

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
REZONINGS AND PROVISIONAL USE PERMITS

November 14, 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
Cole Rainey, Planning Intern
Sylvia Ray, Office Assistant/Recording Secretary

**PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
NOVEMBER 14, 2019**

BEGINNING AT 7:00 P.M.

WELCOME:

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA:

CALL TO ORDER:

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

REQUESTS FOR EXPEDITED ITEMS: (2)

CASES TO BE HEARD: (3)

**PLAN OF DEVELOPMENT (Deferred from the October 23, 2019 Meeting)
FOR DECISION ONLY**

POD2019-00390

Brook Villas – 8000 Brook
Road

Townes Site Engineering for Brook Villas, LLC and Mark-Dana Corporation: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct one three-story, 36-unit, 41,037-square foot apartment building and two three-story 24-unit, 30,075-square foot apartment buildings for a total of 84 units; with a 2,972-square foot, one-story clubhouse and maintenance building. The 6.06-acre site is located at the southwestern corner of the intersection of Brook Road (U.S. Route 1) and Villa Park Drive, on parcel 783-753-8074. The zoning is R-5, General Residential District and B-3C, Business District (Conditional). County water and sewer. **(Fairfield) Approved**

This plan of development for Brook Villas consists of three three-story apartment buildings, with a total of 84 units. The 6.06 acres that comprise the proposed development include 5.97 acres zoned R-5 and 0.09 acres zoned B-3C. The residential use is permitted by right and is not subject to any proffered conditions.

The primary building materials are red brick with light tan fiber cement siding; dark toned asphalt shingle roof; fiberglass window shutters; black railings; and white doors, gutters, columns, and windows. The buildings are each 43 feet, 10 inches tall. The zoning

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ordinance permits three or more family dwelling units at a maximum height of 45 feet. In addition to the three apartment buildings, the applicant is also requesting approval of a 2,546-square foot club house with a patio/gazebo and a 1,200-square foot maintenance building for the complex.

The submitted plan provides for sidewalk on the southern line of Villa Park Drive as well as the Brook Road (U.S. Route 1) frontage. It provides both dedicated left and right turn lanes into the project from Villa Park Drive.

Adjacent property owners attended the public hearing held on October 23, 2019 to express their concerns about the proposed development. The concerns included the proximity of the apartment buildings to the property line adjacent to their homes, and the reduction of the required ten-foot transitional buffer next to Stuarts Ridge subdivision. The Planning Commission deferred the case to the November 14, 2019 meeting to give the developer a chance to meet with the neighbors. The developer held a neighborhood meeting on October 29th where a new layout was presented to the neighborhood, which is included in this agenda. It relocates the 36-unit building which was parallel to the building setback line along the subdivision and places the building on the opposite side of the site along the Villa Park Drive frontage at the minimum setback line. A 25-foot landscape strip and parking are now provided adjacent to the subdivision. The plan revision was well received by the meeting attendants.

The applicant has submitted a revised plan providing additional engineering details for grading, drainage and utilities associated with the new layout. The County staff has completed its review of the revised plan and can recommend approval as submitted. The staff recommends approval of the revised plan, subject to the annotations on the plans, the standard conditions for developments of this type, and the following additional conditions:

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
11. **AMENDED** - Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
29. The unit house numbers shall be visible from the parking areas and drives.
30. The names of streets, drives, courts and parking areas shall be approved by the Richmond Regional Planning District Commission and such names shall be included on the construction plans prior to their approval. The standard street name signs shall be installed prior to any occupancy permit approval.
31. The right-of-way for widening of Villa Park Drive and Brook Road (U.S. Route 1) 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.

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32. The drainage facilities on Brook Road (U.S. Route 1) shall be approved by the Virginia Department of Transportation and the County.
33. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.
34. A concrete sidewalk meeting County standards shall be provided along the southern side of Villa Park Drive.
35. A concrete sidewalk meeting VDOT standards shall be provided along the western side of Brook Road (U.S. Route 1).
36. Prior to approval of construction plans, the developer must furnish a letter from Dominion Virginia Power stating that this proposed development does not conflict with their facilities.
37. 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.
38. 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.
39. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

**(Staff Report by Christina Goggin)
 (Applicant's Representative: Jason Wilkins)
 (Applicable Rezoning Cases and PUPS: C-87C-86)**

VARINA:

None.

FAIRFIELD:

(Deferred from the October 10, 2019 Meeting)

REZ2019-00025 Andrew M. Condlin for Stanley Martin Companies, LLC:
 Request to conditionally rezone from A-1 Agricultural District and B-3 Business District to R-6C General Residence District (Conditional) Parcels 784-759-7593, 784-760-9147, 784-760-9470, 785-759-0085, 785-759-8052, 785-760-0184, 785-760-2106, 785-760-2751, 785-760-6689, 785-760-8637, 785-761-1615 and part of Parcel 784-760-1564 containing 64.79 acres located on the west line of Telegraph Road, approximately 150' south of Georgia Avenue and the east line of Telegraph Road at its intersection with Georgia Avenue. The applicant proposes a condominium and townhouse development. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office/Service, Government, and Planned Industry. Part of the site is in the Enterprise Zone. **Staff – Lisa Blankinship**
Recommended for Approval

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THREE CHOPT:

None.

TUCKAHOE:

PUP2019-00014 B. Hunt Gunter: 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 an extended hour of operation of a fitness facility on part of Parcel 762-753-9614 located on the southwest line of W. Broad Street (U.S. Route 250) approximately 540' east of its intersection with Old Parham Road. The existing zoning is B-3C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. **Staff – Kristin Smith (Expedited Agenda Requested)**

[Recommended for Approval](#)

BROOKLAND:

REZ2019-00033 Simon Mueller for Stanley Shield Partnership, LLC: Request to conditionally rezone from O-3 Office District to B-2C Business District (Conditional) Parcel 768-743-5186 containing 1.662 acres located at the northeast intersection of W. Broad Street (U.S. Route 250) and Dickens Road. The applicant proposes restaurant, retail, and office uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office. **Staff – Michael Morris (Expedited Agenda Requested)**

[Recommended for Approval](#)

REZ2019-00034 P. Craig Patterson for Woda Cooper Companies, Inc.: Request to conditionally rezone from M-1 Light Industrial District and M-2 General Industrial District to R-6 General Residence District (Conditional) Parcels 775-738-7694 and 775-738-8759 containing 5.293 acres located at the terminus of Orville Road. The applicant proposes a multifamily development. The use will be controlled by zoning ordinance regulations. The 2026 Comprehensive Plan recommends Heavy Industrial and Environmental Protection Area. The site is located in the Westwood Redevelopment Overlay District. **Staff – Ben Sehl (Deferral Requested to the December 5, 2019 Meeting)**

[Deferred to the December 5, 2019 Meeting](#)

REZ2019-00035 Andrew M. Condlin for Nachman Family, LLC: Request to amend proffers accepted with Rezoning case C-68C-84 on part of Parcel 757-757-5325 located on the north line of W. Broad Street (U.S. Route 250) approximately 500' west of its intersection with Tuckernuck Drive. The applicant proposes to amend proffers to allow dog boarding with daycare, grooming, and retail. The existing zoning is B-3C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial.

Staff – Lisa Blankinship

[Recommended for Approval](#)

APPROVAL OF MINUTES: Planning Commission on October 10, 2019

[Approved](#)

Acting on a motion by Mr. Witte seconded by Mr. Archer, the Planning Commission adjourned its meeting at 8:14 p.m. on November 14, 2019.

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