

**PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
SEPTEMBER 9, 2021**

BEGINNING AT 7:00 P.M.

WELCOME:

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA:

CALL TO ORDER:

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (0); (7)

REQUESTS FOR EXPEDITED ITEMS: (1)

CASES TO BE HEARD: (5)

FAIRFIELD:

REZ2021-00039 Andrew M. Condlin for Green City Partners, LLC: Request to conditionally rezone from A-1 Agricultural District, R-2 One-Family Residence District, O-3C Office District (Conditional), M-1 Light Industrial District, M-1C Light Industrial District (Conditional), and PMD Planned Industrial District to UMUC Urban Mixed Use District (Conditional) Parcels 787-760-9582, 788-762-3171, 789-762-3970, 788-760-3976, 787-758-3213 containing acres 204.20 located generally between E. Parham Road and the southeast line of Scott Road and between Scott Road and Interstate 295. The applicant proposes an urban mixed use development. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. **Staff – Ben Sehl**
Recommended for Approval

PUP2021-00017 Andrew M. Condlin for Green City Partners, LLC: Request for a Provisional Use Permit under Sections 24-32.1 (a, f, i, k, s, t, z and aa), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow outdoor vending areas; an auditorium, coliseum, or stadium; greater floor area for any use with floor area limitations; drive-through service windows; building and structures exceeding 60' in height; density of development exceeding 30 units per acre; number of for-lease multifamily dwelling units exceeding 30 percent of the total units of the UMU district; and a parking plan on Parcels 787-760-9582, 788-762-3171, 789-762-3970, 788-760-3976, and 787-758-3213 located generally between E. Parham Road and the southeast line of Scott Road and between Scott Road and Interstate 295. The existing zoning is A-1 Agricultural District, R-2 One-Family Residence District, O-3C Office District (Conditional), M-1 Light Industrial District, M-1C Light Industrial District (Conditional), and PMD Planned Industrial District. UMUC Urban Mixed Use (Conditional) District zoning is proposed with REZ2021-00039. The

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2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. **Staff – Ben Sehl**
[Recommended for Approval](#)

REZ2021-00036 Randy Hooker for B&B Properties II LLC: Request to conditionally rezone from M-1 Light Industrial District and R-4 One-Family Residence District to M-1C Light Industrial District (Conditional) Parcel 797-737-0449 containing 5.696 acres located on the east line of Walnut Avenue at its intersection with Ratcliffe Avenue. The applicant proposes office/warehouse uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Light Industry. Part of the site is in the Airport Safety Overlay District and the Enterprise Zone.
Staff – Michael Morris (Deferral requested to the October 14, 2021, Meeting)
[Deferred to the October 14, 2021 Meeting](#)

VARINA:

REZ2021-00045 Jeffrey P. Geiger for D. R. Horton, Inc: Request to conditionally rezone from R-2AC One-Family Residence District (Conditional), R-5AC General Residence District (Conditional), and RTHC Residential Townhouse District (Conditional) to R-5AC General Residence District (Conditional) (376.961 acres) and RTHC Residential Townhouse District (Conditional) (42.229 acres) Parcels 830-682-3002, 833-686-7681, 832-688-9219, and part of Parcel 833-682-5297 containing 419.19 acres located at the northwest intersection of Yahley Mill and Long Bridge Roads. The applicant proposes townhouses and detached dwellings for sale. The R-5A District allows a minimum lot area of 5,625 square feet and a maximum gross density of 6 units per acre. The RTH District allows a maximum gross density of 9 units per acre. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per acre and Environmental Protection Area. Part of the site is in the Airport Safety Overlay District.
Staff – Lisa Blankinship (Deferral requested to the November 10, 2021, Meeting)
[Deferred to the November 10, 2021 Meeting](#)

BROOKLAND:

(Deferred from the August 12, 2021 Meeting)

REZ2021-00042 Jeffrey P. Geiger for Gumenick Properties: Request to conditionally rezone from R-3 One-Family Residence District to UMUC Urban Mixed Use District (Conditional) Parcels 772-740-7798, 772-741-6201, -6408, -6715, -7023, -7440, -7848, -7905, -8137, -8211, -8357, -8419, -8836, -8968, -9348, -9573, -9839, 773-741-0179, -0354, -0565, -0945, -1360, -1654, and -2048 containing 8.047 acres located on the north and south lines of Argus Lane at its intersection with Spencer Road. The applicant proposes inclusion in the adjacent UMUC development (Libbie Mill). The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. The applicant also proposes to amend proffers accepted with Rezoning cases REZ2015-00018 and REZ2018-00044 on Parcels 771-740-8005, -9118, 772-740-0431, -1137, -1743, -2229, -2836, 773-739-3547, -3784, -9074, 773-740-4815, -5180, -9572, 774-739-2373, 774-740-0192, -0448, -0863, -3781, -4456, -4637, -4716, -4802, -5174 and Part of Parcel 774-740-0801 located on the east line of Libbie Avenue

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approximately 310' north of W. Broad Street (U. S. Route 250) at its intersection with N. Crestwood Avenue, then between the east line of Spencer Road and west line of Staples Mill Road (U.S. Route 33) along the south line of Bethlehem Road. The applicant proposes to amend proffers related to the pattern book; overall density; building height; architecture of apartments, condominiums, and townhomes; restaurant ventilation; road improvements; on-street parking; and, Spencer Road restrictions. The existing zoning is UMUC Urban Mixed-Use District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration, Light Industrial, Urban Mixed Use and Environmental Protection Area. A portion of the site along Libbie Avenue north of W. Broad Street (U.S. Route 250) and along Staples Mill Road (U.S. Route 33) is in the Enterprise Zone. **Staff – Ben Sehl**

Recommended for Approval

(Deferred from the August 12, 2021 Meeting)

PUP2021-00015 Jeffrey P. Geiger for Gumenick Properties: Request for a Provisional Use Permit under Sections 24-32.1(a, i, n, s, w, z, aa), and 24-122.1 of Chapter 24 of the County Code to incorporate additional property and amend conditions of PUP2018-00016 for the mixed-use development on Parcels 771-740-8005, -9118, 772-740-0431, -1137, -1743, -2229, -2836, -7798, 772-741-6201, -6408, -6715, -7023, -7440, -7848, -7905, -8137, -8211, -8357, -8419, -8836, -8968, -9348, -9573, -9839, 773-739-3547, -3784, -9074, 773-740-4815, -5180, -9572, 773-741-0179, -0354, -0565, -0945, -1360, -1654, -2048, 774-739-2373, 774-740-0192, -0448, -0863, -3781, -4456, -4637, -4716, -4802, -5174, and Part of Parcel 774-740-0801 located on the east line of Libbie Avenue approximately 310' north of W. Broad Street (U. S. Route 250) at its intersection with N. Crestwood Avenue and between the east line of Libbie Avenue and west line of Staples Mill Road (U. S. Route 33) south of Bethlehem Road. The applicant proposes changes in development standards related to multifamily residential percentage for the mixed-use development. The existing zoning is R-3 One-Family Residence District and UMUC Urban Mixed-Use District (Conditional). UMUC zoning is proposed for the R-3 portion of the development with REZ2021-00042. The 2026 Comprehensive Plan recommends Commercial Concentration, Light Industrial, Urban Mixed Use, Environmental Protection Area, and Suburban Residential 2, density should not exceed 3.4 units per acre. A portion of the site along Libbie Avenue north of W. Broad Street (U.S. Route 250) and along Staples Mill Road (U.S. Route 33) is in the Enterprise Zone.

Staff – Ben Sehl

Recommended for Approval

PUP2021-00019 Andrew Condlin for Green Clean Auto Wash, LLC: Request for a Provisional Use Permit under Sections 24-2306 and 24-4205 of Chapter 24 of the County Code to allow a car wash on Parcel 755-757-9394 located on the north line of W. Broad Street (U.S. Route 250) approximately 140' east of Old Springfield Road. The existing zoning is B-2 Business District. The 2026 Comprehensive Plan recommends Commercial Arterial. **Staff – Michael Morris**

Recommended for Approval

REZ2021-00046 Andrew M. Condlin for Pemberton Investments, LLC: Request to conditionally rezone from A-1 Agricultural District to R-3 One-Family Residence District

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(.559 acres) and R-5AC General Residence District (Conditional) (15.635 acres) Parcels 763-771-2993, 763-772-3261, 763-772-4812, and 763-772-5853 containing 16.194 acres located on the north line of Old Mountain Road, approximately 120' north of its intersection with Mountain Road. The applicant proposes a single-family residence and detached dwellings for sale. The R-3 District allows a minimum lot area of 11,000 square feet and a maximum gross density of 3.96 units per acre. The R-5A District allows a minimum lot area of 5,625 square feet and a maximum gross density of 6 units per acre. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per acre and Environmental Protection Area. **Staff – Kristin Smith (Deferral requested to the October 14, 2021, Meeting)**

Deferred to the October 14, 2021 Meeting

THREE CHOPT:

(Deferred from the August 12, 2021 Meeting)

REZ2021-00028 Andrew M. Conclin for Lingerfelt Office Properties, LLC: Request to conditionally rezone from O-3C Office District (Conditional) and M-1C Light Industrial District (Conditional) to UMUC Urban Mixed-Use District (Conditional) Parcels 752-767-4970 and 752-768-2795 containing 12.217 acres located on the east line of Cox Road at its intersection with North Park Drive and the west line of Cox Road approximately 990' north of its intersection with North Park Drive. The applicant proposes an urban mixed-use development. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. The site is in the Innsbrook Redevelopment Overlay District. **Staff – Livingston Lewis (Deferral requested to the October 14, 2021, Meeting)**

Deferred to the October 14, 2021 Meeting

(Deferred from the August 12, 2021 Meeting)

PUP2021-00011 Andrew M. Conclin for Lingerfelt Office Properties, LLC: Request for a Provisional Use Permit under Sections 24-32.1 (n, s, t, v, w, z, aa), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow the following: a parking garage with no associated ground floor retail or useable floor space for residential or nonresidential uses along a façade facing street; building and structures exceeding 60' in height; residential density exceeding 30 units per acre; open space of less than 20 percent; commercial or office square footage of less than 25 percent of the total building square footage of the UMU district; number of for-lease multifamily dwelling units exceeding 30 percent of the total units of the UMU district; and a parking plan on Parcels 752-767-4970 and 752-768-2795 located on the east line of Cox Road at its intersection with North Park Drive and the west line of Cox Road approximately 990' north of its intersection with North Park Drive. The existing zoning is O-3C Office District (Conditional) and M-1C Light Industrial District (Conditional). UMUC zoning is proposed with REZ2021-00028. The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. The site is in the Innsbrook Redevelopment Overlay District.

Staff – Livingston Lewis (Deferral requested to the October 14, 2021, Meeting)

Deferred to the October 14, 2021 Meeting

(Deferred from the August 12, 2021 Meeting)

REZ2021-00029 Andrew M. Condlin for Lingerfelt Office Properties, LLC: Request to conditionally rezone from O-3C Office District (Conditional) and B-2C Business District (Conditional) to UMUC Urban Mixed Use District (Conditional) Parcels 748-761-5174, 749-761-0971, and 750-765-5718 containing 16.486 acres located at the southwest and southeast intersection of Cox Road and Innslake Drive and on the west line of Cox Road at its intersection with Village Run Drive. The applicant proposes an urban mixed-use development. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. The site is in the Innsbrook Redevelopment Overlay District. **Staff – Livingston Lewis (Deferral requested to the October 14, 2021, Meeting)**

Deferred to the October 14, 2021 Meeting

(Deferred from the August 12, 2021 Meeting)

PUP2021-00012 Andrew M. Condlin for Lingerfelt Office Properties, LLC: Request for a Provisional Use Permit under Sections 24-32.1 (n, s, t, v, w, z, aa), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow the following: a parking garage with no associated ground floor retail or useable floor space for residential or nonresidential uses along a façade facing street; building and structures exceeding 60' in height; residential density exceeding 30 units per acre; building and structures exceeding 60' in height; residential density exceeding 30 units per acre; open space of less than 20 percent; commercial or office square footage of less than 25 percent of the total building square footage of the UMU district; number of for-lease multifamily dwelling units exceeding 30 percent of the total units of the UMU district; and a parking plan on Parcels 748-761-5174, 749-761-0971, and 750-765-5718 located at the southwest and southeast intersection of Cox Road and Innslake Drive and on the west line of Cox Road at its intersection with Village Run Drive. The existing zoning is O-3C Office District (Conditional) and B-2C Business District (Conditional). UMUC zoning is proposed with REZ2021-00029. The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. The site is in the Innsbrook Redevelopment Overlay District. **Staff – Livingston Lewis (Deferral requested to the October 14, 2021, Meeting)**

Deferred to the October 14, 2021 Meeting

REZ2021-00038 Andrew M. Condlin for Bacova SP, LLC: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcel 738-767-3732 containing 2.774 acres located on south line of Kain Road approximately 800' west of its intersection with Pouncey Tract Road (State Route 271). The applicant proposes detached dwellings for sale with zero lot lines. The R-5A District allows a minimum lot area of 5,625 square feet and a maximum gross density of 6 units per acre. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Mixed Use, density should not exceed 4 units per acre. **Staff – Michael Morris (Expedited Agenda Requested)**

Recommended for Approval

TUCKAHOE:

None

APPROVAL OF MINUTES: Planning Commission on August 12, 2021
Approved

Acting on a motion by [Mr. Witte](#) seconded by [Mr. Baka](#) the Planning Commission adjourned its meeting at [8:49 p.m.](#) on [September 9, 2021](#).

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<http://henrico.us/pdfs/planning/meetnext.pdf>