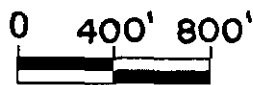


PT. OF 165-A-82

VARINA DISTRICT

INDUSTRIAL USES

C-8C-97



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

RGIL R. HAZELETT, P.E.
County Manager

July 15, 1997

Re: Conditional Rezoning Case C-8C-97

Mr. Ken Owens
000-3 Limited Partnership
2717 Willard Road
Richmond, VA 23294

Dear Mr. Owens:

The Board of Supervisors at its meeting on July 9, 1997, granted your request to conditionally rezone property from B-2 Business and R-5 General Residence Districts to M-1C Light Industrial District (Conditional), Part of Parcel 165-A-82, described as follows:

Beginning at a point on the south line of Old Williamsburg Road and the intersection of the W. line on Interstate Route 295; thence S. $33^{\circ} 00' 38''$ E., 596.41'; thence S. $27^{\circ} 41' 36''$ E., 124.78'; thence S. $18^{\circ} 26' 30''$ E., 377.11', thence S. $00^{\circ} 46' 31''$ W., 282.93'; thence S. $15^{\circ} 07' 25''$ W., 264.62'; thence S. $20^{\circ} 26' 50''$ W., 499.63'; thence S. $26^{\circ} 04' 46''$ W., 422.58', thence S. $34^{\circ} 49' 50''$ W., 263.87'; thence S. $56^{\circ} 17' 21''$ W., 62.10'; thence N. $68^{\circ} 22' 03''$ W., 984.82', thence along a curve to the right with a radius of 1675.10' and an arc length of 345.63', thence N. $06^{\circ} 30' 00''$ E., 151.76'; thence S. $83^{\circ} 30' 00''$ E., 253.29'; thence along a curve to the left with a radius of 539.13' and an arc length of 738.65'; thence N. $18^{\circ} 00' 00''$ E., 275.00'; thence N. $18^{\circ} 00' 00''$ E., 100.00'; thence N. $18^{\circ} 40' 51''$ E., 516.68'; thence N. $73^{\circ} 30' 15''$ W., 765.93', thence N. $05^{\circ} 55' 57''$ E., 241.14'; thence S. $84^{\circ} 04' 03''$ E., 150.00'; thence N. $05^{\circ} 55' 57''$ E., 150.00'; thence N. $84^{\circ} 04' 03''$ W., 150.00'; thence N. $05^{\circ} 55' 57''$ E., 178.98'; thence along a curve to the right with a radius of 2825.00' with an arc length of 594.64'; thence S. $63^{\circ} 46' 46''$, 44.23' to the point of beginning, containing 45.4+- 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):

1. **Architectural Treatment.** The exposed portions of the exterior wall surfaces (front, rear and sides) of any buildings constructed on the Property shall be similar in quality of construction, compatible architectural design (incorporating compatible design elements and color), architectural style and use of compatible construction materials. The front, sides and rear of all buildings constructed on the Property shall have exposed exterior walls

(above finished grade) constructed primarily and in varying amounts of face brick, split faced masonry units, dryvit, painted pre-cast or cast-in-place architectural concrete, stucco if applied to a masonry surface, glass or an equivalent permanent architecturally finished material. Wood siding, natural stone, marble, pre-cast or cast-in-place architectural concrete, exposed aggregate concrete, exterior insulating finish systems, and/or glass, or an equivalent, permanent, architecturally finished material may be utilized as accent materials. No building shall be covered with or have exposed to view any painted or unfinished concrete block, metal or other materials.

2. Site Coverage. No more than seventy percent (70%) of the Property in the aggregate may be covered by buildings, parking areas and driveways.
3. Parking Lot Landscaping. Parking lots serving development on the Property shall be landscaped, including but not limited to the planting of shrubbery and/or trees in the raised islands located within such parking lots and between parking rows.
4. Parking Lot Lighting. Parking lot lighting shall not exceed twenty (20) feet in height within seventy-five (75) feet of any boundary of the Property adjoining a residential use, or twenty-five (25) feet in height within the remainder of that portion of the Property. Parking lot fighting shall be provided by concealed sources of light.
5. HVAC. Heating and air conditioning equipment shall be screened from public view at ground level at the property lines.
6. P.O.D. Review. Development of each individual building on the Property shall be subject to Plan of Development review.
7. Traffic Impact Study. Traffic Impact Study will be submitted to the County's Traffic Engineer on the first to occur of the following:
 - (a) Development of one hundred thousand square feet of office and warehouse, or
 - (b) Five (5) years from the date the Property is rezoned by the Board of Supervisors.
8. Trash Removal. Trash pick up from the Property shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday and between 9:00 a.m. and 7:00 p.m. on Saturday. Trash pickup is not permitted on Sundays.
9. Trash Receptacles. Dumpsters and trash receptacles, not including convenience cans, shall be screened from public view at ground level at the property lines.

10. Underground Utilities Lines. Except for junction boxes, meters and existing overhead utility lines and wetlands, if any, all utility lines shall be underground.
11. Buffers. A seventy-five foot landscaped buffer will adjoin the western side of the property adjoining residential and agricultural zoning districts. Within this buffer, no cutting of any trees of six (6) inch caliper or greater shall be allowed except for drainage and utility easements required by the County of Henrico, however dead and diseased trees of six (6) inch caliper or greater may be removed and/or replaced.
12. Height Restriction. No building constructed on the sites one and two shall be in excess of thirty feet high, on sites three and four no building shall be in excess of forty feet in height as shown on attached Exhibit A .
13. Access. Vehicular access to the Property shall be limited to Old Williamsburg Road, Bettner Road will be used only as an emergency access road unless a secondary means of ingress and egress is otherwise requested and specifically approved, or if required, by the County and/or any other governmental body.
14. Use Restrictions. The following uses shall not be permitted on Sites 1 through 4 as shown on attached Exhibit A:
 - a. Animal hospital or Kennel
 - b. Public Dance halls;
 - c. Flea markets and antique auctions;
 - d. Gun shop, sales and repairs, Pistol range;
 - e. Automobile repair facilities, service facilities or towing services; and or storage.
 - f. Car washes;
 - g. Sale of gasoline;
 - h. Building materials store;
 - i. Fortuneteller, palmist, astrologist, cardreader, spiritual reader or similar activity;
 - j. Regional or community shopping center;
 - k. Department Store;
 - l. Hotel , motels, motor lodges.
 - m. Private club, lodge, meeting hall and fraternal organization.
 - n. Automotive or truck tires or parts, wholesale or retail, service and/or installation.
 - o. Boat and boat trailer sales, service and storage.
 - p. Lawnmower, yard and garden equipment, rental sales and services.
 - q. Manufactured home sales, display and storage or sales.
 - r. Convenience food mart.

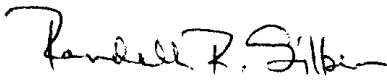
Mr. Ken Owens
OOO-3 Limited Partnership
July 15, 1997
C-8C-97

4

- s. Outside speakers.
15. Fencing. A six-foot high black vinyl coated chain link fence shall be provided on sites one through three on the western property line adjacent to a residential zoning district as each site develops as shown on Exhibit A.
16. 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.

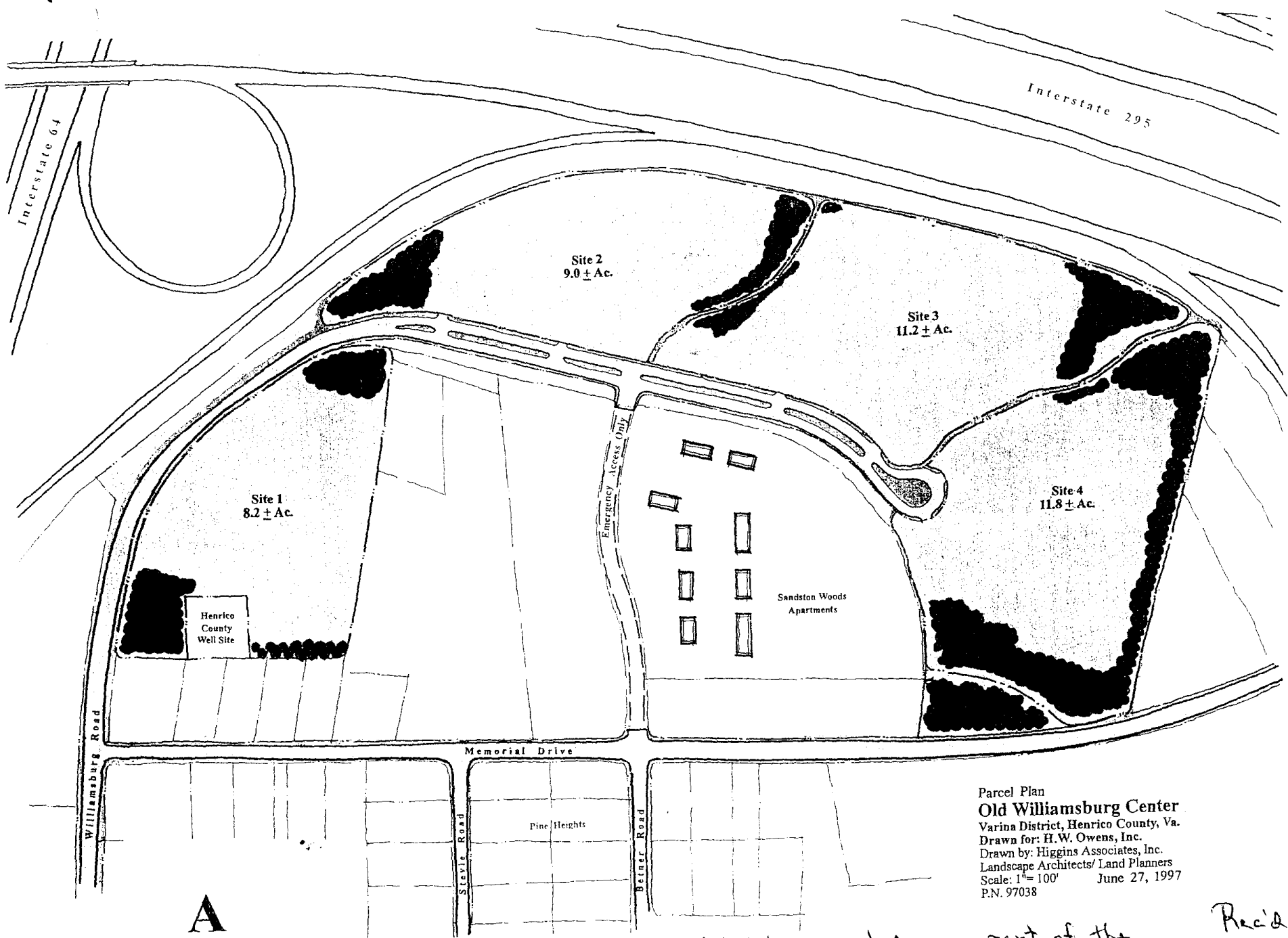
The Planning Office has been advised of the action of the Board of Supervisors and will revise its records and place a copy of the accepted proffered conditions in the Conditional Zoning Index.

Sincerely,


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

cc: Director, Real Estate Assessment
Conditional Zoning Index
UCP Associates

0-80



Parcel Plan
Old Williamsburg Center
 Varina District, Henrico County, Va.
 Drawn for: H.W. Owens, Inc.
 Drawn by: Higgins Associates, Inc.
 Landscape Architects/ Land Planners
 Scale: 1"=100' June 27, 1997
 P.N. 97038

Exhibit accepted as a part of the
 project conditions with C-80-97
 by the BOS on 7-9-97.

Rec'd. 7-9-97