

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

REZ2023-00037
Zoning
 Industrial
 Varina District

400 Feet

PS September 2023 Ref: 811-712-4375



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoukias
County Manager

April 16, 2024

VOZ724 Park City, LLC
2221 Edward Holland Dr., Ste. 600
Richmond, VA 23230

Re: Rezoning Case REZ2023-00037

Dear Sir/Madam:

The Board of Supervisors at its meeting on April 9, 2024, approved your request to conditionally rezone from A-1 Agricultural District and B-3 Business District to M-1C Light Industrial District (Conditional) parcel 811-712-4375 containing 15.936 acres located on the north line of Charles City Road approximately 525' west of its intersection with Brighton Road, described as follows:

Bergeson Parcel - GPIN: 811-712-4375

Beginning at a point along the north line of Charles City Road. Said point being 0.71 miles from Williamsburg Road; thence leaving said line N 09°54'28" E a distance of 1108.14' to a point; thence S 80°20'32" E a distance of 229.32' to a point; thence N 09°43'56" E a distance of 336.60' to a point; thence N 09°43'56" E a distance of 721.45' to a point; thence N 09°43'56" E a distance of 198.66' to a point on the south line of Williamsburg Road; thence with a curve turning to the right with an arc length of 103.15', with a radius of 2640.00', with a chord bearing of S 87°15'59" E, with a chord length of 103.15', to a point; thence S 86°08'49" E a distance of 81.52' to a point; thence leaving said line S 10°23'22" W a distance of 885.99' to a point; thence S 09°58'48" W a distance of 368.99' to a point; thence S 09°58'35" W a distance of 1264.94' to a point on Charles City Road; thence N 61°43'53" W a distance of 420.88' to a point; which is the point of beginning, having an area of 15.936 Acres.

The Board of Supervisors accepted the following proffered conditions, dated November 22, 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 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") (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 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, 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;

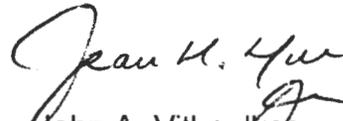
- g. Commercial vehicle repair and maintenance, including a towing service associated therewith;
 - h. Fleet terminal;
 - i. Uses listed in the Industrial Services Use Category;
 - j. Uses listed in the Manufacturing and Production Use Category;
 - k. Uses listed in the Warehouse and Freight Movement 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 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 along the Property's frontage.
14. **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.

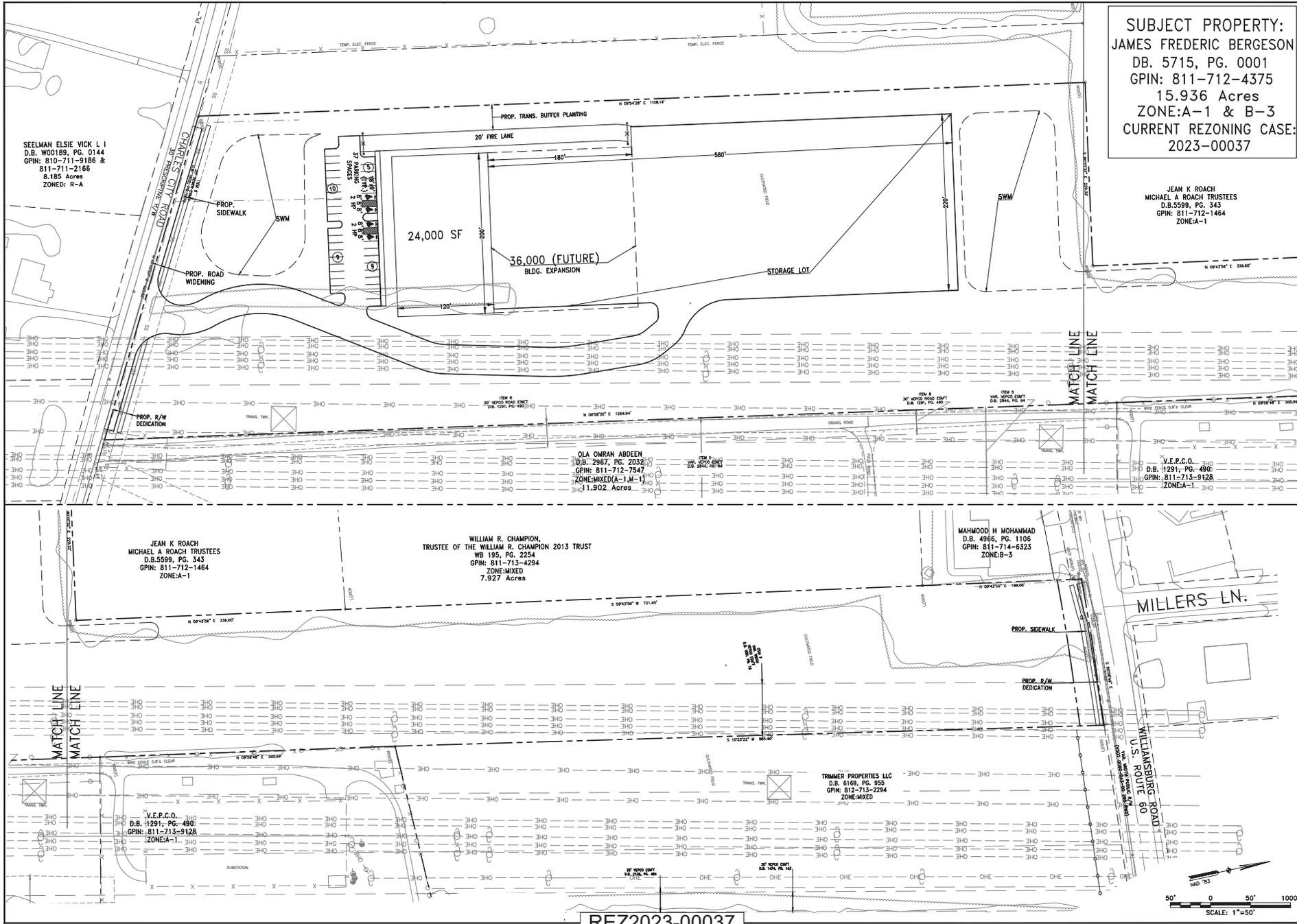
Sincerely,



John A. Vithoukas
County Manager

pc: The James Bergeson Trust
James Frederic Bergeson, Trustee
Andrew M. Condlin
Henrico County Public Schools
Director, Real Estate Assessment

\\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

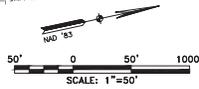
TRIMMER PROPERTIES LLC
 D.B. 6169, PG. 955
 GPIN: 812-715-2294
 ZONE:MIXED

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

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)
HENRICO, VIRGINIA - VARINA DISTRICT
CONCEPT LAYOUT
DATE: 09/29/2023
ENGINEER: MAM
CHECKED: MAM
CAD: AK
JOB#: 23192/23247

REXX
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