



M-1 & M-1C
to M-2C
21.206 Ac.

REZ2021-00051

Zoning

Industrial

Brookland District

400

Scale bar: 400 Feet

PS August 2021 Ref: 777-742-5090



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

John A. Vithoulkas
County Manager

November 16, 2021

Dragon Spike LLC
3206 Lanvale Avenue
Richmond, Virginia 23230

RE: Rezoning Case REZ2021-00051

Dear Applicant:

The Board of Supervisors at its meeting on November 9, 2021, approved your application to conditionally rezone from M-1 Light Industrial and M-1C Light Industrial District (Conditional) to M-2C General Industrial District (Conditional) to allow for industrial manufacturing on part of Parcel 777-742-5090, containing 21.206 acres located at the northwest intersection of Byrdhill Road and Burley Avenue, described as follows:

Beginning at the point marked P.O.B. 1; Said point being the intersection of the west line of Byrdhill Road and the north line of Burley Avenue (unimproved); thence along the north line of Burley Avenue (unimproved) S64°53'48"W 1,590.89' to a point; thence leaving the north line of Burley Avenue N28°33'00"W 507.90' to a point; thence N61°02'24"E 272.52' to a point; thence N18°29'13"E 79.23' to a point; thence N21°50'28"E 195.40' to a point; thence N39°06'32"E 148.78' to a point; thence S69°05'38"E 99.40' to a point; thence N65°20'07"E 122.10' to a point; thence S60°22'18"E 78.82' to a point; thence N65°20'07"E 141.00' to a point; thence N24°39'53"W 172.90' to a point on the west line of Byrdhill Road; thence along the west line of Byrdhill Road along a curve to the right having a length of 388.45', a radius of 1,115.91', a chord bearing of S71°51'22"E and a chord of 386.49' to a point; thence S61°53'00"E 507.70' to a point; thence along a curve to the right having a length of 156.04', a radius of 271.56', a chord bearing of S45°25'23"E and a chord of 153.90' to the point of beginning marked P.O.B. 1 and containing 21.206 acres.

The Board of Supervisors accepted the following proffered conditions, dated September 22, 2021, which further regulate the above-described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Use Restrictions.** Use of the Property shall be limited to the following:
 - a. All uses permitted in the M-1 Light Industrial District shall be permitted.
 - b. The design, manufacture and testing of power systems, controls and related equipment, including, but no limited to, enclosures; frequency converters; power

monitoring equipment; power control equipment; power conditioning equipment; and uninterruptable power supplies. Such use shall be subject to the following:

- i. All operations for such use shall be indoors.
 - ii. Operations for such use shall be limited to the hours as follows:
 1. Monday through Saturday, beginning no earlier than 6 a.m. and ending no later than 2 a.m. on the following day; and
 2. On Sundays, beginning no earlier than 9 a.m. and ending no later than 6 p.m.
2. **Outdoor Speakers.** No outdoor speakers shall be installed on the Property unless required by law or any governmental entity.
 3. **Building Height.** Any building constructed on the Property shall not exceed a height of 55 feet.
 4. **Preservation Area.** The Civil War earthworks located generally within the area on the Property marked in red and labeled on the attached Exhibit A (see case file), shall not be disturbed.
 5. **Building Restrictions.** The portion of the Property identified in case C-75C-87 shall be restricted to the uses permitted in case C-75C-87, and seating or gathering areas, such as a pavilion, benches, and/or tables.
 6. **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.

The Planning Department has been advised of the action of the Board of Supervisors and will revise its records.

Sincerely,



John A. Vithoulkas
County Manager

pc: Andrew M. Condlin, Esq.
Director, Real Estate Assessment

EXHIBIT A
08/19/21

