

**PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
AUGUST 12, 2021**

BEGINNING AT 7:00 P.M.

WELCOME:

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA:

CALL TO ORDER:

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (0); (6)

REQUESTS FOR EXPEDITED ITEMS: (3)

CASES TO BE HEARD: (4)

TUCKAHOE:

REZ2021-00040 Andrew M. Condlin for Starbucks Corporation: Request to conditionally rezone from B-1 Business District to B-2C Business District (Conditional) Parcel 762-731-2489 containing .434 acres located on the south line of River Road at its intersection with Huguenot Road (State Route 147). The applicant proposes a restaurant with drive-through. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration. **Staff – Lisa Blankinship (Expedited Agenda Requested)**
[Recommended for Approval](#)

BROOKLAND:

(Deferred from the July 15, 2021 Meeting)

PUP2021-00014 Sekiv Solutions, LLC for William (Henry) Brummitt: Request for a Provisional Use Permit under Sections 24-55(i), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow outdoor dining for an existing restaurant on part of Parcel 764-764-9325 located on the west line of Staples Mill Road (U.S. Route 33) approximately 550' north of its intersection with Old Courtney Road. The existing zoning is B-1 Business District. The 2026 Comprehensive Plan recommends Commercial Concentration. **Staff – Lisa Blankinship (Expedited Agenda Requested)**
[Recommended for Approval](#)

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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 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 (Deferral Requested to September 9, 2021 Meeting)**
[Deferred to the September 9, 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

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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 (Deferral Requested to September 9, 2021 Meeting)

Deferred to the September 9, 2021 Meeting

VARINA:

PUP2021-00016 C. E. Forehand for HTS Towers, LLC: Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a communication tower up to 165' in height and related equipment on part of Parcel 831-688-1711 located on the east line of Turner Road approximately 450' southeast of its intersection with Three Foxes Drive. The existing zoning is A-1 Agricultural District. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per acre. Part of the site is in the Airport Safety Overlay District.

Staff – Kristin Smith

Recommended for Approval

FAIRFIELD:

REZ2021-00035 Ann Neil Cosby/Adena M. Patterson for Hillwood Enterprises, L.P.: Request to rezone from M-2C General Industrial District (Conditional) and C-1 Conservation District to C-1 Conservation District part of Parcels 795-749-4431 and 796-747-9944 containing 233 acres located approximately 100' north of the intersection of the Richmond Henrico Turnpike (State Route 627) and the north line of the C&O Railroad. The applicant proposes a conservation area. The use will be controlled by zoning ordinance regulations. The 2026 Comprehensive Plan recommends Environmental Protection Area, Office/Service, and Light Industry. The site is in the Airport Safety Overlay District. **Staff – Seth Humphreys (Expedited Agenda Requested)**

Recommended for Approval

THREE CHOPT:

(Deferred from the July 15, 2021 Meeting)

REZ2021-00026 T. Preston Lloyd, Jr. for Highwoods Realty Limited Partnership: Request to conditionally rezone from A-1 Agricultural District and M-1C Light Industrial District (Conditional) to UMUC Urban Mixed Use District (Conditional) Parcels 750-768-0643, 750-768-4593, 750-768-4929, and 750-768-8514 and part of Parcels 751-768-2072, 751-769-0332, and 751-769-4739 containing 33.801 acres located on the north line of Nuckols Road between Lake Brook Drive 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. The site is in the Innsbrook Redevelopment Overlay District. **Staff – Livingston Lewis**

Recommended for Approval

(Deferred from the July 15, 2021 Meeting)

PUP2021-00010 T. Preston Lloyd, Jr. for Highwoods Realty Limited Partnership: Request for a Provisional Use Permit under Sections 24-32.1 (a, b, i, l, p, s, v, w, z), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow the following: outdoor vending areas; commercial parking lot; greater floor area for any use with floor area limitations;

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heliport; outdoor, commercial recreational facilities; buildings and structures exceeding 60' in height; open space of less than 20 percent within a development; commercial or office square footage of less than 25 percent of the total building square footage of the UMU district; and number of for-lease multifamily dwelling units exceeding 30 percent of the total units of the UMU district on Parcels 750-768-0643, 750-768-4593, 750-768-4929, and 750-768-8514 and part of Parcels 751-768-2072, 751-769-0332, and 751-769-4739 located on the north line of Nuckols Road between Lake Brook Drive and Interstate 295. The existing zoning is A-1 Agricultural District and M-1C Light Industrial District (Conditional). UMUC zoning is proposed with REZ2021-00026. The 2026 Comprehensive Plan recommends Urban Mixed-Use. The site is in the Innsbrook Redevelopment Overlay District. **Staff – Livingston Lewis**

Recommended for Approval

REZ2021-00028 Andrew M. Condlin 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 September 9, 2021 Meeting)**

Deferred to the September 9, 2021 Meeting

PUP2021-00011 Andrew M. Condlin for Lingerfelt Office Properties, LLC: Request for a Provisional Use Permit under Sections 24-32.1 (s, t, v, w, z, aa), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow the following: buildings 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 September 9, 2021 Meeting)**

Deferred to the September 9, 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

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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 September 9, 2021 Meeting)**
[Deferred to the September 9, 2021 Meeting](#)

PUP2021-00012 Andrew M. Conclin for Lingerfelt Office Properties, LLC: Request for a Provisional Use Permit under Sections 24-32.1 (s, t, v, w, z, aa), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow the following: buildings 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 September 9, 2021 Meeting)**
[Deferred to the September 9, 2021 Meeting](#)

REZ2021-00037 Ram Misra: Request to amend proffers accepted with C-8C-01 on Parcel 737-754-6589 located on Brandyview Lane approximately 265' west from its intersection with Clary Preston Drive. The applicant proposes to amend Proffer #9 regarding the rear yard setback and landscape buffer. The existing zoning is R-3C One-Family Residence District (Conditional). The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. **Staff – Kristin Smith**
[Recommended for Denial](#)

DISCUSSION ITEM: Approval of 2022 Planning Commission calendar.
[Approved](#)

APPROVAL OF MINUTES: Planning Commission on July 15, 2021
[Approved](#)

Acting on a motion by [Mr. Archer](#), seconded by [Mr. Witte](#), the Planning Commission adjourned its meeting at [8:44 p.m.](#) on [August 12, 2021](#).

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