This report is prepared by the Henrico County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist them in making a decision on this application. It may also be useful to others interested in this zoning matter.

### I. PUBLIC HEARINGS:

<table>
<thead>
<tr>
<th>Planning Commission</th>
<th>December 6, 2012</th>
<th>Recommended for Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board of Supervisors</td>
<td>January 22, 2013</td>
<td>Pending</td>
</tr>
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### II. IDENTIFICATION AND LOCATIONAL INFORMATION:

<table>
<thead>
<tr>
<th>Requested Zoning</th>
<th>M-2C, General Industrial District (Conditional)</th>
</tr>
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<tbody>
<tr>
<td>Existing Zoning</td>
<td>B-3 Business District</td>
</tr>
<tr>
<td>Acreage</td>
<td>0.244 acre</td>
</tr>
<tr>
<td>Proposed Use</td>
<td>Contractor's equipment storage yard</td>
</tr>
<tr>
<td>Location</td>
<td>South line of Nine Mile Road (State Route 33) approximately 350' west of Evergreen Road</td>
</tr>
<tr>
<td>Magisterial District</td>
<td>Varina</td>
</tr>
<tr>
<td>2026 Comprehensive Plan Recommendation</td>
<td>Office (OF). The site is part of the Nine Mile Road Corridor Revitalization / Reinvestment Opportunity Area, and is located in the Enterprise Zone.</td>
</tr>
<tr>
<td>Parcel No</td>
<td>Parcel 806-722-0882</td>
</tr>
<tr>
<td>Zoning of Surrounding Property</td>
<td>North: R-4 (Glen Echo Park subdivision) South: M-2C (Slurry Pavers, Inc.) East: M-1C (Henrico County Schools office) West: M-2C (Slurry Pavers, Inc.)</td>
</tr>
</tbody>
</table>
III. SUMMARY OF STAFF REPORT COMMENTS:

This is a request to rezone a 0.244 acre site from B-3 to M-2C to allow additional area for a future paved parking lot. The property is located on the south line of Nine Mile Road approximately 350' west of Evergreen Road. The 2026 Comprehensive Plan recommends Office. The site is also in the Enterprise Zone and is part of the Nine Mile Road Corridor Revitalization/Reinvestment Opportunity Area.

Adding the subject property to the existing Slurry Pavers site would result in a more unified development, provide additional investment in the Enterprise Zone, and further enhance the visual gateway along Nine Mile Road by extending the proffered landscape buffer. For these reasons, staff supports this request and believes it would be an acceptable alternative to the 2026 Plan’s Office designation if developed as proposed.

The Planning Commission recommended approval of this item at their December 6, 2012 meeting.

IV. LAND USE ANALYSIS AND IMPLICATIONS:

The subject property consists of one parcel on the south line of Nine Mile Road approximately a quarter mile southeast of the Interstate 64 interchange. The partially wooded site is zoned B-3 and has a semi-circular gravel drive at the front with two points of access onto Nine Mile Road. Surrounding uses include: the Glen Echo Park residential neighborhood to the north across Nine Mile Road; a Henrico County Schools office (M-1C) to the east; and part of a planned vehicle parking and equipment storage area for Slurry Pavers to the west and south (M-2C). Approximately 400' to the east on the opposite side of Nine Mile Road is the entrance to the County's Eastern Government Center, which includes the new Henrico County Tourist Information Center in the historic Dabbs House Museum.

The 2026 Comprehensive Plan’s recommended future land use for the site is Office. The property is also in the County’s Enterprise Zone and is included in the 2026 Plan’s Nine Mile Road Corridor Revitalization/Reinvestment Opportunity Area.

The applicant, Slurry Pavers, proposes rezoning the subject 0.244 acre parcel to M-2C to allow additional licensed vehicle parking for their asphalt paving business. The Board of Supervisors approved rezoning case C-2C-11 which established M-2C zoning on the adjacent 14.9 acres and allowed Slurry Pavers to begin the process of relocating their headquarters to that site. Full relocation of operations has not yet occurred and new parking areas have not been constructed, but the business has begun some vehicle/equipment parking, storage, and maintenance on the property while other building and site are being implemented. The applicant has indicated full relocation will eventually include up to 347 employees, 387 licensed company vehicles, 162 unlicensed vehicles/equipment units, and approximately 1,250 traffic control devices.

Office use and most licensed vehicle parking does not require industrial zoning, but outdoor storage of paving vehicles and related equipment would be considered a “contractor’s equipment storage yard” requiring M-2 zoning. This and all other principal uses first allowed in the M-2 District must be separated at least 300' from any residential zoning district. Given the R-4 zoning running along the Nine Mile Road centerline, this limitation reaches approximately 250' into the Slurry Pavers property, encompassing the entire subject parcel. Exhibits A and B reflect this restriction by indicating the added parcel would be an extension of the paved parking lot for licensed vehicles, with no direct access to Nine Mile Road.
The proffers dated December 4, 2012 are nearly identical to those approved with case C-2C-11 and include the following:

- Uses would be restricted to M-1 in addition to the proposed contractor’s equipment storage yard and indoor sandblasting/cutting (both M-2 uses);
- A Transitional Buffer 50 (TB50) along Nine Mile Road with an 8’ tall wrought iron style and brick column fence (Exhibit C);
- An 10’ wide evergreen landscape buffer and 8’ tall black vinyl-coated chain link fence along the eastern edge of the paved parking lot;
- Parking lot lights limited to 20’ maximum height; and

Other proffer address paved areas, outdoor storage, outside speakers, signage, architectural appearance, and severance.

To achieve consistency with the site’s Office designation and its Special Focus Area status, the proposed use should minimize its potential industrial appearance through careful design and substantial buffering. The proposed Transitional Buffer 50 would accomplish this from most angles along Nine Mile Road, but there may be some visibility along the eastern property line as one approaches the site from a westbound direction. Case C-2C-11 required a Transitional Buffer 25 along the eastern boundary of the adjacent B-3 zoned property, which would no longer be required if this application is approved to rezone the property to M-1C. Proffer #3 should address this which commits to a 10’ wide buffer along the eastern property line and would extend 100’ southward from the 50’ buffer.

This request to add the subject property to the existing Slurry Pavers site would: result in a more unified development, provide additional investment in the Enterprise Zone, and further enhance the visual gateway along Nine Mile Road by extending the formal landscape buffer. For these reasons, staff supports this request and believes it would be an acceptable alternative to the 2026 Plan’s Office designation if developed as proposed.

The Planning Commission recommended approval of this item at their December 6, 2012 meeting.

V. COMPREHENSIVE PLAN ANALYSIS:

2026 Comprehensive Plan Recommendation:
The 2026 Comprehensive Plan’s recommended future land use for the site is Office. The entire site is in the County’s Enterprise Zone as well as the 2026 Plan’s Nine Mile Road Corridor Revitalization/Reinvestment Opportunity Area (Special Focus Area #25). Both of these designations encourage redevelopment in conjunction with building, landscaping, and other site improvements to enhance the properties’ external appearance. Given the proposed landscaping and fence improvements, the proposed use would further enhance the Nine Mile Road streetscape, making it generally consistent with the 2026 Plan recommendations.

Goals, Objectives and Policies:
This request is most consistent with the following Goals, Objectives and Policies of the 2026 Comprehensive Plan, and recommendations of the Nine Mile Road Corridor Special Strategy Area Study:

2026 Plan
- Economic Goal 3: Tax revenues that support the continuation of the highest quality public services and facilities that are generated in a balanced manner between residential and nonresidential uses.
- General Development Policy 6: Encourage compatible infill, redevelopment and development in proximity to existing development and services when appropriate to avoid “leap frog” growth patterns which may result in higher service costs.
Office/Service/Industrial Keystone Policy 5: Promote the accommodation of a range of employment opportunities from local businesses and regional employers in the county, as both are important to the fiscal well-being of the county.

Office/Service/Industrial Keystone Policy 6: Encourage employment-generating uses to reuse or intensify existing land areas designated for Office/Service/Industrial uses, when appropriate.

Nine Mile Road Study

Nine Mile Road Corridor Strategy 1: Encourage increased job opportunities by expanding employment uses in the corridor.

Eastern Government Center Sub-Area Strategy 1: Encourage this area to continue functioning as a gateway to the Nine Mile Road corridor because of its high visibility from I-64 and the existence of the Eastern Government Center.

Eastern Government Center Sub-Area Design Guideline 5: Streetscape landscaping should be provided along the Nine Mile Road frontage of development sites.

VI. PUBLIC SERVICE AND SITE CONSIDERATIONS:

Major Thoroughfare and Transportation:
No issues with the request.

Drainage:
All proposed improvements must comply with all applicable Public Works plan of development requirements. The site is located within a 50/10 detention area and must comply with applicable regulations and water quality requirements. Based on information in the County’s GIS, hydric soils are present (indicating possible wetlands). Corps of Engineers and DEQ permits may be required.

Public Utilities Services:
County water is located in Nine Mile Road. County sewer is located in an easement on the adjacent property approximately 80’ from the southeast corner of the property.

Schools:
No issues with the request.

Community Revitalization:
No comments.

Fire:
The Division of Fire would like to see a minimum of 14’ wide access gate into the storage area.

Police:
The applicant is encouraged to contact and work with the Community Policing Unit within the Division of Police for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts as a plan of development is drafted to be submitted for review.

Libraries:
No issues with the request.

Recreation and Parks:
The entrance to the Henrico County Tourist Information Center at Dabbs House Museum is approximately 460’ east of this parcel on the north side of Nine Mile Road. The Dabbs House, listed in the Virginia Department of Historic Resources archives as 43-16, is an early 1800’s...
dwelling that served as Gen. Robert E. Lee's headquarters during the Civil War. Later as a County facility, it served as an “Alms House” and housed the Henrico Division of Police. It also includes a preserved example of a bomb shelter facility. The Tourist Information Center opened on September 17, 2010. Continued enhancement of the Nine Mile Road streetscape is desired in order to provide an attractive visual gateway for visitors travelling to and from Dabbs House. Close attention should be given to fencing and landscaping, preferably by continuing the buffer provided with case C-2C-11. There is no archaeological or battlefield impact.

**Topography and Land Characteristics Adaptability:**
There are no known topographical reasons this request cannot be developed as proposed.
Proffers for Conditional Rezoning
County of Henrico, Virginia
4301 E. Parham Road, Henrico, Virginia 23228
Henrico Planning Web Site: http://www.co.henrico.va.us/planning
Mailing Address: Planning Department, P.O. Box 90775, Henrico, VA 23273-0775 Phone (804) 501-4602 Facsimile (804) 501-4379

☑ Original  □ Amended  Rezoning Case No. C-27C-12  Magisterial District - Varina

Pursuant to Section 24-121 (b) of the County Code, the owner or duly authorized agent* hereby voluntarily proffers the following conditions which shall be applicable to the property, if rezoned:

[Signature]

Signature of Owner or Applicant / Print Name

/ Phillip P. Tarsovich, President

Date 10-4-12

*If applicant is other than Owner, the Special Limited Power of Attorney must be submitted with this application

1. Use Restrictions. The uses permitted on the Property shall include all uses permitted in a M-1 district and only the following M-2 uses:

a. Contractor's equipment storage yard; and
b. Sandblasting or cutting conducted inside the enclosed building.

The manufacturing or production of asphalt or other petroleum based paving products is not permitted on this site.

2. Fence. A minimum eight (8) foot high ornamental iron style fence shall be constructed along the upper employee parking area and as generally shown on the accompanying site plan marked Exhibit A. The ornamental iron style fence shall be supported by 2' x 2' x 8' brick columns spaced at 10' on center maximum. A gate shall be constructed from the fence across the access drive for entry into the upper employee parking area.

A minimum eight (8) foot high ornamental iron style fence shall be constructed along the frontage of Nine Mile Road within the limits of the 50' Transitional Buffer and a minimum eight (8) foot height chain link fence shall be constructed generally in the location shown on the accompanying site plan marked as Exhibit A. Gates shall be constructed from the fence across each access drive for entry into the storage and maintenance areas. The chain link fence material shall be black, vinyl coated, 2" mesh. The ornamental iron style fence shall be supported by 2' x 2' x 8' brick columns spaced at 10' on center maximum. The ornamental iron style fence shall be located within the Transitional Buffer and as shown on the accompanying site plan marked as Exhibit A.

3. Buffers. A landscaped or natural buffer area fifty (50) feet in width as measured from the existing right-of-way of Nine Mile Road shall be maintained along the northern boundary, east of the existing access road, as shown on the Conceptual Transitional Buffer Plan marked as Exhibit B and the architectural rendering marked as Exhibit C. This buffer shall be equal to the Transitional Buffer 50 and provide opaque screening.

A landscaped or natural buffer area twenty-five (25) feet in width as measured from the existing right-of-way of Nine Mile Road shall be maintained along the northern boundary, west of the existing access road, as shown on the Conceptual Transitional Buffer Plan marked as Exhibit B and the architectural rendering marked as Exhibit C. This buffer shall be equal to the Transitional Buffer 25.
Along the eastern property line, a landscaped or natural buffer a minimum of ten (10) feet in width shall extend a minimum of 100' in a southerly direction from the southern edge of the fifty (50) foot buffer along Nine Mile Road. This buffer shall be planted with evergreen species that provide an opaque screen to the adjacent property to the east.

Utility easements, signage, and access drives shall be permitted within the aforesaid buffers. Any utility easement or roadway extended through the buffer areas shall be extended generally perpendicular thereto, unless otherwise specifically permitted at the time of Plan of Development review, and where permitted, areas disturbed for utility installations shall be restored to the condition existing immediately prior to the disturbance.

Underbrush and fallen, diseased or dead plant growth may be removed from such buffer areas and if so removed additional plantings shall be added.

4. Parking Lot Lighting. Pole mounted parking lot lighting shall not exceed twenty (20) feet in height as measured from finish grade of the base of the lighting standard. The lamp, in the light fixture, shall be concealed.

5. Paved Areas. Driveways, employee parking areas and licensed fleet vehicle parking areas shall be paved. Provided however, the equipment and storage areas may be graveled.

6. Outdoor Storage. The storage areas for equipment and materials incidental to road construction and maintenance shall be screened from public view from ground level at Nine Mile Road as set forth in proffers 2 and 3.

7. Outside Speakers. No outdoor speakers shall be permitted on the Property.

8. Sign. Any freestanding sign on the Property shall be ground mounted monumental-type sign with a brick base and shall not exceed six (6) feet in height above grade and shall not exceed fifty-four (54) square feet in area.

9. Architectural Rendering. The architectural rendering, marked as Exhibit C, shall serve as reference for the proposed building improvements and proposed fencing.

10. Severance. The unenforceability, illegality, 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.
C-27C-12
2026 Land Use Plan
Fleet Vehicle Storage
Varina District

PS October 2012   Ref: 806-722-0882