

PUP-2025-101460 Wagner Urban Logistics

Staff Report for Board of Supervisors Public Hearing *Prepared September 30, 2025*

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: August 14, 2025 Deferred at the Applicant's Request

September 11, 2025 Recommended for Denial

Board of Supervisors: October 14, 2025 Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Request: Provisional Use Permit (PUP) to allow for the Development of

Data Centers

Existing Zoning: M-1 Light Industrial District

Parcel Acreage: 195 acres

Location of Property: North line of Darbytown Road approximately 550' south of its

intersection with Fergus Boulevard

Magisterial District: Varina

Comprehensive Plan Recommendation:

Planned Industry and Environmental Protection Area

Parcel Numbers: Part of 812-704-4612

Zoning of Surrounding

Properties:

North: M-1 Light Industrial District, M-2 General Industrial

District, A-1 Agricultural District

South: A-1 Agricultural District, R-2AC, One-Family

Residence District (Conditional), R-3C One-Family Residence District (Conditional), M-1 Light Industrial

District

East: A-1 Agricultural District, M-1 Light Industrial District, M-

2 General Industrial District

West: A-1 Agricultural District, R-2AC, One-Family

Residence District (Conditional), R-3C One-Family Residence District (Conditional), M-2 General

Industrial District

III. SUMMARY OF STAFF REPORT COMMENTS:

This is a request for a provisional use permit (PUP) to allow the development of data centers on the M-1 zoned portion of a 195-acre parcel located on the north line of Darbytown Road. Due to the amendment to the zoning ordinance adopted June 10, 2025, data centers as a primary use are only allowed in office, business, and industrial zoning districts with the approval of a provisional use permit. An amendment to the 2026 Comprehensive Plan outlining development guidelines for data centers was adopted at the same time.

The 2026 Comprehensive Plan recommends Planned Industry for the subject site. The proposed uses would be consistent with the Plan and the adopted design guidelines for data centers, including a minimum 500' setback from Darbytown Road and providing ample screening as shown in the submitted renderings. With the recommended conditions, the uses will be compatible with the surrounding industrial uses and developed and operated in a manner to mitigate adverse impacts on the residential uses south of the property. For these reasons, staff recommends approval of this request subject to the conditions outlined in Section IV.

The applicant held a community meeting on August 6, 2025, at Varina High School. Approximately 100 members of the community attended and voiced concerns about topics including the use, noise, visual impacts, utility impacts, traffic and aspects of construction.

At their September 11, 2025 meeting the Planning Commission recommended denial of this request with a vote of 4-1-1.

IV. LAND USE ANALYSIS AND IMPLICATIONS:

The subject site is a 195-acre parcel, which was originally part of the Fareva Pharmaceutical property to the south, and is zoned M-1 Light Industry, M-2 General Industry, and A-1 Agricultural Districts. The proposed data centers would only be located on the M-1-zoned portion of the parcel. The surrounding uses are predominantly industrial north of Darbytown Road and include Dominion's Darbytown Station, additional electric infrastructure, and vacant properties to the north. A high-voltage power line is located to the west, between this site and Fergus Boulevard, and Mondelez production baking facility and distribution uses are located along both sides of Laburnum Avenue east of the proposed facilities. Further to the west and north beyond the transmission lines and railroad are several landfills. On the south side of Darbytown Road, there are several residential developments, including Winding Woods, Eagle's Nest, and Darbytown Meadows subdivisions. Additional residential lots are located along the north side of Darbytown Road to the west of the transmission line easement.

Because of the rising demand for data centers and responding to concerns raised by citizens regarding the potential proliferation of data centers and their impacts in the county, the zoning ordinance was amended to remove them as a by-right use and require the approval of a provisional use permit (PUP). This allows the Board to place conditions upon approval to mitigate concerns related to placement and buffering, noise, and visual impacts, operations of emergency generators, among other site-specific concerns. Other common concerns relate to air quality and impacts to electrical services, which are regional in nature and therefore best addressed through state and federal regulations and processes.

In addition to requiring a provisional use permit, the zoning ordinance outlines the following requirements for data centers:

 All equipment necessary for operating the data center must be contained within an enclosed building or screened by opaque walls to minimize transmission of sound. This

includes equipment for cooling and ventilating, as well as emergency power generators and other emergency power supply equipment.

- Generators for a data center must not be operated other than during emergency power outages and for testing and maintenance. Testing and maintenance of generators for a data center must be conducted only Monday-Friday between 10:00 am and 4:00 pm.
- A data center must be served by public water and sewer. Any water cooling must use a closed-loop or recycled water system unless another cooling system is approved for the data center as part of a provisional use permit.

The 2026 Comprehensive Plan was also amended to provide design guidelines for data centers addressing setbacks, buffers, building materials and articulation, among other topics.

The applicant originally intended to develop data centers as a by-right use and showed clearing and substations just over 100' from Darbytown Road. The conceptual plan submitted with this provisional use application shows consistency with the zoning ordinance and design guidelines. Data Center Design Guideline #7 recommends all buildings be at least 500' from the lot lines of existing, zoned, or recommended residential uses. The conceptual plan shows eight data center buildings, five of which would be located directly behind the existing Fareva building. The remaining three toward the western portion of the site would be the closest to residential development, and at the closest point would be 500' from Darbytown Road and residential uses north of Darbytown Road.

To mitigate visual and noise impacts of data centers, buffers at least 100 feet wide are recommended by the design guidelines. Screening is particularly essential along Darbytown Road to further reduce potential impacts on the residential uses to the south. The applicant's concept plan indicates the preservation of existing landscaping within a 150' wide buffer along Darbytown Road. This area is currently zoned A-1, Agricultural District, and will not be changed by this request. In addition to this buffer, which is referenced in proposed Condition 1, the preservation of existing mature vegetation along the entrances and western property lines is also recommended. This includes the areas labeled as "Existing Vegetation to Remain" located outside of the approximate extents of the clearing area.

The plan shows three points of access. The main access is shown on Darbytown Road, with an emergency access originating on the adjacent Fereva property. An additional service entrance for future substations is proposed on the northern edge of the site and would still need approval from Dominion Power, the owner of the property. The Darbytown Road entrance would be designed to decrease visibility of any data centers from the roadway and points south, as shown on the concept plan and the submitted elevations.

Other recommended conditions include the preservation of undisturbed areas within 500' of Darbytown Road, protection of environmentally sensitive areas on the site, provisions for a noise study prior to site plan approval, operation and testing of emergency generators, and construction hours.

The applicant held a community meeting on August 6, 2025, at Varina High School. Approximately 100 members of the community attended and voiced concerns about topics including the use, noise, visual impacts, utility impacts, traffic and aspects of construction.

With the recommended conditions, this request would be compatible with the surrounding industrial uses and located and operated in a manner to mitigate potential impacts on adjacent residential uses. It would also be consistent with the 2026 Comprehensive Plan's

recommendation for Industrial uses on the site and with the design guidelines for data centers. For these reasons, staff recommends approval of this request, subject to the following conditions:

- Conceptual Plan. All development on the property must be in general conformance with the Conceptual Plan titled "Airport West Data Center Campus" dated August 8, 2025 (see case file), unless otherwise approved at the time of Plan of Development review. Any plan of development must address:
 - a. **Clearing Limits:** Clearly identify limits of disturbance consistent with the conceptual plan, including the retention of existing landscaping. No clearing or grading may occur outside of the identified limits of disturbance.
 - b. **Buffering:** Landscape plans must:
 - i. Provide a natural and landscaped buffer a minimum of one hundred and fifty (150) feet in width and planted at a minimum level of a transitional buffer 50 along Darbytown Road. The buffer must preserve existing vegetation to the greatest extent possible in the manner determined at the time of landscape plan review.
 - ii. Preserve landscaping within the 500' setback shown on the conceptual plan.
 - iii. Identify areas where supplemental plantings may be necessary to provide the required buffer standards.

Roads and access drives (including any sight lines), sidewalks, utility easements (including drainage facilities, electric lines, and fiber and telecommunication lines and related facilities), walls adjacent to any roads or drives, and signage will be permitted within any such buffer; provided, any such road, drive, sidewalk, or utility easements must be extended through such buffer in a manner shown on the conceptual plan, unless otherwise approved at the time of Plan of Development review and as generally shown on the Concept Plan. Electric lines and fiber and telecommunication lines and related facilities may be extended parallel through a buffer so long as the total width of the buffer is increased by the width of the easement for such electric lines and fiber and telecommunication lines and related facilities.

- c. **Conservation Area:** The developer will, prior to final construction plan approval for the Property, make an application to rezone undisturbed areas within 500' of the right of way of Darbytown Road to a C-1 Conservation District.
- 2. **Principal Building Façades.** All principal building façades on the Property must be consistent in terms of design, materials, details, and treatment. Principal building façades will avoid the use of undifferentiated surfaces by including at least two of the following design elements:
 - a. change in building height;
 - b. building step-backs or recesses;
 - c. fenestration;
 - d. change in building material, pattern, texture, color; or
 - e. use of accent materials.
- 3. 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, 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. In no case will unpainted concrete block, unfinished corrugated metal, or unfinished sheet metal be permitted. For purposes

of these conditions, "wall surfaces" will not be deemed to include columns, pilasters, trim, gutters, accent materials, architectural features, windows, doors, bay doors, piers, wall sections and headers near roll up doors and loading doors.

- 4. Screening of Mechanical Equipment. All rooftop equipment and generators must be screened from public roadways, currently existing residentially zoned properties, adjacent properties with existing residential uses, or properties with a residential future land use designation at the time of approval of this PUP. Screening must be provided by one of the following options:
 - a. principal building;
 - b. screen wall or panel;
 - c. parapet wall; or
 - d. other visually solid screens which will be constructed of materials compatible with those used in exterior construction of the principal building.
- 5. **Fencing.** Fencing along public or private streets will not be chain-link, with or without slatted inserts, and will not include barbed wire or other similarly visibly intrusive deterrence device. Fencing will be located on one side of buffers and will not disrupt existing vegetation unless otherwise approved at the time of Plan of Development review.
- 6. **Substations.** Substations must be screened from Darbytown Road, Laburnum Avenue, currently existing residentially zoned properties, adjacent properties with existing residential uses, and properties with a residential future land use designation at the time of approval of this PUP through the use of opaque fencing and landscaping.
- 7. **Utility Analysis.** An analysis of the downstream sewer system will be required during Plan of Development review to determine if upgrades to the existing sewer are needed. The developer will be required to make any needed improvements.
- 8. **Noise Study.** A baseline sound study of ambient noise must be conducted prior to land disturbing for any portion of the Property subject to an approved Plan of Development and the results of such study will be submitted to the County. The sound study will demonstrate how the data center will achieve the following operating standards:
 - a. When adjacent to any parcel with a residential dwelling in existence at the time of plan of development review, notwithstanding and in addition to the Noise Ordinance, noise levels at any exterior property line caused by sounds emanating from the Property, including, but not limited to, heating and cooling system(s) will not exceed 70 dBA between the hours of 7:00 a.m. and 10:00 p.m. weekdays and from 9:00 a.m. to 10:00 p.m. on Saturdays, Sundays, and legal holidays.
 - b. Between 10:00 p.m. and 7:00 a.m. weekdays and from 10:00 p.m. to 9:00 a.m. on Saturdays, Sundays and legal holidays noise levels at any exterior property line caused by sounds emanating from the Property will not exceed 55 dBA.
 - c. The foregoing standards will not apply to the operation of construction equipment, mandatory safety measures (such as back up beepers on vehicles), emergency operations or noise resulting from work on public projects and/or on private or public utilities. For the purposes of this condition, the term "emergency" means any situation arising from sudden and reasonably unforeseen events beyond the control of the data center operator, which requires the immediate use of the emergency generators to restore normal operation(s). Emergency operations will adhere to DEQ provisions and/or other relevant federal regulation.

Prior to issuance of a certificate of occupancy, a post-construction noise study must be conducted to demonstrate to the Planning Director's agreement that the operation

- complies with all legal requirements with respect to noise level emanating from the Property (non-ambient noise).
- 9. **Building Setback.** Any building used as a data center will be set back at least five hundred (500) feet from the lot line of currently existing residentially zoned properties, adjacent properties with existing residential uses, and properties with a residential future land use designation at the time of approval of this PUP.
- 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. **Impervious Surface.** No more than sixty-five percent (65%) of the Property included in this PUP will contain impervious surface consisting of buildings, structures, parking areas and drive aisles.
- 12. **BMPs/Retention Ponds.** Any wet pond will be aerated.
- 13. **Utility Lines.** Except for junction and access boxes, meters, utility lines in wetlands areas, existing overhead utility lines, electric power lines, and except as otherwise required by applicable laws, rules and regulations; all site-specific utility lines, including private electric, telephone, CA TV or other similar lines, will be installed underground, unless otherwise approved at the time of Plan of Development review.
- 14. **Conservation Areas.** Notwithstanding the uses permitted and regulated by the zoning of the Property, such portion(s) of the Property which lie within a one hundred (100) year flood plain as determined by definitive engineering studies approved by the Department of Public Works, and such portion(s) of the Property which may be inundated by waters impounded to a maximum elevation determined in a controlled, regulated manner by a structure or structures approved by the Department of Public Works, may only be used for the following purposes:
 - a. Stormwater management, retention areas, and stormwater outflows.
 - b. Ponds, lakes and similar areas intended as aesthetic or recreational amenities or wildlife habitats.
 - c. Access drives, utility easements (including fiber and telecommunication lines and related facilities), signage, sidewalks, walkways, and recreational facilities installed in a manner to minimize their impacts.
 - d. Such additional uses to the uses identified in A, B and C above as may be deemed compatible and of the same general character by the Director of Planning pursuant to the County Zoning Ordinance.

The developer will, prior to final construction plan approval for the Property, make an application to rezone such portions of the Property described above to a C-1 Conservation District.

- 15. **Hours of Construction.** The hours of any land disturbance activities, including operation of bulldozers and other earthmoving equipment will be limited to between 7:00 a.m. and 7:00 p.m. (or dusk, whichever is earlier) on Monday through Friday, and between 9:00 a.m. and 6:00 p.m. on Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work, such as concrete pours or utility connections. No exterior construction may occur on Sundays. Signs, in both English and Spanish, stating the above referenced provisions will be posted and maintained at all construction entrances to the Property prior to any land disturbances activities thereon.
- 16. **Construction Ingress/Egress:** During plan of development review the developer will provide detailed plans regarding ingress and egress routes to be utilized during building

construction, upon development completion and expected traffic generated for work shifts during facility operations.

- 17. **Access:** Consistent with the conceptual plan (see case file) access to the property is limited to one entrance on Darbytown Road and an emergency access through the adjacent parcel identified by GPIN 812-702-9474. Access for servicing of the electric substations must be provided from the north via the parcel identified as GPIN 812-705-4885 as shown on the conceptual plan.
- 18. Diesel Generators. Diesel generators located on the Property may only be used for emergency purposes. For purposes of this condition, emergency purposes means a need for the generators because of a failure in electrical power being provided to the Property from the main, typical source of electrical power, caused by a weather event, power grid outage, natural or human event, or other failure event. Diesel generators located on the Property may be tested only as approved under the Virginia Department of Environmental Quality ("DEQ") issued permit. Such testing will be conducted pursuant to National Fire Protection Association (NFPA) (or its successor) standards, as may be applicable at that time. All such generators must be installed pursuant to the applicable DEQ permit and operated pursuant to DEQ requirements and guidelines, including any necessary reporting. Any such generator must be located behind a building or screened from any public right-of-way or single-family home existing at the time of a Plan of Development by a wall, fence, landscaping, or other means as deemed necessary and approved at the time of Plan of Development review. No diesel generators may be used for production of electrical power to serve any use off the Property. The hours of generator testing will be limited to between 10:00 a.m. and 4:00 p.m., Monday through Friday, with no testing on Saturdays or Sundays, provided that these limits will not apply to the testing of any generator(s) during time of commissioning (i.e., installation and start-up), and except in emergencies or where unusual circumstances require extending the specific hours in order to complete work.
- 19. **Sidewalks.** Sidewalks will be constructed to County standards along Darbytown Road as required at the time of Plan of Development review for any portion of the Property adjoining Darbytown Road.
- 20. **Cooling System.** Any data center using water cooling must use a closed-loop or recycled water system.
- 21. **Severance.** The unenforceability, elimination, revision, or amendment of any condition set forth herein, in whole or in part shall not affect the validity or enforceability of the other condition or the unaffected part of any such condition.

At their September 11, 2025 meeting the Planning Commission recommended denial of this request with a vote of 4-1-1.

V. COMPREHENSIVE PLAN ANALYSIS:

Land Use Plan Recommendation:

The 2026 Comprehensive Plan's recommended future land use for the proposed data center development area is Planned Industry. This request, if properly developed based on the conditions in Section IV of this report, would be consistent with this recommendation.

Vision, Goals, Objectives and Policies:

This request is most consistent with the following:

- Economic Goal 3: The County will have Tax revenues that support the continuation of the highest quality public services and facilities that are generated in a balanced manner between residential and nonresidential uses.
- *Economic Objective 14:* Promote the development of planned office centers, and business and industrial parks.
- Infrastructure/Service Provision & Growth Coordination Objective 2: Plan for development in a manner that minimizes strain on existing facilities and service areas.

This request is most consistent with the following Data Center Development Goals, Objectives and Guidelines:

- Goal 3: Data center development in Henrico will have shared access for uses developed in a coordinated plan spanning large parcels to maximize areas for screening along roadways and adjacent to existing development.
- Development Guideline 3: Buffers. A buffer of at least 100 feet to include vegetation
 equivalent to a TB50 should be utilized to screen the data center from adjacent residentially
 zoned properties, properties with a residential future land use recommendation, or adjacent
 properties with existing residential uses. The use of natural topography and preservation of
 existing vegetation should be the primary methods of buffering, but where that is not sufficient
 it could be supplemented by new vegetation or an earthen berm.
- Development Guideline 5: Substations. Substations should be screened from adjacent major roads or residentially zoned properties, adjacent properties with existing residential uses, or properties with a residential future land use designation through the use of opaque fencing and landscaped buffers.

VI. PUBLIC SERVICE AND SITE CONSIDERATIONS:

Major Thoroughfare and Transportation:

A 5' sidewalk along the north side of Darbytown Road is desired. Details should be provided regarding ingress and egress routes to be utilized during building construction, upon development completion and expected traffic generated for work shifts during facility operations. Details regarding the expected phasing of construction are desired.

Drainage:

- All proposed improvements must comply with all applicable Public Works plan of development requirements.
- Land disturbance greater than 2500 sq feet will require an Environmental Compliance Plan.
- The site must comply with applicable stormwater quality and quantity requirements.
- Analyze and provide solutions to minimize drainage impacts on downstream properties.
- Traffic Engineering will determine if any right-of-way dedication or road improvements are required.
- Based on information in the County's GIS, there appears to be a Special Flood Hazard Area (SFHA) present on the site. Development activities adjacent to or within the SFHA will be required to comply with the County's floodplain development standards. Residential structures, fill, and stormwater management facilities are prohibited from being built within those areas.
- It appears there may be an SPA Stream and/or an RPA stream on the property.
- 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:

There is an existing 16" waterline in Darbytown Road. There is an existing 8" sanitary sewer line in Jahodi Lane. The proposed use will produce flows that will exceed the projected flows based on the 2026 Land Use Plan. Therefore, an analysis of the downstream sewer system will be required to determine if upgrades to the existing sewer are needed. The developer will be required to make any needed improvements.

Schools:

This provisional use permit case does not propose any uses with impacts due to student generation.

Community Revitalization:

No comments.

Division of Fire:

PUP to allow a data center campus (8 data halls) behind the existing Fareva facility. This project has gone through the conceptual POD process and no issues have been identified. Fire Station 2 is first due to respond.

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, archeological or battlefield impact.

Libraries:

This request would not have an impact on library services.

Topography and Land Characteristics Adaptability:

There are no known topographic reasons why the site cannot be used as proposed.













