

**PLANNING COMMISSION  
REZONING MEETING  
FINAL AGENDA  
November 10, 2021**

**BEGINNING AT 5:30 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 Commission's Rules and Regulations and the status of the 2045 Comprehensive Plan Update.

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**BEGINNING AT 7:00 P.M.**

**WELCOME:**

**PLEDGE OF ALLEGIANCE:**

**RECOGNITION OF NEWS MEDIA:**

**CALL TO ORDER:**

**REQUESTS FOR WITHDRAWALS AND DEFERRALS: (1); (8)**

**REQUESTS FOR EXPEDITED ITEMS: (4)**

**CASES TO BE HEARD: (3)**

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**FAIRFIELD:**

**REZ2021-00053 David Hulburt and Sheryl Finneran:** Request to amend proffers accepted with C-4C-94 on Parcel 787-745-3698 located on the east line of Chamberlayne Road (U.S. Route 301) approximately 180' north of its intersection with Wilmer Avenue. The applicant proposes to amend Proffer #1 regarding prohibited uses. The existing zoning is O-1C Office District (Conditional). The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre.

**Staff – Lisa Blankinship (Expedited Agenda Requested)**  
**Recommended for Approval**

**REZ2021-00054 Jeff Cook for Kingman Investment Properties, LLC:** Request to amend proffers accepted with C-40C-91 and C-70C-97 on Parcel 789-754-3978 located on the north line of Wilkinson Road approximately 200' west of its intersection with Upham Drive. The applicant proposes to amend and add proffers regarding general conformance to the existing Plan of Development, existing buildings, permitted uses and restrictions, hours of operation, signage, outside speakers, parking lot standards, exterior lighting,

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signage, public address, perimeter landscaping, and outside storage. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is located in the Enterprise Zone.

**Staff – Seth Humphreys**

**Recommended for Approval**

**REZ2021-00060 Andrew M. Condlin for Stanley Martin Homes, LLC:** Request to conditionally rezone from A-1 Agricultural District, R-5AC and R-6C General Residence Districts (Conditional) to R-5AC (3.59 acres) and R-6C (0.56 acres) General Residence Districts (Conditional) Parcels 785-758-8049, 786-758-0294, and 786-758-0555 and part of Parcels 785-758-3485, -5283, -8854, -9568, -9882, and 785-759-7748 containing 4.15 acres located approximately 400' northeast of the intersection of Scott Road and Scott Place. The applicant proposes a residential development of townhomes and single-family dwellings. The R-5A District allows a density of 6 units per acre. The R-6 District allows a density of 12 units per acre for townhouses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Planned Industry. **Staff – Lisa Blankinship**

**(Expedited Agenda Requested)**

**Recommended for Approval**

**REZ2021-00062 Andrew M. Condlin for Marc A. Allocca:** Request to conditionally rezone from B-3 Business District and M-1 Light Industrial District to M-1C Light Industrial District (Conditional) Parcel 784-758-4750 containing 1.867 acres located on the east line of Telegraph Road approximately 225' north of its intersection with Brook Road (U.S. Route 1). The applicant proposes light industrial uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Light Industrial. The site is in the Enterprise Zone.

**Staff – Livingston Lewis (Deferral Requested to January 13, 2022)**

**Deferred to the January 13, 2022 Meeting**

**VARINA:**

**(Deferred from the September 9, 2021 Meeting)**

**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 (Withdrawn by Applicant)**

**Withdrawn by Applicant**

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**REZ2021-00056 Andrew M. Condlin Atlantic Crossing, LLC:** Request to conditionally rezone from A-1 Agricultural District to M-2C General Industrial District (Conditional) Parcels 841-712-8524, 842-712-1529, 842-712-5063, 843-711-6375, 843-712-6388, and 844-709-3698 containing 530.47 acres located on the north and south lines of E. Williamsburg Road (U.S. Route 60) at its intersection with Technology Boulevard. The applicant proposes industrial and distribution uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office, Office/Service, Commercial Concentration, Traditional Neighborhood Development, and Environmental Protection Area. Part of the site is in the Airport Safety Overlay District. **Staff – Seth Humphreys (Deferral Requested to December 9, 2021)**  
[Deferred to the December 9, 2021 Meeting](#)

**BROOKLAND:**

**(Deferred from the October 14, 2021 Meeting)**

**REZ2021-00041 Andrew M. Condlin for Laurel Land, LLC:** Request to conditionally rezone from R-2 One-Family Residence District and [R-6C] General Residence District (Conditional) to R-6C General Residence District (Conditional) Parcels 767-760-8701, 768-759-3393, and 768-760-1507 containing 5.30 acres located at the northeast intersection of Hungary Spring and Hungary Roads. The applicant proposes townhomes and condominiums. The R-6 District allows a maximum gross density of 19.8 units per acre. The use 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. **Staff – Rosemary Deemer (Deferral Requested to December 9, 2021)**  
[Deferred to the December 9, 2021 Meeting](#)

**THREE CHOPT:**

**(Deferred from the October 14, 2021 Meeting)**

**REZ2021-00044 Andrew M. Condlin for SKM, LLC:** Request to conditionally rezone from A-1 Agricultural District to R-6C General Residence District (Conditional) (5.095 acres) and B-2C Business District (Conditional) (7.717 acres) Parcels 733-764-9576, 733-765-4819, and part of Parcel 734-765-1504 containing 12.812 acres located at the northwest intersection of W. Broad Street (U.S. Route 250) and N. Gayton Road. The applicant proposes a condominium and commercial development. The R-6 District allows a maximum gross density of 19.8 units per acre. 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 West Broad Street Overlay District. **Staff – Seth Humphreys**  
[Recommended for Approval](#)

**PUP2021-00025 Andrew M. Condlin for SKM, 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 Parcels 733-764-9576 and 733-765-4819 located at the northwest intersection of W. Broad Street (U.S. Route 250) and N. Gayton Road. The existing zoning is A-1 Agricultural District. R-6C General Residence District (Conditional) zoning is proposed with REZ2021-

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00044. The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. The site is in the West Broad Street Overlay District.

**Staff – Seth Humphreys (Deferral Requested to December 9, 2021)**

**Deferred to the December 9, 2021 Meeting**

***(Deferred from the October 14, 2021 Meeting)***

**REZ2021-00002 Jeffrey P. Geiger for Edward Rose Properties, Inc.:** Request to conditionally rezone from A-1 Agricultural District to R-6C General Residence District (Conditional) Parcels 733-765-8245, 734-765-0271, 734-765-1326, 733-765-9428, 734-765-1094, 734-765-1456, 734-765-3041, and part of Parcel 734-765-1504, containing 17.2 acres located at the northwest intersection of N. Gayton and Old Three Chopt Roads. The applicant proposes a multifamily development. The R-6 District allows a maximum gross density of 19.8 units per acre. 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 West Broad Street Overlay District. **Staff – Seth Humphreys**

**(Deferral Requested to December 9, 2021)**

**Deferred to the December 9, 2021 Meeting**

**PUP2021-00026 Jeffrey P. Geiger for Edward Rose Properties, Inc:** Request for a Provisional Use Permit under Sections 24-4315.C and 24-2306 of Chapter 24 of the County Code to allow zoning modifications as part of a master-planned development on Parcels 733-765-8245, 734-765-0271, 734-765-1326, 733-765-9428, 734-765-1094, 734-765-1456, 734-765-3041, and part of Parcel 734-765-1504 located at the northwest intersection of N. Gayton and Old Three Chopt Roads. The existing zoning is A-1 Agricultural District. R-6C General Residence District (Conditional) zoning is proposed with REZ2021-00002. The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. The site is in the West Broad Street Overlay District.

**Staff – Seth Humphreys (Deferral Requested to December 9, 2021)**

**Deferred to the December 9, 2021 Meeting**

***(Deferred from the October 14, 2021 Meeting)***

**REZ2021-00048 James W. Theobald for Triple J Farms, LLC, ME Taylor LLC, and ME Payne LLC:** Request to conditionally rezone from A-1 Agricultural District to UMUC Urban Mixed-Use District (Conditional) Parcels 731-768-6671, 731-769-1848, 731-770-6865, 732-768-3835, 732-768-9107, and 734-767-2531 containing 183.011 acres located on the north line of Bacova Drive at its intersection of N. Gayton Road. 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 Office, Rural Residential, density should not exceed 1 unit per acre, and Environmental Protection Area. **Staff – Livingston Lewis**

**(Deferral Requested to December 9, 2021)**

**Deferred to the December 9, 2021 Meeting**

**(Deferred from the October 14, 2021 Meeting)**

**PUP2021-00018 James W. Theobald for Triple J Farms, LLC, ME Taylor LLC, and ME Payne LLC:** Request for a Provisional Use Permit under Sections 24-32.1 (a, f, i, k, n, p, s, t, u, v, w, x, z, aa, bb), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow outdoor vending; auditorium and assembly hall; offices greater than 30,000 square feet, indoor recreation greater than 10,000 square feet, retail stores or shops greater than 10,000 square feet; drive-through services; parking garage with no associated ground floor retail; buildings in excess of 60' in height; residential density in excess of 30 units per acre; one-family dwellings exceeding 25 percent of total dwelling units; open space less than 20 percent; commercial or office square footage of less than 25 percent of the total building square footage; general hospitals; number of for-lease multifamily dwelling units to exceed 30 percent of total units; parking plan; and other uses of the same general character on Parcels 731-768-6671, 731-769-1848, 731-770-6865, 732-768-3835, 732-768-9107, and 734-767-2531 located on the north line of Bacova Drive at its intersection of N. Gayton Road. The existing zoning is A-1 Agricultural District. UMUC Urban Mixed-Use (Conditional) District zoning is proposed with REZ2021-00048. The 2026 Comprehensive Plan recommends Office, Rural Residential, density should not exceed 1 unit per acre, and Environmental Protection Area. **Staff – Livingston Lewis**

**(Deferral Requested to December 9, 2021)**

**Deferred to the December 9, 2021 Meeting**

**REZ2021-00050 Nathalie Croft for Eagle Construction of VA, LLC:** Request to conditionally rezone from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional) part of Parcel 738-769-3891 containing 14.582 acres located between the north line of N. Gayton Road and the terminus of Belair Place. The applicant proposes an age-restricted condominium community. The RTH District allows a maximum gross density of 9 units per acre. The use 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.

**Staff – Michael Morris**

**Recommended for Approval**

**TUCKAHOE:**

**REZ2021-00055 Simon Mueller for Wilton Commercial, LLC:** Request to conditionally rezone from B-1 Business District to B-2C Business District (Conditional) Parcels 741-742-1739, 740-742-9565, and 740-742-9327 containing 5.191 acres located on the north line of Patterson Avenue (State Route 6) approximately 175' west of its intersection with Pump Road. The applicant proposes commercial uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration and Environmental Protection Area. **Staff – Kristin Smith (Expedited Agenda Requested)**

**Recommended for Approval**

**PUP2021-00020 Simon Mueller for Wilton Commercial, LLC:** Request for a Provisional Use Permit under Sections 24-4205 and 24-2306 of Chapter 24 of the County Code to allow an automated teller machine as a principal use on Parcels 741-742-1739, 740-742-9565, and 740-742-9327 located on the north line of Patterson Avenue (State

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Route 6) approximately 175' west of its intersection with Pump Road. The existing zoning is B-1 Business District. B-2C Business District (Conditional) zoning is proposed with REZ2021-00055. The 2026 Comprehensive Plan recommends Commercial Concentration and Environmental Protection Area.

**Staff – Kristin Smith (Expedited Agenda Requested)**

**Recommended for Approval**

**APPROVAL OF MINUTES: Planning Commission on September 22, 2021 and October 14, 2021**

**Approved**

Acting on a motion by [Mr. Archer](#) seconded by [Mr. Witte](#) the Planning Commission adjourned its meeting at [8:48 p.m.](#) on [November 10, 2021](#).

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