



REZ2023-00034

VOZ724 Park City, LLC

Staff Report for Board of Supervisors Public Hearing
Prepared April 1, 2024

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:

Planning Commission:	November 9, 2023	Recommended for Approval
Board of Supervisors:	December 12, 2023 February 13, 2024 April 9, 2024	Deferred at the Applicant's Request Deferred at the Applicant's Request Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Proposed Zoning:	M-1C Light Industrial District (Conditional)
Existing Zoning:	R-4 One-Family Residence District
Acreage:	8.185 acres
Proposed Use:	Industrial office/warehouse
Location of Property:	South line of Charles City Road approximately 600' west of its intersection with Brighton Road.
Magisterial District:	Varina
Comprehensive Plan Recommendation:	Planned Industry
Parcel Numbers:	810-711-9186 and 811-711-2166
Zoning of Surrounding Properties:	North: A-1 Agricultural District* (portion includes REZ2023-00037) South: M-2 General Industrial District* East: R-4 One-Family Residence District* West: M-2 General Industrial District* *Airport Safety Overlay District

III. SUMMARY OF STAFF REPORT COMMENTS:

This is a request to conditionally rezone 8.185 acres from R-4 One-Family Residence District to M-1C Light Industrial District (Conditional) to allow for an office/warehouse. The subject property is located on the south line of Charles City Road, approximately 600' west of its intersection with Brighton Road. The 2026 Comprehensive Plan recommends this site for Planned Industry and is located in the Airport Safety Overlay District.

The applicant has submitted a conceptual plan which shows a 70,500-square-foot office/warehouse with 30 loading docks to its rear and a parking lot fronting Charles City Road. In addition to the conceptual plan, the applicant has provided proffers that address building materials, hours of operation, sidewalks and right-of-way dedication, uses, landscape buffers, and signage.

This request is generally consistent with the 2026 Comprehensive Plan recommendation for Planned Industry. Additionally, the proffers submitted with this request offer assurances regarding the quality of the proposed development and its frontage along Charles City Road. For these reasons, staff supports this request.

At their November 9, 2023 meeting, the Planning Commission recommended approval of this request. The Board of Supervisors granted the applicant's request for a deferral at their ~~December 12, 2023~~ February 13, 2024 meeting. The applicant is now requesting a deferral to the March 12, 2024 meeting to continue working on this case. Since that time, no new information has been submitted for this request.

IV. LAND USE ANALYSIS AND IMPLICATIONS:

This is a request to conditionally rezone 8.185 acres from R-4 One-Family Residence District to M-1C Light Industrial District (Conditional) To allow for an office/warehouse. This site contains two parcels, one of which has an existing home, built in 1955, and several accessory structures which will be demolished as part of this request. The remaining property is mostly cleared.

To the east, west, and south of the subject property is the BFI Landfill, zoned R-4 and M-2 General Industrial District. A county waste transfer station for public use occupies a portion of the landfill property to the immediate south of the subject property. Parcels zoned A-1 Agricultural District located to the north of the subject property, across Charles City Road, include a large-acreage single-family home and the site of rezoning case REZ2023-00037. A single-family neighborhood is located further east along the south side of Charles City Road. A 285-foot-wide power line easement separates the property from the single-family uses to the east.

This request is one of five active cases along Williamsburg Road and Charles City Road for similar uses. REZ2023-00033, REZ-2023-100203, REZ2023-00034, REZ2023-00035, and REZ2023-00037 are all requesting the M-1C zoning district to allow office/warehouse uses. Due to the power line that runs through several of the sites, only REZ2023-00033 and REZ-2023-100203 are proposed to interconnect at this time.

The applicant has submitted a conceptual plan showing a 70,500-square-foot office/warehouse with 30 loading docks to its rear and a parking lot fronting Charles City Road. One point of access is shown on Charles City Road and the BMP would be in the southeastern portion of the property. A Dominion Energy utility easement is located east of the proposed entrance on Charles City Road. In addition to the conceptual plan, the proffers address allowed uses, lighting, detached signage (limited to monumental type at 10' high), building materials, sidewalks and right-of-way dedication, and a 25' landscape buffer among other items.

The 2026 Comprehensive Plan recommends this site for Planned Industry. This request is generally consistent with the Planned Industry designation and the pattern of office/warehouse development along Charles City Road. Coordinated access between adjacent parcels is part of the intent of the future land use designation, but given the surrounding uses and powerline easements, interconnectivity and shared access is not feasible. The proffers submitted with this request also provide assurances regarding the property's frontage along Charles City Road and efforts to mitigate potential impacts on adjacent uses. For these reasons, staff supports this request.

At their November 9, 2023 meeting, the Planning Commission recommended approval of this request. The Board of Supervisors granted the applicant's request for a deferral at their ~~December 12, 2023~~ February 13, 2024 meeting. ~~The applicant is now requesting a deferral to the March 12, 2024 meeting to continue working on this case.~~ Since that time, no new information has been submitted for this request.

V. COMPREHENSIVE PLAN ANALYSIS:

Comprehensive Plan Recommendation:

The 2026 Comprehensive Plan designates this site for Planned Industry. This request is generally consistent with this designation and the industrial uses along Charles City Road.

Vision, Goal, Objectives, and Policies:

This request is most consistent with the following Goals, Objectives, and Policies of the 2026 Comprehensive Plan:

- Economic Goal 4: The county will have a mix of employment industries that generates high paying jobs and prevents heavy reliance on service/retail employment.
- General Development Policy 6: Encourage compatible infill, redevelopment, and development in proximity to existing development and services when appropriate to avoid "leapfrog" growth patterns which may result in higher service costs.
- Land Use and Community Character Objective 8: The county will encourage diverse mixtures and forms of development to support the economic base of the county.

VI. PUBLIC SERVICE AND SITE CONSIDERATIONS:

Major Thoroughfare and Transportation:

Charles City Road will need to be widened to a total of 33.5 feet from the centerline to accommodate an additional future travel lane and dedicate 50 feet of right-of-way from centerline. A sidewalk along the road frontage of the parcels should be addressed. A right turn lane will be required at the site access, with additional right-of-way dedication.

Drainage:

- All proposed improvements must comply with all applicable Public Works plan of development requirements.
- Land disturbance greater than 2500 sq feet will require a Comprehensive Grading Plan and an Agreement in Lieu of an Erosion and Sediment Control Plan.
- The site is located within 50/10 detention area and must comply with applicable regulations.
- The site must comply with applicable stormwater quality and quantity requirements.

Public Utilities:

County water is located in Charles City Road. It appears the property will require a pump station in order to connect to the County sewer system. The developer's engineer will need to determine possible options to extend sewer service to the property.

Department of Community Revitalization:

No comments received on this request.

Schools:

This rezoning case does not propose any residential development nor are any educational impacts projected.

Division of Fire:

No comments.

Division of Police:

The applicant is encouraged to contact and work with the Community Services Unit with the Police Division for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts as a plan of development (POD) is drafted for submission to the County for review.

Recreation and Parks:

No park or recreation facilities, historical, or archeological impact.

The parcel falls within the Civil War battlefield areas identified by the Virginia Department of Historic Resources as: 043-0307 New Market Heights Battlefield and 043-5081 Seven Pines Battlefield-for information only.

Libraries:

No Comments.

Topography and Land Characteristics Adaptability:

There are no known topographic reasons why the property could not 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.henrico.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. RE23023
00034 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] / Andrew M. Collins 11/22/23
Signature of Owner or Applicant / Print Name Date

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

REZ2023-00034

November 22, 2023

1. Concept Plan. The Property will be developed in general conformance with the concept plan attached hereto as "D-1 STORAGE/RCS SEELMAN PARCEL (#2), HENRICO, VIRGINIA – VARINA DISTRICT – CONCEPT PLAN" prepared by RKK and dated September 29, 2023 and stamped November 20, 2023 (the "Concept Plan"), which is conceptual in nature and may vary in massing, height, elevations, design, layout, final density, and other details shown therein. The specific design, general layout, and other details may vary from the Concept Plan as required for final plan approval, engineering reasons, design or compliance with governmental regulations, or as approved during any Plan of Development review.
2. Utility Lines. Except for junction and access boxes, meters, utility lines in wetlands areas and existing overhead utility lines, all utility lines, including without limitation, electric, telephone, CATV or other similar lines, must be installed underground, unless otherwise approved at the time of Plan of Development review.
3. Detached Signage. Detached signage must be monument style, the base of which must be a material consistent with the building, and landscaped. The height of



Proffers for Conditional Rezoning (Supplemental)

County of Henrico, Virginia

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any such detached sign will be limited to ten (10) feet.

4. Building Materials. Any building exposed exterior wall surfaces (above finished grade) facing Charles City Road (excluding rooftop screening materials for mechanical equipment) must be constructed with one or more of the following siding materials: decorative concrete block (including, without limitation, split face block, smooth face block, fluted block, and ground face block), tilt-up or pre-cast concrete, brick, brick veneer, glass, metal (other than corrugated metal), stone, cast stone, stone veneer, stucco, synthetic stucco, glass block, cementitious siding, insulated panels, concrete tile, or ceramic tile, unless other material is approved at the time of Plan of Development review. For purposes of these proffers, "wall surfaces" will not be deemed to include columns, pilasters, trim, gutters, accent materials, architectural features, trim, windows, doors, bay doors, piers, wall sections and headers near roll up doors and loading doors. In no case will building facades be constructed of unpainted concrete block, unfinished corrugated metal, or unfinished sheet metal.
5. Lighting. All parking lot lighting on the Property must use concealed sources of light (such as shoebox type fixtures) and be dark sky compliant. Parking lot lighting fixtures must utilize LED lamps or its equivalent.
6. BMPs/Retention Ponds. Any retention pond or BMP facilities on the Property must be maintained in accordance with all applicable laws, rules, and regulations and any wet pond must be aerated.
7. Uses.
 - a. Only the following uses permitted in the M-1 Zoning District will be permitted on the Property:
 - i. Uses listed in the Government Facilities Use Category;
 - ii. Utility minor;
 - iii. Wireless communication short structure or colocation;
 - iv. Uses listed in the Offices Use Category;
 - v. Fitness center;
 - vi. Artist studio;



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- vii. Commercial vehicle repair and maintenance, including a towing service associated therewith;
 - viii. Fleet terminal;
 - ix. Uses listed in the Industrial Services Use Category;
 - x. Uses listed in the Manufacturing and Production Use Category;
 - xi. Uses listed in the Warehouse and Freight Movement Use Category; and
 - xii. Any other use requiring and approved with a provisional use permit or conditional use permit as permitted in the M-1 District.
 - xiii. Any accessory use permitted in the M-1 District.
- b. Any use conducted outside of a building, not including loading and unloading into and from a building, will be limited to hours of operation from 5:00 a.m. to 9:00 p.m.
8. Charles City Road Buffer. A landscaped and natural buffer area a minimum of twenty-five (25) feet in width must be maintained along Charles City Road and planted to provide for a minimum of a Transitional Buffer 25, and may include supplemental plantings, berms and other purposes, all as approved at the time of landscape plan review. Existing vegetation may be used to satisfy planting requirements. Any landscaping will be subject to existing utilities. Access roads and utilities will be permitted through such Charles City Road buffer, provided it is extended generally perpendicular through such buffer. Sidewalks, trails, fencing/walls adjacent to any roads or drives, and signage will be permitted within such buffer as approved at the time of Plan of Development review.
9. Safe Conduct of Operations. All industrial uses must be conducted so as not to (a) create any danger to the health, safety or welfare of the citizens of Henrico County or visitors or users of the Property or (b) cause any material adverse impact on the Property or surrounding areas by creating any excessive noise, vibration, smoke, dust, link, odor, heat or glare beyond the boundaries of the Property.
10. No Burning. There must be no on-site open burning of stumps, limbs, trees or other debris during site work or the construction of any buildings on the Property.



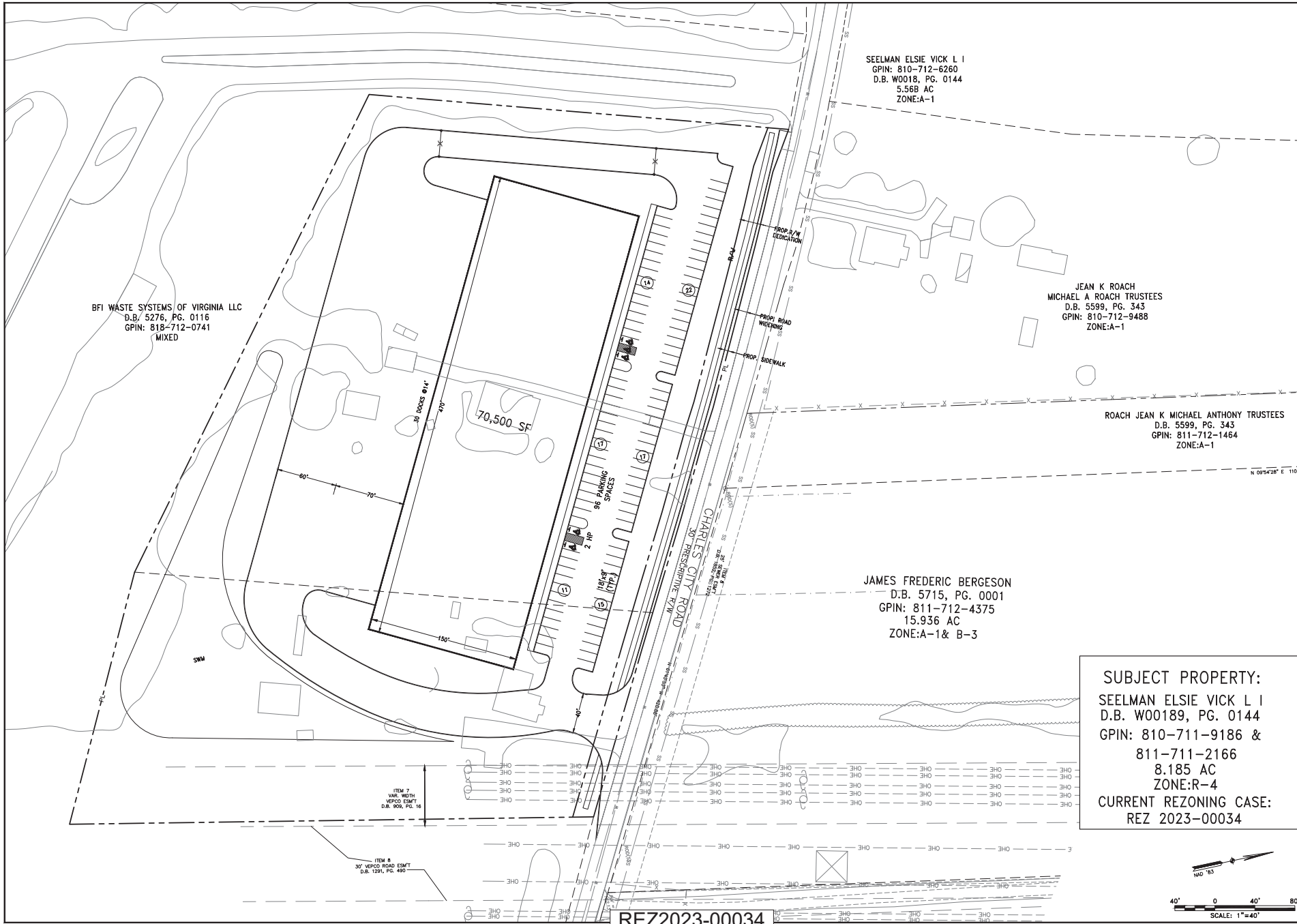
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11. Road Improvements and Dedications. As required at the time of Plan of Development review, (a) right-of-way for Charles City Road along the Property's frontage will be dedicated to the County as necessary for 50 feet of right-of-way as measured from the centerline of Charles City Road (if such dedicated property is not used by the County for the widening of Charles City Road within fifteen (15) years of the date of the dedication of such property, the unused portions of such dedicated property will be returned to the adjoining landowner), and (b) Charles City Road will be widened to a total of 33.5 feet of pavement measured from the centerline of Charles City Road along the Property's frontage. If warranted by and approved by the County at the time of Plan of Development review, a right turn lane from Charles City Road into the Property will be constructed and dedicated to the County.
12. Sidewalk. A sidewalk, a minimum of four feet in width, built to County sidewalk standards, will be constructed in the public right-of-way of Charles City Road along the Property's frontage.
13. Severance. The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, will not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

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BFI WASTE SYSTEMS OF VIRGINIA LLC
D.B./ 5276, PG. 0116
GPIN: 818-712-0741
MIXED

70,500 SF

SEELMAN ELSIE VICK L I
GPIN: 810-712-6260
D.B. W0018, PG. 0144
5.56B AC
ZONE:A-1

JEAN K ROACH
MICHAEL A ROACH TRUSTEES
D.B. 5599, PG. 343
GPIN: 810-712-9488
ZONE:A-1

ROACH JEAN K MICHAEL ANTHONY TRUSTEES
D.B. 5599, PG. 343
GPIN: 811-712-1464
ZONE:A-1

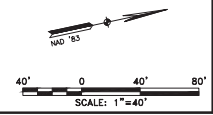
JAMES FREDERIC BERGESON
D.B. 5715, PG. 0001
GPIN: 811-712-4375
15.936 AC
ZONE:A-1& B-3

SUBJECT PROPERTY:
SEELMAN ELSIE VICK L I
D.B. W00189, PG. 0144
GPIN: 810-711-9186 &
811-711-2166
8.185 AC
ZONE:R-4
CURRENT REZONING CASE:
REZ 2023-00034

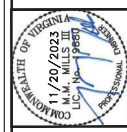
ITEM 7
VAR. WIDTH
160'0" EASEMENT
D.B. 908, PG. 16

ITEM 8
30' WIDENING ROAD EASEMENT
D.B. 1291, PG. 490

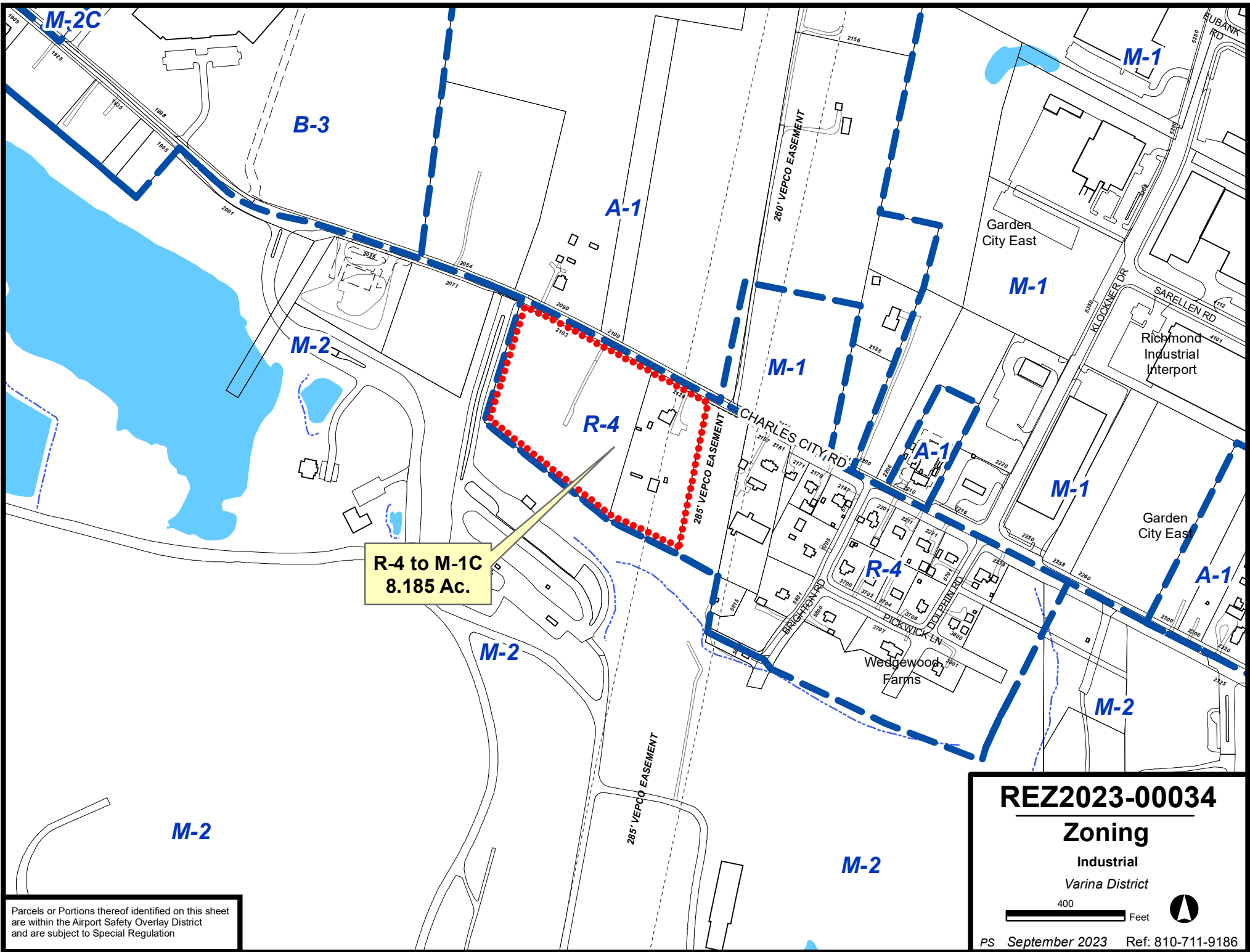
REZ2023-00034



DATE: 09/29/2023		ENGINEER: MMM		CHECKED: MMM		CAD: AK		JOB#: 23192/23247	
D-1 STORAGE/RCS		SEELMAN PARCEL (#2)		HENRICO, VIRGINIA - VARINA DISTRICT		CONCEPT LAYOUT		PLAN REVISIONS -	
SHEET 1 OF 1		SCALE 1" = 40'							



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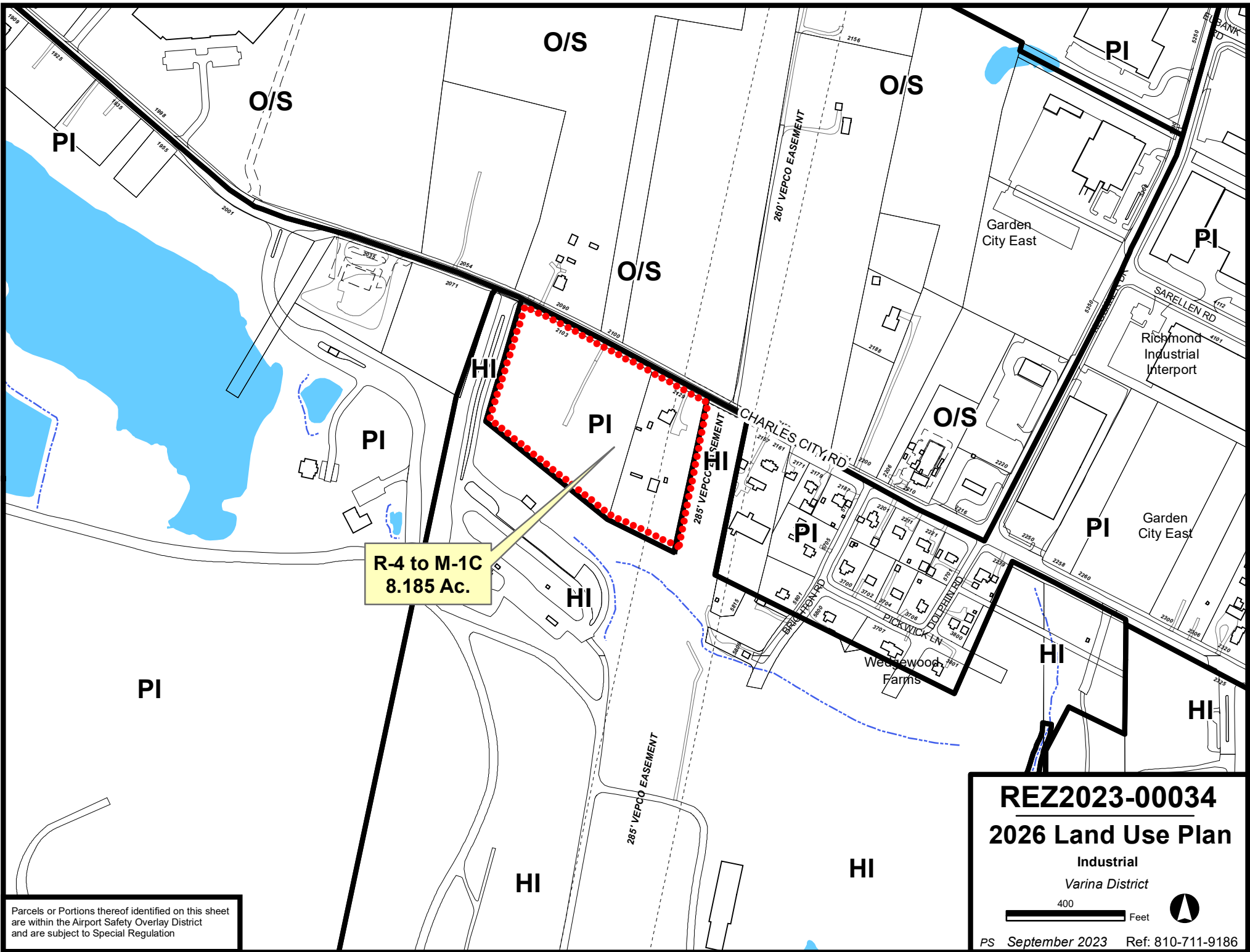
**R-4 to M-1C
8.185 Ac.**

Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation

REZ2023-00034
Zoning
 Industrial
 Varina District

400 Feet

PS September 2023 Ref: 810-711-9186



**R-4 to M-1C
8.185 Ac.**

Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation

REZ2023-00034
2026 Land Use Plan

Industrial
 Varina District

400 Feet

PS September 2023 Ref: 810-711-9186