



REZ-2023-100203

Lingerfelt Development, LLC

Staff Report for Board of Supervisors Public Hearing
Prepared April 1, 2024

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:	January 11, 2024	Recommended for Approval
Board of Supervisors:	February 13, 2024 April 9, 2024	Deferred at the Applicant's Request Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Proposed Zoning:	M-1C Light Industrial District (Conditional)
Existing Zoning:	A-1 Agricultural District and B-3 General Business District
Acreage:	3.90 acres
Proposed Use:	Industrial office/warehouse
Location of Property:	South line of Williamsburg Road approximately 50' east of its intersection with Clayton Road
Magisterial District:	Varina
Comprehensive Plan Recommendation:	Commercial Concentration (CC)
Parcel Numbers:	812-713-6990
Zoning of Surrounding Properties:	North: B-3 Business District* South: M-1 Light Industrial District* East: M-1 Light Industrial District* West: A-1 Agricultural District*, B-3 Business District* (Portion of REZ2023-00033), M-1 Light Industrial District* *Airport Safety Overlay District

III. SUMMARY OF STAFF REPORT COMMENTS:

This is a request to conditionally rezone 3.90-acres from A-1 Agricultural District and B-3 Business District to M-1C Light Industrial District (Conditional) for an office/warehouse. The property is located on the south line of Williamsburg Road, approximately 50' east of its intersection with Clayton Road. The 2026 Comprehensive Plan recommends Commercial Concentration, and the site is located in the Airport Safety Overlay District and Enterprise Zone.

The property to the west is the site of rezoning case REZ2023-00033, which was recommended for approval by the Planning Commission in November 2023. The applicant now proposes to purchase additional land to rezone it to M-1C to allow for an expanded facility on the combined site. The applicant has submitted a new conceptual plan for the combined properties which shows a 176,960 square-foot office/warehouse with 38 loading docks to its rear. There would be one point of access on Williamsburg Road, a gated fire access road, and three BMPs on the site. In addition to the conceptual plan, the applicant has submitted proffers, consistent with the companion case, which address building materials, prohibited uses, hours of operation, sidewalks and right-of-way dedication, landscape buffers, and signage.

Although this request is not fully consistent with the 2026 Comprehensive Plan recommendation of Commercial Concentration, it is consistent with the site's location within the Enterprise Zone and when combined with the proposed office/warehouse development to the west it would allow for a more coordinated development pattern. Additionally, the proffers submitted with this request offer assurances regarding the quality of the proposed development and design enhancements for the property's frontage along Williamsburg Road. For these reasons, staff supports this request.

At their January 11, 2024 meeting, the Planning Commission recommended approval of this request. ~~The applicant is requesting deferral to the March 12, 2024 Board of Supervisors meeting to continue working on this proposal.~~ At their February 13, 2024 meeting, the Board of Supervisors deferred this item to April 9, 2024. Since that time, no new information has been submitted.

IV. LAND USE ANALYSIS AND IMPLICATIONS:

The 3.90-acre site has a vacant retail building, built in 1957, and several accessory structures which will be demolished as part of this request. This is a request to conditionally rezone to M-1C to allow an industrial office and warehouse.

Surrounding land uses to the north include a shopping center, zoned B-3 Business District. Parcels zoned M-1 located to the east include a carwash and a mini-storage facility. To the west is the site of companion rezoning case REZ2023-00033, currently zoned A-1 and B-3, which was recommended for approval at the November 9, 2023 Planning Commission meeting. South of the site is an industrial manufacturing building, zoned M-1.

This request is one of five active cases along Williamsburg Road and Charles City Road for similar uses. REZ2023-00033, REZ2023-00034, REZ2023-00035, REZ2023-00037, and REZ-2023-100203 are all requesting the M-1C zoning district to allow office/warehouse uses. However, only REZ2023-00033 and REZ-2023-100203 are proposed to interconnect due to the power line which runs through several of the sites.

The applicant submitted a conceptual plan with REZ2023-00033 which has been revised to show the addition of this property. The previous conceptual plan showed a 124,600 square-foot office/warehouse with 26 loading docks to the rear, one entrance on Williamsburg Road across from Clayton Road, and two BMPs, one located along the road frontage and another near the western property line. The new conceptual plan would move the entrance to the western side of

the combined Williamsburg Road frontage with an additional 20' fire lane located to the east. The updated plan also shows an expanded 176,960 square-foot office/warehouse, 38 loading docks to the rear of the structure, and one additional BMP near the eastern property line.

While in close proximity to other parcels requesting or already developed for office/industrial uses along Charles City Road, the use and design of this site will set the precedence of the redevelopment efforts for Williamsburg Road, which is primarily a commercial corridor. The applicant has submitted proffers, consistent with the companion request, that provide assurances regarding the property's frontage along Williamsburg Road including a 25' wide landscape buffer with decorative fencing, a 4' wide sidewalk, and right-of-way dedication. Additionally, the proffers specify the permitted and prohibited building materials. Permitted building materials include decorative concrete blocks (including split face block, smooth face block, fluted block, or ground face block), brick, tilt-up or pre-cast concrete, and others. The proffers prohibit the exterior façade from being constructed using unpainted concrete block, unfinished corrugated metal, or unfinished sheet metal. The permitted building materials are generally consistent with the exteriors of other buildings in the surrounding area. Staff notes the Zoning Ordinance will require the screening of the loading docks from adjacent property to the rear of the site.

The 2026 Comprehensive Plan recommends this site for Commercial Concentration. Although not fully consistent with this designation, this request is consistent with the site's location within the Enterprise Zone and the proposed office/warehouse development to the west. This request also includes many quality assurances regarding the exterior façade of the building and the proposed development's frontage along Williamsburg Road that are compatible with the redevelopment standards for this corridor. For these reasons, staff supports this request.

At their January 11, 2024 meeting, the Planning Commission recommended approval of this request. ~~The applicant is requesting deferral to the March 12, 2024 Board of Supervisors meeting to continue working on this proposal.~~ At their February 13, 2024 meeting, the Board of Supervisors deferred this item to April 9, 2024. Since that time, no new information has been submitted.

V. COMPREHENSIVE PLAN ANALYSIS:

Comprehensive Plan Recommendation:

The 2026 Comprehensive Plan recommends Commercial Concentration for this site. Although not fully consistent with this designation, this request is consistent with the adjacent pattern of office/warehouse development and the site's location within the Enterprise Zone.

Vision, Goal, Objectives, and Policies:

This request is most consistent with the following Goals, Objectives, and Policies of the 2026 Comprehensive Plan:

- Economic Goal 1: The county will have a strong, stable, growing, and diverse economy.
- General Development Policy 6: Encourage compatible infill, redevelopment, and development in proximity to existing development and services when appropriate to avoid "leapfrog" growth patterns which may result in higher service costs.
- Land Use and Community Character Objective 8: The county will encourage diverse mixtures and forms of development to support the economic base of the county.

VI. PUBLIC SERVICE AND SITE CONSIDERATIONS:

Major Thoroughfare and Transportation:

Road widening for an additional travel lane along the parcel and right-of-way dedication will need to take place. A right turn lane may be required to be installed as well. Sidewalk is required along the parcel frontage of Williamsburg Road. All improvements need to be coordinated with VDOT.

Drainage:

- All proposed improvements must comply with all applicable Public Works plan of development requirements.
- Land disturbance greater than 2500 sq feet will require a Comprehensive Grading Plan and an Agreement in Lieu of an Erosion and Sediment Control Plan.
- The site is located within 50/10 detention area and must comply with applicable regulations.
- VDOT will determine if any road improvements are required along Williamsburg Rd
- There may be restrictions within existing non-County utility easements.
- Traffic Engineering will determine if any right-of-way dedication or road improvements are required.
- The site must comply with applicable stormwater quality and quantity requirements.
- 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:

County water is located on Williamsburg Road. County sewer is located on Williamsburg Road approximately 300 feet east of the site.

Department of Community Revitalization:

No comments received on this request.

Schools:

This rezoning case does not propose any residential development nor are any educational impacts projected.

Division of Fire:

No comments.

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, or archeological impact.

The parcel falls within the Civil War battlefield area identified by the Virginia Department of Historic Resources as: 043-5081 Seven Pines Battlefield-for information only.

Libraries:

No Comments.

Topography and Land Characteristics Adaptability:

There are no known topographic reasons why the property could not be developed as proposed.



Proffers for Conditional Rezoning

County of Henrico, Virginia

4301 E. Parham Road, Henrico, Virginia 23228

Henrico Planning Web Site: <http://www.henrico.us/planning>

Mailing Address: Planning Department, P.O. Box 90775, Henrico, VA 23273-0775 Phone (804) 501-4602 Facsimile (804) 501-4379

✓ Original Amended Rezoning Case No. _____ Magisterial District Varina

Pursuant to Section 24-121 (b) of the County Code, the owner or duly authorized agent* hereby voluntarily proffers the following conditions which shall be applicable to the property, if rezoned:

[Signature] / Andrew R. Cordis 12/15/23
Signature of Owner or Applicant / Print Name Date

*If applicant is other than Owner, the Special Limited Power of Attorney must be submitted with this application

REZ2023 _____

December 15, 2023

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"), 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



Proffers for Conditional Rezoning (Supplemental)

County of Henrico, Virginia

4301 E. Parham Road, Henrico, Virginia 23228

Henrico Planning Web Site: <http://www.co.henrico.va.us/planning>

Mailing Address: Planning Department, P.O. Box 90775, Henrico, VA 23273-0775

Phone (804) 501-4602

Facsimile (804) 501-4379

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;



Proffers for Conditional Rezoning (Supplemental)

County of Henrico, Virginia

4301 E. Parham Road, Henrico, Virginia 23228

Henrico Planning Web Site: <http://www.co.henrico.va.us/planning>

Mailing Address: Planning Department, P.O. Box 90775, Henrico, VA 23273-0775

Phone (804) 501-4602

Facsimile (804) 501-4379

- 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 9:00 p.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



Proffers for Conditional Rezoning (Supplemental)

County of Henrico, Virginia

4301 E. Parham Road, Henrico, Virginia 23228

Henrico Planning Web Site: <http://www.co.henrico.va.us/planning>

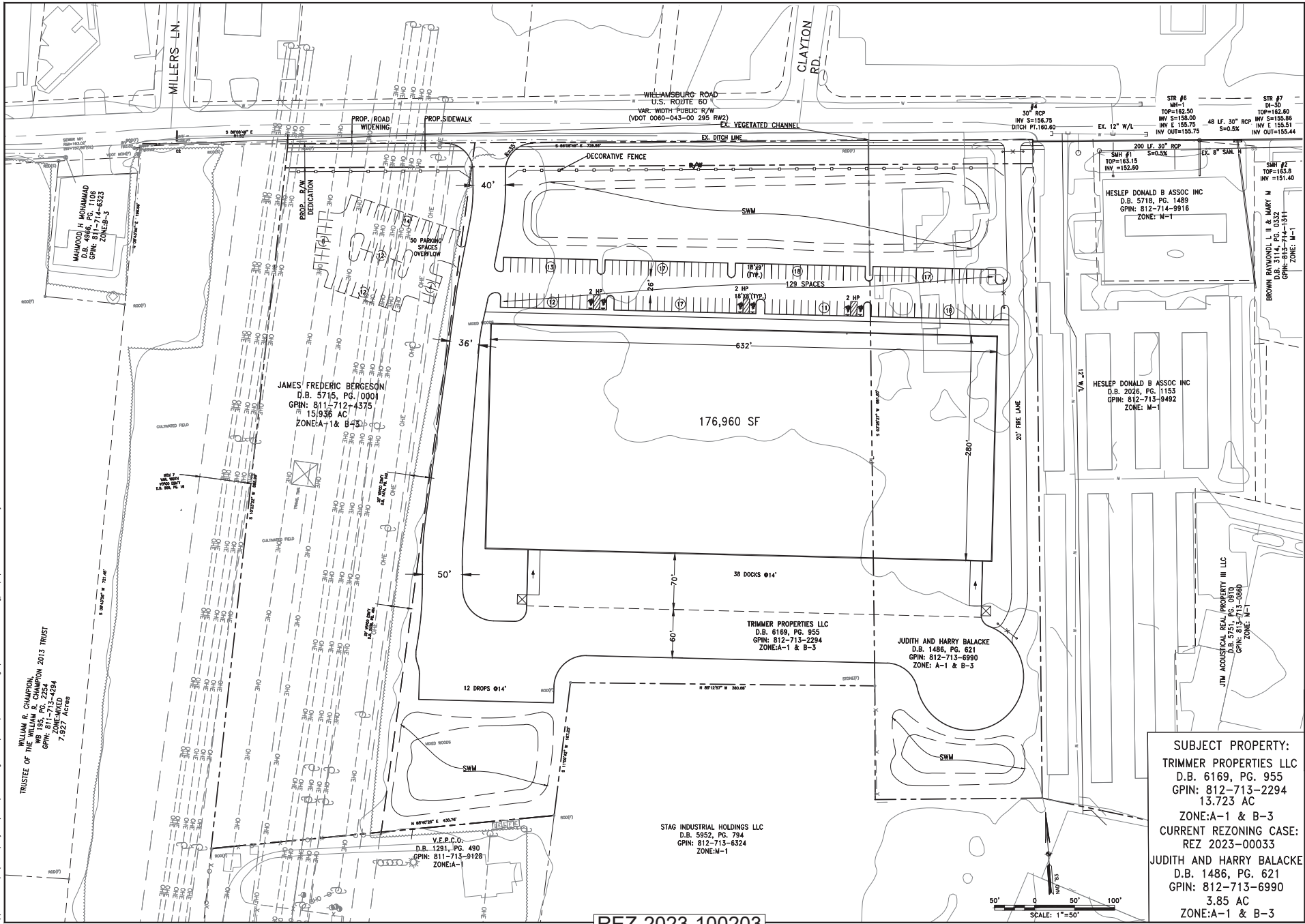
Mailing Address: Planning Department, P.O. Box 90775, Henrico, VA 23273-0775 Phone (804) 501-4602 Facsimile (804) 501-4379

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.

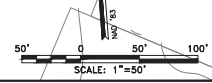
\\dr4k.com\VA\Draw\Projects\2023\3192_LingC\Trim\CAD\Source Drawings\OVERALL LAYOUT.dwg / 12/14/2023 1:59:19 PM by -----

WILLIAM R. CHAMPION
 TRUSTEE OF THE
 WILLIAM R. CHAMPION 2013 TRUST
 NO. 1534, PG. 254
 GPIN: 811-271-7254
 ZONE-MED
 7.927 Acres



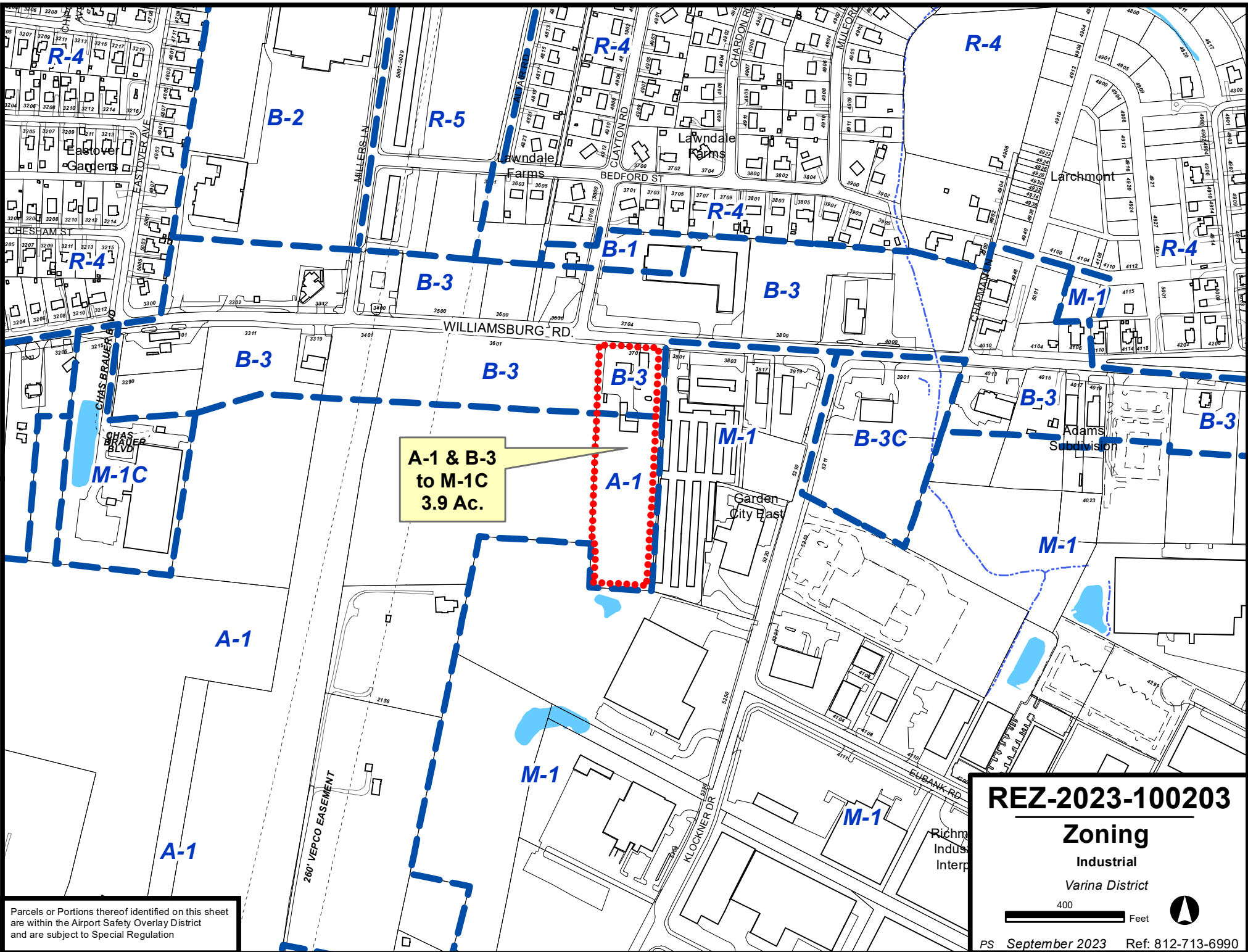
REZ-2023-100203

SUBJECT PROPERTY:
 TRIMMER PROPERTIES LLC
 D.B. 6169, PG. 955
 GPIN: 812-713-2294
 13.723 AC
 ZONE:A-1 & B-3
 CURRENT REZONING CASE:
 REZ 2023-00033
 JUDITH AND HARRY BALACKE
 D.B. 1486, PG. 621
 GPIN: 812-713-6990
 3.85 AC
 ZONE:A-1 & B-3



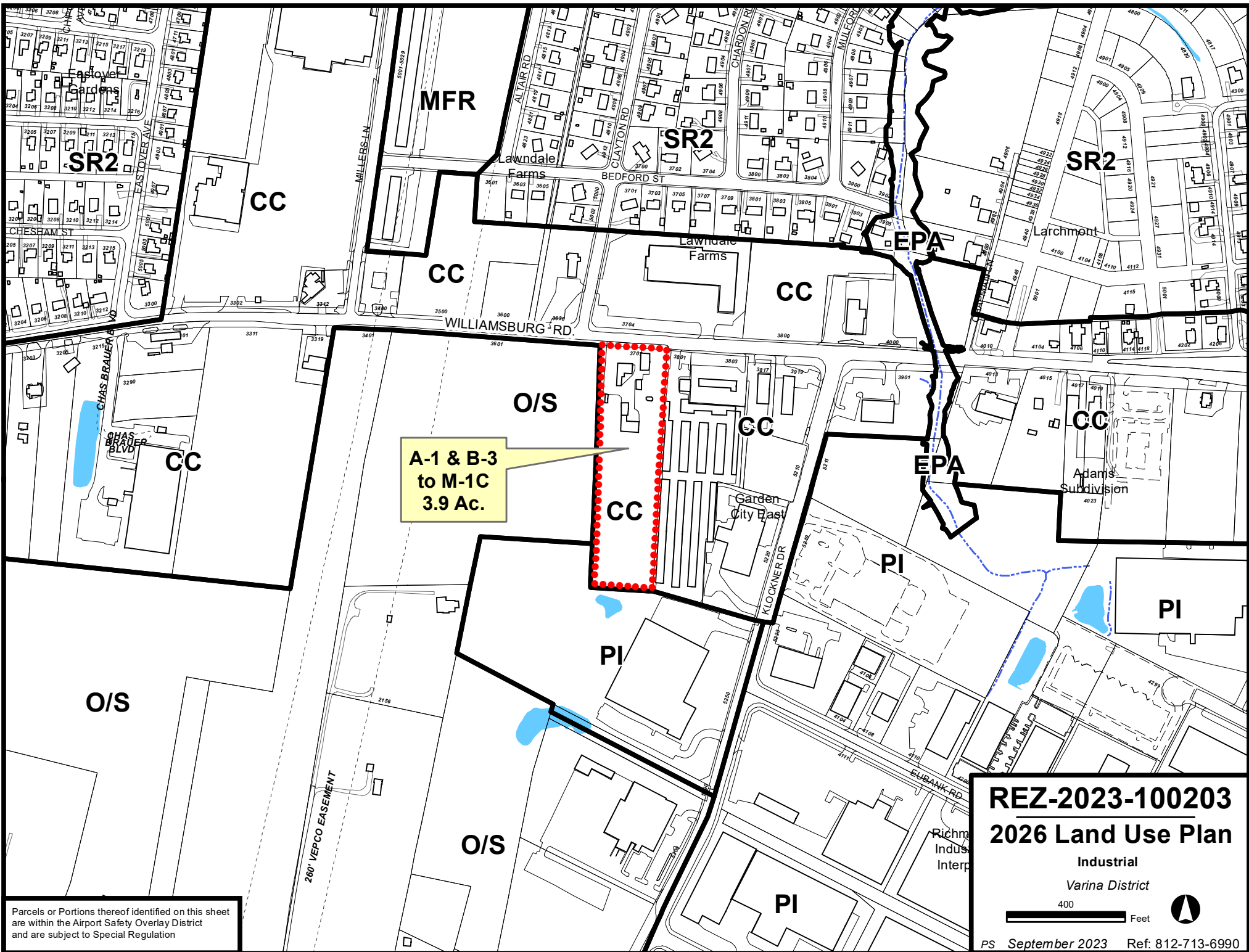
DATE: 09/29/2023		DATE: 11/29/23	
ENGINEER: MMM	ENGINEER: MMM	SHEET 1 OF 1	
CHECKED: MMM	CHECKED: MMM	SCALE 1" = 50'	
CAD: AK	CAD: AK	PLAN REVISIONS --	
JOB#: 23192/23247	JOB#: 23192/23247	1.) TRIMMER & BALACKE PARCEL	
D-1 STORAGE/RC'S TRIMMER & BALACKE PARCEL (#4) HENRICO, VIRGINIA - VARINA DISTRICT		CONCEPT LAYOUT	





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



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

REZ-2023-100203
2026 Land Use Plan
 Industrial
 Varina District

400 Feet

PS September 2023 Ref: 812-713-6990