

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
REZONINGS AND PROVISIONAL USE PERMITS

September 12, 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
SEPTEMBER 12, 2019**

BEGINNING AT 7:00 P.M.

WELCOME:

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA:

CALL TO ORDER:

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (0); (3)

REQUESTS FOR EXPEDITED ITEMS: (3)

CASES TO BE HEARD: (2)

THREE CHOPT:

(Deferred from the August 15, 2019 Meeting)

REZ2019-00017 Jesse R. Penn, III: Request to rezone from A-1 Agricultural District to O-1C 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**
Recommended for Approval

REZ2019-00018 James W. Theobald for Wells Fargo Bank, N.A.: Request to conditionally rezone from O-3C Office District (Conditional) to UMUC Urban Mixed-Use District (Conditional) part of Parcels 746-762-8251 and 747-763-3334 containing 13.292 acres located on the east line of Sadler Road, approximately 550' south of Thorncroft Drive. The 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. The site is in the Innsbrook Redevelopment Overlay District. **Staff – Livingston Lewis (Deferral Requested to the October 10, 2019 Meeting)**
Deferred to the October 10, 2019 Meeting

PUP2019-00008 James W. Theobald for Wells Fargo Bank, N.A.: Request for a Provisional Use Permit under Sections 24-32.1(a, d, i, k, n, p, s, t, v, w, z and aa), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow for outdoor vending; carwash; single offices, clinics and labs for medical, dental and optical uses greater than 30,000 square feet

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of floor area; drive-through service window; parking garage with no associated ground floor retail uses; commercial outdoor recreation facilities including skating rinks, swimming pools or other standard facilities of this type of development; buildings exceeding 60' in height; density of residential development 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; number of for-lease multifamily dwelling units to exceed 30 percent of the total units of the UMU district; and a parking plan on part of Parcels 746-762-8251 and 747-763-3334 located on the east line of Sadler Road, approximately 550' south of Thorncroft Drive. The existing zoning is O-3C Office District (Conditional). The UMUC zoning district is requested with REZ2019-00018. The 2026 Comprehensive Plan recommends Urban Mixed-Use. The site is in the Innsbrook Redevelopment Overlay District. **Staff – Livingston Lewis (Deferral Requested to the October 10, 2019 Meeting)**

Deferred to the October 10, 2019 Meeting

BROOKLAND:

None.

VARINA:

PUP2019-00012 Andrew Condlin for Verizon Wireless: Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a monopole communication tower up to 199' in height and related equipment on part of Parcel 853-686-0145 located on the north line of Warriner Road, approximately 1400' west of its intersection with Cookes Farm Drive. The existing zoning is A-1 Agricultural District. The 2026 Comprehensive Plan recommends Prime Agriculture. The site is in the Airport Safety Overlay District. **Staff – Livingston Lewis (Expedited Agenda Requested)**

Recommended for Approval

FAIRFIELD:

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 (Deferral Requested to the October 10, 2019 Meeting)**

Deferred to the October 10, 2019 Meeting

REZ2019-00029 Staples Mill Investments, LLC: Request to rezone from O-2C Office District (Conditional) to R-5AC General Residence District (Conditional) part of Parcel 793-760-5253 containing 11.074 acres located on the north line of E. Parham Road at its intersection with Ashbury Hills Drive. The applicant proposes a zero-lot line single family development. The R-5A District allows a minimum lot area of 5,625 square feet and a maximum gross density of 6 units per acre. The use will be controlled by zoning ordinance regulations

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and proffered conditions. The 2026 Comprehensive Plan recommends Office and Environmental Protection Area. **Staff – Lisa Blankinship (Expedited Agenda Requested)**
Recommended for Approval

TUCKAHOE:

REZ2019-00026 Ukrop’s Homestyle Foods, LLC: Request to conditionally rezone from O-1 Office District to B-2C Business District (Conditional) Parcel 762-740-9594 containing 2.808 acres located at the northeast intersection of Patterson Avenue (State Route 6) and Horsepen Road. The applicant proposes commercial, catering, and office uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Semi-Public. **Staff – Ben Sehl**
Recommended for Approval

REZ2019-00027 Eric Walker for Ridge Homes, LLC: Request to conditionally rezone from O-1 Office District to R-3C One-Family Residence District (Conditional) Parcel 766-741-8137 containing .695 acres located at the southeast intersection of Horsepen and Roxbury Roads. The applicant proposes two single family dwellings. 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 zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. **Staff – Michael Morris (Expedited Agenda Requested)**
Recommended for Approval

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 24-13.2 Titled “Accessory uses permitted,” Section 24-13.3 Titled “Conditional uses permitted,” Section 24-28 Titled “Principal uses permitted,” Section 24-39 Titled “Accessory uses permitted,” Section 24-94 Titled “Table of regulations,” Section 24-96 Titled “Off-street parking requirements,” and Section 24-121 Titled “Conditional zoning or zone approval” of the Code of the County of Henrico. 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 the R-0, R-0A, R-1, R-1A, R-2, R-2A, R-3, R-3A, R-4, and R-4A residential districts and A-1 agricultural district if (i) the property owner remains at the property during the rental, (ii) the short-term renters lodge in the principal dwelling, and not a guesthouse (iii) the property is on a lot with 80 feet or more of road frontage, (iv) no more than six short-term renters occupy the property during the rental, and (v) the property is used as a short-term rental no more than 60 days in a calendar year. For all other short-term rentals in those districts, this ordinance requires the operator of the rental to obtain a conditional use permit. All short-term rentals would be subject to regulations restricting other commercial uses at short-term rentals and limiting rentals to the operator’s primary residence owned by him. The ordinance would also limit the number of short-term renters and pets and the hours when check-in and check-out services may be offered. The ordinance would prohibit rentals to minors and double-booking. The ordinance would require: provision of life-safety equipment consistent with the building code, posting of certain information within the rental, designation of adults to respond to complaints, keeping of records of short-term rentals, and provision of off-street parking. Finally, the ordinance would add and revise definitions related to the rental of real estate. **Staff – Andrew Newby**
Recommended for Approval

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DISCUSSION ITEM: The Planning Commission will discuss scheduling a Work Session for October 10, 2019 at 6:00 p.m. for the Bridlewood Subdivision Land Use Study and Comprehensive Plan Amendment.

Approved

APPROVAL OF MINUTES: Planning Commission on August 15, 2019

Approved

Acting on a motion by Mr. Witte seconded by Mr. Archer, the Planning Commission adjourned its meeting at 10:13 p.m. on September 12, 2019.

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