

**HENRICO COUNTY**  
**PLANNING COMMISSION AGENDA**  
**FOR**  
**REZONINGS AND PROVISIONAL USE PERMITS**

**January 12, 2017**

**7:00 P.M.**



**PLANNING COMMISSION**

C. W. Archer, C.P.C., Chair (Fairfield)  
Gregory R. Baka (Tuckahoe)  
Eric S. Leabough, C.P.C. (Varina)  
Robert H. Witte, Jr. (Brookland)  
Sandra M. Marshall (Three Chopt)  
Tyrone E. Nelson (Varina)  
Board of Supervisors Representative  
R. Joseph Emerson, Jr., AICP,  
Director of Planning, Secretary

**COMPREHENSIVE DIVISION – DEPARTMENT  
OF PLANNING**

Jean M. Moore, Assistant Director of Planning  
Jim Strauss, PLA, Senior Principal Planner  
Rosemary D. Deemer, AICP, County Planner  
Seth Humphreys, County Planner  
Ben Sehl, County Planner  
Livingston Lewis, County Planner  
Lisa Blankinship, County Planner  
William Moffett, County Planner  
Erin Puckett, County Planner  
Paul Stewart, GIS Technician  
Sylvia Ray, Office Assistant/Recording Secretary

**PLANNING COMMISSION  
REZONING MEETING  
FINAL AGENDA  
JANUARY 12, 2017**

**BEGINNING AT 5:30 P.M.**

**DINNER AND WORK SESSION:** County Manager's Conference Room. The Commission will discuss comments received regarding revisions to the sign ordinance and review the Planning Commission Rules and Regulations.

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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: (0); (1)**

**REQUESTS FOR EXPEDITED ITEMS: (3)**

**ELECTION OF CHAIRMAN: [Mr. Eric Leabough](#)**

**ELECTION OF VICE-CHAIRMAN: [Mr. Robert Witte](#)**

**CASES TO BE HEARD: (4)**

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**(Deferred from the December 8, 2016 Meeting)**

**ORDINANCE** – To Amend and Reordain the Following Sections of the Code of the County of Henrico Titled: 24-3, "Enumerated;" 24-13, "Accessory uses permitted;" 24-13.2, "Accessory uses permitted;" 24-30, "Accessory uses permitted;" 24-34, "Development standards;" 24-37, "Accessory uses permitted;" 24-39, "Accessory uses permitted;" 24-50.3, "Accessory uses permitted;" 24-50.8, "Accessory uses permitted;" 24-50.13, "Accessory uses permitted;" 24-50.21, "Accessory uses permitted;" 24-50.32, "Accessory uses permitted;" 24-53, "Accessory uses permitted;" 24-56.1, "Accessory uses permitted;" 24-57, "Development standards and conditions for permitted uses;" 24-60, "Accessory uses permitted;" 24-62.1, "Permitted uses;" 24-64, "Accessory uses permitted;" 24-68, "Accessory uses permitted;" 24-72, "Accessory uses permitted;" 24-75, "Accessory uses

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permitted;" 24-101, "Neighborhood and community shopping centers;" 24-106.2, "Landscaping, tree cover, screen and buffer requirements, transitional buffering and design standards;" and 24-121, "Conditional zoning or zone approval;" To Repeal and Reserve the Following Sections of the Code of the County of Henrico Titled: 24-85, "Signs permitted;" 24-86, "Signs prohibited;" 24-104, "Signs;" and 24-105, "Planned neighborhood;" And to Add a New Section 24-104.1 "Signs" to Chapter 24 of the Code of the County of Henrico. This ordinance repeals the existing sign ordinance and enacts a new sign ordinance. The new sign ordinance is designed to comply with the U.S. Supreme Court's ruling in Reed v. Town of Gilbert decided June 18, 2015. The new sign ordinance principally regulates the number, size, height, illumination, motion, construction, maintenance, and location of commercial and noncommercial signs within each of the various zoning districts of the County. The new sign ordinance specifies that a sign permit is required for each sign unless a specific exception applies, and it explains how a sign permit is obtained. The new sign ordinance specifies which signs are prohibited, which existing signs will be considered nonconforming, and how those nonconforming signs will be regulated. The new sign ordinance also regulates changeable message signs in the various zoning districts and outdoor advertising signs in the business and industrial districts. Under the new sign ordinance, signs are regulated without regard to the content of the sign. Also, the ordinance updates various sections of the County Code to cross-reference to the new sign ordinance instead of the old sign ordinance. Finally, the ordinance repeals regulations for the establishment of Planned Neighborhood Districts.

**Staff – Ben Blankinship**

**Recommended for Adoption**

**BROOKLAND:**

**REZ2017-00005 Wilton Acquisition, LLC:** Request to conditionally rezone from B-2C Business District (Conditional) to RTHC Residential Townhouse District (Conditional) Parcels 773-759-7681, -9232, -8362, -8944, and part of Parcel 773-759-5623 containing 10.38 acres located on the west line of Woodman Road approximately 240' north of its intersection with Hungary Road. The applicant proposes a residential townhouse development. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone. **Staff – Ben Sehl**

**Recommended for Approval**

**PUP2017-00003 Wilton Acquisition, LLC:** Request for a Provisional Use Permit under Sections 24-58.2(b), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a self-service storage facility on part of Parcel 773-759-5623 located on the north line of Hungary Road approximately 700' northwest of its intersection with Woodman Road. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone. **Staff – Ben Sehl**

**Recommended for Approval**

**VARINA:**

**REZ2017-00001 James W. Theobald for The WVS Companies:** Request to conditionally rezone from M-2 General Industrial District to UMUC Urban Mixed Use District (Conditional) Parcel 797-712-7077 containing 1.384 acres located on the west line of Old Osborne Turnpike (State Route 5) approximately 1000' south of its intersection with Orleans Street. The applicant proposes an addition to Rocketts Landing. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed-Use. **Staff – Ben Sehl**

**Recommended for Approval**

**PUP2017-00001 James W. Theobald for The WVS Companies:** Request for a Provisional Use Permit Under Sections 24-32.1(s), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow buildings taller than 60' on Parcel 797-712-7077 located on the west line of Old Osborne Turnpike (State Route 5) approximately 1000' south of its intersection with Orleans Street. The existing zoning is M-2 General Industrial District. The 2026 Comprehensive Plan recommends Urban Mixed-Use. **Staff – Ben Sehl**

**Recommended for Approval**

**REZ2017-00002 Mark Rempe for Emerald Land Development:** Request to rezone from B-3 Business District to R-3 One-Family Residential District Parcels 836-715-5241 and 836-715-6142 containing 1 acre located at the southwest intersection of Old Williamsburg and Clayman Roads. The applicant proposes single family residences. The use will be controlled by zoning ordinance regulations. 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**

**FAIRFIELD:**

**REZ2017-00004 Peter Francisco:** Request to amend proffered conditions accepted with REZ2014-00027 on Parcel 780-749-9410 located on the west line of Lakeside Avenue (State Route 161) at its intersection with Timberlake Avenue. The applicant proposes to amend proffers related to hours of operation and square footage. The existing zoning is B-3C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone. **Staff – Jim Strauss (Expedited Agenda Requested)**

**Recommended for Approval**

**THREE CHOPT:**

**PUP2017-00002 Noodles & Company:** Request for a Provisional Use Permit Under Sections 24-58.2(d), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow outdoor dining on part of Parcel 747-760-6472 located at the northeast intersection of W. Broad Street (U.S. Route 250) and Dominion Boulevard. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Urban Mixed-Use. The site is in the Innsbrook Redevelopment Overlay District. **Staff – Lisa Blankinship (Expedited Agenda Requested)**

**Recommended for Approval**

**REZ2017-00003 G. Brian Duke for 12600 Bacova, LLC:** Request to conditionally rezone from A-1 Agricultural District to R-5C General Residence District (Conditional) and O-2C Office District (Conditional) Parcel 734-767-2531 containing 40 acres located on the west line of N. Gayton Road and the north line of Bacova Drive approximately 200 feet from their intersection. The applicant proposes a residential townhouse and office development. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office and Environmental Protection Area. **Staff – Seth Humphreys (Deferral Requested to the April 13, 2017 Meeting)**  
**(Deferred to the April 13, 2017 Meeting)**

**TUCKAHOE:**

None.

**DISCUSSION ITEM:** The Commission will continue discussion on the Planning Commission Rules and Regulations at 5:15 p.m.

**Approved**

**DISCUSSION ITEM: CAPITAL IMPROVEMENT PROGRAM:** The Commission will discuss scheduling a Public Hearing for February 9, 2017 at 6:00 p.m., to consider the FY 2017 - 18 through FY 2021 - 22 Capital Improvement Program.

**Approved**

**APPROVAL OF MINUTES: Planning Commission December 8, 2016**

**Approved**

Acting on a motion by Mr. Witte, seconded by Mrs. Marshall, the Planning Commission adjourned its meeting at 8:38 p.m. on January 12, 2017.

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