

Upper Magnolia Green – West - 21SN0676

The applicant hereby offers the following proffered conditions:

1. **Master Plan.** The Textual Statement, dated **January X, 2022**, shall be considered the Master Plan.
2. **Conceptual Plan.** Development of the Property shall generally conform to the Conceptual Plan (**Exhibit A**), dated **January X, 2022**, with respect to the general layout of roads, buffers, and the general location of trails. The layout on the Conceptual Plan is conceptual in nature and may vary based on the final site plan depending on the final soil studies, grading, RPA lines, building footprints, other engineering reasons or as otherwise approved at the time of plan review.
3. **Uses.** The uses permitted on the Property shall be as set forth below:
 - a. Computer equipment manufacturing
 - b. Contractor's office, shop and storage yard, accessory to permitted use
 - c. Data Center
 - d. Electronic component and accessories manufacturing
 - e. Laboratory
 - f. Machine shop, accessory to permitted use
 - g. Office
 - h. Pharmaceutical products manufacturing
 - i. Plastic products manufacturing
 - j. Research and development facility
 - k. Warehouse, accessory to permitted use
4. **Buffers.** Existing vegetation located within the areas shown as buffers in the Conceptual Plan (when it is native and good quality) shall be preserved and incorporated in the design. All plantings shall be indigenous and drought resistant. Simultaneously with any necessary supplemental planting, the Applicant shall remove from buffer areas any dead or diseased vegetation, noxious plants, or invasive species.
 - a. **Powhite Parkway** - As shown on the Conceptual Plan, a natural vegetated buffer with a minimum width of 50 feet shall be provided along the east side of the site along the right-of-way for the future Powhite Parkway.
 - b. **Perimeter Buffer** - As shown on the Conceptual Plan, a natural vegetated buffer with a minimum width of 100 feet shall be provided along the periphery of the UMG West site where the abutting property is zoned Agricultural (A).
5. **Master Plan.** A conceptual master plan shall be submitted for any portion of the Property that is submitted for plan review (each, a "Master Plan") addressing comprehensive and coordinated signage, landscaping, screening, pedestrian connections and architecture program for such portion of the Property.
6. **Screening.**

- a. Exterior Rooftop Equipment. All exterior rooftop mechanical equipment which is visible from the surrounding area at ground-level shall to the extent possible be screened, generally by the incorporation into the roof form through the use of materials similar to those employed in the construction of the principal structure.
 - b. Outdoor Storage Areas. Outdoor storage areas shall be screened from view from public rights-of-ways and any residentially zoned property. The final landscaping and screening plan shall be determined as part of the Master Plan.
7. **Pedestrian Connections / Trails.** The applicant shall incorporate safe pedestrian connections into the design of the development in order to facilitate pedestrian movement within the various areas of the Property where pedestrian movement is proposed by the applicant. Final trail alignment shall be reviewed and approved by the Planning Department during the time of plan review.
8. **Dedication.** The following rights-of-way, as described below and generally shown on **Exhibit X**, immediately adjacent to the Property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County:

Road	Dedication (feet)	From/To
a. Powwhite Parkway	200	north to south Property lines
b. Powwhite Pky/North-South Arterial 1 Interchange	Variable	determined by Transportation Department
c. North-South Arterial 1	90	north Property line to Powwhite Pky
d. North-South Arterial 2	90	Westerleigh Pky to Duval Rd
e. Westerleigh Parkway	90	East to west Property lines
f. East-West Arterial 1	90	North-South Arterial 2 to west Property line
g. East-West Arterial 2	90	North-South Arterial 1 to west Property line
h. Duval Road Realigned	90	Powwhite Pky to North-South Arterial 2
i. Moseley Road	45	along east side of existing road from centerline
j. Duval Road	45	along east side of existing road from centerline
k. Stub Roads	Variable	determined by Transportation Department

In the event that adequate transportation improvements can be provided, as determined by the Transportation Department, to accommodate full development of the Property without necessitating the aforementioned dedications, the Transportation Department may waive the requirement for those dedications deemed unnecessary.

Prior to any plan approval, a phasing plan for these dedications shall be submitted to and approved by the Transportation Department. The dedications listed in this proffered condition shall be made in accordance with the approved phasing plan or within sixty (60) days from a written request by the County, whichever occurs first.

9. **Access.** Prior to any plan approval, an access plan for roads noted for right-of-way dedication in Proffered Condition 8 shall be submitted to and approved by the Transportation Department. An access plan shall be provided to the corresponding road referenced at such time vehicular access is proposed from/to the Property. Vehicular access from the Property to these roads shall conform to the approved access plan for the road.

10. **Road Improvements.** An adequate roadway system shall be provided, as determined by the Transportation Department.

- a. In conjunction with initial development, the owner/developer shall submit, for approval by the Transportation Department, a traffic impact analysis (“traffic study”) and plan for the overall development showing road improvements necessitated by the proposed uses and density. At each phase of development, a traffic study for those portions of the road improvements necessitated by that phase of development shall be submitted to and approved by the Transportation Department and such road improvements shall be completed as determined by the Transportation Department.
- b. Adequate improvements, to include but not limited to additional travel lanes, turn lanes, interchange improvements, intersection improvements, intersection control, and bicycle/pedestrian accommodations for the following roads shall be addressed by the traffic study and the appropriate phase of development:
 - i. Powhite Pky from Hull Street Rd (Route 360) to its existing terminus to the north (4-lane divided)
 - ii. Route 360 and Skinquarter Road intersection
 - iii. Westerleigh Pky from Otterdale Rd to the westernmost Property line (4-lane divided)
 - iv. North-South Collector Rd from Westerleigh Pky to Duval Rd (4-lane divided)
 - v. North-South Arterial 1/Mt. Hermon/Magnolia Green from Genito Rd to Woolridge Rd (4-lane divided)
 - vi. North-South Arterial 2/Duval Rd from Westerleigh Pky to Skinquarter Rd (4-lane divided)
 - vii. East-West Arterial 2 from the North-South Arterial 1 to Moseley Rd (4-lane divided)
 - viii. Duval Rd/Duval Realigned from Otterdale Rd to the North-South Arterial 2 (4-lane divided)
 - ix. Otterdale Road from Duval Road to Woolridge Road (4-lane divided)
 - x. Dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required to accommodate road improvements for on or along the roads identified above.

In the event that adequate road improvements can be provided, as determined by the Transportation Department, to accommodate full development of the Property without necessitating the aforementioned road improvements in Proffered Condition 10.b. and supported by the traffic study, the Transportation Department may waive the requirement for those road improvements deemed unnecessary.

11. **Phasing Plan.** Prior to any plan approval as determined by the Transportation Department, a phasing plan for the required road improvements, as to be identified in an approved traffic study per Proffered Condition 10.a. and as generally identified in Proffered Condition 10.b., shall be submitted to, and approved by the Transportation Department.

12. **Utilities.**

- a. Prior to any plan approval, an Overall Water and Wastewater System Plan shall be submitted to Utilities for review and approval.
- b. If an elevated tank is determined to be necessary, dedicate a site of sufficient size (approximately 2 to 5 acres) for a Water Storage Tank (WST) site in the area north of Duval Road at an elevation not less than 290' in a location approved by the Utilities Department.
- c. Any new structure on the Property requiring domestic water and wastewater service shall use the County water and wastewater systems; provided, however, that any existing structure located on the Property and using private systems as of the effective date of the rezoning shall be allowed to continue using private systems. Access and service connections shall be provided to these existing structures.
- d. Prior to any tentative subdivision plan or site plan approval, whichever occurs first, a utility plan for the Property shall be submitted to and approved by the Utilities Department (the "Overall Water and Wastewater System Plan"). Utilities for this development, and phasing thereof, shall conform to the approved utilities plan or as otherwise approved by the Utilities Department. The Overall Water and Wastewater System Plan shall include, but not be limited to the following:
 - i. A minimum of two (2) adequately sized connection to the **Physic Hill Pressure Zone** for redundancy, looped through the Property.
 - ii. A minimum of one (1) adequately sized interconnection between the Physic Hill Pressure Zone and Clover Hill Pressure Zone, at a location acceptable to the Utilities Department, with any infrastructure necessary for the operation of the interconnection(s).
 - iii. A minimum of one (1) two-million-gallon elevated Water Tank to be constructed at a location with an elevation of not less than 290'. Construction phasing of the tank will be as required by detailed engineering analysis specific to the demands generated by the development.
 - iv. Detailed engineering analysis of the impact the proposed Property development will have on the existing water and wastewater systems to determine proposed water and wastewater infrastructure sizing, locations of facilities, points of connection/interconnection for the water system and hydraulic analysis of the existing wastewater system.
 - v. Any off-site water and wastewater improvements needed to provide the volume of water delivery and wastewater conveyance required for the development of the Property.
 - vi. The improvements proffered herein, excluding the Water Tank, are the minimum improvements needed to support the Property with a water and/or wastewater demand not to exceed 1 million gallons per day. Should the Property require a greater water and/or wastewater demand, the Developer shall participate in its pro-rata share of all the costs necessary to improve the County water and/or wastewater system to supply the water and/or wastewater demand generated by the anticipated uses on the Property.

- e. The Developer shall construct all improvements shown on the Overall Water and Wastewater System Plan necessary to meet the demands of the Property. Phased construction of the Overall Water and Wastewater System Plan improvements shall be allowed to meet the phased demands of the Property.
- f. Following the approval of an Overall Water and Wastewater System Plan, upon request of the County, access to the property and dedication of land for the Water Tank shall be provided to the County as shown on the approved Overall Water and Wastewater System Plan. The land dedication for the Water Tank shall be a minimum of two (2) acres up to a maximum of five (5) acres, together with the appropriate access to a public road.
- g. Following the approval of an Overall Water and Wastewater System Plan, and upon request of the County, access to the property and easements shall be provided, at no cost on standard County documents, in the location of the improvements shown on the approved Overall Water and Wastewater System Plan, for the construction of public waterlines and wastewater lines independent of the timing of this development.
- h. The following Utilities infrastructure shall be permitted on the Property:
 - i. Two (2) above-ground water storage tanks (Water Tank) and tank mounted communications equipment up to a maximum height of one hundred and ninety-nine (199) feet provided:
 - 1. All mechanical equipment located on or associated with any building or structure for the Water Tank shall be screened from properties adjacent to the Property and public rights-of-way in accordance with the Emerging Growth District standards. This condition shall not require screening for the Water Tank structure or communication equipment
 - 2. The Water Tank shall be a new composite style elevated water storage tank meeting the Utilities Department requirements.
 - 3. The Water Tank shall be secured by a minimum eight (8) foot high vinyl or polymer coated chain link fence designed to preclude trespassing.
 - 4. A maximum of one sign or logo acceptable to the Planning and Utilities Departments shall be permitted on the Water Tank.. There shall be no signs or logos permitted on the communications equipment.
 - 5. The Water Tank shall be white, grey, or another neutral color, acceptable to the Planning and Utilities Departments. The communication equipment (antennas, mounting hardware, cables, etc.) mounted on the outside of the Water Tank shall be the same or similar color as the Water Tank.
 - 6. Except for security lighting over the access doors at the base of the Water Tank, the Water Tank and communications equipment shall not be permanently lighted unless required by the Federal Aviation Administration or the Federal Communications Commission.

13. Environmental Engineering.

- a. Super Silt Fence, or an alternative as approved by the Department of Environmental Engineering, shall be provided as a perimeter control in locations where standard silt fence would have been required.
- b. Sediment traps and basins sized up to 25% larger than the minimum Virginia Erosion and Sediment Control Handbook's standard shall be provided, unless otherwise approved by the Department of Environmental Engineering at the time of plan review.

- c. Anionic PAM, Flexible Growth Medium and/or a County-approved equivalent shall be applied to denuded areas during construction and at final stabilization in the locations shown on plans approved by Environmental Engineering at the time of plans review.
- d. The maximum post-development discharge rate for the 100-year storm shall not increase the recorded and /or established 100-year backwater and /or floodplain without obtaining prior approval of the revised floodplain limits.
- e. Steep slopes equal to or greater than 20 percent shall remain in their natural, undisturbed state to the maximum extent practicable, unless otherwise approved by the Department of Environmental Engineering at the time of plan review. In locations where the disturbance of slopes greater than 20 percent is unavoidable, additional enhanced erosion and sediment control measures shall be provided as directed by the Department of Environmental Engineering at the time of plan review. The Department of Environmental Engineering shall approve the exact design and implementation of these standards.

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TEXTUAL STATEMENT

1. Fire. A fire station shall be permitted on the property. A minimum of five (5) acres shall be reserved for the purpose of the construction of a future Fire Station. The Fire Station site may also be utilized for a water tower to be co-located on the site.
2. Water Tower. Above-ground water storage tanks (Water Tank) and tank mounted communications equipment up to a maximum height of one hundred and ninety-nine (199) feet shall be permitted.