

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

REZ-2023-100203
Zoning
 Industrial
 Varina District

400 Feet

PS September 2023 Ref: 812-713-6990



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoukas
County Manager

April 16, 2024

Lingerfelt Development LLC
4198 Cox Road, Ste. 201
Glen Allen, VA 23060

Re: Rezoning Case REZ-2023-100203

Dear Sir/Madam:

The Board of Supervisors at its meeting on April 9, 2024, approved request to conditionally rezone from A-1 Agricultural District and B-3 Business District to M-1C Light Industrial District (Conditional) parcel 812-713-6990 containing 3.90 acres located on the south line of Williamsburg Road (U.S. Route 60) approximately 50' east of its intersection with Clayton Road, described as follows:

Beginning at a point along the south line of Williamsburg Road. Said point being 0.8± miles east of Charles City Road; thence N 86°08'49" W a distance of 208.75' to a point; thence S 03°28'27" W a distance of 827.74' to a point; thence S 86°23'03" E a distance of 208.75' to a point; thence N 03°28'27" E a distance of 826.88' to a point which is the point of beginning, having an area of 3.9 acres

The Board of Supervisors accepted the following proffered conditions, dated December 15, 2023, which further regulate the above-described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Concept Plan.** The Property will be developed in general conformance with the concept plan attached hereto as "D-1 STORAGE/RCS Trimmer & Balacke Parcel (#4)" prepared by RK&K and dated November 29, 2023 (the "Concept Plan") (see case file), 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 any such detached sign will be limited to eight (8) feet for a single user and ten (10) feet for multiple users. Any detached sign will be limited to detached signage permitted in Business Districts (Henrico County Code Section 24-5707(D)).

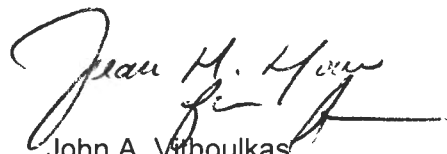
4. **Building Materials.** Exposed exterior wall surfaces (above finished grade) of all individual buildings (excluding rooftop screening materials for mechanical equipment) must be constructed with one or more of the following siding materials: decorative concrete block (including, without limitation, split face block, 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. In no case will unpainted concrete block, smooth-face block, unfinished corrugated metal, or unfinished sheet metal be permitted. 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.
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.**
 - 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;
 - 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 9:00p.m.
8. **Williamsburg Road Buffer.** A landscaped and natural buffer area a minimum of twenty-five (25) feet in width must be maintained along Williamsburg 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. Decorative fencing, such as a black cast aluminum decorative fence, with brick columns, may be located along Williamsburg Road at any entrance on Williamsburg Road if required at and as otherwise approved at the time of landscape plan review. An access road and utilities will be permitted through such Williamsburg 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.** As approved by the Virginia Department of Transportation ("VDOT"), an additional eastbound travel lane will 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 will be constructed to VDOT standards and dedicated to VDOT.
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 Williamsburg 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.

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

Sincerely,


John A. Vitoulkas
County Manager

pc: Harry F. And Judith Balacke
Andrew M. Conclin
Henrico County Public Schools
Director, Real Estate Assessment

