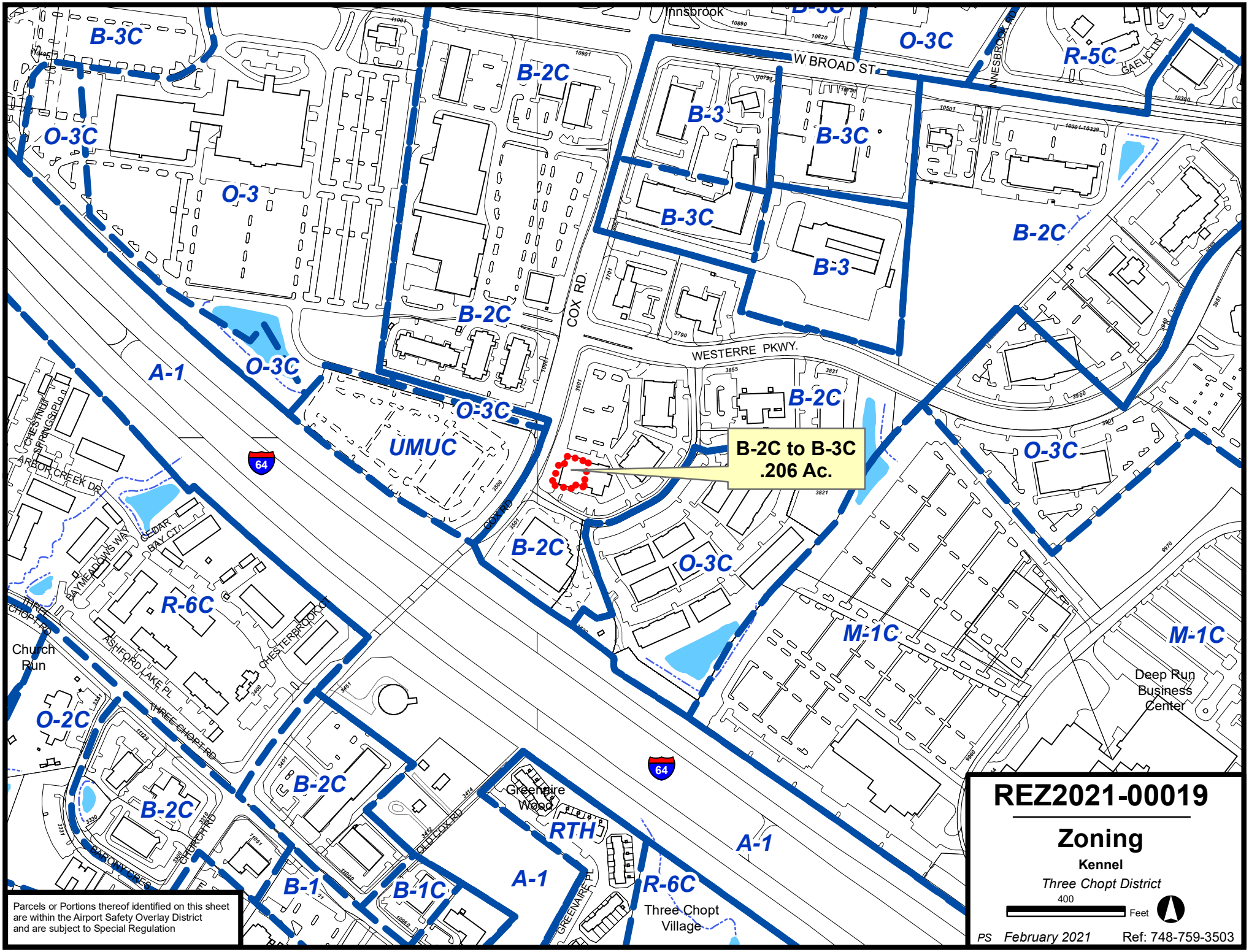

Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation

REZ2021-00019

Zoning

Kennel

Three Chopt District

400 Feet

PS *February 2021* Ref: 748-759-3503

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

John A. Vithoulkas
County Manager

July 20, 2021

Pete Alex Kotarides, Manager
KG1 Twin Oaks LLC
1128 Independence Boulevard, Suite 200
Virginia Beach, Virginia 23455

RE: REZ2021-00019

Dear Mr. Kotarides:

The Board of Supervisors at its meeting on July 13, 2021, approved your application to conditionally rezone from B-2C Business District (Conditional) to B-3C Business District (Conditional), proposing a dog day care and overnight kennel, part of Parcel 748-759-3503 containing .206 acres at the southeast intersection of Cox Road and Westerre Parkway, described as follows:

Commencing at a nail found at the intersection of the south line of Cox Road and the east line of Parcel 748-759-3503, located in the Twin Oaks Commons Access Road; thence N66°33'35"E 74.47 feet to the Point of Beginning; thence N22°28'29"E 79.75 feet; thence S74°56'49"E 14.39 feet; thence N15°14'07"E 25.48 feet; thence S75°45'53"E 78.74 feet; thence S15°14'07"W 54.98 feet; thence N75°45'53"W 27.84 feet; thence S15°14'07"W 15.59 feet; thence N75°45'53"W 50.55 feet; thence S15°14'07"W 2.00 feet; thence N79°33'33"W 24.80 feet to the Point of Beginning, containing 8,991 square feet or 0.206 acres.

The Board of Supervisors accepted the following proffered conditions, dated July 2, 2021, which further regulate the above-described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

All proffers from Case C-63C-98 shall apply to this Property, other than Proffers 7(a) and 7(b). Proffers 7(a) and 7(b) from Case C-63C-98 shall be deleted in their entirety and replaced with the following:

7. **Use and Development Restrictions**. Use of the Property shall be limited to the following:

(a) All uses permitted in the B-2 District shall be permitted, other than the following uses, which shall not be permitted on the Property:

(i) A facility for the sale or display of pornographic material (as determine by community standards for the area in which the Property is located);

(ii) Flea markets and antique auctions;

(iii) Gun shop, sales and repairs, except that such gun sales and repairs shall be permitted in a store that principally sells sporting goods and/or a department store;

(iv) On-site recycling collection facility, with this provision not prohibiting recycling activities by offices and business located on the Property;

(v) Ice skating rinks, roller skating rinks, model racing tracks, electronic video game rooms as a principal use, bingo halls and billiard parlors, unless such billiard parlors are associated with a restaurant;

(vi) Freestanding "fast-food" restaurants, which for purposes hereof, shall be defined as establishments whose principal business is the sale of food and beverages to consumers in a ready to consume state, which food and beverages are usually served in disposable wrapping or containers for consumption either within the restaurant building or off the premises or delivered off-site;

(vii) Garden center; and

(viii) Automotive filling or service station.

(b) Dog boarding with daycare, grooming, and retail, subject to the following:

(i) any outdoor pens or enclosures, if any, shall be located to the side of the site, as shown on the attached concept plan dated June 3, 2021, attached as Exhibit A (see case file);

(ii) any outdoor pens or enclosures shall be screened with privacy fencing as shown on the attached rendering attached as Exhibit B (see case file), or as may otherwise be approved by the Director of Planning; and

(iii) interior walls shall be constructed, at a minimum, with a combination of building materials and construction techniques as shown on the attached sound control requirements attached as Exhibit C (see case file);

(c) All signage shall be limited to signage permitted in the B-2 Business District;

(d) Hours of operation shall be limited to hours permitted in the B-2 Business District.

The Planning Department has been advised of the action of the Board of Supervisors and will revise its records.

Sincerely,

John A. Vithoulkas
County Manager

pc: Andrew M. Condlin, Esq.
Director, Real Estate Assessment

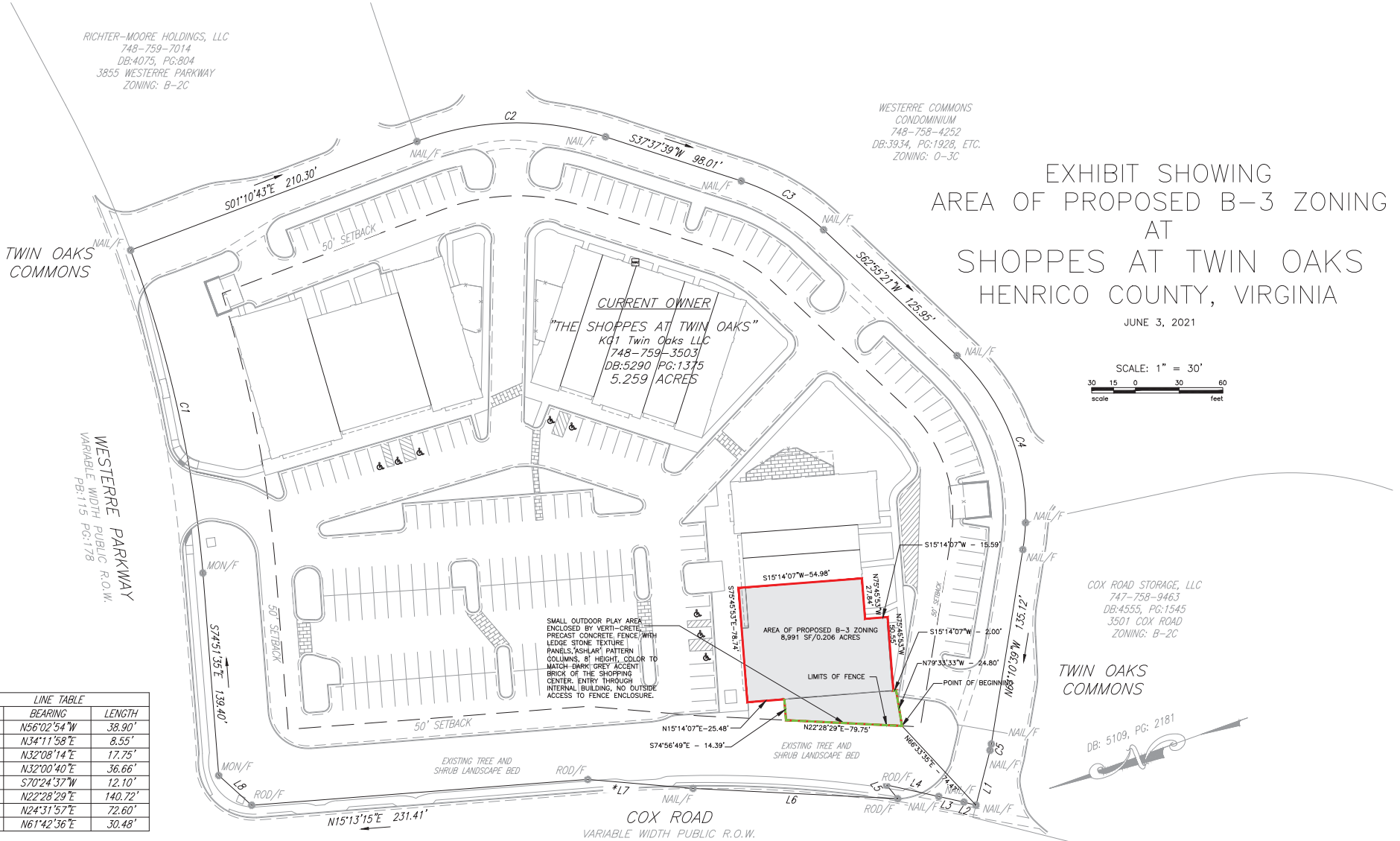

EXHIBIT SHOWING AREA OF PROPOSED B-3 ZONING AT SHOPPES AT TWIN OAKS

HENRICO COUNTY, VIRGINIA

JUNE 3, 2021

SCALE: 1" = 30'

30 15 0 30 60
scale feet

LINE TABLE		
LINE	BEARING	LENGTH
L1	N56°02'54"W	38.90'
L2	N34°11'58"E	8.55'
L3	N32°08'14"E	17.75'
L4	N32°00'40"E	36.66'
L5	S70°24'37"W	12.10'
L6	N22°28'29"E	140.72'
L7	N24°31'57"E	72.60'
L8	N61°42'36"E	30.48'

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD BEARING	CHORD	DELTA
C1	227.76'	839.58'	114.59'	S83°00'53"E	227.07'	15°32'36"
C2	132.07'	195.00'	68.68'	S18°13'28"W	129.56'	38°48'22"
C3	66.22'	150.00'	33.66'	S50°16'30"W	65.69'	25°17'42"
C4	146.35'	150.00'	79.59'	N89°07'39"W	140.61'	55°54'00"
C5	4.48'	50.00'	2.24'	N58°36'46"W	4.47'	5°07'45"

EXHIBIT A

REZ2021-00019

SHEET 1 OF 1

DOGTOPIA FENCE RENDERING

3501 COX ROAD
HENRICO CO. VA

SERVICE ROAD - STONE FENCE

EXHIBIT B

REZ2021-00019

Midlothian, Virginia

06/08/2021

53210025.00

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BALZER & ASSOCIATES

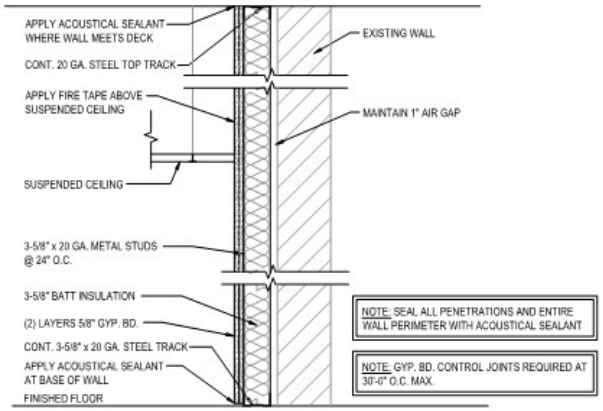
dogtopia

Sound Control

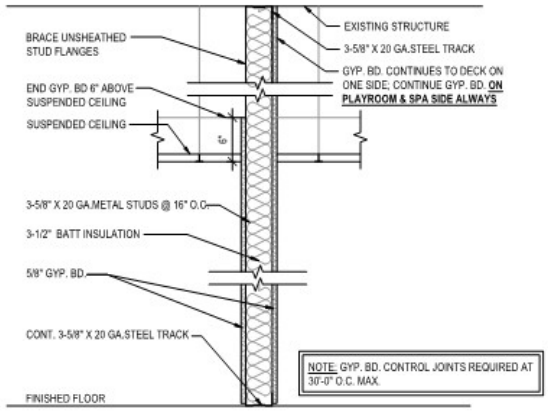
Requirements for Sound Reduction

- Special Wall Type at Demising Walls(s) that Extend to Roof Deck
- Special Wall Type Around all Playrooms Spaces
- Air Gap at the Demising Wall
- Studs May Increase in Size if Roof Deck is Over 17'-6" Above Finished Floor (A.F.F.)

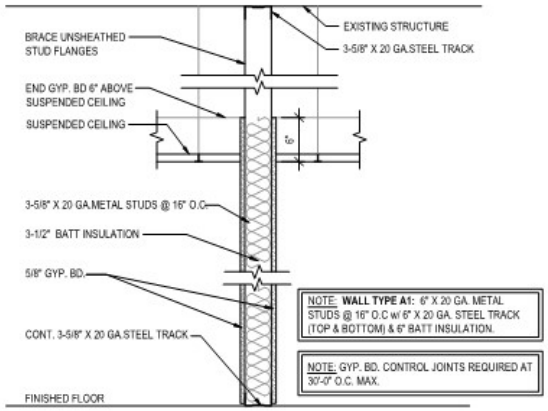
- Type A: Typical Wall (See Exceptions Below)
- Type A1: Plumbing Walls.
- Type B: Walls Surrounding Playrooms
- Type C: Demising Walls (Adjacent / Shared Walls with Neighboring Tenant(s))



C



B



A, A1

EXHIBIT C REZ2021-00019