



REZ2023-00037

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:	A-1 Agricultural District and B-3 Business District
Acreage:	15.936 acres
Proposed Use:	Industrial office/warehouse with a storage yard
Location of Property:	North line of Charles City Road approximately 525' west of its intersection with Brighton Road.
Magisterial District:	Varina
Comprehensive Plan Recommendation:	Office/Service (O/S)
Parcel Numbers:	811-712-4375
Zoning of Surrounding Properties:	North: B-3 Business District* South: R-4 One-Family Residence District* (Portion includes REZ2023-00034) East: B-3 Business District*, A-1 Agricultural District*, M-1 Light Industrial District* (Portion includes REZ2023-00033) West: A-1 Agricultural District*, B-3 Business District* *Airport Safety Overlay District

III. SUMMARY OF STAFF REPORT COMMENTS:

This is a request to conditionally rezone 15.936 acres from A-1 Agricultural District and B-3 Business District to M-1C Light Industrial District (Conditional) for an office/warehouse. The property is located on the north line of Charles City Road approximately 525' 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 and Enterprise Zone.

The applicant has submitted a conceptual plan which shows a 24,000 office/warehouse with a storage yard to its rear. The plan also notes potential future expansion at the rear. In addition to the conceptual plan, the applicant has provided proffers that address building materials, lighting, allowed uses, signage, landscape buffers, and improvements along Charles City and Williamsburg Roads including sidewalks, and right-of-way dedication.

This request is generally consistent with the 2026 Comprehensive Plan designation for Office/Service and the site's location within the Enterprise Zone. Additionally, the proffers submitted with this request offer assurances regarding the quality of the proposed development and design enhancements for the property's frontages. 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.~~

IV. LAND USE ANALYSIS AND IMPLICATIONS:

This is a request to conditionally rezone 15.936 acres from A-1 Agricultural District and B-3 Business District to M-1C Light Industrial District (Conditional) for an office/warehouse with an outdoor storage lot. The site is vacant, clear of trees and has frontage along both Williamsburg and Charles City Roads, but the proposed development would be concentrated in the southern portion of the property facing Charles City Road. The east side of the property contains a transmission line and power line easement along the entire length of the parcel from Williamsburg Road to Charles City Road.

Surrounding land uses to the north include existing commercial structures and an undeveloped parcel, zoned B-3, and part of a parcel containing a single-family home, zoned A-1. To the east and fronting Williamsburg Road is a vacant parcel, zoned A-1 and B-3, which is pending rezoning case REZ2023-00033 to be conditionally rezoned to M-1C. A Dominion Power substation, zoned A-1, and an undeveloped parcel zoned A-1 and M-1 are also to the east. Parcels to the south include the site of pending rezoning case REZ2023-00034 to be conditionally rezoned to M-1C and a portion of the BFI Landfill, both zoned R-4 One-Family Residence District. West of the site is an automobile sales business, zoned B-3, two undeveloped parcels, zoned A-1 and B-3, and part of a parcel containing a single-family home, zoned A-1.

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 existing power lines which run through several of the sites, only REZ2023-00033 and REZ-2023-100203 are proposed to interconnect at this time.

The proffered conceptual plan shows a 24,000 office/warehouse with a 240' by 580' storage yard to its rear. The building and storage area would be located just outside the power line easement

that encumbers the majority of the northern end of the property. Two BMPs are shown, one fronting Charles City Road adjacent to a parking lot with an additional BMP to the rear of the storage yard. One entrance is shown onto the property from Charles City Road which would align with the entrance proposed with rezoning case, REZ2023-00034. It should be noted that outdoor storage is allowed as an accessory use only in the M-1 District and would be further regulated by Section 24-4424. Buffers with plantings equivalent to the Transitional Buffer 50 or alternative methods such as a fence or wall would also be required along the property lines adjacent to A-1 Districts.

In addition to the conceptual plan, the proffers address allowed building materials, lighting, allowed uses, hours of operation, lighting, detached signage, building materials, sidewalks, and right-of-way dedication, and a 25' landscape buffer along Charles City Road among other items. As part of this request, the applicant has also proffered sidewalks and roadway improvements along both Charles City Road and Williamsburg Road.

As proffered, this request is generally consistent with the 2026 Comprehensive Plan recommendation for Office/Service and with the pattern of office/warehouse development along Charles City Road. The proffers provide additional quality assurances to help mitigate potential impacts on adjacent uses and improve the property's frontages on Charles City Road and Williamsburg 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.

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; the site's location within the Enterprise Zone and the nearby pattern of industrial development.

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. 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.
- 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.
- There may be restrictions within existing non-County utility easements.
- VDOT will determine if any road improvements are required along Williamsburg Road.

Public Utilities:

County water is located on Charles City Road and Williamsburg Road. There is an existing County sewer in Williamsburg Road that may be able to serve a portion of the property by gravity. It appears the remainder of the property will require a pump station in order to connect to the County sewer system. The developer's engineer will need to determine other 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. RE22023
00037 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:

Andrew M. Cardlin / Andrew M. Cardlin 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

REZ2023-00037

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 BERGESON PARCEL (#3), HENRICO, VIRGINIA – VARINA DISTRICT, CONCEPT LAYOUT" 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)

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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.
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;
 - g. Commercial vehicle repair and maintenance, including a towing service associated therewith;



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- 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. Charles City 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



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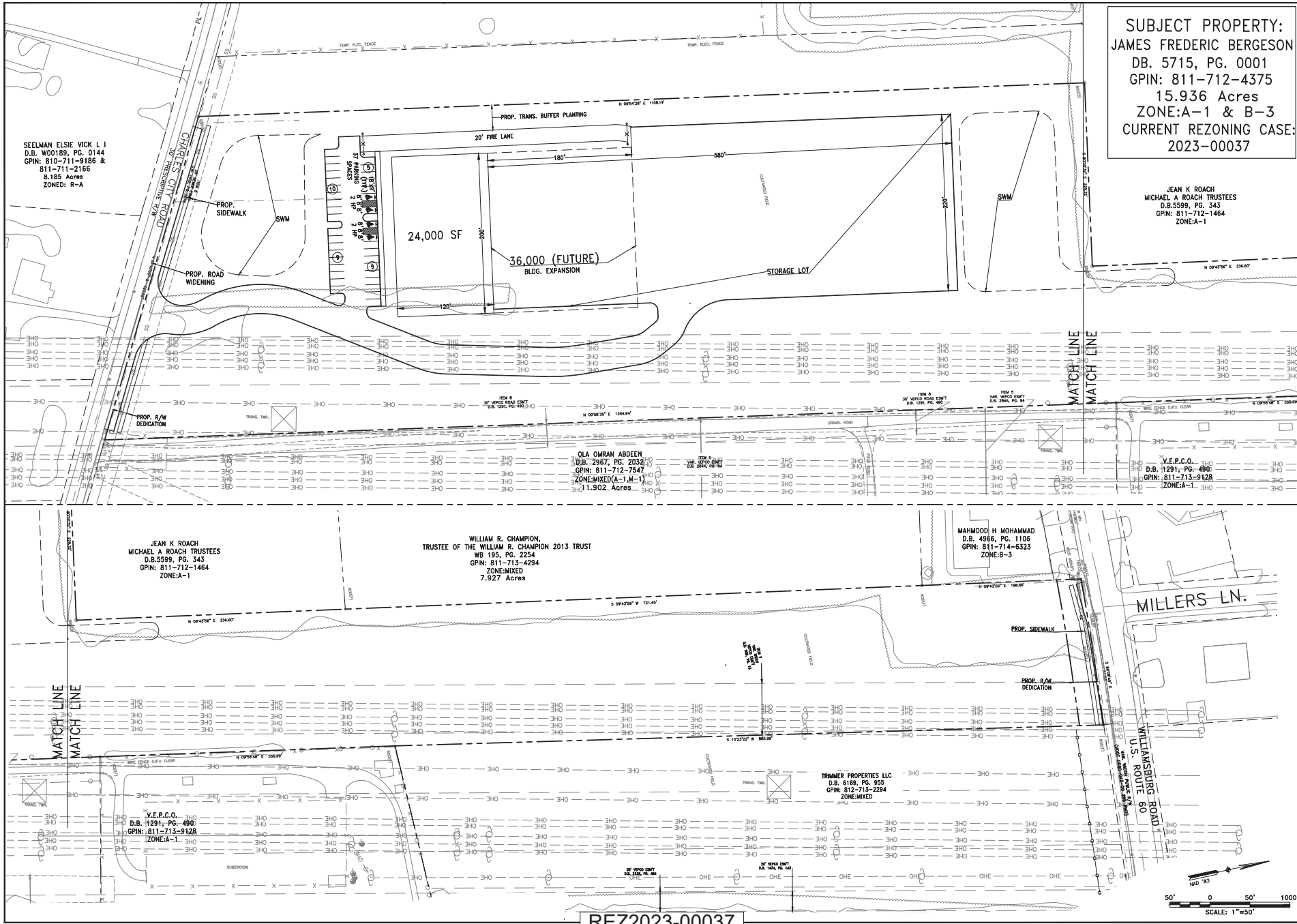
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landowner), and (b) Charles City Road will be widened to a total of 33.5 feet of pavement measured from the centerline of Charles City Road along the Property's frontage. If warranted by and approved by the County at the time of Plan of Development review, a right turn lane from Charles City Road into the Property will be constructed and dedicated to the County.

12. Williamsburg Road Improvements. As approved by the Virginia Department of Transportation ("VDOT"), an additional eastbound travel lane must be constructed pursuant to VDOT standards along the Property's frontage and dedicated to VDOT. If warranted by and approved by VDOT, a right turn lane from Williamsburg Road into the Property must be constructed to VDOT standards and dedicated to VDOT.
13. 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 and Williamsburg Road along the Property's frontage.
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.

\\redk.com\fs\Cloud\Projects\2023\3192_LingComm\CADD\Construction Drawings\PRELIMINARY SUBMISSION\Layout-REV 11_20_23.dwg / 11/21/2023 4:41:19 PM By



SUBJECT PROPERTY:
JAMES FREDERIC BERGESON
 DB. 5715, PG. 0001
 GPIN: 811-712-4375
 15.936 Acres
 ZONE:A-1 & B-3
 CURRENT REZONING CASE:
 2023-00037

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

SEELMAN ELSIE VICK L I
 D.B. W00189, PG. 0144
 GPIN: 810-711-9186 &
 811-711-2166
 8.185 Acres
 ZONED: R-A

24,000 SF
 36,000 (FUTURE)
 BLDG. EXPANSION

STORAGE LOT

OLA OMRAN ABDEEN
 D.B. 2387, PG. 2035-6
 GPIN: 811-712-7547
 ZONE:MIXED(A-1,M-1)
 1.902 Acres

V.E.P.C.O.
 D.B. 1291, PG. 490
 GPIN: 811-713-9128
 ZONE:A-1

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

WILLIAM R. CHAMPION,
 TRUSTEE OF THE WILLIAM R. CHAMPION 2013 TRUST
 WB 195, PG. 2254
 GPIN: 811-713-4294
 ZONE:MIXED
 7.927 Acres

MAHMOOD H MOHAMMAD
 D.B. 4966, PG. 1106
 GPIN: 811-714-6323
 ZONE:B-3

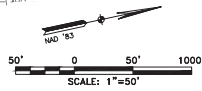
V.E.P.C.O.
 D.B. 1291, PG. 490
 GPIN: 811-713-9128
 ZONE:A-1

TRIMMER PROPERTIES LLC
 D.B. 6169, PG. 955
 GPIN: 812-715-2294
 ZONE:MIXED

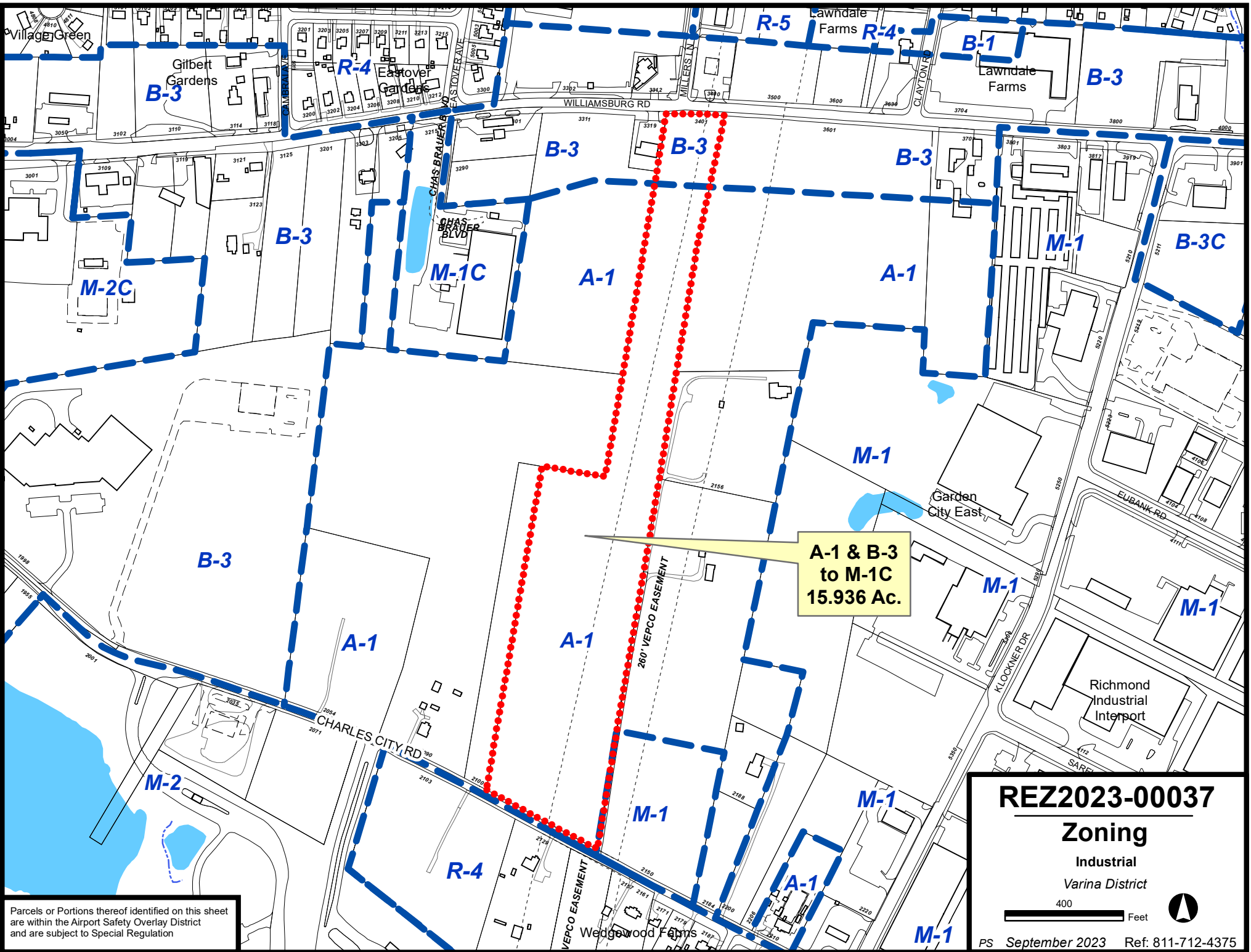
MILLERS LN.

WILLIAMSBURG ROAD
 U.S. ROUTE 80

REZ2023-00037



PLAN REVISIONS -	
SHEET 1 OF 1	SCALE 1" = 50'
D-1 STORAGE/RCS BERGESON PARCEL (#3)	CONCEPT LAYOUT
ENGINEER: MAM	HENRICO, VIRGINIA - VARINA DISTRICT
CHECKED: MAM	
CAD: AK	
DATE: 09/29/2023	JOB#: 23192/23247
11/20/2023	
2100 E. City St. Suite 309 Richmond, VA 23223 Engineers Construction Management Planners Scientists www.rkx.com Responsive People Creative Solutions	



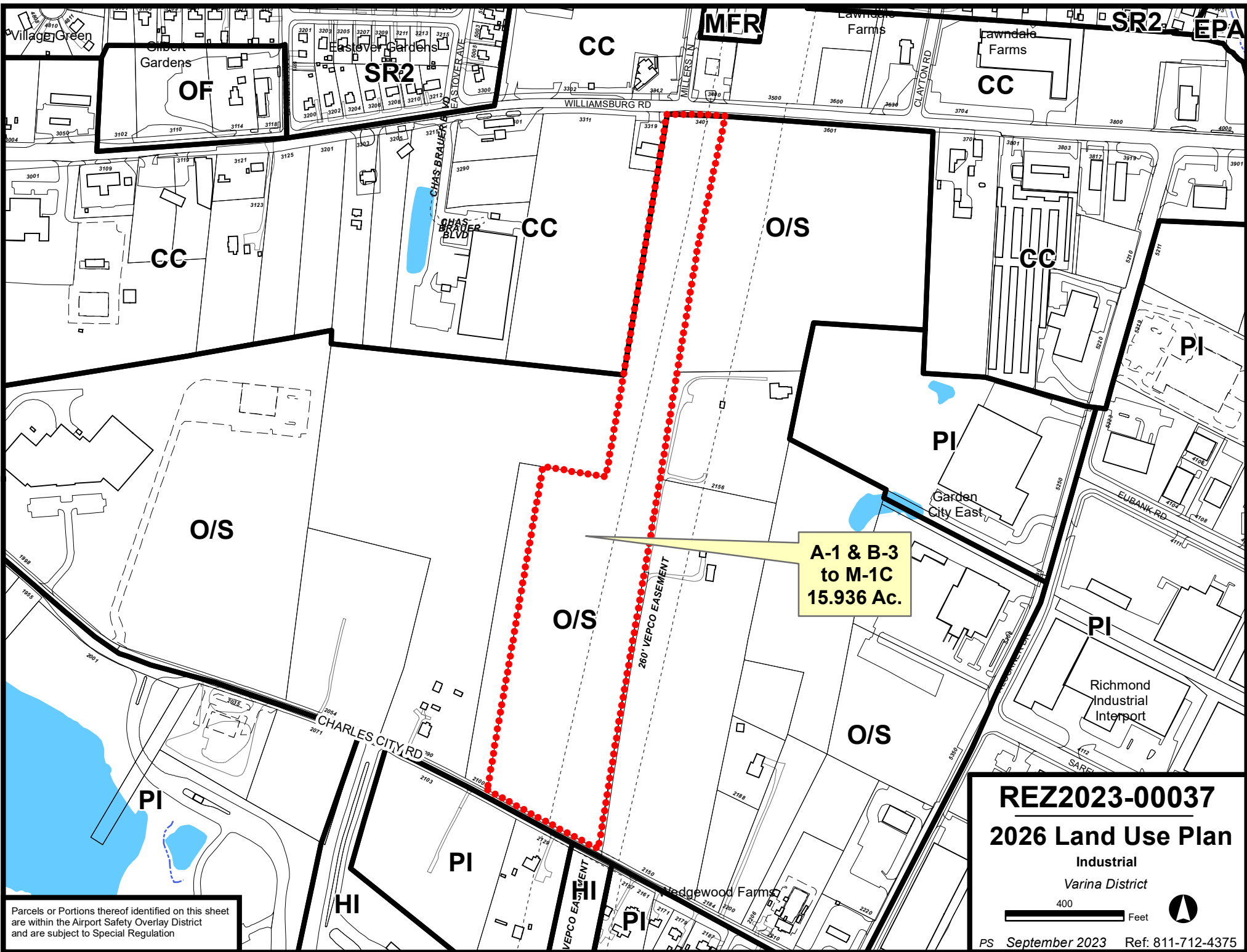
Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation

**A-1 & B-3
to M-1C
15.936 Ac.**

REZ2023-00037
Zoning
 Industrial
 Varina District

400 Feet

PS September 2023 Ref: 811-712-4375



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**A-1 & B-3
to M-1C
15.936 Ac.**

REZ2023-00037
2026 Land Use Plan
 Industrial
 Varina District

400 Feet

PS September 2023 Ref: 811-712-4375