

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

**May 10, 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  
PRELIMINARY AGENDA  
MAY 10, 2018**

**BEGINNING AT 6:00 P.M.**

**WELCOME:**

**PLEDGE OF ALLEGIANCE:**

**RECOGNITION OF NEWS MEDIA:**

**CALL TO ORDER:**

**REQUESTS FOR WITHDRAWALS AND DEFERRALS: (0); (1)**

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

**CASES TO BE HEARD: (6)**

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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 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**

**April 26, 2018**

**ORDINANCE** – To Amend and Reordain Section 24-3 Titled “Definitions,” Section 24-32 Titled “Principal uses permitted,” Section 24-51 Titled “Principal uses permitted,” Section 24-54.1 Titled “Principal uses permitted,” Section 24-57 Titled “Development standards and conditions for permitted uses,” Section 24-58.1 Titled “Principal uses permitted,” Section 24-61 Titled “Development standards and conditions for permitted uses,” Section 24-62.1 Titled “Principal uses permitted,” Section 24-66 Titled “Principal uses permitted (subject to the conditions required in section 24-69),” Section 24-68 Titled “Accessory uses permitted,” Section 24-70 Titled “Principal uses permitted,” Section 24-72 Titled “Accessory uses permitted,” and Section 24-96 Titled “Off-street parking requirements” of the Code of the County of Henrico. This ordinance allows a variety of brewery, distillery, and winery uses in business, industrial, and agricultural zoning districts of Henrico County. Specifically, this ordinance allows (i) microbreweries in the urban mixed use district and B-2 and B-3 business districts, (ii) farm wineries, limited breweries, and limited distilleries, in the A-1 agricultural district, (iii) microbreweries, breweries that produce no more than 15,000 barrels of beer per calendar year, and wineries, in the M-1 light industrial district and M-2 general industrial district, and (iv) breweries located at least 300 feet from any R (residential) district and distilleries located at least 600 feet from any R (residential) district, in the M-2 general industrial district. The ordinance also defines “brewery,” “distillery,” “farm winery,” “limited brewery,” “limited distillery,” “microbrewery,” and “winery.” Finally, the ordinance specifies off-street parking requirements of one space for each 100 square feet of floor area for restaurants, dine-in or take-out, including tasting rooms and other areas designated for on-premises consumption of alcoholic beverages at a brewery, distillery, or winery. **Staff – Ben Blankinship**

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

**TUCKAHOE:**

None.

**BROOKLAND:**

**(Deferred from the April 12, 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-5AC 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 July 12, 2018 Meeting)**

**VARINA:**

**(Deferred from the April 12, 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

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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, 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**

**REZ2018-00021 John Montgomery for Godsey & Son, Inc.:** Request to conditionally rezone from A-1 Agricultural District to M-2C General Industrial District (Conditional) Parcels 813-711-5121 and 813-711-6615 containing 4.506 acres located on the north line of Charles City Road approximately 500' west of Glen Alden Drive. The applicant proposes office and industrial uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Planned Industrial. The site is in the Airport Safety Overlay District. **Staff – Michael Morris**

**FAIRFIELD:**

**REZ2018-00023 Land One, LLC:** Request to rezone from R-5C General Residence District (Conditional) and B-2C Business District (Conditional) to R-5C General Residence District (Conditional) Parcel 804-737-7961 and part of Parcel 804-736-0481 containing 20.58 acres located on the north line of Neale Street approximately 300' east of its intersection with Mechanicsville Turnpike (U.S. Route 360). The applicant proposes a townhouse development. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Residential and Commercial Concentration. The site is in the Airport Safety Overlay District. **Staff – Rosemary Deemer**

**THREE CHOPT:**

**(Deferred from the April 12, 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**

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

**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**

**(Deferred from the April 12, 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**

**APPROVAL OF MINUTES: Planning Commission on April 12, 2018**

Acting on a motion by \_\_\_\_\_ seconded by \_\_\_\_\_, the Planning Commission adjourned its meeting at \_\_\_\_\_ on \_\_\_\_\_.

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