

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
REZONINGS AND PROVISIONAL USE PERMITS

July 11, 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
JULY 11, 2019**

BEGINNING AT 7:00 P.M.

WELCOME:

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA:

CALL TO ORDER:

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (1); (7)

REQUESTS FOR EXPEDITED ITEMS: (3)

CASES TO BE HEARD: (2)

**BROOKLAND:
PLAN OF DEVELOPMENT ~~AND LIGHTING PLAN~~
[Deferred to the July 24, 2019 Meeting](#)**

POD2019-00204
Burger King at Glenside &
Broad Center – Glenside
Drive

SilverCore Land Development Consultants for Glenside Associates, LC and Carrols, LLC: 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 one-story, 2,811-square foot restaurant with drive-through facilities in an existing shopping center. The 11.146-acre site is located on the northeastern corner at the intersection of West Broad Street (U.S. Route 250) and Glenside Drive, on part of parcel 767-747-4508. The zoning is B-2, Business District, B-3, Business District, and B-2C, Business District (Conditional). County water and sewer.
(Brookland)

(Applicant is Requesting a Deferral to the July 24, 2019 Meeting)

Burger King at Glenside and Broad Center is a proposed fast-food restaurant with dual drive-through lanes on an outparcel in the existing shopping center, housing Floor and Décor (formerly K-Mart), located adjacent to the corner of West Broad Street and Glenside Drive. An adjoining parcel of land located at the northeastern corner of the property was recently consolidated with the shopping center property following a rezoning of that parcel approved by the Board of Supervisors in October 2017 from R-4 to B-2C. The proffers of zoning case REZ2017-00021 stipulate that the additional B-2C

July 12, 2019

land would remain as open space, in its natural vegetated state, and would be combined with the shopping center. The purpose of the rezoning and consolidation was to allow for additional site coverage for the proposed outparcel.

The existing shopping center was constructed in 1976 and has non-conforming features regarding landscaping and sidewalks. In conjunction with the proposed development, a public sidewalk will be constructed extending from the main entrance on Glenside to the eastern entrance along West Broad Street. In addition, peripheral and interior landscaping will be provided on the portion of the site adjacent to the proposed building.

The proposed building would have a contemporary design and would be constructed with finishes consisting of a natural brown brick knee wall and taupe fiber cement wall panels with natural stone veneer accent wall sections. All HVAC equipment would be roof mounted and screened by parapet walls. An internally illuminated light band would generally extend along the top of the parapet wall along the walls visible from the adjoining streets.

As of the preparation date of the agenda, staff has received a revised plan in response to comments concerning right of way dedication, sidewalk alignment, and provision of perimeter landscape areas, but staff has not completed its review. Comments related to the lighting plan have not been addressed. Therefore, the lighting plan is not part of this approval. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

29. Only retail business establishments permitted in a B-3 zone may be located in this building.
30. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
31. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).
32. The right-of-way for widening of West Broad Street (U.S. Route 250) and Glenside Drive as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
33. The entrances and drainage facilities on West Broad Street (U.S. Route 250) shall be approved by the Virginia Department of Transportation and the County.
34. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.
35. A concrete sidewalk meeting VDOT standards shall be provided along the northern side of West Broad Street (U.S. Route 250).
36. A concrete sidewalk meeting County standards shall be provided along the western side of Glenside Drive.

- 37. 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.
- 38. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Virginia Department of Transportation maintained right-of-way. The elevations will be set by the contractor and approved by the Virginia Department of Transportation.
- 39. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and 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.

(Staff Report by Aimee Crady)
(Applicant’s Representative: Andrew Bowman)
(Applicable Rezoning Cases and PUPS: REZ2017-00021)

APPROVED: _____	APPROVED ON EXPEDITED AGENDA: _____
DEFERRED BY APPLICANT TO: _____	DEFERRED BY PC TO: _____
DENIED: _____	WITHDRAWN: _____
SEE ADDENDUM PAGE: _____	
MOTIONED BY: _____	SECONDED BY: _____
ABSTAINED: _____	
REMARKS:	

(Deferred from the June 13, 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 August 15, 2019 Meeting)**

Deferred to the August 15, 2019 Meeting

VARINA:

(Deferred from the June 13, 2019 Meeting)

REZ2019-00001 RVA Land for Liberty Homes: Request to rezone from A-1 Agricultural District to R-2 One-Family Residence District Parcel 821-679-0872

July 12, 2019

containing 5.381 acres located on the west line of Buffin Road, approximately 2,700' north of Kingsland Road. The applicant proposes two single family dwellings. The R-2 District allows a minimum lot area of 18,000 square feet and a maximum gross density of 2.42 units per acre. The use will be controlled by zoning ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per acre and Environmental Protection Area. The site is in the Airport Safety Overlay District. **Staff – Lisa Blankinship (Withdrawn by Applicant)**

Withdrawn

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 (Deferral Requested to the August 15, 2019 Meeting)**

Deferred to the August 15, 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 24-hour operation of 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 (Deferral Requested to the August 15, 2019 Meeting)**

Deferred to the August 15, 2019 Meeting

FAIRFIELD:

(Deferred from the June 13, 2019 Meeting)

REZ2019-00019 Youngblood, Tyler, and Associates for 2352 LLC: Request to rezone from R-5C General Residence District (Conditional) to C-1C Conservation District (Conditional) part of Parcel 782-771-0431 containing .904 acres located approximately 770' northwest from the terminus of Magnolia Ridge Drive. The applicant proposes a conservation district. The use will be controlled by zoning ordinance regulations. The 2026 Comprehensive Plan recommends Environmental Protection Area and Office. **Staff – Luanda Fiscella (Expedited Agenda Requested)**

Recommended for Approval

THREE CHOPT:

(Deferred from the January 11, 2018 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

July 12, 2019

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 (Deferral Requested to the August 15, 2019 Meeting)**

[Deferred to the August 15, 2019 Meeting](#)

(Deferred from the January 11, 2018 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 (Deferral Requested to the August 15, 2019 Meeting)**

[Deferred to the August 15, 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 August 15, 2019 Meeting)**

[Deferred to the August 15, 2019 Meeting](#)

REZ2019-00022 Ken Luu: Request to conditionally rezone from A-1 Agricultural District to R-2C One-Family Residence District (Conditional) part of Parcel 757-744-4101 containing .421 acres located at the northwest intersection of Michaels and Three Chopt Roads. The applicant proposes a residential lot. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 2, where density should not exceed 3.4 units per acre. **Staff – Kristin Smith (Expedited Agenda Requested)**

[Recommended for Approval](#)

TUCKAHOE:

(Deferred from the June 13, 2019 Meeting)

REZ2019-00021 James W. Theobald for 1420 N. Parham Road, LC; Thalhimer Regency, LC et al; and Holly Hill Parham, LLC: Request to conditionally rezone from B-3 Business District to UMUC Urban Mixed-Use District (Conditional) Parcels 752-743-9774, 752-744-6336, 753-743-9242, and 753-744-2141 containing 35.53 acres located on the south line of Quioccasin Road between Starling Drive and N. Parham Road. The

July 12, 2019

applicant proposes an urban mixed-use development. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed-Use. **Staff – Ben Sehl**
Recommended for Approval

(Deferred from the June 13, 2019 Meeting)

PUP2019-00009 James W. Theobald for 1420 N. Parham Road, LC; Thalhimer Regency, LC et al; and Holly Hill Parham, LLC: Request for a Provisional Use Permit under Sections 24-32.1(a, c, e, f, g, i, j, k, m, n, o, p, q, r, s, t, v, x, y, z and aa), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow for outdoor vending; an automotive filling station; indoor antique auction; auditorium and assembly hall, coliseum, and stadium; billiard parlor; single offices, clinics and labs for medical, dental and optical uses greater than 30,000 square feet of floor area; grocery or convenience food store greater than 30,000 square feet of floor area; indoor recreation facility/swimming pool greater than 10,000 square feet of floor area; drapery making and furniture upholstery shops; drive-through service window; office-warehouse; parking garage; radio and television stations and studios; outdoor recreation facilities; sign printing and painting shop; television receiving antennas; buildings in excess of 60' in height; density of residential development exceeding 30 dwelling units per acre; open space less than 20 percent; general hospitals; extended hours of operation for any business containing one or two billiard, pool, or bagatelle tables to 2:00 a.m.; number of for-lease multifamily dwelling units exceeding 30 percent of the total units of the UMU district; and parking plan on Parcels 752-743-9774, 752-744-6336, 753-743-9242, and 753-744-2141 located on the south line of Quioccasin Road between Starling Drive and N. Parham Road. The existing zoning is B-3 Business District. The UMUC zoning district is requested with REZ2019-00021. The 2026 Comprehensive Plan recommends Urban Mixed-Use. **Staff – Ben Sehl**
Recommended for Approval

REZ2019-00024 Luis Carrillo: Request to conditionally rezone from B-2 Business District to B-3C Business District (Conditional) Parcel 767-742-7247 containing .21 acres located at the northwest intersection of Redman Road and Mallory Drive. The applicant proposes an office-warehouse. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office. The site is in the Enterprise Zone. **Staff – Michael Morris (Expedited Agenda Requested)**
Recommended for Approval

APPROVAL OF MINUTES: Planning Commission on June 13, 2019
Approved

Acting on a motion by Mr. Archer seconded by Mrs. Thornton, the Planning Commission adjourned its meeting at 8:50 p.m. on July 11, 2019.

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

July 12, 2019