

Benchmark Road Industrial: 69 Acres

- Price: \$250,000; sold in “As-Is” condition, with faults;
- Zoned heavy industrial;
- Public Water and Sewer situs, or nearby;
- Development envelop is roughly, about 10-15 acres (subject to Purchaser’s final engineering determination);

This site is great for a land use requiring buffer

- **LAND USE and Context:** great for a land use requiring buffer;
 - Floodplain, wetlands, and a superfund site nearby create buffers;
 - Location is suburban, in proximity of I-95 and Route 17, but with a significant buffer;
- Frontage on an active rail spur of CSX (use of rail subject to confirmation)

ADDRESS and ID

10201 Benchmark Road, Fredericksburg, VA 22408

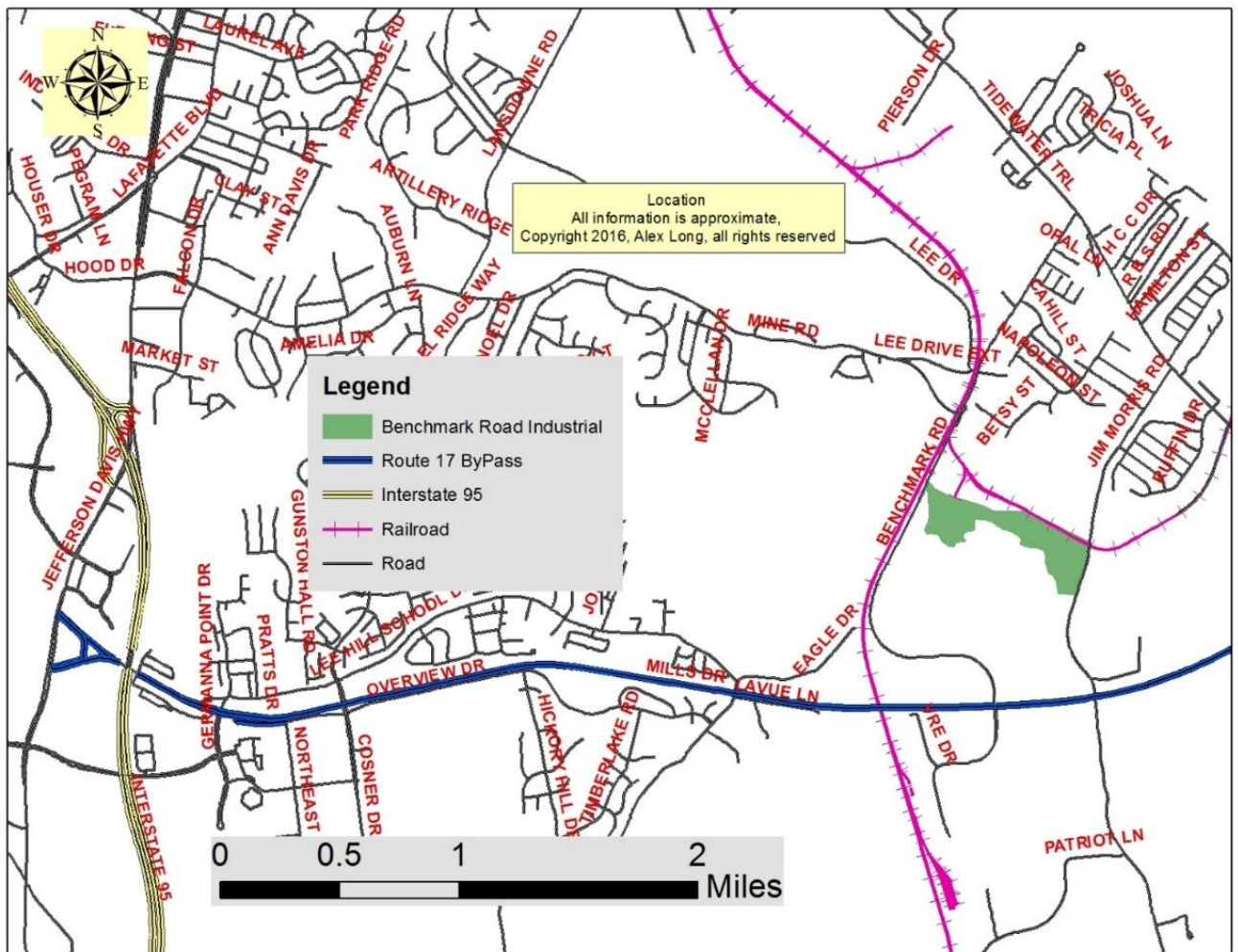
Spotsylvania County, Virginia Tax Map # 37-A-17B

BROWNFIELD SITE

- Subject is contiguous to LA Clarke superfund site;
- Subject is reported to have a plume under the surface and/or other intrusion of material;
- **Contact information for EPA, Virginia DEQ, and owner of the superfund site will be provided to any prospective purchaser for their own due diligence. NOTE: the government (federal and Virginia) encourages conversion of brownfield sites to productive uses. EPA and Virginia DEQ state they will work with new owner in terms of limiting liability.**

LOCATION

Greater Fredericksburg, Virginia region, suburban Spotsylvania County, about five miles south of the incorporated City of Fredericksburg; four miles east of Interstate 95 exit at Massaponax Interchange (Exit 126). Route 17 bypass is about a half mile, connecting to Route 17 and another option to reach the Norfolk region or take Rt. 301 north towards Baltimore. A graphic is found at Figure 1, next page. A commuter rail station is nearby (Virginia Rail Express “VRE”). Regional hospital center is only three miles, as well as over two million square feet of commercial and related activities.



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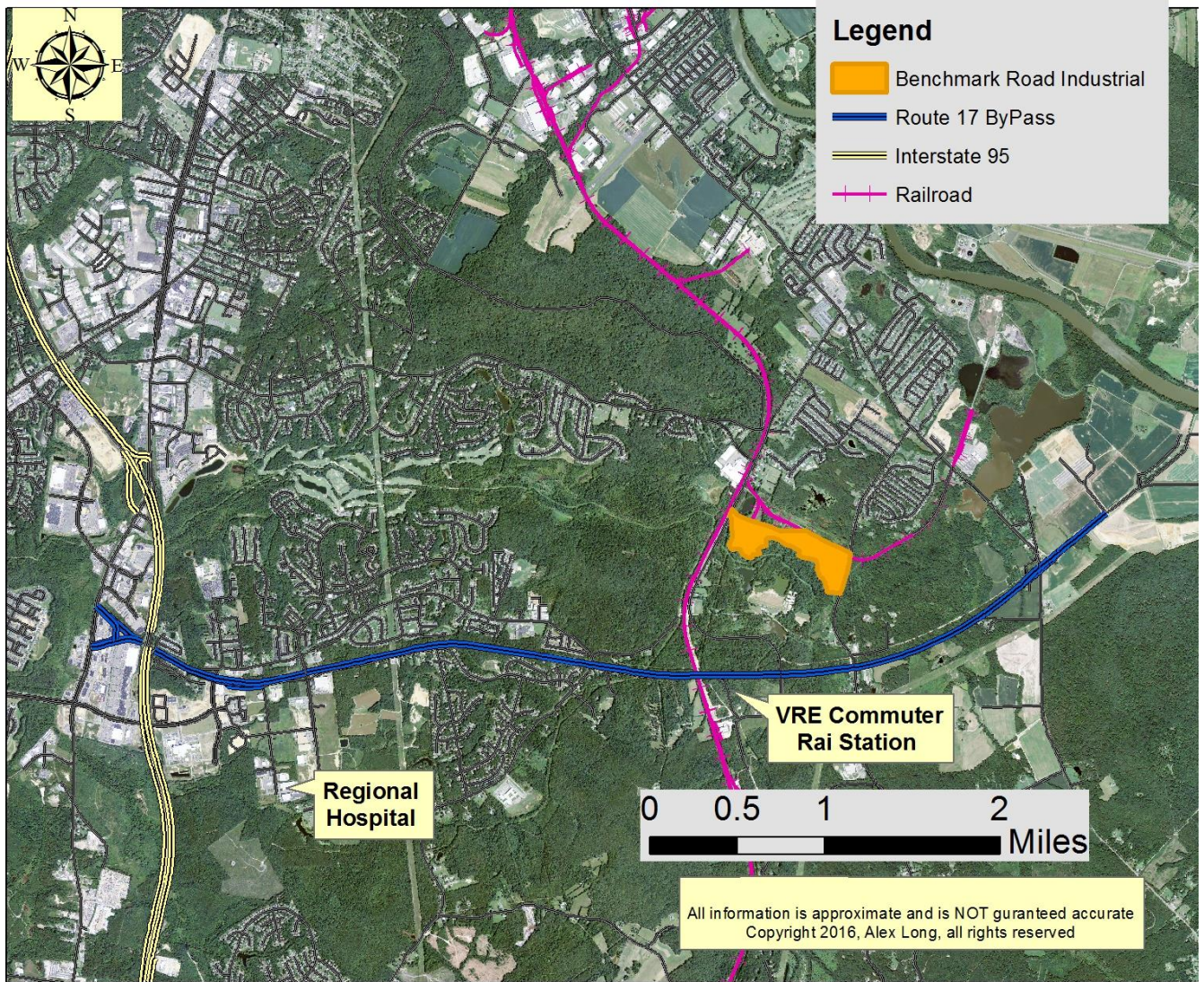


Figure 2. Ortho imagery circa 2014.

Although Subject is well positioned, in terms of linkages to transportation and amenities, the property is in a somewhat rural context and **buffered**, as described, further.

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CONTEXT and BUFFERS

Subject is in an area which is buffered by several activities and geo-physical features which create buffers.

- Jurisdictional wetlands;
- Floodplain;
- L.A. Clarke and Sons superfund site;
- Fredericksburg Rod and Gun Club;
- Other properties zoned industrial

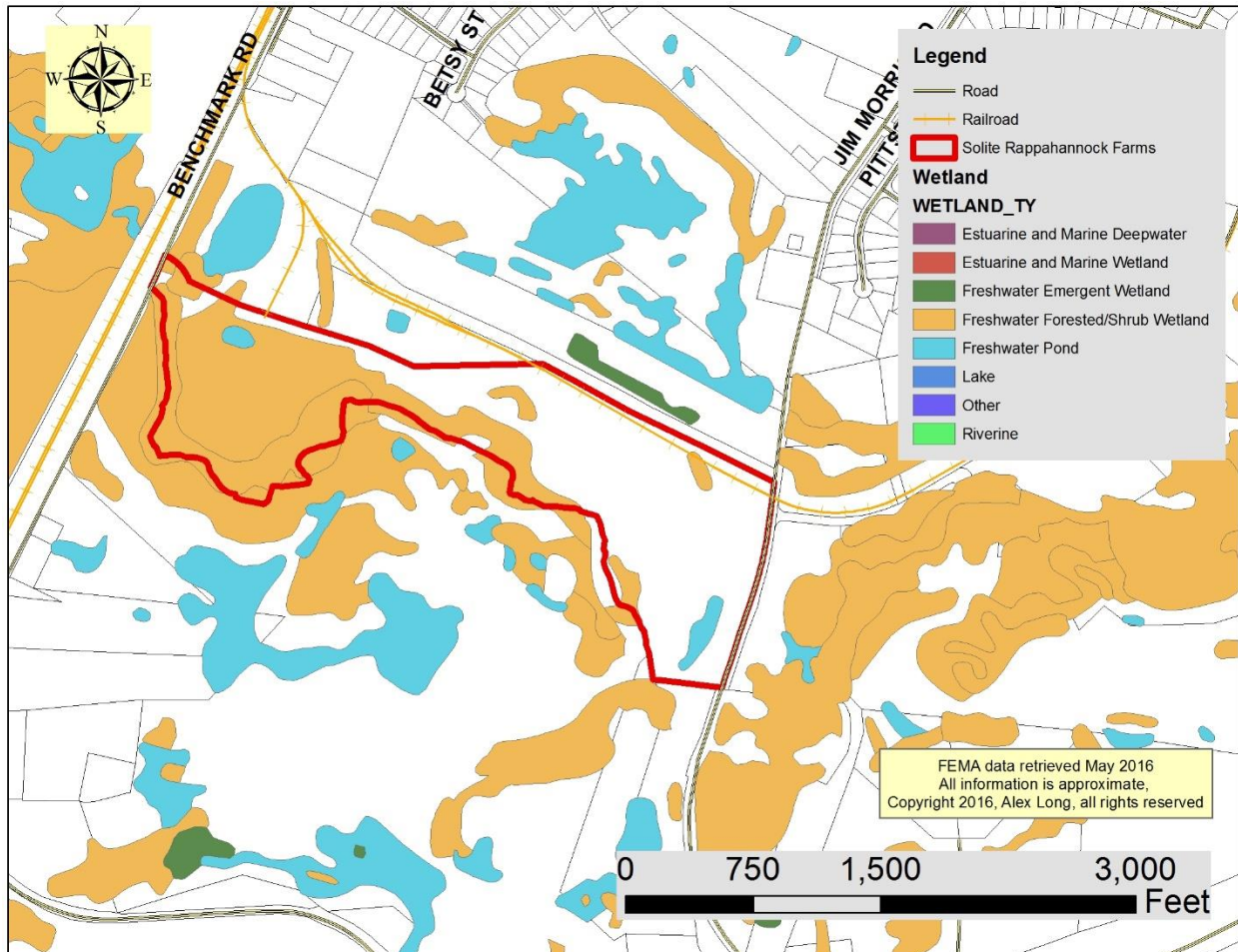


Figure 3. Approximation of jurisdictional wetlands using NWI data. More detailed data available.

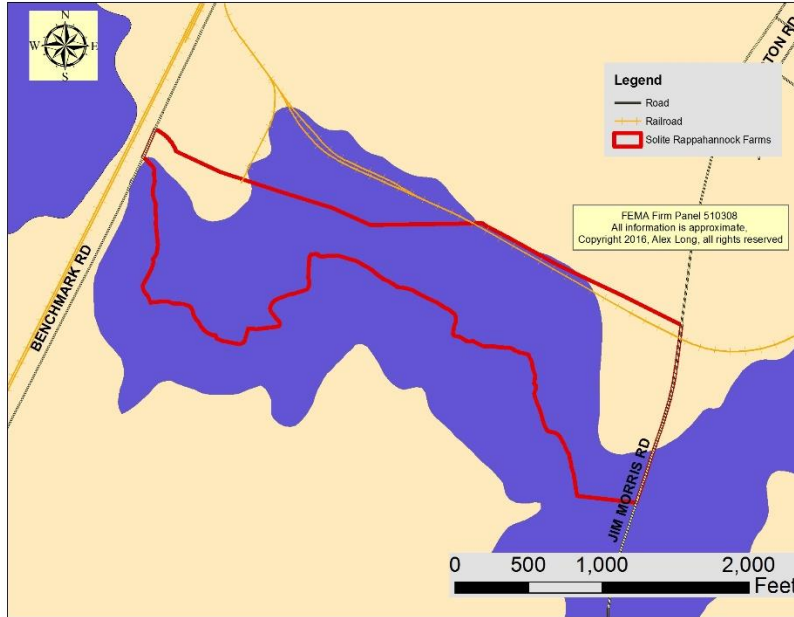


Figure 4. FEMA GIS data layer is only an approximation for 100-year (1% occurrence) floodplain.

Please note: geographic information systems (GIS) data layers are only an approximation.

FEMA data usually errs on the side of being conservative, showing areas that are not necessarily in the 100 year floodplain. Another issue is whether the area is engineered with a determined datum or flood elevation or not; and if not, the graphic is generally a conservative best guess.

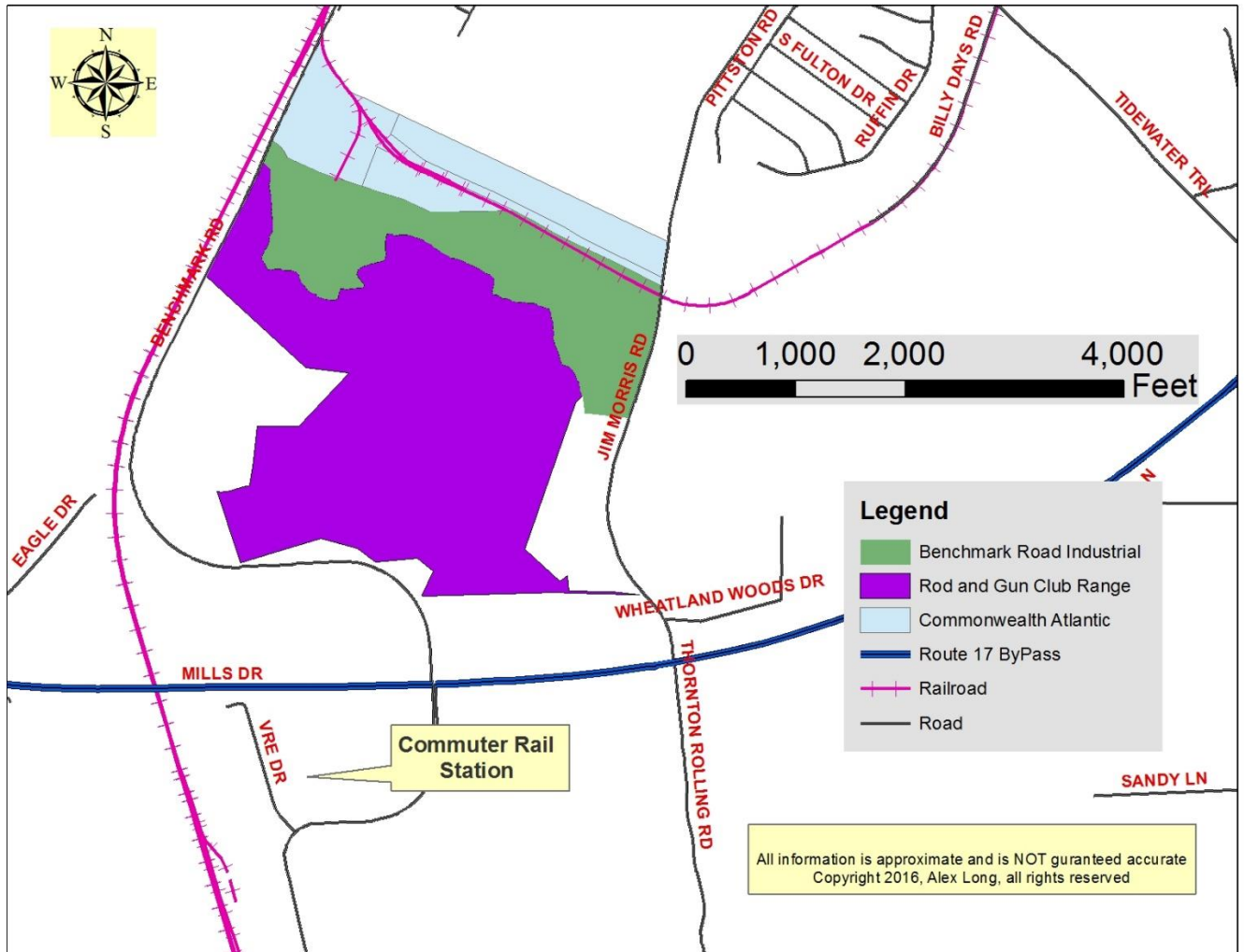


Figure 5. Location of L.A. Clarke and Son super fund site is shown with location of Fredericksburg Rod and Gun Club.

The super fund site is very well documented with information available.

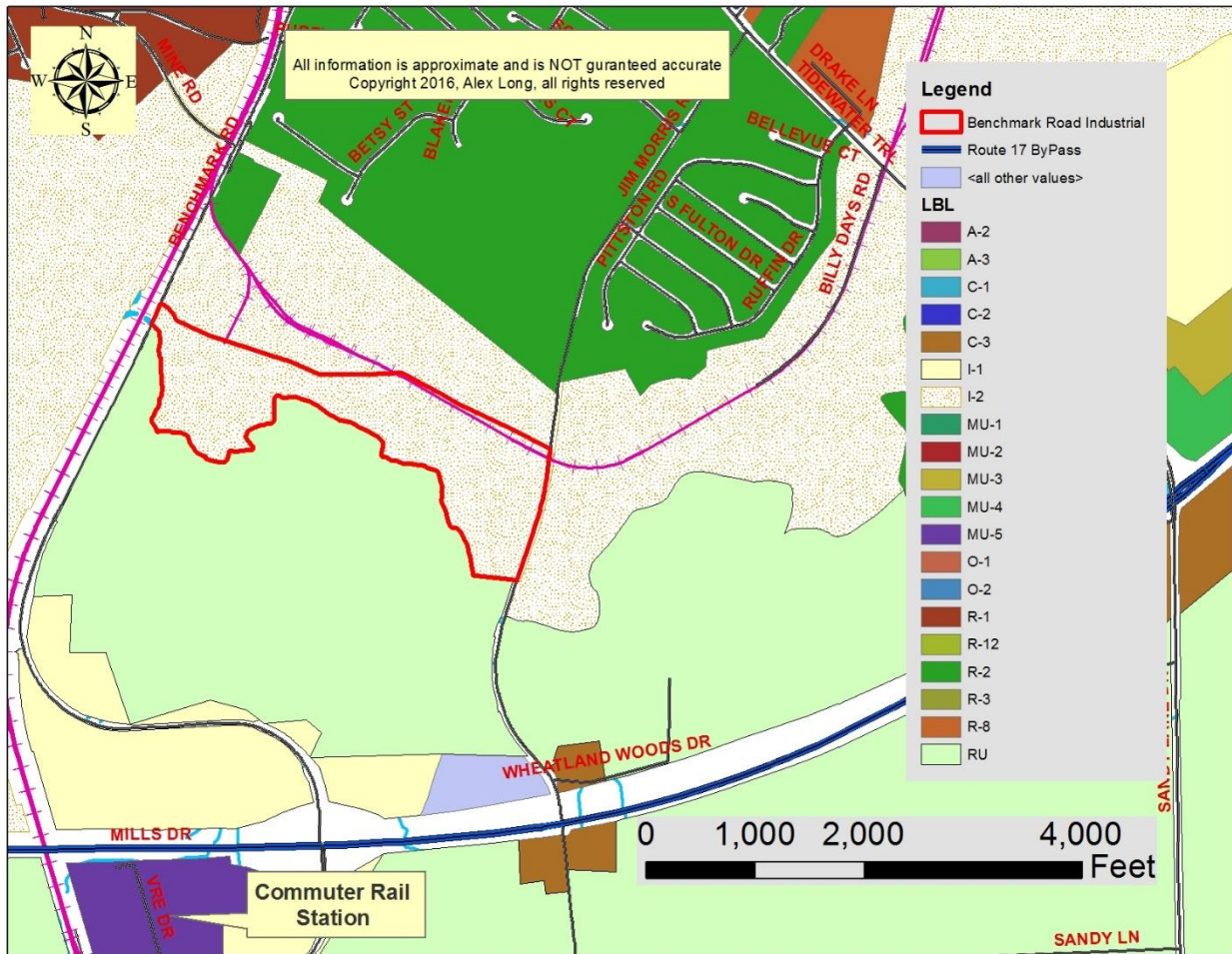


Figure 6. Zoning map data from Spotsylvania County, circa 2015.

As shown, Subject and a number of other properties are zoned heavy industrial. The “RU” category in Spotsylvania is a low density: *“The purpose of the rural (Ru) district is to protect and maintain the rural character of the county and to protect and enhance the agricultural economy of the county, while providing for low density residential development in a rural setting.”* (Spotsylvania zoning ordinance circa 2016).

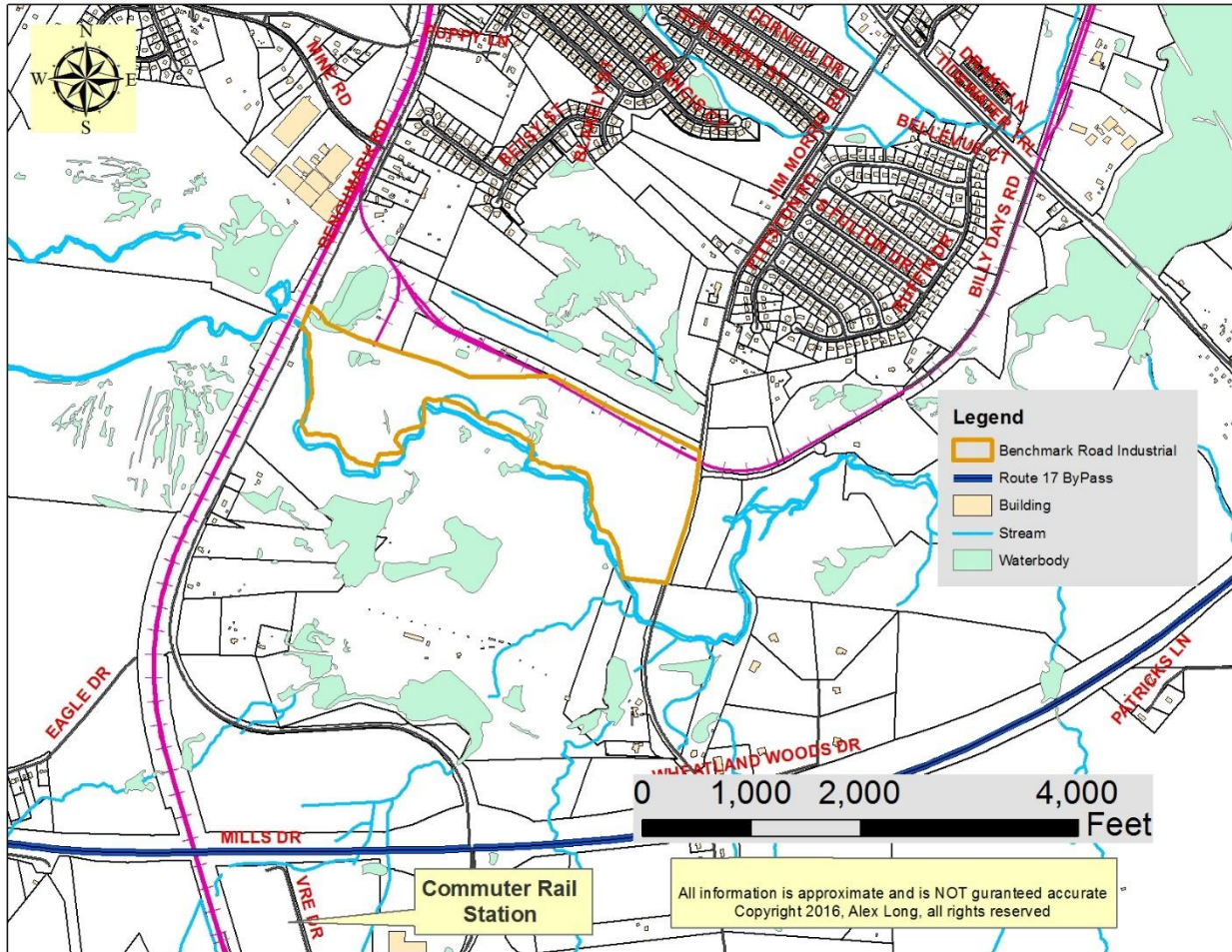


Figure 7. Building layer from Spotsylvania County illustrates the built environment.

Nearest residential concentration to Subject is a subdivision to the north and east of the L.A. Clarke site.

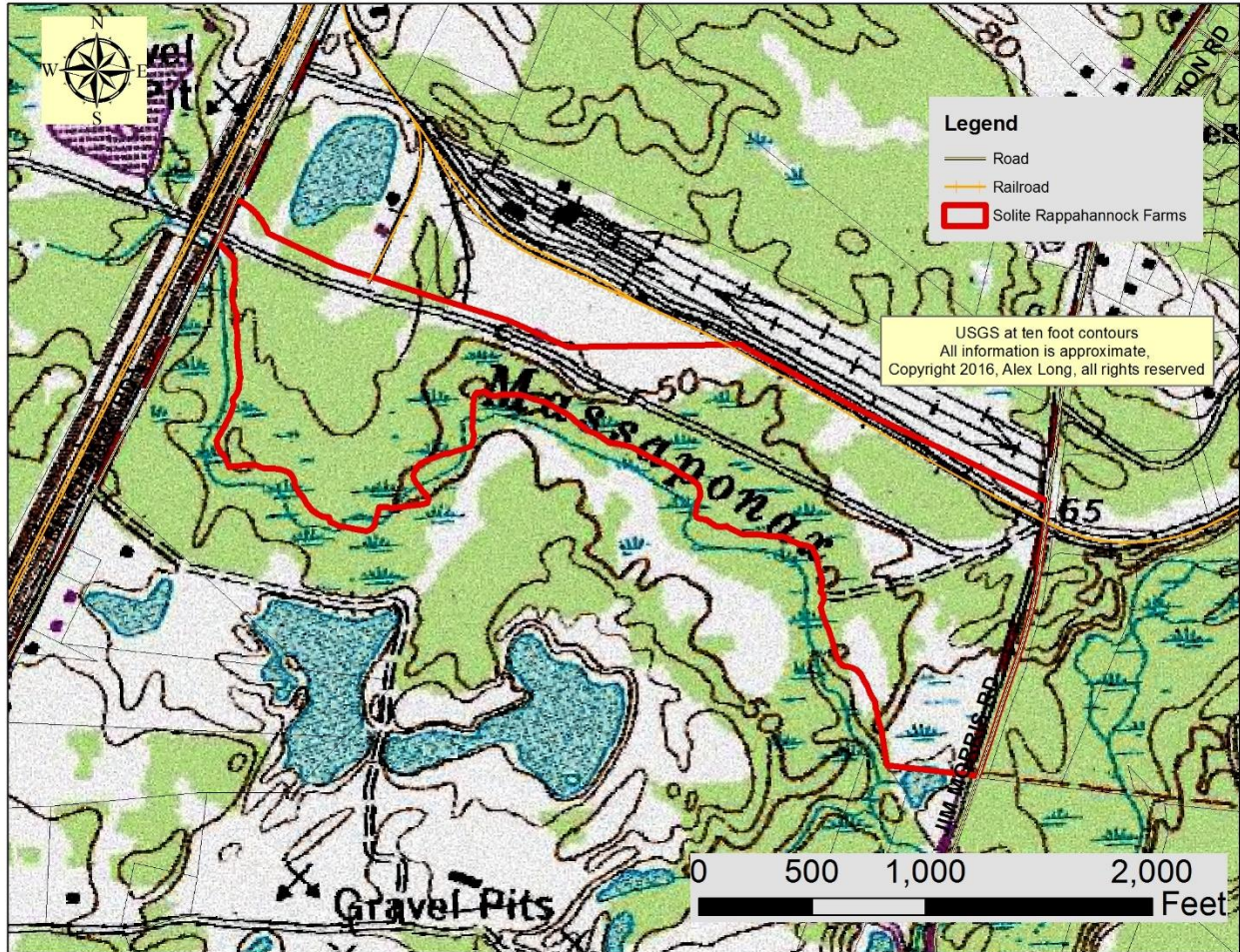


Figure 8. U.S.G.S. quad map at ten foot contours.

Rail assets are well illustrated in this graphic. Sand and gravel mining in past years created some of the wetlands; other wetlands result from natural topographic and hydrological features.

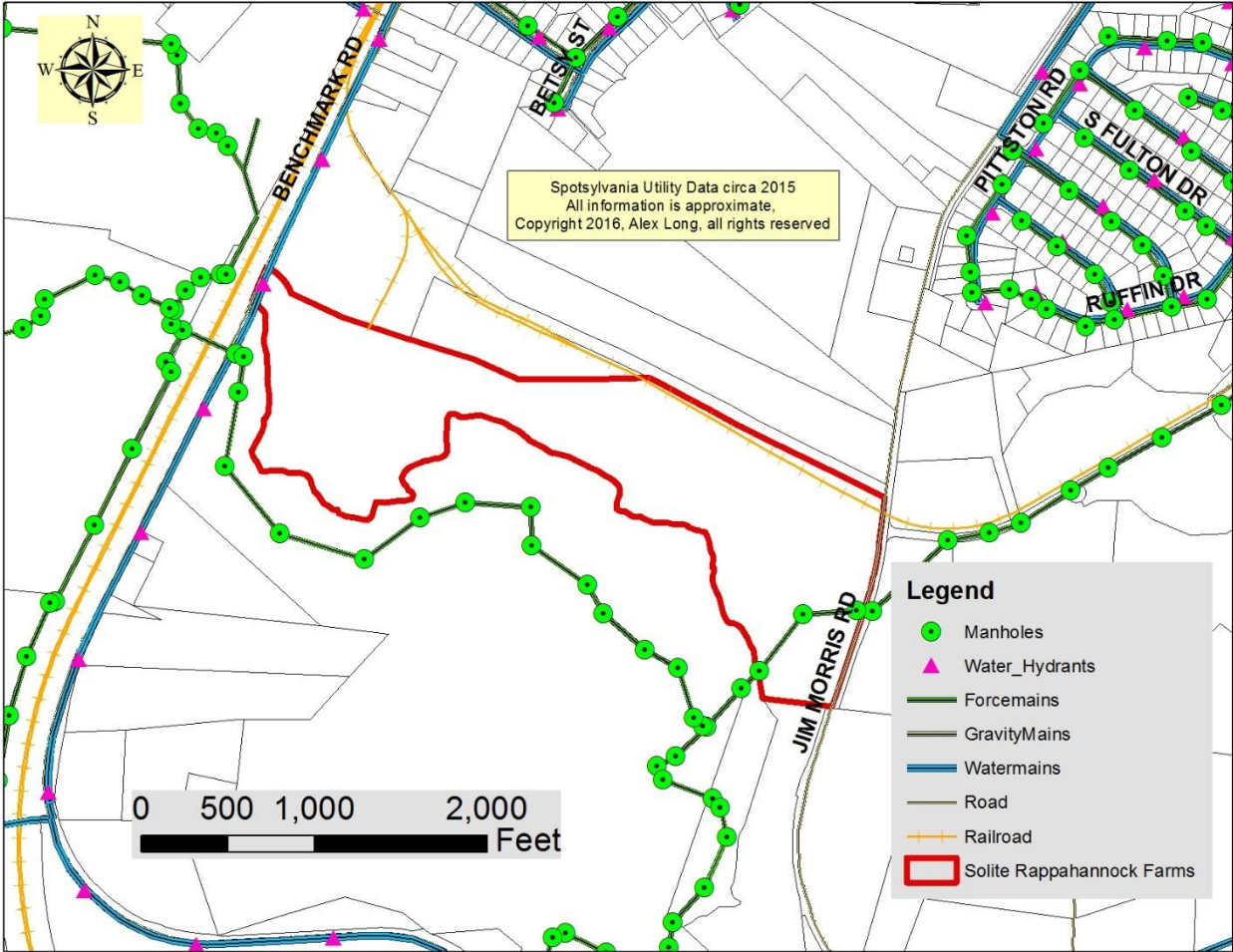


Figure 9. Public water and sewer are either situs or nearby.

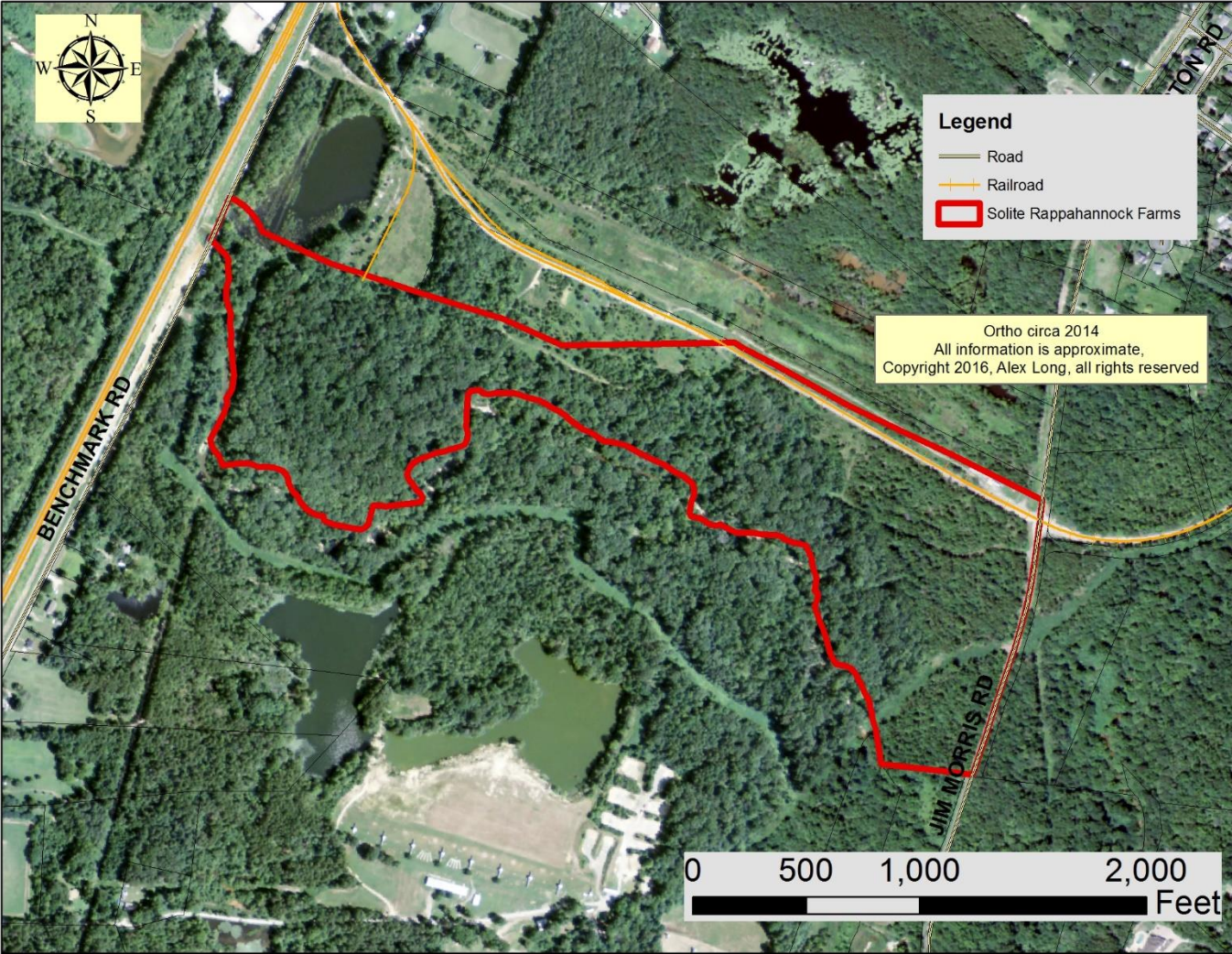


Figure 10. A detailed satellite ortho of Subject. Rod and gun club range is seen, south of Subject.

SPOTSYLVANIA COUNTY, VIRGINIA

ZONING EXCERPTS

Note: OTHER REGULATIONS AND ZONING APPLY

Source:

https://www.municode.com/library/va/spotsylvania_county/codes/code_of_ordinances?nodeld=COCO_CH23ZO_ART6ZODI_DIV22IN2DI Retrieved 22 December 2016

DIVISION 22. - INDUSTRIAL 2 (I-2) DISTRICT

Sec. 23-6.22.1. - Purpose and intent.

The primary purpose of the industrial 2 (I-2) district is to provide locations for medium and heavy industrial uses.

(Ord. No. 23-66, 10-24-95; Ord. No. 23-160(2), 9-22-15)

Sec. 23-6.22.2. - Principle uses permitted.

The following principle uses may be established as permitted uses in the industrial 2 (I-2) district, subject to site plan approval:

- (1) Accessory uses as permitted by article 5, division 3 of this chapter;
- (2) Animal shelter;
- (3) Art and craft studio;
- (4) Auction establishment;
- (5) Building materials yard;
- (6) Business service and supply establishment;
- (7) Car wash;
- (8) Civic, social, or fraternal facilities;
- (9) Contractor's office and shops;
- (10) Convenience store;
- (11) Eating establishment;
- (12) Eating establishment, carry out/fast food;
- (13) Feed mill;
- (14) Fuel dispensing service;
- (15) Greenhouse, commercial;
- (16) Heavy equipment and specialized vehicle sale, rental and/ or service establishments;

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- (17) Indoor commercial recreation/athletic facilities;
- (18) Industrial/flex;
- (19) Industry, type I;
- (20) Industry, type II;
- (21) Lumberyards;
- (22) Medical care facility;
- (23) Mini-warehousing establishments;
- (24) Offices;
- (25) Outdoor sports and recreation, commercial;
- (26) Outdoor storage yard;
- (27) Places of worship;
- (28) Public facility/uses;
- (29) Public utility, light;
- (30) Scientific research and development establishments;
- (31) Transportation facilities;
- (32) Vehicle light service establishment;
- (33) Vehicle major service establishment;
- (34) Vehicle sale, rental and ancillary service establishments;
- (35) Veterinary hospitals/services;
- (36) Warehouse;
- (37) Wholesale trade establishments.

(Ord. No. 23-66, 10-24-95; Ord. No. 23-152, 1-8-13; Ord. No. 23-160(2), 9-22-15)

Sec. 23-6.22.3. - Secondary uses permitted.

Secondary uses are primarily intended to provide for the needs and conveniences of employees and businesses within industrial districts. The following secondary uses shall be permitted in an industrial development that contains one or more principal uses or approved special uses, subject to the development standards; use limitations as set forth in section 23-6.22.5(3):

- (1) Personal service establishment;
- (2) Retail sales establishment.

(Ord. No. 23-160(2), 9-22-15)

Editor's note— Ord. No. 23-160, adopted Sept. 22, 2015, added a new § 23-6.22.3, subsequently renumbering §§ 23-6.22.3—23-6.22.8 as §§ 23-6.22.4—23-6.22.9.

Sec. 23-6.22.4. - Special uses.

The following uses may be established as special uses in the industrial 2 (I-2) district, subject to approval by the board of supervisors in accordance with the procedures established in article 4, division 5 of this chapter:

- (1) Abattoir;
- (2) Adult oriented business;
- (3) Airport, public or private;
- (4) Automobile graveyard;
- (5) Bus station/depot/terminal;
- (6) Civic and sports arena;
- (7) Correctional facilities;
- (8) Crematory or crematorium;
- (9) Drive-in motion picture theaters;
- (10) Heliport;
- (11) Helistop;
- (12) Industry, type III;
- (13) Junkyards, to include motor vehicle storage and impoundment yards;
- (14) Landfill;
- (15) Motor freight terminals;
- (16) Public utility, heavy;
- (17) Railroad station/depot/terminal;
- (18) Railway yard;
- (19) Recycling collection centers;
- (20) Recycling plant;
- (21) Sawmill;
- (22) Telecommunications tower;
- (23) Truck stop;
- (24) Any other assembly, manufacturing or processing use not otherwise permitted;
- (25) Wetland mitigation bank;
- (26) Wood by-products recycling center.

(Ord. No. 23-66, 10-24-95; Ord. No. 23-97, 10-23-01; Ord. No. 23-120, 10-9-07; Ord. No. 23-122, 10-9-07; Ord. No. 23-152, 1-8-13; Ord. No. 23-160(2), 9-22-15)

Note— Formerly § 23-6.22.3.

Sec. 23-6.22.5. - Development standards; Use limitations.

- (1) Retail sales may be permitted as an accessory use within any permitted or special use as an accessory use in accordance with the provisions of article 5, division 2 of this chapter.
- (2) All premises shall be furnished with all weather, dustless surface walks and driveways.

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- (3) The gross floor area devoted to secondary uses as identified in section 23-6.22.3. shall not exceed forty (40) percent of the gross floor area of all principle uses or approved special uses in the development.

(Ord. No. 23-66, 10-24-95; Ord. No. 23-160(2), 9-22-15)

Note— Formerly § 23-6.22.4.

Sec. 23-6.22.6. - Lot size requirements.

1. Minimum lot area: Twenty thousand (20,000) square feet.
2. Minimum lot width: One hundred (100) feet.
3. The lot size requirements do not apply to development in accordance with an approved generalized development plan (GDP). The Board of Supervisors may waive or modify the lot size requirements by special use.

(Ord. No. 23-66, 10-24-95; Ord. No. 23-105, 6-24-03; Ord. No. 23-160(2), 9-22-15)

Note— Formerly § 23-6.22.5.

Sec. 23-6.22.7. - Bulk regulations.

1. Maximum building height: None
2. Minimum yard requirements:
 - A. Front yard: Forty (40) feet.
 - B. Side yard: No requirement.
 - C. Rear yard: No requirement.
 - D. Development in accordance with an approved generalized development plan (GDP) shall be subject to the minimum yard requirements only with respect to development along its peripheral lines and in such cases parking lots shall be located no closer than thirty (30) feet to any public street or highway right-of-way.
3. Maximum floor area ratio: 1.5.
 - A. Floor area ratio limitation may be exceeded by means of a special use permit issued by the board of supervisors.

(Ord. No. 23-66, 10-24-95; Ord. No. 23-90, 2-27-01; Ord. No. 23-104, 3-11-03; Ord. No. 23-105, 6-24-03; Ord. No. 23-160(2), 9-22-15)

Note— Formerly § 23-6.22.6.

Sec. 23-6.22.8. - Open space.

Ten (10) percent of the gross area shall be landscaped open space. As used herein, "gross area" refers to either the total parcel area or, where applicable, the total aggregate land area subject to an approved generalized development plan.

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(Ord. No. 23-66, 10-24-95; Ord. No. 23-105, 6-24-03; Ord. No. 23-160(2), 9-22-15)

Note— Formerly § 23-6.22.7.

Sec. 23-6.22.9. - Additional requirements.

1. General development standards: Refer to article 5.
2. Landscaping and screening: Refer to article 5, division 5.
3. Off-street parking: Refer to article 5, division 9.
4. Signs: Refer to article 5, division 8.

(Ord. No. 23-66, 10-24-95; Ord. No. 23-160(2), 9-22-15)

Note— Formerly § 23-6.22.8.

Article 5 ; DIVISION 3. - ACCESSORY USES^[9]

Footnotes:

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Editor's note— Ord. No. 23-160, adopted January 13, 2015, amended division 3 in its entirety to read as herein set out. Formerly, division 3, §§ 23-5.3.1—23-5.3.3, pertained to accessory service uses, and derived from Ord. No. 23-66, adopted October 24, 1995, and Ord. No. 23-114, adopted August 9, 2005.

Sec. 23-5.3.1. - Purpose and intent.

Accessory uses, as defined in article 2 of this chapter, are permitted in connection with certain principal uses as set forth below when expressly authorized in the zoning district regulations. Accessory uses are not permitted with residential uses unless otherwise permitted in section 23-5.3.2., Development standards. This section does not apply to home occupations or home enterprise, as authorized elsewhere in this chapter.

(Ord. No. 23-160, 1-13-15)

Sec. 23-5.3.2. - Development standards; use limitations.

In addition to the use limitations applicable in the zoning district in which located, accessory uses shall be subject to the following use limitations:

- (a) All accessory uses shall be located in the same building as the principal use, or with the approval of the zoning administrator, located on the same property as the principal use.

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- (b) No accessory use shall be occupied or utilized unless the principal structure to which it is an accessory to is occupied or utilized.
- (c) The aggregate gross floor area of all accessory uses shall not exceed forty (40) percent of the total gross floor area of the principal use. This maximum shall not apply to child care centers in a place of worship, public school, or private school.
- (d) Accessory uses shall be certified in compliance with the VA Uniform Statewide Building Code by the building official.
- (e) Multi-family developments with a minimum of two hundred fifty (250) dwelling units, may include the following accessory uses:
 - (1) Eating establishments, without drive-in windows.
 - (2) Child care centers.
 - (3) Personal service establishments.
 - (4) Retail sales establishments selling convenience merchandise.
- (f) Keeping of domestic laying hens shall be permitted in R-1, R-2, R-3, R-R, V, PD-H, and A-2, A-3, Ru, R-A, PRR zoned lots, subject to the following:
 - (1) Keeping of domestic laying hens on lots in the R-1, R-2, R-3, R-R, V, PD-H districts, and A-2, A-3, Ru, R-A, PRR lots under five (5) acres shall be limited to a minimum of two (2) hens at one (1) time for lots upon which the dwelling is located up to five thousand (5,000) square feet, and then no more than one (1) additional hen per additional two thousand five hundred (2,500) square feet of lot area upon which the dwelling is located, not to exceed a maximum of six (6) hens. Additionally, keeping of domestic laying hens on such lots shall be subject to the following:
 - (i) No person shall keep any rooster;
 - (ii) No person shall slaughter any domestic laying hen. This function is to be handled at a slaughter facility located in an appropriately zoned district;
 - (iii) In addition to the requirements in this section, keeping of domestic laying hens shall also be subject to certificate requirements in section 23-4.14, section 23-5.2, Accessory structures, chapter 13, Nuisances, and performance standards located in chapter 4, article I, Animals and fowl in general.
- (g) In zoning districts where agriculture is not permitted, keeping of horses for personal recreation purposes and related facilities (barns, riding rings, etc.) shall also be permitted in R-R, and R-1 zoned lots, subject to the following standards:
 - (1) Minimum lot size five (5) acres.
 - (2) Maximum density of one (1) horse for each one and one-half (1.5) acres of lot area.
 - (3) No such area utilized for the keeping of horses shall be located directly on Lake Anna or within one hundred (100) feet of Lake Anna or its designated one hundred (100) year floodplain.
 - (4) Chapter 13, Nuisances, and chapter 4, Animals and fowl.

(Ord. No. 23-160, 1-13-15)

ARTICLE 2. - DEFINITIONS AND RULES OF CONSTRUCTION

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Sec. 23-2.1.4. - Definitions.

Indoor, commercial recreation/athletic facility means an indoor sports building or activity facility in which are conducted recreational, therapeutic or athletic activities, whether or not under instruction. These include, but are not limited to, the following: roller or ice skating rink, batting cages, bowling alley, miniature golf, golf driving range, shooting ranges, tennis and other court games, swimming, aerobics and weight lifting, canine, feline, companion animal sporting event or exhibition, excluding livestock or *equestrian event facility*, but does not include *billiard hall*, bingo or dance hall.

Industrial/flex means any structure occupied by two (2) or more of the following uses: contractor's offices and shops; establishments for production, processing, assembly, manufacturing, compounding, preparation, cleaning, servicing, testing, or repair of materials, goods or products; warehousing establishments; wholesale trade establishments; and offices; provided however that the combined area of all office, both as a principal use and as an accessory use, shall not exceed thirty-five (35) percent of the total gross floor area of the structure. For the purpose of this chapter, when any of the above uses are permitted by right in the applicable zoning district, such uses may be combined within a single structure in accordance with the provisions of that district, and shall not be deemed industrial/flex.

Industry, type I means enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products, from processed or previously manufactured materials. Included are assembly of electrical appliances, bottling and printing plants, brewery, winery, cidery, distillery, and the manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents and other chemical production of items made of stone, metal or concrete.

Industry, type II means enterprises in which goods are generally mass produced from raw materials on a large scale through use of an assembly line or similar process, usually for sale to wholesalers or other industrial or manufacturing uses. Included in this use type are industries involved in processing and/or refining raw materials such as chemicals, rubber, wood or wood pulp, forging, casting, melting, refining, extruding, rolling, drawing, and/or alloying ferrous metals, and the production of large durable goods such as automobiles, manufactured homes, or other motor vehicles.

Industry, type III means an establishment which has the potential to be dangerous or extremely obnoxious. Included are those in which explosives are stored, petroleum is refined, natural and liquid gas and other petroleum derivatives are stored and/or distributed in bulk, radioactive materials are compounded, pesticides and certain acids are manufactured, and hazardous waste is treated or stored as the establishment's principal activity.

Junk yard means the use of any space, whether inside or outside a building, for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof; provided that this definition shall not apply to outside storage as permitted as an accessory use as provided for in this chapter. A junk yard shall also be inclusive of an *automobile graveyard* as defined herein.