



# REZ2023-00033

## 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:

<b>Planning Commission:</b>	November 9, 2023	Recommended for Approval
<b>Board of Supervisors:</b>	December 12, 2023 February 13, 2024 April 9, 2024	Deferred at the Applicant's Request Deferred at the Applicant's Request Pending

### II. IDENTIFICATION AND LOCATIONAL INFORMATION:

<b>Proposed Zoning:</b>	M-1C Light Industrial District (Conditional)
<b>Existing Zoning:</b>	A-1 Agricultural District and B-3 General Business District
<b>Acreage:</b>	13.723 acres
<b>Proposed Use:</b>	Industrial office/warehouse
<b>Location of Property:</b>	South line of Williamsburg Road approximately 150' east of its intersection with Millers Lane
<b>Magisterial District:</b>	Varina
<b>Comprehensive Plan Recommendation:</b>	Office/Service
<b>Parcel Numbers:</b>	812-713-2294
<b>Zoning of Surrounding Properties:</b>	North: B-3 Business District* South: A-1 Agricultural District*, M-1 Light Industrial District* East: A-1 Agricultural District*, B-3 Business District* (REZ-2023-100203) West: A-1 Agricultural District*, B-3 Business District* (Portion of REZ2023-00037) *Airport Safety Overlay District

### **III. SUMMARY OF STAFF REPORT COMMENTS:**

This is a request to conditionally rezone 13.723 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 150' east of its intersection with Millers Lane. The 2026 Comprehensive Plan recommends Office/Service, and the site is located in the Airport Safety Overlay District and Enterprise Zone.

Since this case was heard by the Planning Commission, the applicant now proposes purchasing the 3.90-acre parcel to the east to rezone to M-1C (REZ-2023-100203) to allow for an expanded facility on the combined site. The new conceptual plan shows a 176,960 square foot office/warehouse with 38 loading docks to its rear, one point of access on Williamsburg Road, a gated fire access road, and three BMPs. In addition to the conceptual plan, the applicant has submitted proffers that address building materials, allowed uses, hours of operation, sidewalks and right-of-way dedication, landscape buffers, and signage.

This request is generally consistent with the 2026 Comprehensive Plan designation for Office/Service and the site's location within the Enterprise Zone. 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.

The Planning Commission recommended approval of this request at their November 9, 2023 meeting. At their ~~December 12, 2023~~ February 13, 2024 meeting, the Board of Supervisors approved a request by the applicant to defer this request to their ~~February 13, 2024~~ April 9, 2024 meeting. ~~The applicant is requesting a deferral to the March 12, 2024 meeting to continue working on this case. Since this time, no new information has been submitted for this request.~~

### **IV. LAND USE ANALYSIS AND IMPLICATIONS:**

The 13.723-acre site is undeveloped and partially wooded. The request is to conditionally rezone to M-1C to allow an industrial office and warehouse.

Surrounding land uses to the north include two small commercial structures and a larger undeveloped parcel, zoned B-3 Business District. Parcels zoned B-3/A-1, and M-1 located to the east include a vacant retail building (the site of pending rezoning case REZ-2023-100203), a carwash, and a mini-storage facility. To the west is a vacant site, zoned A-1 and B-3, that is pending a request to be conditionally rezoned to M-1C. South of the site is a utility station (Dominion Energy), zoned A-1, and the rear, wooded portion of 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, REZ-2023-100203, REZ2023-00034, REZ2023-00035, and REZ2023-00037 are all requesting the M-1C zoning district to allow office/warehouse uses. However, this case, and companion request REZ-2023-100203, are the only ~~is the only one~~ cases that would have a development fronting Williamsburg Road. Due to the power line which runs through several of the sites, only REZ2023-00033 and REZ-2023-100203 are proposed to interconnect at this time.

The proffered conceptual plan has been revised to show the addition of the companion rezoning case, REZ-2023-100203. The new 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 with 38 loading

docks to its rear and one additional BMP near the eastern property line. The plan also shows the existing Dominion Energy utility easement that runs along the western portion of the property to the substation to the south.

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 that provide assurances regarding the property's frontage including permitted and prohibited building materials, a 25' wide landscape buffer along Williamsburg Road with decorative fencing, a 4' wide sidewalk, and right-of-way dedication.

The 2026 Comprehensive Plan recommends this site for Office/Service. The proposed development pattern placing loading areas to the rear of the building would be generally consistent with the Office/Service designation and the site's location within the Enterprise Zone. 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 generally consistent with the redevelopment efforts for this corridor. For these reasons, staff supports this request.

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## **V. COMPREHENSIVE PLAN ANALYSIS:**

### ***Comprehensive Plan Recommendation:***

The 2026 Comprehensive Plan recommends Office/Service for this site. This request is generally consistent with the Office/Service designation 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. A 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 Road
- 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 in 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. RE23023  
00033      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 M. Condit      11/22/23  
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

REZ2023-00033

November 22, 2023

1. Concept Plan. The Property will be developed in general conformance with the concept plan attached hereto as "D-1 STORAGE/RCS TRIMMER PARCEL (#4), HENRICO, VIRGINIA – VARINA DISTRICT, CONCEPT LAYOUT" prepared by RK&K and dated September 29, 2023, and stamped November 20, 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



## Proffers for Conditional Rezoning (Supplemental)

County of Henrico, Virginia

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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 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;





## Proffers for Conditional Rezoning (Supplemental)

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- ii. Utility minor;
  - iii. Wireless communication short structure or colocation;
  - 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.



## Proffers for Conditional Rezoning (Supplemental)

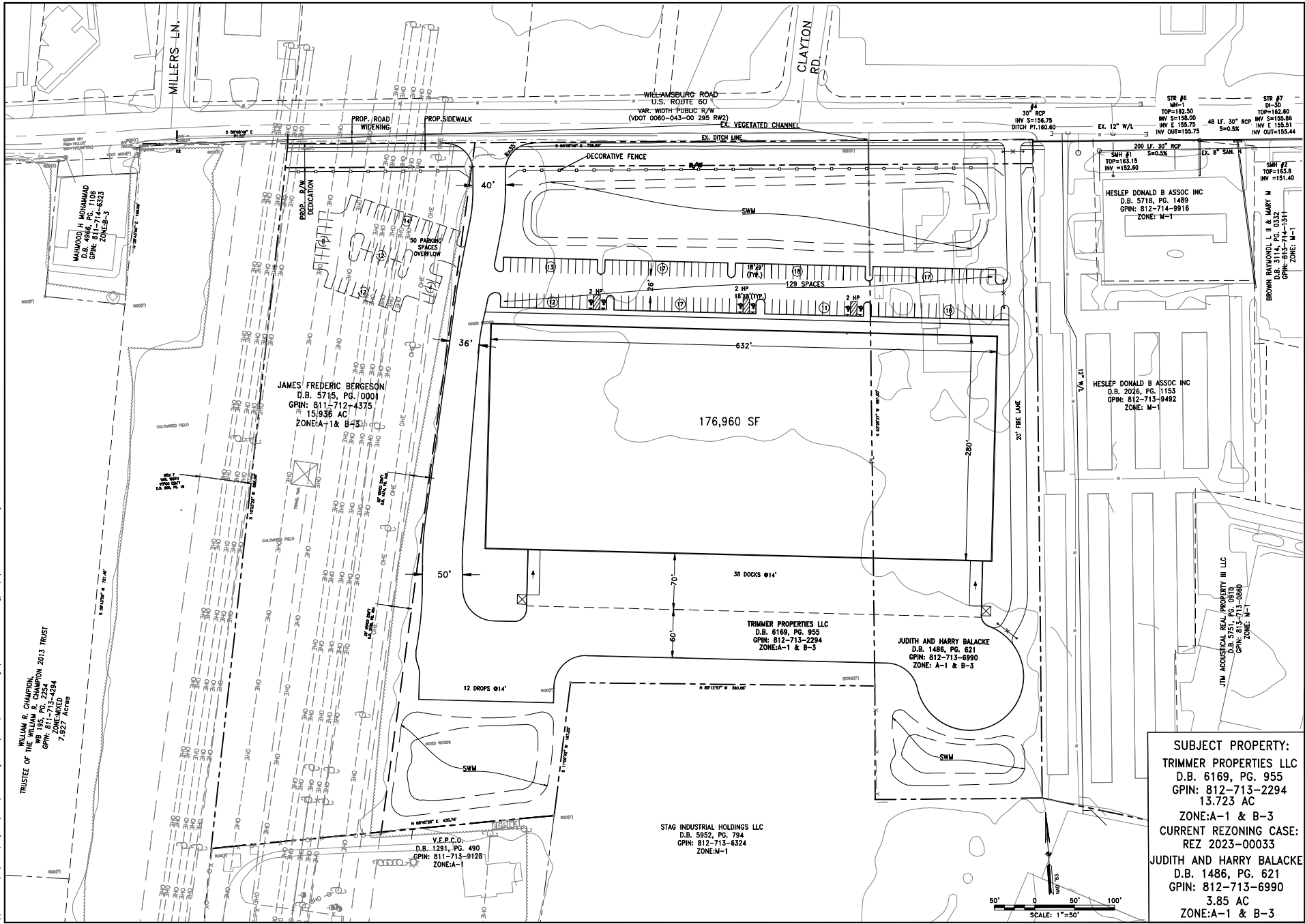
County of Henrico, Virginia  
4301 E. Parham Road, Henrico, Virginia 23228  
Henrico Planning Web Site: <http://www.co.henrico.va.us/planning>

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

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. 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.



WILLIAM R. CHAMPION  
 TRUSTEE OF THE  
 WILLIAM R. CHAMPION 2013 TRUST  
 NO. 1504  
 GPIN: 811-271-2254  
 ZONE-MED  
 7.927 Acres



JAMES FREDERIC BERGESSON  
 D.B. 5715, PG. 0001  
 GPIN: 811-712-4375  
 15,936 AC  
 ZONE-A-1 & B-3

TRIMMER PROPERTIES LLC  
 D.B. 6169, PG. 955  
 GPIN: 812-713-2294  
 ZONE-A-1 & B-3

JUDITH AND HARRY BALACKE  
 D.B. 1486, PG. 621  
 GPIN: 812-713-6990  
 ZONE: A-1 & B-3

STAG INDUSTRIAL HOLDINGS LLC  
 D.B. 5952, PG. 794  
 GPIN: 812-713-8324  
 ZONE-M-1

STR #6  
 MH-1  
 TOP=162.50  
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 INV E=158.75  
 INV OUT=155.75

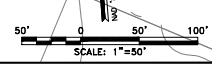
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 INV E=155.51  
 INV OUT=155.44

HESLEY DONALD B ASSOC INC  
 D.B. 5718, PG. 1489  
 GPIN: 812-714-9916  
 ZONE: M-1

HESLEY DONALD B ASSOC INC  
 D.B. 2026, PG. 1153  
 GPIN: 812-713-9492  
 ZONE: M-1

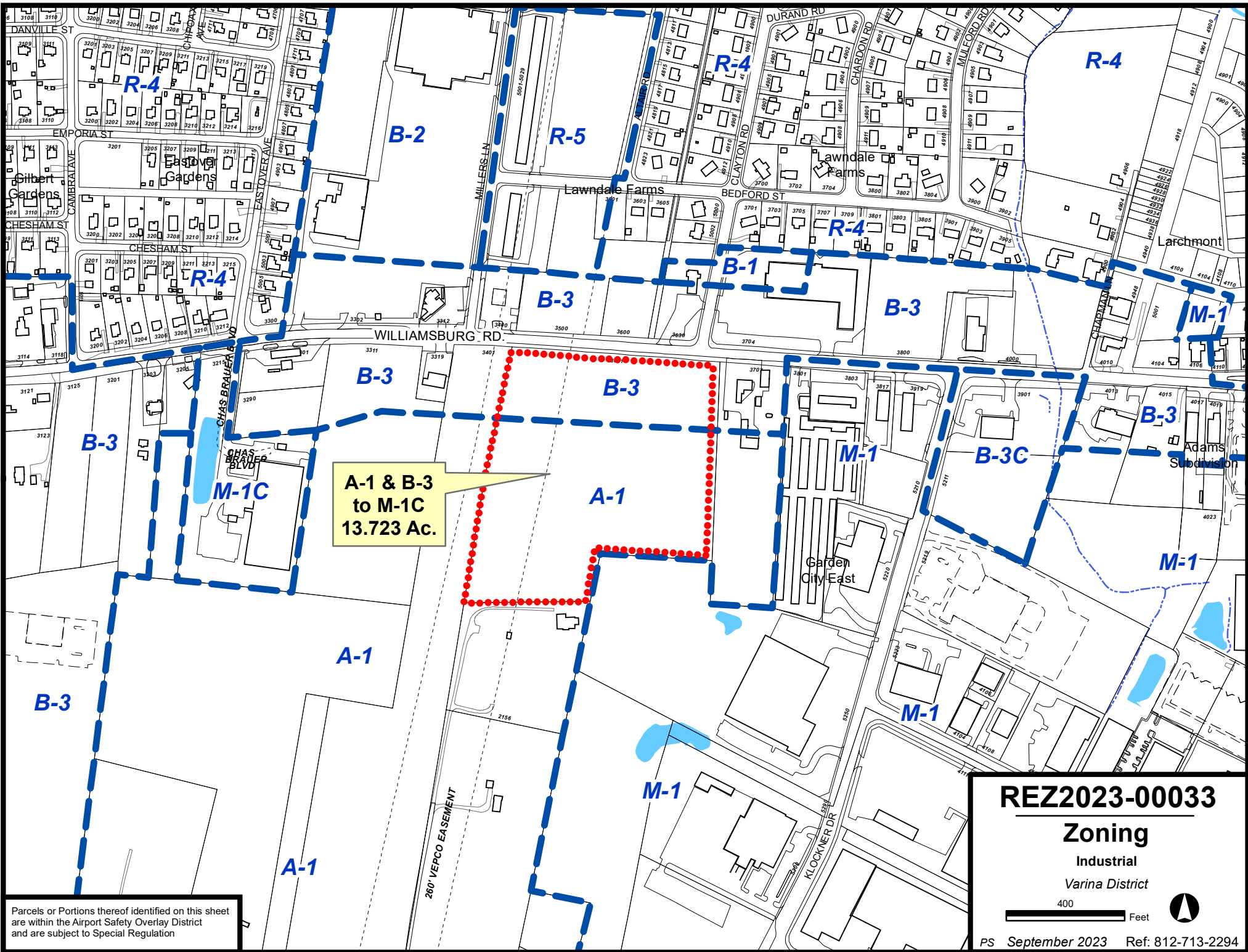
JTM INDUSTRIAL REAL PROPERTY III LLC  
 D.B. 813-713-0860  
 GPIN: 813-713-0860  
 ZONE: M-1

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: 9/29/2023		PLAN REVISIONS -	
ENGINEER: MMM	CHECKED: MMM	SHEET 1 OF 1	1.) 11/29/23 ADD BALANCE PARCEL
CAD: AK	JOB # 23192/23247	SCALE 1" = 50'	
D-1 STORAGE/RC'S		CONCEPT LAYOUT	
TRIMMER & BALACKE PARCEL (#4)			
HENRICO, VIRGINIA - VARINA DISTRICT			





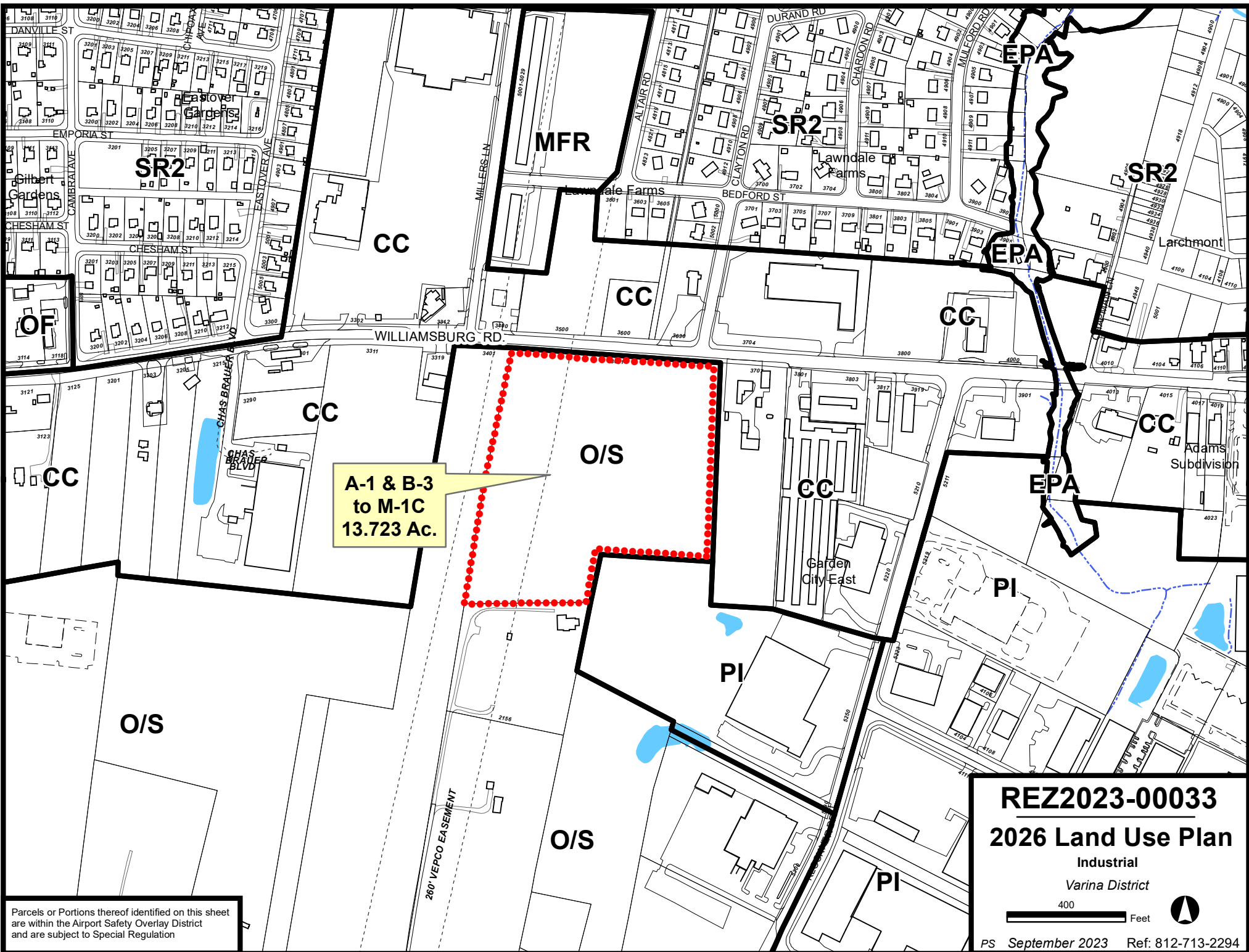
Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation

**A-1 & B-3  
to M-1C  
13.723 Ac.**

**REZ2023-00033**  
**Zoning**  
 Industrial  
 Varina District

400 Feet

PS September 2023 Ref: 812-713-2294



**A-1 & B-3  
to M-1C  
13.723 Ac.**

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

**REZ2023-00033**  
**2026 Land Use Plan**  
 Industrial  
 Varina District  
 400 Feet  
 PS September 2023 Ref: 812-713-2294