



164 W

164 E

Parcel 'A'
A-1 to M-1C
60.294 Ac.

Parcel 'B'
R-5 to M-1C
0.949 Ac.

Oakley St

INTERNATIONAL TRADE DR

Internatnl Bus Park

AUDUBON DRIVE

AUDUBON DR

S LABURNUM AVE

Commonwealth Square

NEEDHAM CT
DEMAREE CT

Wedgwood Manor



August 2004
Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulations

ZONING
M-1 USES

C-60C-04
Varina District



Ref. 817-717-4199



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

March 15, 2005

The Tetra Group One, LLC
3805 Cutshaw Avenue
Suite 501
Richmond, VA 23230

Re: Conditional Rezoning Case C-60C-04

Dear Sir:

The Board of Supervisors at its meeting on March 8, 2005, granted your request to conditionally rezone property from A-1 Agricultural District and R-5 General Residence District to M-1C Light Industrial District (Conditional), Parcels 817-717-4199 and 816-717-4209, described as follows:

Parcel A

Beginning at a point marked by a monument found at the northwest corner of the intersection of Oakley's Lane and Audubon Drive; thence with the northern line of Audubon Drive along a curve to the right a radius of 50', an arc length of 82.76', a chord bearing of S50°24'07"W, and a chord distance of 73.63' to a point; thence N80°59'19"W 226.60' to a rod set; thence N09°00'41"E 54.07' to a rod set; thence N24°50'23"W 155.05' to a rod set; thence N85°01'39"W 241.23' to a rod set; thence S16°13'27"W 92.87' to a rod set; thence S74°32'34"W 107.49' to a rod set; thence S09°00'41"W 29.18' to a rod set; thence N80°59'19"W 423.63' to a point; thence along a curve to the left with a radius of 1,178.92', an arc length of 396.07', a chord bearing of S89°23'13"W, and a chord distance of 394.21' to a rod set; thence departing the northern line of Audubon Drive N80°57'34"W 294' to a concrete monument; thence N17°31'05"E 2,012.65' to a rod found; thence S81°36'08"E 821.94' along the southern right-of-way of Interstate 64 to a VDOT monument found at the intersection of the southern line of Interstate 64 and the western line of Oakley's Lane; thence along the western line of Oakley's Lane S13°04'17"E 420.06' to a VDOT monument found; thence N73°48'43"E 15.04' to a VDOT monument found; thence S16°11'17"E 638.69' along the western line of Oakley's Lane to a point; thence along a curve to the right along the western line of Oakley's Lane with a radius of 2,835', an arc length of 948.57', a chord bearing of S06°36'09"E, and a chord distance of 944.15'

to a point; thence S02°58'58"W 8.30' to the point and place of beginning, containing approximately 60.294 acres.

Parcel B

To find the true point and place of beginning commence at a monument found at the northwest corner of the intersection of Oakley's Lane and Audubon Drive; thence along a curve to the right a radius of 50', an arc length of 82.76', a chord bearing of S50°24'07"W and a chord distance of 73.63'; thence N80°59'19"W 1,086.73' to a point; thence along a curve to the left along the Northern line of Audubon Drive with a radius of 1,178.92', an arc length of 396.07', a chord bearing of S89°23'13"W, and a chord distance of 394.21' to a rod set which is the true point and place of beginning; thence along a curve to the left along the northern line of Audubon Drive with a radius of 1,178.92', an arc length of 426.26', a chord bearing of S69°24'15"W and a chord distance of 423.94' to a rod found; thence N11°16'55"W 223.55' to a concrete monument found; thence S80°57'34"E 446.12' to the true point and place of beginning, containing approximately 0.949 acres.

The Board of Supervisors accepted the following proffered conditions, dated December 9, 2004, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Use**. The following principal uses shall not be permitted on the property:
 - a. bulk storage or distribution plant for inflammable liquids;
 - b. amusement park, carnival, circus and fairgrounds;
 - c. bars, which, for purposes of this restriction, shall mean a business establishment whose primary business is the sale of alcoholic beverages for on-premises consumption. This restriction shall not prohibit the sale of alcoholic beverages in restaurants as licensed by the Virginia Department of Alcoholic Beverage Control;
 - d. billboards;
 - e. bus and railroad passenger station;
 - f. fortuneteller, palmist, astrologist, numerologist, clairvoyant, craniologist, phrenologist, card reader, spiritual reader or similar activity;
 - g. gun shop, sales and repair;
 - h. heliport;
 - i. massage parlors;

- j. drive-in theaters;
 - k. adult businesses as defined in the Henrico County Zoning Ordinance;
 - l. automobile service station;
 - m. automobile, truck, trailer, motorcycle or bus sales, rental and repair, including towing service and automotive body and paint shops;
 - n. automobile or truck tires or parts sales, wholesale or retail, service and/or installation;
 - o. automobile, truck or recreational vehicle, storage lot for new or used cars and other vehicles;
 - p. boat and boat trailer sales, service and storage;
 - q. public dancehalls;
 - r. blacksmith, welding or other metal shops;
 - s. tire manufacturing; rebuilding or recapping plants;
 - t. parking garages;
 - u. establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Sections 6.1-432 et seq. and 6.1-444 et seq. of the Code of Virginia (the foregoing shall not preclude banks, savings and loans, or similar financial institutions that are not required by the foregoing Virginia Code Sections);
 - v. car washes;
 - w. commercial parking lots;
 - x. convenience food store.
2. **Buffers.** A landscaped area of a minimum of fifty (50) feet in width shall be maintained along the right-of-way line of Audubon Drive with the exception of entrance drives, turn lanes, grading, drainage, easements, signage, 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. A landscaped area of a minimum of twenty-five (25)

feet in width shall be maintained along all other rights-of-way with the exception of entrance drives, turn lanes, grading, drainage, easements, signage, 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. Plantings in the landscaped areas will meet the transitional buffer standards for their respective widths.

3. **Buildings and Building Materials.** No individual building located on the property shall have a floor area of greater than seventy-five thousand (75,000) square feet unless otherwise approved at the time of Plan of Development review. Exposed exterior wall surfaces of all individual buildings shall be constructed of decorative concrete block (including without limitation split face block and fluted block), tilt-up or precast concrete, stone, cast stone, granite, marble, stucco, synthetic stucco, face brick, glass, exterior insulating finishing systems (E.I.F.S.), or combination of the foregoing, unless otherwise approved at the time of Plan of Development review. All buildings shall be constructed using architecturally compatible materials and design standards unless otherwise approved at the time of Plan of Development review. Any buildings in excess of twenty-five (25) feet in height shall be designed with decorative architectural detail intended to reduce mass unless otherwise approved at the time of Plan of Development review. Elevations of proposed buildings are to be submitted at the time of Plan of Development review.
4. **Loading Docks.** Any loading docks shall be screened or oriented so that they are not visible from Audubon Drive or Oakley's Lane. Any screening shall be done using materials that are architecturally compatible with the building(s) containing such loading dock(s) unless otherwise approved at the time of Plan of Development review.
5. **Outside Storage.** Any outside storage areas shall be screened so that they are not visible from Audubon Drive or Oakley's Lane. Any screening shall be done using materials that are architecturally compatible with the building(s) utilizing such storage area(s) unless otherwise approved at the time of Plan of Development review.
6. **Open Space.** At least thirty percent (30%) of the Property shall be used permanent open space. The area devoted to any perimeter landscaping, wetlands and BMP facilities may be counted toward this requirement.
7. **Utilities.** Except for junction boxes, meters and existing overhead utility lines and wetlands, if any, all new utility lines shall be underground. All junction boxes and meters located at ground level shall be screened.

8. **Parking Lot Lighting**. Any parking lot lighting fixtures located within two hundred (200) feet of Audubon Drive shall not exceed twenty (20) feet in height and shall emit light from concealed sources ("shoebox type fixtures"). All other parking lot lighting fixtures shall not exceed thirty (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.
9. **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.
10. **Trash Receptacles**. Trash receptacles, other than convenience cans, shall be screened from public view at ground level at the property line of the property in a manner approved at the time of Plan of Development review.
11. **Storm Water Management Ponds**. If the storm water management ponds for the property are wet ponds, they shall be aerated to minimize the risk of West Nile Virus and shall be approved by the Director of Public Works.
12. **Public Address System**. Outside public address systems shall be prohibited.

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,



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

pc: Mr. J. Thomas O'Brien, Jr., Esquire
Director, Real Estate Assessment
Conditional Zoning Index
Dr. Penny Blumenthal – Director, Research and Planning