

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

**August 15, 2019**

**7:00 P.M.**



**PLANNING COMMISSION**

Gregory R. Baka, Chair (Tuckahoe)  
C. W. Archer, C.P.C. Vice Chair (Fairfield)  
William M. Mackey, Jr. (Varina)  
Melissa L. Thornton (Three Chopt)  
Robert H. Witte, Jr. (Brookland)  
Frank J. Thornton (Fairfield)  
Board of Supervisors Representative  
R. Joseph Emerson, Jr., AICP,  
Director of Planning, Secretary

**COMPREHENSIVE PLANNING 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  
Luanda Fiscella, County Planner  
Paul Stewart, GIS Technician  
Sylvia Ray, Office Assistant/Recording Secretary

**PLANNING COMMISSION  
REZONING MEETING  
FINAL AGENDA  
AUGUST 15, 2019**

**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 continue their discussion on Short Term Rentals.

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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); (2)**

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

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

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**BROOKLAND:**

**(Deferred from the July 11, 2019 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) Parcels 767-760-8701 and 768-760-1507 containing 4.305 acres located at the northeast intersection of Hungary and Hungary Spring Roads. The applicant proposes a single-family development. The R-3 District allows a minimum lot area of 11,000 square feet and a maximum gross 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 October 10, 2019 Meeting)**  
**[Deferred to the October 10, 2019 Meeting](#)**

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**VARINA:****(Deferred from the July 11, 2019 Meeting)**

**REZ2019-00023 Jeffrey P. Geiger for 7-Eleven, Inc.:** Request to conditionally rezone from B-1 Business District to B-2C Business District (Conditional) Parcels 801-703-1153 and 801-703-0569 containing 1.043 acres located at the intersection of New Market Road (State Route 5) and Osborne Turnpike. The applicant proposes a convenience store with fuel pumps. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration.

**Staff – Rosemary Deemer**

**Recommended for Approval**

**(Deferred from the July 11, 2019 Meeting)**

**PUP2019-00010 Jeffrey P. Geiger for 7-Eleven, Inc.:** 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 extended hours of operation from 5 a.m. to 12 midnight for a proposed convenience store with fuel pumps on Parcels 801-703-1153 and 801-703-0569 located at the intersection of New Market Road (State Route 5) and Osborne Turnpike. The existing zoning is B-1 Business District. The B-2C zoning district is requested with companion case REZ2019-00023. The 2026 Comprehensive Plan recommends Commercial Concentration.

**Staff – Rosemary Deemer**

**Recommended for Approval**

**PUP2019-00011 Angie LeBlanc for Accelerated Dental Assisting Academy:** Request for a Provisional Use Permit under Sections 24-55(d), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a dental trade school within an existing dental office on Parcel 826-716-5016 located on the south line of West Williamsburg Road (U.S. Route 60) approximately 70' east of its intersection with Confederate Avenue. The existing zoning is B-1 Business District. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Airport Safety Overlay District and the Enterprise Zone.

**Staff – Michael Morris (Expedited Agenda Requested)**

**Recommended for Approval**

**REZ2019-00011 Ann Neil Cosby and Adena M. Patterson for ZAC, LLC:** Request to conditionally rezone from M-2 General Industrial District to R-6C General Residence District (Conditional) Parcel 798-713-5365 and part of Parcel 798-713-3911 containing 3.03 acres located along the Richmond City line between the CSX Railroad and 37th Street. The applicant proposes a multifamily development of no more than 60 units. The R-6 District allows a maximum gross density of 19.8 units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Heavy Industry.

**Staff – Ben Sehl**

**Recommended for Approval**

**REZ2019-00012 Ann Neil Cosby and Adena M. Patterson for ZAC, LLC:** Request to conditionally rezone from M-2 General Industrial District to UMUC Urban Mixed-Use District (Conditional) Parcel 797-711-8880 containing 14.61 acres located at the northeast intersection of Old Osborne Turnpike (State Route 5) and Bickerstaff Road. The applicant proposes a mixed-use multifamily development of no more than 350 units. The uses will

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be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed-Use. **Staff – Ben Sehl**  
[Recommended for Approval](#)

**PUP2019-00007 Ann Neil Cosby and Adena M. Patterson for ZAC, LLC:** Request for a Provisional Use Permit under Sections 24-32.1(a, m, s, 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 open areas or structures; parking plan; buildings and structures exceeding 60' in height; 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 797-711-8880 located at the northeast intersection of Old Osborne Turnpike (State Route 5) and Bickerstaff Road. The existing zoning is M-2 General Industrial District. UMUC zoning is proposed with REZ2019-00012. The 2026 Comprehensive Plan recommends Urban Mixed-Use. **Staff – Ben Sehl**  
[Recommended for Approval](#)

**FAIRFIELD:**  
None.

**THREE CHOPT:**  
*(Deferred from the July 11, 2019 Meeting)*

**REZ2019-00017 Jesse R. Penn, III:** Request to rezone from A-1 Agricultural District to O-1 Office District (Conditional) Parcel 739-755-8658 containing 1.047 acres located on the north line of Church Road, approximately 145' east of its intersection with John Rolfe Parkway. The applicant proposes office uses which will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office. **Staff – Seth Humphreys**  
[Deferred to the September 12, 2019 Meeting](#)

*(Deferred from the July 11, 2019 Meeting)*

**REZ2017-00010 James W. Theobald for MS Richmond Investors LLC:** Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcels 744-763-8661, 744-763-9175, 745-763-2013, 745-763-2727, 745-763-3440, 745-763-4567, 745-763-5481, 745-763-6093 and 745-764-0618 containing 18.580 acres located between the east line of Belfast Road and the west line of Glasgow Road at its intersection with Ireland Road. The applicant proposes a zero lot line development with detached homes. The R-5A District allows a maximum density of six (6) units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development. **Staff – Lisa Blankinship (Expedited Agenda Requested)**  
[Recommended for Approval](#)

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**(Deferred from the July 11, 2019 Meeting)**

**REZ2017-00011 James W. Theobald for MS Richmond Investors LLC:** Request to conditionally rezone from A-1 Agricultural District and R-3C One-Family Residence District (Conditional) to R-5AC General Residence District (Conditional) Parcels 744-762-4780, 744-762-5294, 744-762-9757, and 745-762-0472 containing 8.264 acres located between the east line of Belfast Road and the west line of Glasgow Road, approximately 155' north of Edinburgh Road. The applicant proposes a zero lot line development with detached homes. The R-5A District allows a maximum density of six (6) units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development. **Staff – Lisa Blankinship (Expedited Agenda Requested)**

**Recommended for Approval**

**(Deferred from the July 11, 2019 Meeting)**

**REZ2018-00024 Nathalie Croft for Eagle Construction of Va., LLC:** Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcels 735-773-7586 and 735-773-7060 containing 9.762 acres located on the west line of Pouncey Tract Road (State Route 271), approximately 300' south of its intersection with Nuckols Road. The applicant proposes a zero lot line, age restricted development with detached homes. The R-5A District allows a maximum density of six (6) units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Rural Residential. **Staff – Lisa Blankinship (Deferral Requested to the December 5, 2019 Meeting)**

**Deferred to the October 10, 2019 Meeting**

**TUCKAHOE:**

None.

**APPROVAL OF MINUTES: Planning Commission on July 11, 2019**

**Approved**

Acting on a motion by Mr. Witte seconded by Mr. Archer, the Planning Commission adjourned its meeting at 8:37 p.m. on August 15, 2019.

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

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