point, said point being at the southeastern terminus of Settler Road, thence, S78°40'41"W, 40.63' to the true and actual point of beginning, thence, from said true and actual point of beginning, N78°40'41"E, 454.44' to a point; thence S62°07'23"E, 1661.79' to a point; thence, S01°54'19"W, 206.42' to a point; thence, N83°48'45"W, 2067.28' to a point; thence, N12°23'51"E, 687.31' to the true and actual point of beginning, containing 26.280 acres.

The Board of Supervisors accepted the following proffered conditions, dated January 19, 2005, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Building Materials:** Exposed exterior wall surfaces of all individual buildings shall be constructed of decorative concrete block (including without limitation split face block, fluted block and ground face block), tilt-up or precast concrete, brick, glass,

metal (other than corrugated metal), stone, cast stone, granite, marble, stucco, synthetic stucco, glass block or ceramic tile, unless otherwise approved by the Planning Commission at the time of plan of development review. For purposes of these proffers, "wall surfaces" shall not be deemed to include columns, pilasters, trim or accent materials. Building elements, masses, massing and materials will be a consistent style playing off of the many elements in and around the proposed development.

2. **Public Utilities:** The public water and waste water systems shall be used. However, well water may be put to non-potable use such as irrigation.
3. **Uses:** The following principal uses shall not be permitted on the Property:
  - a. Structural steel fabricating plant.
  - b. Asbestos processing.
  - c. Candle or sperm oil manufacture.
  - d. Coal yards.
  - e. Crematory.
  - f. Forge or foundry works.
  - g. Match manufacturing.
  - h. Meat or fish products manufacturing.
  - i. Perfume manufacturing.
  - j. Poultry slaughtering and packing.
  - k. Racetracks, for the racing of animals.
  - l. Shoe blacking or polish or stove polish manufacturing.
  - m. Tar or asphalt manufacturing.
  - n. Tar distillation or manufacturing.
  - o. Regional shopping centers.
  - p. Community shopping centers.

- q. Grocery stores.
  - r. Department stores.
  - s. Drive-in Theatres.
4. **Open Space**: At least twenty percent (20%) of the Property shall be used for permanent open space. The area devoted to the project perimeter greenbelts, wetlands, Best Management Practice facilities and flood plain, if any, may be counted toward this requirement.
  5. **Underground Utilities**: Except for junction boxes, meters and existing overhead utility lines and wetlands, if any, all new utility lines shall be underground.
  6. **Safe Conduct of Operations**: All industrial uses shall be conducted so as not to (i) create any danger to the health, safety or welfare of the citizens of Henrico County or (ii) cause 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.
  7. **Lighting**: Parking lot lighting fixtures shall not exceed 30 feet in height and shall emit light from concealed sources ("shoebox type fixtures"). Lighting shall be designed to minimize glare and impact of lighting on public roads and adjacent properties.
  8. **HVAC Equipment**: Heating, ventilation, and air conditioning (HVAC) equipment shall be screened from public view at ground level at the property lines in a manner approved at the time of Plan of Development review.
  9. **Signage**: Detached signs shall be ground mounted, monument type and shall not exceed ten (10) feet in height.
  10. **Greenbelt**: A landscaped and/or natural greenbelt which may include berms shall be provided a minimum of 25 feet in width along Seven Hills Boulevard except to the extent necessary or allowed for entrance drives, utility easements, grading, drainage, Best Management Practice facilities, fencing and signage and other purposes permitted or required by the Planning Commission at the time of plan of development review. Where existing trees are preserved, trimming and thinning consistent with accepted landscape practices shall be permitted along with the removal of dead, damaged or diseased vegetation. Any Best Management Practice facilities located within the greenbelts shall be designed to be an aesthetic amenity that is compatible with the spirit and intent of the greenbelt and the

streetscape plan, as approved by the Planning Commission at the time of plan of development review.

11. **Setback:** No building or any portion thereof shall be constructed within 75 feet of Seven Hills Boulevard.
12. **Right of Way for Seven Hills Extension:** The applicant will grant a 60 foot Right of Way to the County for the extension of Seven Hills. The Applicant reserves the right to review the proposed design.
13. A traffic study, meeting the county requirements, will be completed as part of the POD submission. The County requirements are as follows:

In connection with the initial plan of development submitted for any portion of the Property, a conceptual master development plan (the "Master Plan") shall be submitted showing the proposed uses and densities of development of the Property together with a Master Traffic Study analyzing the traffic impact of the full development of such property (the "Master Traffic Study"). All property controlled by Franz Haas (105.164 acres) shall be included in the master Traffic Study even if no development plans have been identified for such property. For any portion of such property where specific development plans have not been identified, the Master Traffic Study shall be based on the most intense development permitted based on the zoning classification for such property. The Master Traffic Study shall include and consider all roadways identified on the Henrico County Major Thoroughfare Plan as well as any proposed roadways. The Master traffic Study shall also provide conceptual roadway configurations and recommendations for intersection treatments and methods or alternatives on any roadway identified as a problem area based on traffic assignments and shall be used with the Master Plan to coordinate the overall development program for the property covered thereby.

In conjunction with the plan of development for any portion of the property, a traffic study shall be submitted which describes the traffic impact of such proposed development. If such development is contemplated to occur in phases, such traffic study shall indicate the traffic impact of each phase. Should any proposed development not warrant a traffic study in the opinion of the Henrico County Traffic Engineer, such study may be waived by the County Traffic Engineer. No plan of development will be approved until such time that the Department of Public Works approves the traffic study and the Planning Commission approves (i) the improvements in roads and intersections which are necessitated by such development and (ii) when and, if the proposed development is to be phased, with which phase such improvements are to be completed. In the event portions of the Property will be developed in phases, any roadway improvements required for any portion of the Property shall be assigned to the applicable phase of development in the plan of development and shall be constructed in connection with the

development of such phase. No certificate of occupancy shall be issued for any phase of development until the required roadway improvements assigned to such phase have been completed. Once such roadway improvements have been determined and assigned to individual phases of such portion of the Property in connection with the plan of development described above, development of such portion of the Property may proceed in phases in accordance with the approved plan of development without submittal of additional traffic studies and without additional road improvements being required.

If, in connection with plans of development for subsequent phases of development on the Property, the traffic study for such phase indicates the need for reconstruction or rearrangement of existing and/or previously approved public roadway improvements, such improvements shall be made in connection with subsequent phase of development.

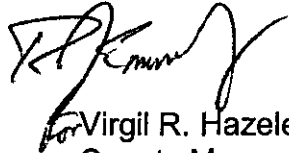
Right-of-way shall be dedicated for the ultimate roadway cross-sections for Monahan Road, Seven Hill Blvd and Charles City Road across the frontage of the Property based on Henrico County Department of Public Works Policies. Road improvements will be constructed as a part of the development based on the Henrico County Department of Public Works Design Standards and the traffic studies performed for the Property.

14. The applicant proffers preliminary master plan RZ-3 dated November 1, 2004 (see case file) as an illustration of potential desired development for the property. This scheme may be affected by the altered highest and best uses of the property from either the extension of Seven Hills Boulevard, the extension of the airport connector or both. It is understood that outstanding issues remain regarding the ultimate location of Seven Hills and its access points will further affect the uses for the subject property. Potential uses will not deviate from those allowed by the zoning ordinance and those that have been removed by proffer #1. Deviation from this master plan is permitted with the discretion of the Director of Planning, Henrico County.
15. The applicant agrees to substantially preserve the existing civil war breastworks as surveyed and illustrated on RZ-3. This area is approximately 75' wide x 600' long.
16. If development of this property requires partial or full extension of Seven Hills Boulevard for access, that cost shall be assumed by the applicant. If Henrico County determines a need to extend Seven Hills Boulevard prior to development of the referenced property, the County shall assume all road costs.

Mr. Mike Fleetwood  
February 15, 2005  
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The Planning Department 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,

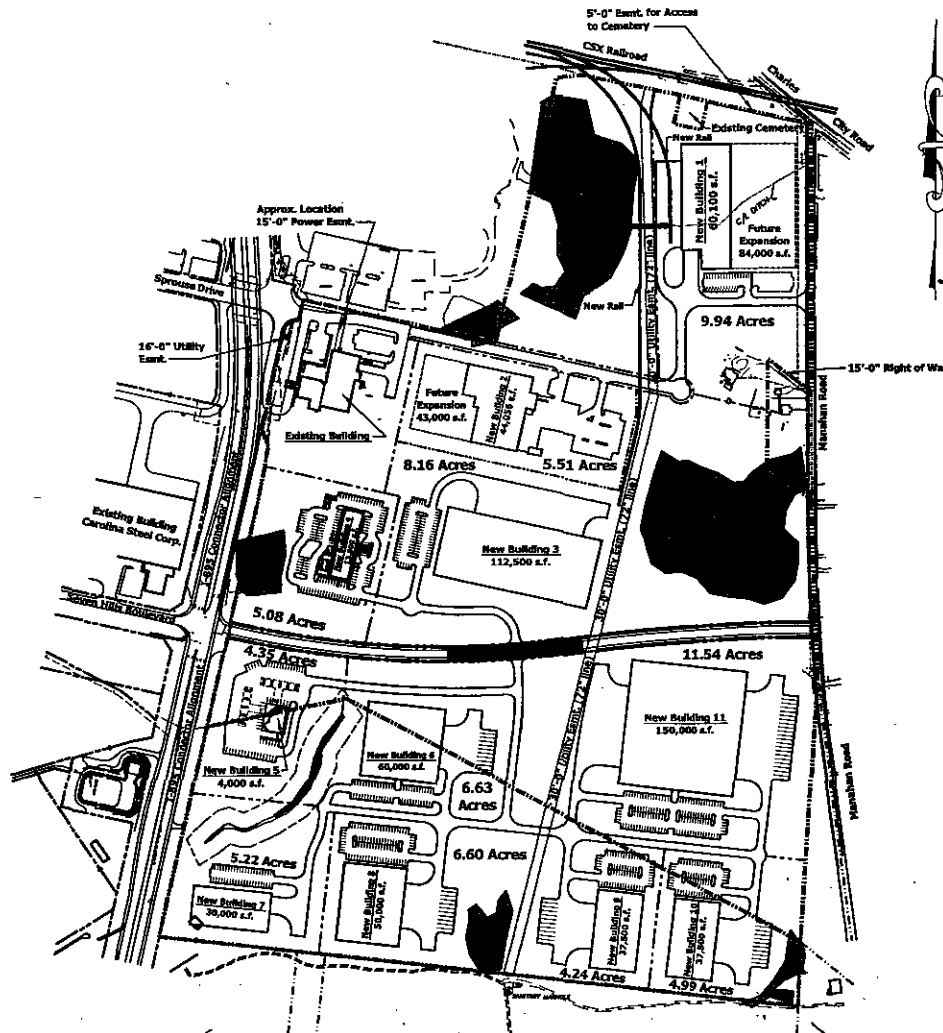
A handwritten signature in black ink, appearing to read "Virgil R. Hazelett". The signature is stylized and cursive.

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

pc: Baskervill  
Director, Real Estate Assessment  
Conditional Zoning Index



# Franz Haas Settler Road



## Acreage Calculations:

<b>Building 1</b>	<b>9.94 Acres</b>
<b>Building 2</b>	<b>5.51 Acres</b>
<b>Building 3</b>	<b>8.16 Acres</b>
<b>Building 4</b>	<b>5.08 Acres</b>
<b>Building 5</b>	<b>4.35 Acres</b>
<b>Building 6</b>	<b>6.63 Acres</b>
<b>Building 7</b>	<b>5.22 Acres</b>
<b>Building 8</b>	<b>6.60 Acres</b>
<b>Building 9</b>	<b>4.24 Acres</b>
<b>Building 10</b>	<b>4.99 Acres</b>
<b>Building 11</b>	<b>11.54 Acres</b>
<b>Total Acreage:</b>	<b>72.26 Acres</b>

## Building Square Footage:

<b>New Building 1</b>	<small>(FE. 84,000 s.f.)</small>	<b>60,100 SF</b>
<b>New Building 2</b>	<small>(FE. 43,000 s.f.)</small>	<b>44,056 SF</b>
<b>New Building 3</b>		<b>112,500 SF</b>
<b>New Building 4</b>		<b>13,000 SF</b>
<b>New Building 5</b>		<b>4,000 SF</b>
<b>New Building 6</b>		<b>60,000 SF</b>
<b>New Building 7</b>		<b>30,000 SF</b>
<b>New Building 8</b>		<b>50,000 SF</b>
<b>New Building 9</b>		<b>37,500 SF</b>
<b>New Building 10</b>		<b>37,500 SF</b>
<b>New Building 11</b>		<b>150,000 SF</b>
<b>Total Building SF:</b>		<b>598,656 SF</b>

## Proposed Site Layout RZ-3



SCALE: 1" = 400'

November 1, 2004

B A S K E R V I L L & S O N

Baskervill

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