



# REZ2023-00035

## 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:**

<b>Planning Commission:</b>	November 9, 2023	Recommended for Approval
<b>Board of Supervisors:</b>	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:**

<b>Proposed Zoning:</b>	M-1C Light Industrial District (Conditional)
<b>Existing Zoning:</b>	A-1 Agricultural District
<b>Acreage:</b>	5.56 acres
<b>Proposed Use:</b>	Industrial office/warehouse
<b>Location of Property:</b>	North line of Charles City Road approximately 1,345' west of its intersection with Brighton Road
<b>Magisterial District:</b>	Varina
<b>Comprehensive Plan Recommendation:</b>	Office/Service (O/S)
<b>Parcel Numbers:</b>	810-712-6260
<b>Zoning of Surrounding Properties:</b>	North: A-1 Agricultural District* South: M-2 General Industrial District* East: A-1 Agricultural District* West: B-3 Business District* *Airport Safety Overlay District

### **III. SUMMARY OF STAFF REPORT COMMENTS:**

This is a request to conditionally rezone 5.56 acres from A-1 Agricultural District to M-1C Light Industrial District (Conditional) for an office/warehouse. The subject property is located on the north line of Charles City Road approximately 1,345' west of its intersection with Brighton Road. The 2026 Comprehensive Plan recommends Office/Service, and the site is located in the Airport Safety Overlay District.

The applicant has submitted a conceptual plan which shows development in two phases; phase one would be a 3,600-square-foot office/warehouse with a 9,600-square-foot expansion. In addition to the conceptual plan, the applicant has provided proffers that specify allowed uses, building materials, hours of operation, sidewalks and right-of-way dedication, buffers, and signage.

The 2026 Comprehensive Plan recommends this site for Office/Service. As proffered, this request is generally consistent with the Office/Service designation and with the existing industrial uses along Charles City Road. Additionally, the proffers provide assurances 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 March 12, 2024 to allow them 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 5.56 acres from A-1 Agricultural District to M-1C Light Industrial District (Conditional) for a proposed office/warehouse. The subject property is vacant and predominately cleared of trees. 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-1 zoning district to allow for office/warehouse uses.

Surrounding land uses to the north and east of the subject property is a large-acreage single-family home, zoned A-1 Agricultural District. Parcels zoned M-2 General Industrial District to the south of Charles City Road include the BFI Landfill and a vacant industrial parcel. To the west is the Commonwealth of Virginia Department of General Services (State Library Records Center), zoned B-3 Business District.

The applicant has submitted proffers that specify allowed uses and address lighting, detached signage (limited to monumental style and 10' high), sidewalks and right-of-way dedication, and landscape buffers, among other items. Additionally, the proffered conceptual plan shows the proposed two-phase office/warehouse development. Phase one includes a 3,600-square-foot office/warehouse with a future 9,600-square-foot expansion connected to the east. A BMP and parking lot are shown fronting Charles City Road, and a storage yard and potential expansion area are shown to the rear of the structure. Outdoor storage is allowed as accessory use in the M-1 District and would be regulated by Section 24-4424. Buffers with plantings equivalent to the Transitional Buffer 50 would also be required along the north and east property lines.

Recreation and Parks comments note that a cemetery may exist on the subject property per Virginia Department of Historic Resources records. A plat indicating this cemetery has not been located; however, the applicant has provided an assurance of an archaeological study to determine if a cemetery exists on the site. Additionally, the Department of Public Utilities (DPU)

has indicated sanitary sewer service is not readily available at the subject site and may require the construction of a pump station. The applicant is encouraged to contact DPU to determine possible methods of serving the site.

This request is generally consistent with the 2026 Comprehensive Plan designation for Office/Service. Additionally, the proffers submitted with this request offer assurances regarding the quality of the proposed development and design enhancements for the property's 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 meeting~~ February 13, 2024. ~~The applicant is now requesting a deferral to March 12, 2024 to allow them 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 Office/Service. As proffered, this request is generally consistent with this designation and the pattern of office/warehouse development 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 1: The county will have a strong, stable, growing, and diverse economy.
- 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. The applicant should install a sidewalk along the road frontage of the parcels. 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.
- Based on GIS, Waters of the U.S. and/or hydric soils are present (indicating possible wetlands). Corps of Engineers and DEQ permits may be required.

**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, or historical impact.

The Virginia Department of Historic Resources has listed an archeological site 44HE0336 Dwelling/Cemetery on this parcel. The VDHR survey completed in 1979 describes a "possible cemetery located in the front yard within 25 feet of road". A plat indicating a cemetery has not been located. 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. REZ2023  
00035    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. Cordlin    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

REZ2023-00035

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 PARKER PARCEL (#1) HENRICO, VIRGINIA – VARINA DISTRICT, CONCEPT PLAN" prepared by RK&K 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 must be limited to ten (10) feet.

4. **Building Materials.** Any building's 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. Parking lot lighting fixtures located in the parking lots must not exceed twenty-five (25) feet in height above grade level.
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.** Only the following uses permitted in the M-1 Zoning District will be permitted on the Property:
  - a. Uses listed in the Government Facilities Use Category;
  - b. Utility minor;
  - c. Wireless communication short structure or colocation;
  - d. Uses listed in the Offices Use Category;
  - e. Fitness center;
  - f. Artist studio;



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- g. Commercial vehicle repair and maintenance, including a towing service associated therewith;
  - h. Fleet terminal;
  - i. Uses listed in the Industrial Services Use Category;
  - j. Uses listed in the Manufacturing and Production Use Category;
  - k. Uses listed in the Warehouse and Freight Movement Use Category; and
  - l. Any other use requiring and approved with a provisional use permit or conditional use permit as permitted in the M-1 District.
  - m. Any accessory use permitted in the M-1 District.
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.
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



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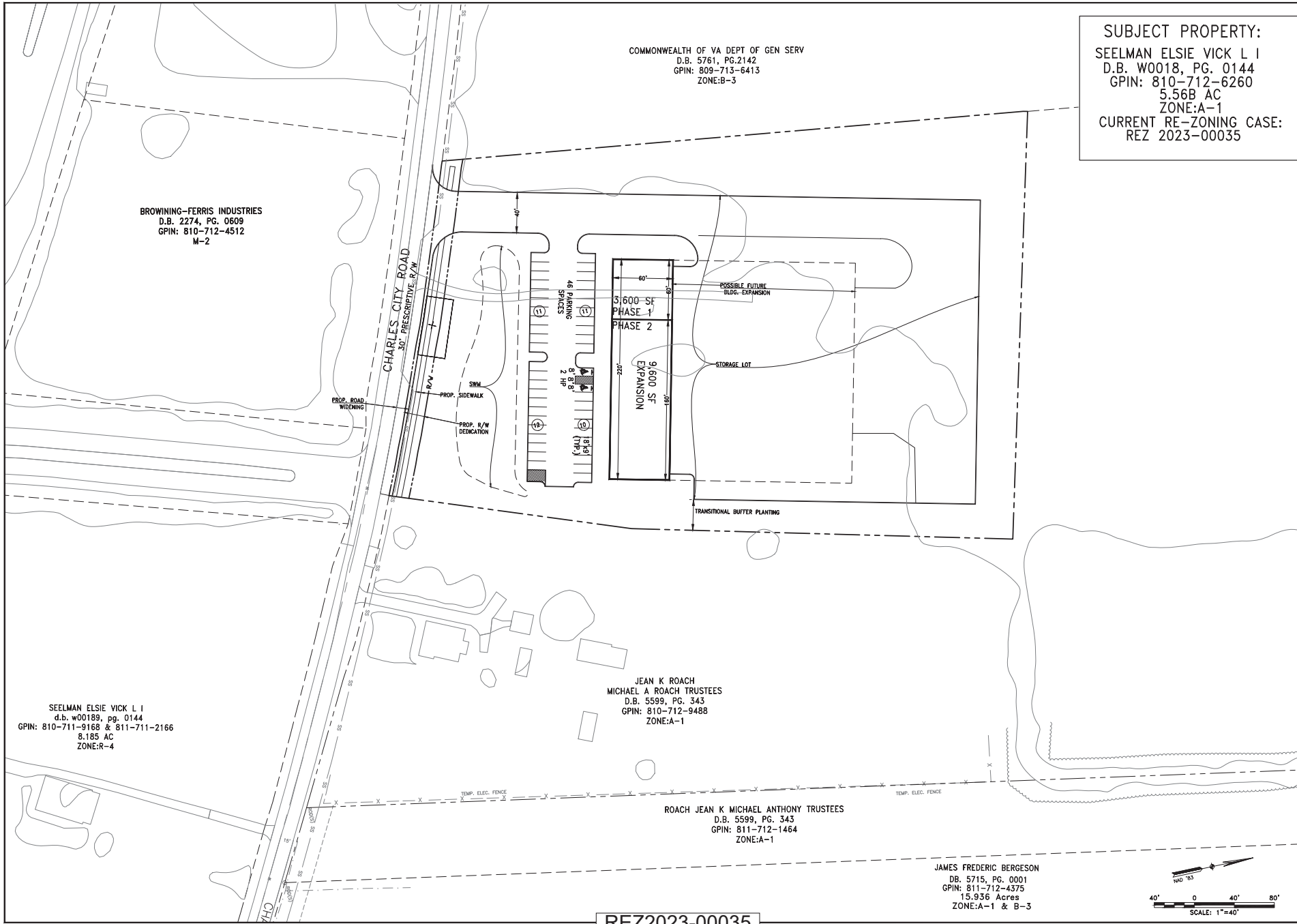
Facsimile (804) 501-4379

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. Archeological Study. As required at the time of Plan of Development, an archeological study of the Property must be conducted to determine if any cemetery or grave sites exist on the Property, and if so, the extent of which is located on the Property.
14. Severance. The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, must not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.



\\vdark.com\Va Cloud\Projects\2023\3182\_LingChim\CADD\Construction Drawings\PRELIMINARY SUBMISSION\Layout-REV 11\_20\_23.dwg / 11/21/2023 5:17:28 PM by



COMMONWEALTH OF VA DEPT OF GEN SERV  
D.B. 5761, PG.2142  
GPIN: 809-713-6413  
ZONE:B-3

**SUBJECT PROPERTY:**  
SEELMAN ELSIE VICK L I  
D.B. W0018, PG. 0144  
GPIN: 810-712-6260  
5.56B AC  
ZONE:A-1  
CURRENT RE-ZONING CASE:  
REZ 2023-00035

BROWNING-FERRIS INDUSTRIES  
D.B. 2274, PG. 0609  
GPIN: 810-712-4512  
M-2

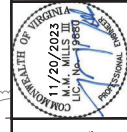
SEELMAN ELSIE VICK L I  
d.b. w00189, pg. 0144  
GPIN: 810-711-9168 & 811-711-2166  
8.185 AC  
ZONE:R-4

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

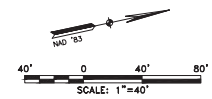
ROACH JEAN K MICHAEL ANTHONY TRUSTEES  
D.B. 5599, PG. 343  
GPIN: 811-712-1464  
ZONE:A-1

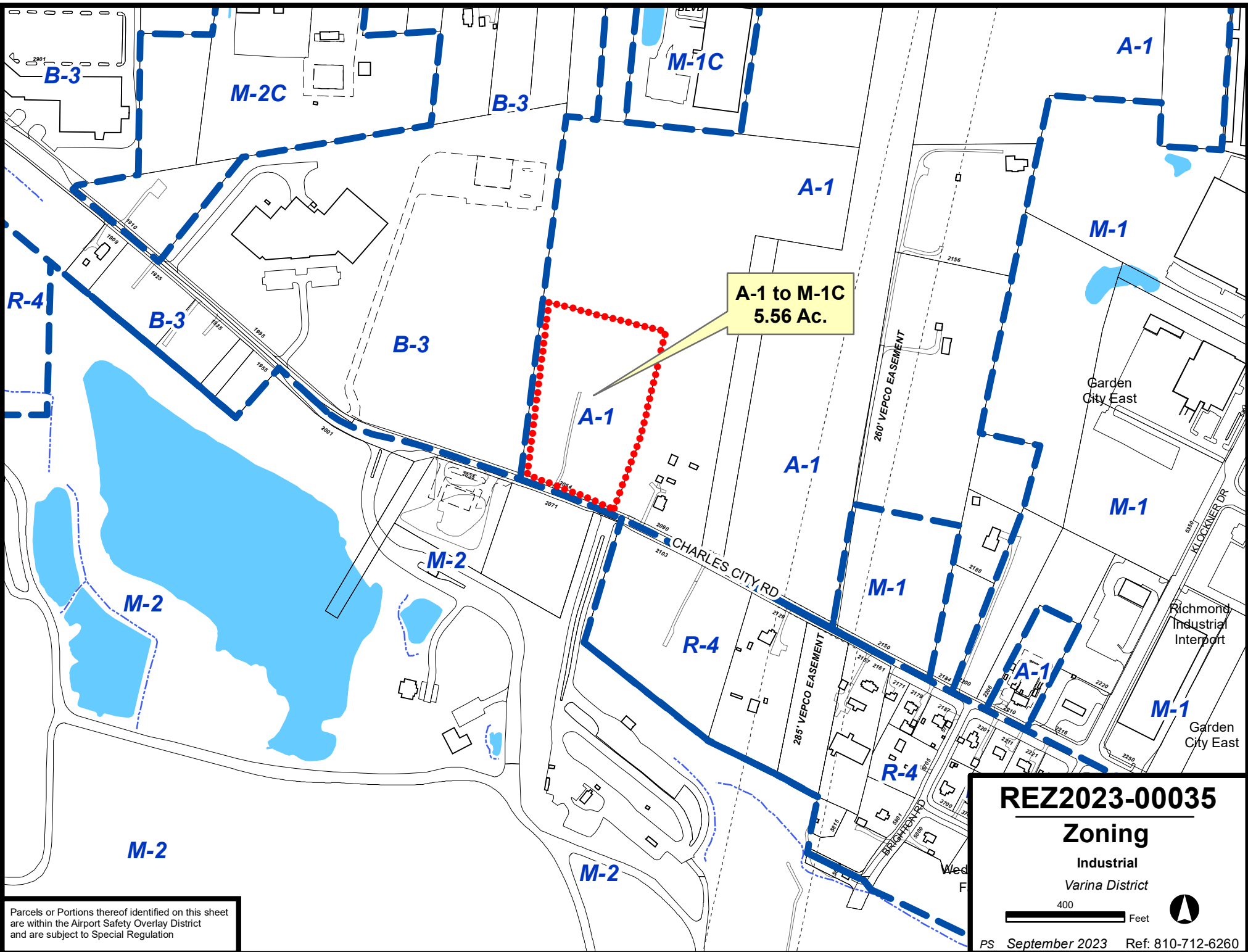
JAMES FREDERIC BERGESON  
DB. 5715, PG. 0001  
GPIN: 811-712-4375  
15.936 Acres  
ZONE:A-1 & B-3

DATE: 09/29/2023	ENGINEER: MMM	DATE: 11/20/2023	ENGINEER: JMM
CHECKED: MMM	CAD: AK	CHECKED: JMM	CAD: AK
JOB#: 23192/23247	D-1 STORAGE/IRCS PARKER PARCEL (#1)		CONCEPT LAYOUT
HENRICO, VIRGINIA - VARINA DISTRICT		SCALE: 1" = 40'	
PLAN REVISIONS -			
SHEET 1 OF 1			



REZ2023-00035





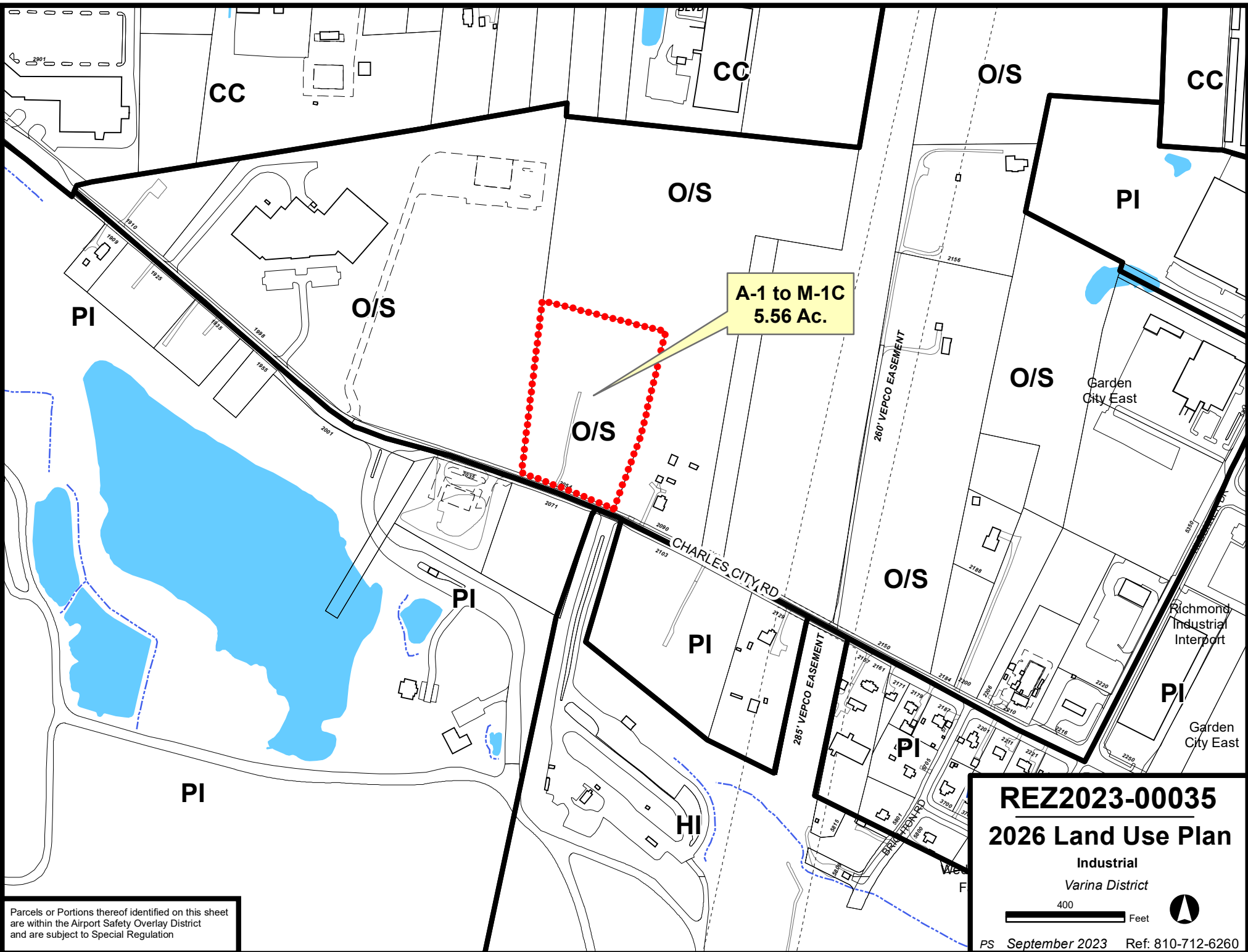
**A-1 to M-1C  
5.56 Ac.**

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

**REZ2023-00035**  
**Zoning**  
 Industrial  
 Varina District

400 Feet

PS September 2023 Ref: 810-712-6260



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

**REZ2023-00035**  
**2026 Land Use Plan**  
 Industrial  
 Varina District

400 Feet

PS September 2023 Ref: 810-712-6260