

**PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
April 14, 2022**

BEGINNING AT 6:00 P.M.

DINNER AND WORK SESSION: The Planning Commission will have dinner and a work session in the County Manager's Conference Room to discuss the HenricoNext public engagement session held March 23, 2022.

BEGINNING AT 7:00 P.M.

WELCOME:

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA:

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (2); (2)

REQUESTS FOR EXPEDITED ITEMS: (5)

CASES TO BE HEARD: (8)

POD2021-00119

Gateway II - 1648 N.
Parham Road

Townes Site Engineering for Gateway Associates and Gateway Associates of Richmond II, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to demolish a portion of an existing apartment complex, and construct a mixed use development consisting of a 85,752 square foot, five-story, 80 unit apartment building with 13,726 square feet of retail on the first floor; a one-story 2,540 square foot resident clubhouse; and associated parking and infrastructure. The 2.326-acre site is located on the west line of N. Parham Road, approximately 255 feet south of its intersection with Fargo Road, on parcel 753-745-6957 and part of parcel 753-745-0470. The zoning is R-6 General Residential District. County water and sewer. **(Tuckahoe)**

This plan of development for Gateway II includes redevelopment of a portion of an existing apartment complex to construct a mixed use building with 80 studio, 1-bedroom and 2-bedroom apartments, and commercial space on the first floor.

Gateway Apartments was developed in the early 1970's with POD-45-71. The owner/developer obtained approval of Provisional Use Permit PUP2019-00015 on March 10, 2020, allowing a mixed-use development with greater density and smaller setbacks

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than permitted by right under the ordinance. The project proposes demolishing the apartment unit on the northern front portion adjacent to N. Parham Road as well as the clubhouse/rental office, pool, and tennis courts; and constructing a new five-story mixed use building, a clubhouse with a rooftop patio, a pool with pool deck, and other amenities for the entire Gateway apartment community.

The primary building materials include smooth and curtain wall metal panels in light and dark gray, with a brick façade for the first floor on the mixed use building, and a decorative brick section on the north elevation that extends to the roofline to provide material variety. The retaining walls on the north side of the building are also brick. The building height is under the 80-foot maximum permitted height. In addition to the mixed-use building, the applicant is also requesting approval a 2,540 square foot clubhouse with a with patio roof. That building is a mix of brick, metal panels and glass.

The submitted plan provides for sidewalk on the west line of the N. Parham Road frontage and provides a right turn lane into the project. Other improvements to the site will include 15% tree canopy coverage, 5% internal parking lot tree canopy, and peripheral parking lot landscaping for the new parking lot. A landscape and lighting plan will need to be submitted for staff approval, and landscape and lighting must be installed prior to issuance of the Certificate of Occupancy.

The staff recommends approval, subject to the annotations on the plan, the standard conditions for developments of this type, and the following additional conditions.

29. The unit house numbers shall be visible from the parking areas and drives.
30. The names of streets, drives, courts, and parking areas shall be approved by the Richmond Regional Planning District Commission and such names shall be included on the construction plans prior to their approval. The standard street name signs shall be installed prior to any occupancy permit approval.
31. The conditions approved as part of provisional use permit case PUP2019-00015 shall be incorporated in this approval
32. A plat for the widening of N. Parham Road right-of-way, as shown on the approved plan, shall be submitted to the Real Property Division prior to approval of the construction plan, and shall be recorded prior to requesting occupancy permits. The developer shall provide evidence of recordation to the Director of Public Works.
33. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
34. A concrete sidewalk meeting County standards shall be provided along the west side of N. Parham Road.
35. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Department of Planning and approved prior to issuance of a certificate of occupancy for this development.
36. The existing 10-Foot C&P easement in conflict with the northern portion of the building footprint shall be vacated prior to approval of the building permit for the said building.

37. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

(Staff Report by Christina Goggin)
(Applicant's Representative: Zack Wilkins)
(Applicable Rezoning Cases and PUPS: PUP2019-00015)
(Expedited Agenda Requested)
[Recommended for Approval](#)

FAIRFIELD:

(Deferred from the March 10, 2022 Meeting)

REZ2022-00013 Jeffrey P. Geiger for RDK Land Holdings, LLC: Request to conditionally rezone from R-3 One-Family Residence District, and B-1 Business District to R-6C General Residence District (Conditional) Parcel 787-745-5839 and part of Parcel 787-744-3995 containing 16.712 acres located on the east line of Chamberlayne Road (U.S. Route 301) approximately 250' south of Wilmer Avenue. The applicant proposes a condominium and townhouse development. The R-6 District allows a density of 19.8 units per acre for multifamily and 12 units per acre for townhouses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration and Urban Residential, density should range from 3.4 to 6.8 units per acre. **Staff – Michael Morris**

[Deferred to the May 12, 2022 Meeting](#)

REZ2022-00011 Andrew M. Condlin for Middleburg Real Estate Partners, LLC: Request to conditionally rezone from R-4 One-Family Residence District and B-3 Business District to R-6C General Residence District (Conditional) Parcels 783-759-6898, 783-760-6078, 783-760-6649, 783-760-1787, 783-760-2589, 783-760-3589, 783-760-4996, 783-760-4783, and 783-761-6400 containing 13.475 acres located on the west line of Brook Road (U.S. Route 1) at its intersection with Magellan Parkway. The applicant proposes a master-planned development with multifamily dwellings and commercial uses. The R-6 District allows a density of 19.8 units per acre for multifamily. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration and Suburban Residential 2. Part of the site is in the Enterprise Zone. **Staff – Seth Humphreys**

[Recommended for Approval](#)

PUP2022-00006 Andrew M. Condlin for Middleburg Real Estate Partners, LLC: Request for a Provisional Use Permit under Sections 24-4315.C and 24-2306 of Chapter 24 of the County Code to allow commercial uses and zoning modifications as part of a master-planned development on Parcel 783-759-6898 and part of Parcels 783-760-6078, and 783-760-6649 located on the west line of Brook Road (U.S. Route 1) at its intersection with Magellan Parkway. The existing zoning is R-4 One-Family Residence District and B-3 Business District. R-6C General Residence District (Conditional) zoning is proposed with REZ2022-00011. The 2026 Comprehensive Plan recommends Commercial Concentration. Part of the site is in the Enterprise Zone. **Staff – Seth Humphreys**

[Recommended for Approval](#)

VARINA:

REZ2022-00015 Andrew M. Condlin for Franklin RE Partners, LLC: Request to conditionally rezone from O-3C Office District (Conditional) to M-1C Light Industry District (Conditional) part of Parcel 842-707-9113 containing 19.173 acres located at the southwest intersection of Technology Boulevard and Memorial Drive. The applicant proposes industrial uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office. Part of the site is in the Airport Safety Overlay District. **Staff – Seth Humphreys (Deferral requested to May 12, 2022)**

Deferred to the May 12, 2022 Meeting

PUP2022-00013 Andrew M. Condlin for Bridleton SPE, LLC: Request for a Provisional Use Permit under Sections 24-4205 and 24-2306 of Chapter 24 of the County Code to allow a solar array on Parcels 837-693-5764, 837-695-5661, 838-693-9348, and 839-691-4296 located on the west line of Gill Dale Road approximately 1,700' north of the intersection of Darbytown Road. The existing zoning is A-1 Agricultural District. The 2026 Comprehensive Plan recommends Prime Agriculture and Environmental Protection Area. The site is in the Airport Safety Overlay District. **Staff – Michael Morris**

Recommended for Approval

BROOKLAND:

(Deferred from the March 10, 2022 Meeting)

REZ2021-00058 Andrew M. Condlin for Crenshaw Realty: Request to conditionally rezone from B-1 Business District to R-6C General Residence District (Conditional) Parcels 772-736-3855, -4241 and -4766 containing 2.432 acres located on the west line of Willow Lawn Drive approximately 135' north of its intersection with Grace Street. The applicant proposes a master-planned development with multifamily dwellings and commercial uses. The R-6 District allows a density of 19.8 units per acre for multifamily. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Environmental Protection Area. The site is in the Enterprise Zone. **Staff – Michael Morris**

Recommended for Approval

(Deferred from the March 10, 2022 Meeting)

PUP2021-00021 Andrew M. Condlin for Crenshaw Realty: Request for a Provisional Use Permit under Sections 24-4315.C and 24-2306 of Chapter 24 of the County Code to allow commercial uses and zoning modifications as part of a master-planned development on Parcels 772-736-3855, -4241 and -4766 located on the west line of Willow Lawn Drive approximately 135' north of its intersection with Grace Street. The existing zoning is B-1 Business District. R-6C General Residence District (Conditional) zoning is proposed with REZ2021-00058. The 2026 Comprehensive Plan recommends Environmental Protection Area. The site is in the Enterprise Zone.

Staff – Michael Morris

Recommended for Approval

(Deferred from the March 10, 2022 Meeting)

REZ2021-00059 Andrew M. Conclin for Crenshaw Realty: Request to conditionally rezone from O-2 Office District to R-6C General Residence District (Conditional) Parcels 772-738-5115 and 772-738-6931 containing 1.764 acres located on the west line of Byrd Avenue approximately 150' north of its intersection with Old Richmond Avenue. The applicant proposes a master-planned development with multifamily dwellings and commercial uses. The R-6 District allows a density of 19.8 units per acre for multifamily. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office. The site is in the Enterprise Zone. **Staff – Michael Morris (Withdrawn by the Applicant)**

Withdrawn by Applicant

(Deferred from the March 10, 2022 Meeting)

PUP2021-00022 Andrew M. Conclin for Crenshaw Realty: Request for a Provisional Use Permit under Sections 24-4315.C and 24-2306 of Chapter 24 of the County Code to allow commercial uses and zoning modifications as part of a master-planned development on Parcels 772-738-5115 and 772-738-6931 located on the west line of Byrd Avenue approximately 150' north of its intersection with Old Richmond Avenue. The existing zoning is O-2 Office District. R-6C General Residence District (Conditional) zoning is proposed with REZ2021-00059. The 2026 Comprehensive Plan recommends Office. The site is in the Enterprise Zone. **Staff – Michael Morris (Withdrawn by the Applicant)**

Withdrawn by Applicant

REZ2022-00014 Jeffrey P. Geiger for Weinstein Associates, LLC: Request to amend proffers accepted with C-50C-90 on Parcel 753-759-7208 located at the northwest intersection of W. Broad Street (U.S. Route 250) and Stillman Parkway. The applicant proposes to amend proffers regarding permitted uses and building and site design to allow an oil change facility. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial.

Staff – Livingston Lewis (Expedited Agenda Requested)

Recommended for Approval

PUP2022-00012 Jeffrey P. Geiger for Weinstein Associates, LLC: Request for a Provisional Use Permit under Sections 24-4205 and 24-2306 of Chapter 24 of the County Code to allow automotive parts and installation and minor servicing (oil change facility) on Parcel 753-759-7208 located at the northwest intersection of W. Broad Street (U.S. Route 250) and Stillman Parkway. The existing zoning is B-2C Business District (Conditional). A proffer amendment request is proposed with REZ2022-00014. The 2026 Comprehensive Plan recommends Commercial Arterial. **Staff – Livingston Lewis (Expedited Agenda Requested)**

Recommended for Approval

PUP2022-00011 Amelia Wehunt for Justin Donaldson: Request for a Provisional Use Permit under Sections 24-2306 and 24-3708 of Chapter 24 of the County Code to allow a multifamily residential development on Parcels 776-735-8125 and 777-735-0170 located on the northeast line of W. Broad Street (U.S. Route 250) approximately 745' east of the intersection of Westmoreland Street. The existing zoning is M-1 Light

Industrial District. The 2026 Comprehensive Plan recommends Heavy Industry. The site is in the Westwood Redevelopment Overlay District. **Staff – Michael Morris (Deferral requested to May 12, 2022)**

Deferred to the May 12, 2022 Meeting

REZ2022-00012 Jeffrey P. Geiger for Gumenick Properties: Request to conditionally rezone from R-3 One-Family Residence District to UMU-PD Urban Mixed-Use - Planned Development District Parcels 772-740-3867, -4462, -4982, -5677, -5788, -6095, -6273, -7287, and -7493 containing 2.247 acres located on the north and south lines of Indigo Road and its intersection with Libbie Avenue. The applicant proposes inclusion in the adjacent urban mixed-use 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, REZ2018-00044, and REZ2021-00042 on Parcels 771-740-8005, -9118, 772-739-8575, 772-740-0431, -1137, -1743, -2229, -2836, -4017, -7798, -8502, -8536, 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 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, 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 and density. The existing zoning is UMUC Urban Mixed-Use District (Conditional). The 2026 Comprehensive Plan recommends 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

REZ2022-00016 Mark J. Kronenthal for Mirako, LLC: Request to conditionally rezone from B-2 Business District to B-3C Business District (Conditional) Parcel 763-753-8296 containing 1.894 acres located at the southeast line of Shrader Road and Carousel Lane. The applicant proposes wholesale sales of coffee and related equipment. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Semi-Public. **Staff – Seth Humphreys (Expedited Agenda Requested)**

Recommended for Approval

THREE CHOPT:

REZ2022-00005 Shafquat Buttar: Request to rezone from A-1 Agricultural District to R-3C One-Family Residence District (Conditional) Parcel 744-762-0359 containing .677 acres located at the southern intersection of Belfast and Edinburgh Roads. The applicant proposes a single-family dwelling. 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 use will be controlled

by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development. **Staff – Ben Sehl**
Recommended for Approval

REZ2019-00031 William Shewmake for Park Commons Condominium Association: Request to amend proffers accepted with Rezoning case C-13C-02 on part of Parcel 745-770-4859 located at the southeast intersection of Twin Hickory Road and Hickory Bend Drive. The applicant proposes to amend proffers regarding age restriction. The existing zoning is R-6C General Residence District (Conditional). The 2026 Comprehensive Plan recommends Multi-Family Residential. **Staff – Ben Sehl**
(Expedited Agenda Requested)
Recommended for Approval

DISCUSSION ITEM: The Commission will discuss scheduling a work session for May 12, 2022, to review materials related to the 2045 Comprehensive Plan Update.
Approved

APPROVAL OF MINUTES: Planning Commission Work Session, Capital Improvement Program, and Regular Meeting on March 10, 2022.
Approved

The Planning Commission adjourned its meeting at 9:40 p.m. on April 14, 2022.

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