

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

**July 12, 2018**

**7:00 P.M.**



**PLANNING COMMISSION**

Sandra M. Marshall, Chair (Three Chopt)  
Gregory R. Baka, Vice Chair (Tuckahoe)  
William M. Mackey, Jr. (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  
JULY 12, 2018**

**BEGINNING AT 5:15 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 zoning ordinance amendment regarding Allowing a New Circumstance for Granting a Variance and the Route 5 Corridor Study.

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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); (6)**

**REQUESTS FOR EXPEDITED ITEMS: (0)**

**CASES TO BE HEARD: (2)**

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**ORDINANCE** – To Amend and Reordain Section 24-3 Titled “Definitions,” Section 24-12 Titled “Conditional uses permitted by special exception,” Section 24-13 Titled “Accessory uses permitted,” Section 24-13.01 Titled “Development standards and conditions for permitted uses,” Section 24-28 Titled “Principal uses permitted,” Section 24-29 Titled “Conditional uses permitted by special exception,” Section 24-36 Titled “Conditional uses permitted by special exception,” Section 24-94 Titled “Table of regulations,” and Section 24-121 Titled “Conditional zoning or zone approval” of the Code of the County of Henrico, and to add a new Section 24-32.2 Titled “Conditional uses permitted by special exception,” and Section 24-38.1 Titled “Conditional uses permitted by special exception.” This ordinance allows for short-term rentals of real estate for periods of fewer than 30 consecutive days. Specifically, this ordinance allows hosted short-term rentals by right in detached, single-family dwelling residential districts up to 30 days in a calendar year. For all other short-term rentals in residential districts, this ordinance requires the operator of the rental to obtain a conditional use permit. All short-term rentals would be subject to

**July 13, 2018**

regulations limiting rentals to the operator's primary residence and limiting the use of guesthouses, the number of short-term renters and pets, and the length of rentals. The ordinance would also require the provision of life-safety equipment consistent with the building code, prohibit rentals to minors and double-booking, require the posting of certain information within the rental, and require the designation of responsible persons to respond to complaints. Finally, the ordinance adds and revises definitions related to the rental of real estate. **Staff – Miguel Madrigal (Staff Requests Deferral to the October 11, 2018 Meeting)**

[Deferred to the October 11, 2018 Meeting](#)

**FAIRFIELD:**

None.

**THREE CHOPT:**

**(Deferred from the April 12, 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 October 11, 2018 Meeting)**

[Deferred to the October 11, 2018 Meeting](#)

**(Deferred from the April 12, 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 October 11, 2018 Meeting)**

[Deferred to the October 11, 2018 Meeting](#)

**TUCKAHOE:**

None.

**BROOKLAND:**

**(Deferred from the May 10, 2018 Meeting)**

**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-3C One-Family Residence District (Conditional) Parcel 767-760-8701 and part of Parcel 768-760-1507 containing 3.89 acres located at

**July 13, 2018**

the northeast intersection of Hungary and Hungary Spring Roads. The applicant proposes a single-family development of no more than 5 homes. The R-3 District allows a minimum lot area of 11,000 square feet to an overall density of 3.96 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 September 13, 2018 Meeting)**

[Deferred to the September 13, 2018 Meeting](#)

**(Deferred from the June 14, 2018 Meeting)**

**REZ2018-00029 Aaron Breed and Roger Bowers for Jeff Small:** Request to conditionally rezone from B-3 Business District and R-6 General Residence District to B-3C Business District (Conditional) Parcel 766-749-2740 containing 1.78 acres located on the east line of W. Broad Street (U.S. Route 250) approximately 480' south of its intersection with Sunnybrook Road. The applicant proposes a car wash. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Arterial. **Staff – Michael Morris (Deferral Requested to the August 9, 2018 Meeting)**

[Deferred to the August 9, 2018 Meeting](#)

**VARINA:**

**(Deferred from the June 14, 2018 Meeting)**

**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 containing 11.7 acres located south of Darbytown Road approximately 300' south of its intersection with Oregon Avenue. The applicant proposes detached dwellings with zero lot lines. 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 August 9, 2018 Meeting)**

[Deferred to the August 9, 2018 Meeting](#)

**(Deferred from the June 14, 2018 Meeting)**

**REZ2018-00019 Mark Rempe for Liberty Homes:** Request to rezone from B-3 Business District to R-3 One-Family Residence District Parcel 825-720-6242 containing .24 acres located on the west line of E. Nine Mile Road (State Route 33) approximately 150' north of its intersection with Elsing Green Way. The applicant proposes a single-family residence. 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. The site is in the Enterprise Zone and the Airport Safety Overlay District. **Staff – Lisa Blankinship (Deferral Requested to the August 9, 2018 Meeting)**

[Deferred to the August 9, 2018 Meeting](#)

**(Deferred from the June 14, 2018 Meeting)**

**REZ2018-00028 Andrew M. Condlin for Salvatore Cangiano:** Request to conditionally rezone from R-3C One-Family Residence District, R-5C General Residence District (Conditional), and B-3C Business District (Conditional) to R-5AC General Residence District (Conditional), RTHC Residential Townhouse District (Conditional) and B-2C Business District (Conditional) Parcel 836-713-7564 containing 78.9 acres located at the northeast intersection of E. Williamsburg Road (U.S. Route 60) and Dry Bridge Road. The applicant proposes detached dwellings with zero lot lines, townhomes, and retail. 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; Urban Residential with a recommended density range of 3.4 to 6.8 units per acre; Commercial Concentration; and Environmental Protection Area. The site is in the Airport Safety Overlay District. **Staff – Ben Sehl**

**Recommended for Approval**

**(Deferred from the June 14, 2018 Meeting)**

**PUP2018-00009 Andrew M. Condlin for Salvatore Cangiano:** 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 to allow 24-hour operation of a proposed convenience store with fuel pumps on part of Parcel 836-713-7564. The existing zoning is B-3C Business District (Commercial). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Airport Safety Overlay District. **Staff – Ben Sehl**

**Recommended for Approval**

**DISCUSSION ITEM:** To set a Public Hearing for July 25, 2018 to implement Legislative Enactments of The 2018 Virginia General Assembly

**Approved**

**DISCUSSION ITEM:** The Planning Commission will consider holding a Work Session on Thursday, August 9, 2018 to continue discussion on the Route 5 Corridor Study.

**Approved**

**APPROVAL OF MINUTES: Planning Commission on June 14, 2018**

**Approved**

Acting on a motion by Mr. Archer seconded by Mrs. Marshall, the Planning Commission adjourned its meeting at 8:10 p.m. on July 12, 2018.

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