

STATEMENT OF PROFFERS

I, M. Garland Anderson, owner of Goochland County Tax Map Parcel 33-1-0-5-0, Hanover County GPIN 6798-27-2530 (the “Property”), hereby voluntarily proffers that, in the event that the subject Property is rezoned to M-2, the development and use of the Property will be subject to the following conditions:

1. Conceptual Plan. The Property shall generally conform to the conceptual plan prepared by RK&K, entitled “I-64 INDUSTRIAL PARK INDUSTRIAL PARK, GOOCHLAND/HANOVER COUNTY, VA, OVERALL CONCEPT MASTER PLAN,”, dated February 10, 2023, last revised May 2, 2023, prepared by RK&K, and attached to this Statement of Proffers as Exhibit A (5 pages), and by this reference made a part hereof (the “Concept Plan”), which includes the approximate location of streets, vegetation buffers, and storm water management ponds.
2. Prohibited Uses. The following uses shall be prohibited on the Property: airport; animal shelter; asphalt mixing plant and/or concrete mixing plant; carwash; composting facility; restaurant; debris landfill; junk storage; material recovery facility; sand and gravel pit; quarry mining; commercial sawmill; public assembly (but not including private events otherwise permitted); gas station; petroleum storage (but not including accessory uses permitted for private fleet fueling); truck terminal; retail (but not including as an accessory use to an otherwise permitted use); and kennel.
3. Height Limitations. Structures at the Property will not exceed thirty-five (35) feet.
4. Square Footage Limitations. No individual building constructed on the Property shall exceed twelve thousand (12,000) square feet in size unless a firewall or other approved construction method is used.
5. Screening of Storage Areas. All outdoor storage shall be screened so as to obscure such uses from all public roads and properties adjoining the Property by dense evergreen vegetation, or by an opaque, solid fence, or wall of treated wood, brick, stone, masonry, or similar solid material and construction, or a combination thereof. The screening, fencing, or enclosure must meet all applicable zoning ordinance and building code requirements, and be maintained to ensure that permanent screening is provided to hide the items from view.

6. Buffers. Landscape buffer areas shall be provided on the Property in substantial conformity with the buffer areas as shown on the Concept Plan.
7. Limitation of Outdoor Storage. Outdoor storage, as the principal use of a lot, will be limited to no more than 3 of the lots in Goochland County.
8. Access. Heading northwest on Pony Farm Road, a right turn lane shall be installed adjacent to the Property. Applicant is seeking a waiver, under County Code § 15-360, of all other turn lanes. Right-of-way shall be dedicated to the County of Goochland along Pony Farm Road, as determined at the time of site plan review.
9. Interior Access Road. The interior access road shown on the Concept Plan will be constructed to current Virginia Department of Transportation (“VDOT”) standards for state-maintained roads and will otherwise comply with any Goochland County requirements. Such road shall be dedicated to VDOT upon completion.
10. Property Owners’ Association. Prior to or concurrent with the final approval of the initial subdivision of the Property, a document setting forth restrictions and covenants (the "Covenants") shall be recorded in the Clerk's Office of the Circuit Court of Goochland County, Virginia, setting forth controls on the maintenance of the Property and establishing an owners' association (the "Association"). The Covenants shall provide for high standards of uniform maintenance of individual sites, common areas, open space, and landscaping. All buffers and stormwater facilities shown on the Concept Plan shall be placed in common area and the Association shall be responsible for the maintenance of all such stormwater facilities and buffer areas once constructed. All common area shall be conveyed to the Association in fee or as an easement on or before completion of such stormwater facilities and buffers.
11. Watertank. As required by Goochland County at the time of site plan approval, an underground storage tank, with a minimum size of 30,000 gallons, reserved for and with an easement granted to and for use by the Goochland County Fire Department, shall be installed in the general location as shown on the Concept Plan. The storage tank shall be designed, installed, and maintained as approved by the Goochland County Fire Department.

[Signatures on following page.]

SIGNATURE PAGE OF STATEMENT OF PROFFERS.

Andrew M. Condlin, by Power of Attorney
Date: May 11, 2023

STATE OF VIRGINIA
County/City of Richmond, to-wit:

I, Tracy Gibrall Craddock, a Notary Public for the State of Virginia, At-Large, do certify that Andrew M. Condlin, whose name is signed to the above, bearing date on the 11th day of May, 2023, has acknowledged the same before me in my State aforesaid.

Given under my hand this ___ day of _____, 2023.

Notary Public

My commission expires: _____

Notary registration number: _____

EXHIBIT A

Concept Plan