

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
REZONINGS AND PROVISIONAL USE PERMITS

April 12, 2018

7:00 P.M.



PLANNING COMMISSION

Sandra M. Marshall, Chair (Three Chopt)
Gregory R. Baka, Vice Chair (Tuckahoe)
Eric S. Leabough, C.P.C. (Varina)
C. W. Archer, C.P.C. (Fairfield)
Adrienne F. Kotula (Brookland)
Patricia S. O'Bannon (Tuckahoe)
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
Michael Morris, County Planner
Kristin Smith, County Planner
Paul Stewart, GIS Technician
Sylvia Ray, Office Assistant/Recording Secretary

**PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
APRIL 12, 2018**

BEGINNING AT 5:00 P.M.

DINNER AND WORK SESSION: The Planning Commission will have a dinner and work session in the County Manager's Conference Room to discuss Airbnb and Brewery matters.

BEGINNING AT 7:00 P.M.

WELCOME:

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA:

CALL TO ORDER:

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (0); (7)

REQUESTS FOR EXPEDITED ITEMS: (2)

CASES TO BE HEARD: (7)

DISCUSSION ITEM: RESOLUTION: PCR-2-18: Adoption of a Resolution of Appreciation to Ms. Bonnie-Leigh Jones in recognition of her service on the Planning Commission.

DISCUSSION ITEM: RESOLUTION: PCR-3-18: Adoption of a Resolution of Appreciation to Mr. Robert H. Witte, Jr. in recognition of his service on the Planning Commission.

**THREE CHOPT:
PLAN OF DEVELOPMENT AND LIGHTING PLAN**

POD2018-00055
Innslake Place – Building
2 – 4235 Innslake Drive
[Approved](#)

Koontz Bryant Johnson Williams for WAM Associates, LLC and CATO Development: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a four-story apartment

April 13, 2018

building with 123 units, and a four-level parking deck containing 261 spaces in an urban mixed use development. The 4.08-acre site is located on the southeastern corner of the intersection of Innslake Drive and Dominion Boulevard, on parcel 747-761-9275. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Three Chopt)**

This case was deferred from the March 28, 2018 Planning Commission hearing at the applicant's request. Additional information has been submitted to address the outstanding items outlined in the original staff report. Revised architectural elevations have been received, which provide design enhancements to the parking structure facades to "visually integrate with their surroundings" and hide the sloping floors from view, as required by the proffered design guidelines. Additionally, the elevations provide required enhancements at prominent pedestrian entrances.

Revised lighting plans have been received which depict the required lighting along all pathways, and streetscape plans comply with the UMU code requirements and Innsbrook Mixed Use District Urban Design Guidelines. Requirements of the Division of Fire have also been satisfied. Provision of amenities in the interior courtyard, as well as required parking for existing uses during construction, will be addressed prior to approval of construction plans.

The proposed plan is now generally consistent with the schematic master plan submitted with rezoning case REZ2017-00006, Provisional Use Permit case PUP2017-00004 and the proffered Design Guidelines.

The staff recommends approval subject to the annotations on the plan, the standard conditions for developments of this type, and the following additional conditions:

- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature.
29. In order to maintain the effectiveness of the County's public safety radio communications system within buildings, the owner will install radio equipment that will allow for adequate radio coverage within the building, unless waived by the Director of Planning. Compliance with the County's emergency communication system shall be certified to the County by a communications consultant within ninety (90) days of obtaining a certificate of occupancy. The County will be permitted to perform communications testing in the building at any time.
30. The proffers approved as a part of zoning case REZ2017-00006 and the conditions of PUP2017-00004 shall be incorporated in this approval.
31. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing and hours of construction shall be

- submitted for County review and prior to the approval of any final construction plans.
32. The certification of building permits, occupancy permits and change of occupancy permits for individual units shall be based on the number of parking spaces required for the proposed uses and the amount of parking available according to approved plans.
 33. Any existing easements in conflict within the proposed building footprints shall be vacated prior to approval of the building permit for the said building.
 34. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
 35. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development needed to implement this conceptual plan shall be submitted for staff review and Planning Commission approval, and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/ approval.
 36. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
 37. The sanitary sewer relocation plan must be approved prior to construction plan approval, as determined by the Director of Public Utilities.
 38. Approval of architectural, engineering, and landscape architectural working drawings and specifications shall be obtained from the Innsbrook Architectural Review Committee prior to approval of construction plans.
 39. Proposed restrictive covenants shall be submitted to the Department of Planning for review and approval as to form satisfactory to the County Attorney prior to construction plan approval, and they shall be recorded prior to building permit approval.
 40. Evidence of an approved right-of-way maintenance agreement with the Department of Public Works for the proposed streetscapes (multi-use path, brick pavers, landscaping, etc.) in the right-of-way must be submitted to the Department of Planning prior to issuance of a certificate of occupancy for this development.
 41. A parking plan demonstrating how the required parking for existing uses will be satisfied during construction must be submitted and approved prior to construction plan approval.
 42. Additional information regarding proposed amenities within the interior courtyard shall be provided prior to construction plan approval.

(Staff Report by Tony Greulich)

(Applicant's Representative: Matthew Faris)

(Applicable Rezoning Cases and PUPS: REZ2017-00006 and PUP2017-00004)

BROOKLAND:

REZ2017-00024 William G. Homiller for Sauer Properties, Inc.: Request to amend proffered conditions accepted with C-54C-95 and C-94C-96 on part of Parcel 771-739-8721 located at the southwest intersection of W. Broad Street (U.S. Route 250) and Libbie Avenue. The applicant proposes to amend proffers related to prohibited uses to allow for outdoor dining. The existing zoning is B-3C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. **Staff – Lisa Blankinship (Expedited Agenda Requested)**
[Recommended for Approval](#)

REZ2017-00032 Arthur McGurn for The McGurn Company: Request to conditionally rezone from R-2 One-Family Residence District and [R-6C] General Residence District (Conditional) to R-5C General Residence District (Conditional) Parcel 767-760-8701 and part of Parcel 768-760-1507 containing 3.89 acres located at the northeast intersection of Hungary and Hungary Spring Roads. The applicant proposes a zero lot line development of no more than 12 homes. The District allows a maximum overall density of 9 units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. **Staff – Rosemary Deemer (Deferral Requested to the May 10, 2018 Meeting)**
[Deferred to the May 10, 2018 Meeting](#)

REZ2017-00035 Mark Williams for Wilton Companies, Inc.: Request to conditionally rezone from O-2 Office District and R-2 One Family Residence District to M-1C Light Industrial District (Conditional) Parcel 774-745-3876 and part of Parcel 774-745-7795 containing 2.105 acres located on the east line of Staples Mill Road (U.S. Route 33) approximately 420' south of its intersection with Aspen Avenue. The applicant proposes office/warehouse. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Office. The site is in the Enterprise Zone. **Staff – Rosemary Deemer**
[Recommended for Approval](#)

VARINA:

REZ2018-00014 Leroy Chiles for Quality of Life of VA LLC: Request to conditionally rezone from R-4 One-Family Residence District, B-1 Business District, and M-1 Light Industrial District to R-5AC General Residence District (Conditional) Parcel 805-710-1834 and part of Parcel 805-710-1875 containing 12.71 acres located on the south line of Darbytown Road at its intersection with Oregon Avenue. The applicant proposes detached, zero lot line units. The R-5A District allows a minimum lot area of 5,625 square feet and a maximum overall density of 6 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 and Environmental Protection Area. **Staff – Seth Humphreys (Deferral Requested to the May 10, 2018 Meeting)**
[Deferred to the May 10, 2018 Meeting](#)

REZ2018-00020 Robert Haller, Jr.: Request to rezone from B-1 Business District to B-2C Business District (Conditional) Parcels 826-716-9829 and 827-716-0226 containing .3656 acres located on the north line of W. Williamsburg Road (U.S. Route 60) at its intersection with S. Wilson Way. The applicant proposes a restaurant with outdoor dining and cooking. 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 and the Airport Safety Overlay District.

Staff – Ben Sehl

Recommended for Approval

PUP2018-00006 Robert Haller, Jr.: 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 and cooking on Parcels 826-716-9829 and 827-716-0226 located on the north line of W. Williamsburg Road (U.S. Route 60) at its intersection with S. Wilson Way. The existing zoning is B-1 Business District. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone and the Airport Safety Overlay District. **Staff – Ben Sehl**

Recommended for Approval

FAIRFIELD:

None.

THREE CHOPT:

(Deferred from the February 15, 2018 Meeting)

REZ2017-00034 Andrew M. Condlin for Core Property Capital: Request to conditionally rezone from A-1 Agricultural District to R-5C General Residence District (Conditional) and B-2C Business District (Conditional) Parcel 730-765-6508 containing 22.875 acres located on the south line of W. Broad Street (U.S. Route 250) at the western County Line with Goochland County. The applicant proposes commercial uses and no more than 115 residential units. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development and Environmental Protection Area. The site is in the West Broad Street Overlay District. **Staff – Livingston Lewis (Deferral Requested to the June 14, 2018 Meeting)**

Deferred to the July 12, 2018 Meeting

(Deferred from the February 15, 2018 Meeting)

PUP2017-00022 Andrew M. Condlin for Core Property Capital: Request for a Provisional Use Permit under Sections 24-58.2(a), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to allow 24 hour operation of a proposed convenience store on part of Parcel 730-765-6508 located on the south line of W. Broad Street (U.S. Route 250) at the western County Line with Goochland County. The existing zoning is A-1 Agricultural District. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development and Environmental Protection Area. The site is in the West Broad Street Overlay District. **Staff – Livingston Lewis (Deferral Requested to the June 14, 2018 Meeting)**

Deferred to the July 12, 2018 Meeting

April 13, 2018

(Deferred from the February 15, 2018 Meeting)

REZ2018-00005 John Chandler & Company LLC: Request to conditionally rezone from A-1 Agricultural District to R-2AC One-Family Residence District (Conditional) Parcels 751-764-6432 and 751-764-6608 containing 3.59 acres located on the east line of Thorncroft Drive approximately 300' north of its intersection with Chicopee Road. The applicant proposes five (5) single-family residences. 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 (Deferral Requested to the May 10, 2018 Meeting)**
Deferred to the May 10, 2018 Meeting

(Deferred from the February 15, 2018 Meeting)

REZ2018-00010 James W. Theobald for Greystar: Request to conditionally rezone from RTHC Residential Townhouse District (Conditional) to R-6C General Residence District (Conditional) and O-2C Office District (Conditional) Parcel 735-761-8792 containing 12.724 acres located at the southwest intersection of Three Chopt Road and Lauderdale Drive. The applicant proposes an age restricted multifamily development and office uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Residential. The site is in the West Broad Street Overlay District. **Staff – Lisa Blankinship**
Recommended for Approval

REZ2018-00006 Andrew M. Condlin for CR APT Land LC: Request to conditionally rezone from O-3 Office District and O-3C Office District (Conditional) to UMUC Urban Mixed-Use (Conditional) Parcel 747-759-4312 containing 5.427 acres located on the west line of Cox Road at its overpass of I-64. The applicant proposes a mixed-use multifamily 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 Urban Area Overlay District. **Staff – Lisa Blankinship (Deferral Requested to the May 10, 2018 Meeting)**
Deferred to the May 10, 2018 Meeting

PUP2018-00001 Andrew M. Condlin for CR APT Land LC: Request for a Provisional Use Permit under Sections 24-32.1(a, n, s, t, v, w, and z), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow for an area designated for the preparation or service of food or beverages or the sale or display of merchandise conducted in an open area or structure; parking garage with no associated ground floor retail uses; buildings and structures exceeding 60' in height; density of residential exceeding 30 dwelling units per acre; open space within a development 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; and the number of for-lease multifamily dwelling units exceeding 30 percent of the total units of the UMU district on Parcel 747-759-4312 located on the west line of Cox Road at its overpass of I-64. The existing zoning is O-3 Office District and O-3C Office District (Conditional). The 2026 Comprehensive Plan recommends Urban Mixed-Use. The site is in the Innsbrook Urban Area Overlay District. **Staff – Lisa Blankinship (Deferral Requested to the May 10, 2018 Meeting)**
Deferred to the May 10, 2018 Meeting

REZ2018-00018 James W. Theobald for P&F, LLC and North American Holdings, Inc.: Request to amend proffers accepted with REZ2016-00044 on Parcels 761-754-4773 and -2053 located between the south line of W. Broad Street (U.S. 250) and Skipwith Road approximately 600' west of their intersection with Parham Road. The applicant proposes to amend proffers regarding architectural elevations. The existing zoning is B-3C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial and Office. **Staff – Seth Humphreys (Expedited Agenda Requested)**
Recommended for Approval

TUCKAHOE:

Deferred from the March 15, 2018)

REZ2018-00009 James W. Theobald for Rivercrest Realty Investors, LLC: Request to conditionally rezone from R-3 One-Family Residence District and M-1 Light Industrial District to B-2C Business District (Conditional) Parcels 764-744-6655, -6764, -6971, -7177, -7782, and -8475 containing 1.872 acres located at the northwest intersection of Glenside Drive and Forest Avenue. The applicant proposes a self-service storage facility. 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 – Ben Sehl**
Recommended for Approval

PUP2018-00008 James W. Theobald for Rivercrest Realty Investors, LLC: Request for a Provisional Use Permit under Sections 24-58.2(b), 24-58.2(h), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to allow a self-service storage facility up to 36' in height on Parcels 764-744-6655, -6764, -6971, -7177, -7782, and -8475 located at the northwest intersection of Glenside Drive and Forest Avenue. The existing zoning is R-3 One-Family Residence District and M-1 Light Industrial District. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. **Staff – Ben Sehl**
Recommended for Approval

APPROVAL OF MINUTES: Planning Commission on March 15, 2018
Approved

Acting on a motion by Mr. Archer seconded by Mrs. Kotula, the Planning Commission adjourned its meeting at 8:57 p.m. on April 12, 2018.

View the Planning Commission agendas at
<http://henrico.us/pdfs/planning/meetnext.pdf>

April 13, 2018