

**PLANNING COMMISSION  
REZONING MEETING  
FINAL AGENDA  
January 14, 2021**

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

**CALL TO ORDER:**

**PUBLIC HEARING ON ZONING AND SUBDIVISION UPDATES:** Public Hearing to consider the following items:

**ORDINANCE** – To Enact a New Subdivision Ordinance by Repealing Chapter 19 of the Code of the County of Henrico Titled “Subdivisions” and Replacing It with a New Chapter 19 Titled “Subdivisions”. This Ordinance repeals the County’s existing subdivision ordinance in Chapter 19 of the Code of the County of Henrico (the “Code”) and replaces it with a new, comprehensively revised subdivision ordinance in a new Chapter 19 of the Code (the “Proposed Ordinance”).

**Public Hearing Closed and Action Deferred to the February 11, 2021 Meeting for Decision Only**

**ORDINANCE** – To Enact a New Zoning Ordinance by Repealing Chapter 24 of the Code of the County of Henrico Titled “Zoning” and Replacing It with a New Chapter 24 Titled “Zoning”. This Ordinance repeals the County’s existing zoning ordinance in Chapter 24 of the Code of the County of Henrico (the “Code”) and replaces it with a new, comprehensively revised zoning ordinance in a new Chapter 24 of the Code (the “Proposed Ordinance”).

**Public Hearing Closed and Action Deferred to the February 11, 2021 Meeting for Decision Only**

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

**WELCOME:**

**PLEDGE OF ALLEGIANCE:**

**RECOGNITION OF NEWS MEDIA:**

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

**REQUESTS FOR EXPEDITED ITEMS: (1)**

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**ELECTION OF CHAIRMAN AND VICE-CHAIRMAN:** The Commission will vote on the slate of officers nominated at their December 10, 2020 meeting for the 2021 calendar year. **Approved**

**CASES TO BE HEARD: (16)**

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**January 15, 2021**

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

**SIA2021-00001 County of Henrico – Proposed Park:** The Department of Planning has received a request from the Division of Recreation and Parks to initiate a Substantially In Accord study for the Phase II expansion of Glover Park. The proposed site consists of Parcels 774-771-9584 and 774-771-9464 containing 2.438 acres located on the north line of Greenwood Road west of Quail Walk Drive. The existing zoning is A-1 Agricultural District. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. **Staff – Kristin Smith**  
[Recommended for Approval](#)

**(Deferred from the November 12, 2020 Meeting)**

**REZ2020-00031 Bhoopendra Prakash:** Request to amend proffers accepted with Rezoning case C-81C-96 on Parcel 774-746-2037 located at the northeast corner of Staples Mill Road and Aspen Avenue. The applicant proposes to amend proffers regarding setbacks and landscape buffers. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone. **Staff – Mike Morris**  
[Recommended for Approval](#)

**(Deferred from the November 12, 2020 Meeting)**

**PUP2020-00018 Bhoopendra Prakash:** 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 for 24-hour operation of a convenience store with fuel pumps and car wash on Parcel 774-746-2037 located at the northeast corner of Staples Mill Road and Aspen Avenue. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone.  
**Staff – Mike Morris**  
[Recommended for Denial](#)

**(Deferred from the November 12, 2020 Meeting)**

**REZ2020-00035 Ross C. Allen for Power Systems & Controls, Inc.:** Request to conditionally rezone from M-1 Light Industrial District and M-1C Light Industrial District (Conditional) to M-2C General Industrial District (Conditional) Parcel 777-743-3330 and part of Parcel 777-742-5090 containing 22.63 acres located at the northwest intersection of Byrdhill Road and Burley Avenue. The applicant proposes industrial manufacturing. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Light Industry. Part of the site is in the Enterprise Zone.  
**Staff – Rosemary Deemer (Withdrawn by the Applicant)**  
[Withdrawn by Applicant](#)

**REZ2020-00038 Larry Gooss for Sam Tu:** Request to conditionally rezone from B-1C and B-3C Business Districts (Conditional) to B-2C Business District (Conditional) Parcels 769-741-6348 and 769-741-7358 containing .93 acres located at the southeast intersection of W. Broad Street (U.S. Route 250) and Morningside Drive. The applicant proposes a neighborhood shopping center with accessory dwelling units on the second

floor. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Arterial, Suburban Residential 2, density should not exceed 3.4 units per acre, and Environmental Protection Area. The site is in the Enterprise Zone. **Staff – Ben Sehl**

**Recommended for Approval**

**PUP2020-00021 Larry Gooss for Sam Tu:** Request for a Provisional Use Permit under Sections 24-58.2(g), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow accessory dwellings on Parcels 769-741-7358 and 769-741-6348 located at the southeast intersection of W. Broad Street (U.S. Route 250) and Morningside Drive. The existing zoning is B-3C Business District (Conditional). B-2C zoning is proposed with REZ2020-00038. The 2026 Comprehensive Plan recommends Commercial Arterial, Suburban Residential 2, density should not exceed 3.4 units per acres, and Environmental Protection Area. The site is in the Enterprise Zone. **Staff – Ben Sehl**

**Recommended for Approval**

**VARINA:**

None.

**FAIRFIELD:**

**REZ2020-00046 Jeffrey P. Geiger for Henrico Plaza, LLC:** Request to conditionally rezone from R-6 General Residence District and B-2 Business District to UMUC Urban Mixed Use District (Conditional) Parcels 803-737-0018 and 803-737-5815 containing 27.416 acres located on the west line of Mechanicsville Turnpike (U.S. Route 360), approximately 675' north of its intersection with E. Laburnum Avenue. The applicant proposes a mixed use development. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone and the Airport Safety Overlay District. **Staff – Livingston Lewis**

**Recommended for Approval**

**PUP2020-00025 Jeffrey P. Geiger for Henrico Plaza, LLC:** Request for a Provisional Use Permit under Sections 24-32.1(a, k, m, v, w, z, aa, bb), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow for outdoor vendors; drive-through service window; office-warehouse, when all materials are stored within an enclosed building for use by the business occupying the building; open space of less than 20 percent; commercial/office space less than 25 percent of total building square footage; number of for-lease multifamily dwelling units exceeding 30 percent of the total units; parking plan; auto service without the parking garage requirement; and one temporary sales/rental office located on Parcels 803-737-0018 and 803-737-5815 located on the west line of Mechanicsville Turnpike (U.S. Route 360), approximately 675' north of its intersection with E. Laburnum Avenue. The existing zoning is R-6 General Residence District and B-2 Business District. UMUC zoning is proposed with REZ2020-00046. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone and the Airport Safety Overlay District. **Staff – Livingston Lewis**

**Recommended for Approval**

**BEGINNING AT 8:00 P.M.**

**REZ2021-00009 Jeffrey P. Geiger for Stanley Martin Homes:** Request to conditionally rezone from B-3C Business District (Conditional) to R-6C General Residence District (Conditional) Parcel 784-771-0908 containing 4.631 acres located approximately 200' east of Brook Road (U.S. Route 1) at its intersection with Magnolia Ridge Drive. The applicant proposes a master-planned community. The R-6 District allows a maximum gross density of 19.8 units per acre. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Arterial. **Staff – Ben Sehl**  
**Recommended for Approval**

**PUP2021-00003 Jeffrey P. Geiger for Stanley Martin Homes:** Request for a Provisional Use Permit under Sections 24-36.1(b) 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a master-planned community on Parcel 784-771-0908 located approximately 200' east of Brook Road (U.S. Route 1) at its intersection with Magnolia Ridge Drive. The existing zoning is B-3C Business District (Conditional). R-6C zoning district is proposed for with REZ20201-00009. The 2026 Comprehensive Plan recommends Commercial Arterial. **Staff – Ben Sehl**  
**Recommended for Approval**

**THREE CHOPT:**

**(Deferred from the December 10, 2020 Meeting)**

**REZ2020-00044 James W. Theobald for Dominion Realty Partners:** Request to conditionally rezone from O-3C Office District (Conditional) to UMUC Urban Mixed Use District (Conditional) part of Parcel 748-763-6189 containing 12.58 acres located approximately 200' west of the western terminus of Waterfront Place. The applicant proposes a multifamily development. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed Use. The site is in the Innsbrook Redevelopment Overlay District. **Staff – Ben Sehl**  
**Recommended for Approval**

**(Deferred from the December 10, 2020 Meeting)**

**PUP2020-00024 James W. Theobald for Dominion Realty Partners:** Request for a Provisional Use Permit under Sections 24-32.1(n, v, w, z), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a parking garage with no associated ground floor retail or useable floor space for residential or nonresidential uses along a façade facing street; 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 to exceed 30 percent of total units of the UMU district on part of Parcel 748-763-6189 located at the terminus of Waterfront Place. The existing zoning is O-3C Office District (Conditional). UMUC zoning is proposed with REZ2020-00044. The 2026 Comprehensive Plan recommends Urban Mixed Use. The site is in the Innsbrook Redevelopment Overlay District. **Staff – Ben Sehl**  
**Recommended for Approval**

**REZ2020-00040 Eddie Glass for Louis Salomonsky:** Request to rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcels 744-755-7296 and 744-755-5798 containing 2.83 acres located on the south line of Church Road, approximately 170' west of its intersection with Guyana Drive. The applicant proposes a residential development of detached dwellings for sale with zero lot lines. The R-5A District allows an overall maximum 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.

**Staff – Mike Morris**

**Recommended for Denial**

**REZ2020-00041 Andrew M. Condlin for Hundred Acre Woods, Inc.:** Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcel 752-773-1086 containing 33.62 acres located at the terminus of Opaca Lane. The applicant proposes a residential development of detached dwellings for sale with zero lot lines. The R-5A District allows an overall maximum 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 by Planning Commission to the February 11, 2021 Meeting)**

**Deferred to the February 11, 2021 Meeting**

**REZ2021-00001 Andrew M. Condlin for Kain Road Investors, LLC:** Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcels 748-767-4828, 748-767-7842, and 748-767-8852 containing 7.745 acres located on the south line of Sadler Road, approximately 175' west of its intersection with Cedar Branch Court. The applicant proposes detached dwellings for sale with zero lot lines. The R-5AC District allows an overall maximum 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 – Kristin Smith**

**Recommended for Approval**

**REZ2021-00006 Andrew M. Condlin for Krispy Kreme Doughnut Corporation:** Request to amend proffers accepted with Rezoning case C-52C-94 on Parcel 742-761-8390 located on the north line of West Broad Street (U.S. Route 250) approximately 680' west of Tom Leonard Drive. The applicant proposes to amend Proffer #13 to allow additional outparcel development. The existing zoning is M-1C Light Industrial District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. The site is in the West Broad Street Overlay District. **Staff – Mike Morris**

**(Expedited Agenda Requested)**

**Recommended for Approval**

**REZ2021-00008 James W. Theobald for MS Richmond Investor, LLC:** Request to conditionally rezone from A-1 Agricultural District, R-3C One-Family Residence District (Conditional) and R-5AC General Residence District (Conditional) to R-5AC General Residence District (Conditional) Parcels 744-762-4165, 744-763-8661, 744-763-9175,

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745-763-2013, 745-763-2727, 745-763-3440, 745-763-4567, 745-763-5481, 745-763-6093, 745-764-0618, 744-762-4780, 744-762-5294, 744-762-9757, 745-762-0472, and 745-763-4053 containing 33.03 acres generally between the east line of Belfast Road and west line of Glasgow Road at its intersection with Ireland Lane . The applicant proposes detached dwellings for sale with zero lot lines. The R-5AC District allows an overall maximum density of 6 units per acre. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development. **Staff – Lisa Blankinship**  
**Recommended for Approval**

**TUCKAHOE:**

**REZ2021-00007 James W. Theobald for 1408 N. Parham Oz Fund LC:** Request to conditionally rezone from B-3 Business District to UMUC Urban Mixed Use District (Conditional) Parcel 753-743-7768 containing 6.973 acres located at the southwest intersection of N. Parham and Quioccasin Roads. The applicant proposes an expansion of the Regency urban mixed-use development. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed-Use. The site is in the Enterprise Zone. **Staff – Ben Sehl**  
**Recommended for Approval**

**PUP2021-00002 James W. Theobald for 1408 N. Parham Oz Fund LC:** 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 Parcel 753-743-7768 at the southwest intersection of N. Parham and Quioccasin Roads. The existing zoning is B-3 Business District. UMUC zoning is proposed with REZ2021-00007. The 2026 Comprehensive Plan recommends Urban Mixed-Use. The site is in the Enterprise Zone. **Staff – Ben Sehl**  
**Recommended for Approval**

**DISCUSSION ITEM: RESOLUTION PCR-2-21:** To Initiate Consideration of Zoning Ordinance Amendments to the B-1 Business District regarding outside dining.  
**Approved**

**DISCUSSION ITEM: ORDINANCE AMENDMENT:** The Commission will discuss scheduling a Public Hearing for 7:00 p.m. on February 11, 2021 to consider the Zoning Ordinance Amendments related to outside dining in the B-1 Business District.  
**Approved**

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**APPROVAL OF MINUTES: Planning Commission on December 10, 2020**  
**Approved**

Acting on a motion by Mr. Archer seconded by Mrs. Thornton, the Planning Commission adjourned its meeting at 10:02 p.m. on January 14, 2021.

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