

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

**August 13, 2015**

**7:00 P.M.**



**PLANNING COMMISSION**

Robert H. Witte, Jr., Chair (Brookland)  
C. W. Archer, C.P.C. (Fairfield)  
Eric S. Leabough, C.P.C. (Varina)  
Tommy Branin (Three Chopt)  
Bonnie-Leigh Jones, C.P.C. (Tuckahoe)  
Patricia S. O'Bannon Tuckahoe)  
Board of Supervisors Representative  
R. Joseph Emerson, Jr., AICP,  
Director of Planning, Secretary

**COMPREHENSIVE DIVISION – DEPARTMENT  
OF PLANNING**

Jean M. Moore, Assistant Director of Planning  
Jim Strauss, PLA, Principal Planner  
Rosemary D. Deemer, AICP, County Planner  
Seth Humphreys, County Planner  
Ben Sehl, County Planner  
Livingston Lewis, County Planner  
Lisa Blankinship, County Planner  
William Moffett, County Planner  
Erin Puckett, County Planner  
Paul Stewart, GIS Technician  
Laura Howell, Planning Intern  
Sylvia Ray, Office Assistant/Recording Secretary

**PLANNING COMMISSION  
REZONING MEETING  
FINAL AGENDA  
AUGUST 13, 2015**

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

**WELCOME:**

**PLEDGE OF ALLEGIANCE:**

**RECOGNITION OF NEWS MEDIA:**

**CALL TO ORDER:**

**REQUESTS FOR WITHDRAWALS AND DEFERRALS: (0); (4)**

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

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

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**SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Lee Pambid**

**FOR INFORMATIONAL PURPOSES ONLY**

<b>Subdivision</b>	<b>Original No. of Lots</b>	<b>Remaining Lots</b>	<b>Previous Extensions</b>	<b>Magisterial District</b>	<b>Recommended Extension</b>
<b>SUB2014-00026 Greengate (April 2014 Plan)</b>	<b>283</b>	<b>283</b>	<b>0</b>	<b>Three Chopt</b>	<b>8/11/2016</b>
<b>SUB2012-00093 Smith Grove at Bacova (July 2012 Plan)</b>	<b>45</b>	<b>9</b>	<b>2</b>	<b>Three Chopt</b>	<b>7/27/2016</b>

**August 14, 2015**

## **ALTERNATIVE FENCE HEIGHT PLAN (Deferred from the July 22, 2015 Meeting)**

SUB2015-00092  
Emerson Residence – Greendale Forest – 6613 Fernwood Street

**Joann Emerson:** Request for approval of an alternative fence height plan, as required by Chapter 24, Sections 24-106, 24-95 (l)(7)(b) and 24-106.2 of the Henrico County Code, to allow a 6 foot tall fence to encroach 24 feet into the front yard. The 6,500 square foot site is located at 6613 Fernwood Street, on the east line of Fernwood Street, approximately 880 feet south of Penick Road, on parcel 771-746-2846. The zoning is R-4 One-Family Residential District. County water and sewer. **(Brookland)**

**Deferral Requested to September 23, 2015 Meeting.**

The applicant requests approval of an alternative fence height in the front yard to erect a 6-foot tall wooden fence along the southern property line that encroaches 24-feet into the front yard. The required front yard setback for R-4 zoning is 35-feet. Per the survey provided with the plan, the front of the house is set back 36.2 feet from the right of way line. The fence would therefore stop approximately 12.2 feet back from the right of way.

County Code limits the maximum fence height in an R-4 zoned front yard to three feet, six inches, unless an alternative fence height is approved by the Planning Commission. Per the Code, the Planning Commission, pursuant to the review and approval of a landscaping plan, shall permit an alternative height not exceeding seven feet in the front yard or along the front lot line, provided the design does not adversely affect:

1. The health, safety and/or welfare of persons residing on or working on the premises;
2. The visibility or value of abutting and/or adjacent properties;
3. The adequate supply of light and air to adjoining property;
4. Traffic or Pedestrian safety; and
5. Adequate sight distance

Landscaping is not proposed, as the fence is along the side property line.

Customarily, staff makes no recommendation for approval or denial before the Planning Commission regarding requests for alternative fence height. Should the Commission approve this request, the following standard conditions for alternative fence height plans are recommended:

1. The property shall be developed as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of this Commission.
2. The owner shall have a set of approved plans available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
3. The fence shall be maintained in good repair by the owner. Trash and debris should not be allowed to accumulate along the fence.

**August 14, 2015**

(Staff Report by Greg Garrison)  
 (Applicant’s Representative: Joann Emerson)  
 Deferred to the September 23, 2015 Meeting

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

**PLAN OF DEVELOPMENT (Deferred from the July 22, 2015 Meeting)**

POD2015-00227 Dollar General at 200 Azalea Avenue – 200 Azalea Avenue	<b>Highmark Engineering, LLC and/or for Dreamlen Company, LLC, and Par 3 Development Group, LLC:</b> Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 9,459 square foot retail building. The 2.09 - acre site is located on the northwest corner at the intersection of Azalea Avenue and Wilkinson Road, on parcel 794-745-2416. The zoning is B-1C Business District (Conditional) and ASO Airport Safety Overlay District. County water and sewer. <b>(Fairfield)</b>
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Staff received revised elevations that provide additional dormer windows and bracket trim, as well as increase the height of the brick corner and entrance features. Staff has no further comment on the revised elevations.

The Division of Police has received a response from the applicant agreeing with and committing to various safety and security measures, and therefore can now recommend approval of the plan of development.

The staff recommends approval subject to the annotations on the plan, 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.

**August 14, 2015**

- 29. The right-of-way for widening of Wilkinson Road 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.
- 30. A concrete sidewalk meeting County standards shall be provided along the north side of Azalea Avenue and the west side of Wilkinson Road.
- 31. Outside storage shall not be permitted.
- 32. The proffers approved as a part of zoning case C-6C-82 shall be incorporated in this approval.
- 33. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. 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 Lee Pambid)**  
**(Applicant’s Representative: Bryant Gammon)**  
**(Applicable Rezoning Cases and PUPS: C-6C-82)**  
 Approved

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

**PLAN OF DEVELOPMENT - RECONSIDERATION**

POD2015-00302  
 West End Islamic Center –  
 Shady Grove Road –  
 Reconsideration – 5000  
 Shady Grove Road  
 (POD2012-00224 Rev.)

**Balzer and Associates, Inc. for West End Islamic Center, Inc. and Islamic Community Development, Inc.:**  
 Request for reconsideration of approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story with basement, 35,141 square-foot place of worship with a daycare and a Sunday school. The site is located along the north line of Shady Grove Road, immediately west of its intersection with Twin Hickory Road, on a 3.66-acre parcel, 741-770-9318, and a 1.11-acre parcel, 742-770-1121. The zoning is A-1, Agricultural District. County water and sewer.  
**(Three Chopt)**

The applicant is requesting reconsideration of the design of the access points onto Shady Grove Road approved by the Planning Commission on July 25, 2012, with POD2012-00224. The access point on the north line of Shady Grove Road, opposite Autumnwood at Twin Hickory subdivision, is currently approved as 24-ft wide for both ingress and egress and to include a right turn lane into the site. The revision shows it as exit only and with the turn lane removed. The access point on the west line of Shady Grove Road, opposite Deep Run High School, is shown being widened from 24 feet to 36 feet.

The staff recommends approval of the revised plan, subject to the conditions previously approved by the Planning Commission for POD2012-00224 at the July 25, 2012 meeting.

**Staff Report by Kevin Wilhite)**  
**(Applicant's Representative: Christopher Shust)**  
**Approved**

**FAIRFIELD:**

**REZ2015-00020 Bay Companies, Inc. for Leinster Nutrient Exchange, LLC:** Request to conditionally rezone from A-1 Agricultural District to R-2AC One-Family Residence District (Conditional) Parcel 809-732-9704 containing 19 acres located on the east line of Harvie Road approximately 450' north of its intersection with Harvest Crest Court. The applicant proposes a single family development of no more than 37 dwellings. The R-2A District allows a minimum lot area of 13,500 square feet and a gross density of 3.22 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. The site is located in the Airport Safety Overlay District. **Staff – Livingston Lewis**  
**Recommended for Approval**

**THREE CHOPT:**

**(Deferred from the July 9, 2015 Meeting)**

**REZ2015-00008 Bay Companies, Inc. for Eagle Construction of VA, LLC:** Request to rezone from A-1 Agricultural District and R-3 One Family Residence District to R-5AC General Residence District (Conditional) Parcels 743-755-9852 and 743-755-8828 containing 5.11 acres located on the east line of Crown Grant Road at its intersection with Cedar Hill Court. The applicant proposes 16 single family detached homes on zero lot lines. 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 Suburban Residential 2, density should not exceed 3.4 units per acre. **Staff – Lisa Blankinship (Deferral Requested to the September 10, 2015 Meeting)**  
**Deferred to the September 10, 2015 Meeting**

**REZ2015-00021 ME Nuckols, LLC:** Request to conditionally rezone from A-1 Agricultural District to B-3C Business District (Conditional) part of Parcel 733-764-4118 containing 1.68 acres located between the south line of W. Broad Street (U.S. Route 250) and the north line of Graham Meadows Drive approximately 385' west of N. Gayton Road.

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The applicant proposes access for GreenGate and Strange's Florist. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development. The site is located in the West Broad Street Overlay District. **Staff – Lisa Blankinship (Expedited Agenda Requested)**

**Recommended for Approval**

**REZ2015-00022 Bay Companies, Inc. for Duke Development, LLC:** Request to rezone from A-1 Agricultural District and O-3C Office District (Conditional) to R-3C One-Family Residence District (Conditional) Parcels 746-768-7550, 746-769-6058, -7205, -8993, and 747-769-1255 containing 31.05 acres located between the south line of New Wade Lane, the eastern terminus of Parkland Drive, and the on-ramp to Interstate 295 North. The applicant proposes a single family development of no more than 75 dwellings. The R-3 District allows a minimum lot area of 11,000 square feet and a 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 Office and Environmental Protection Area. **Staff – Seth Humphreys**

**Deferred to the September 10, 2015 Meeting**

**REZ2015-00026 James W. Theobald for KCA/Bedford, LLC:** Request to conditionally rezone from A-1 Agricultural District and RTHC Residential Townhouse District (Conditional) to RTHC Residential Townhouse District (Conditional) Parcels 747-770-3395 and 747-770-4264 containing 10.1 acres located along the west line of Nuckols Road at its intersection with New Wade Lane. The applicant proposes a residential townhouse development not to exceed 79 units. The RTH District allows a maximum density of nine (9) units per acre. The uses will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Office. **Staff – Seth Humphreys**

**Recommended for Approval**

#### **TUCKAHOE:**

**REZ2015-00023 Richard H. Youngblood, Jr. for Youngblood Properties, LLC:** Request to conditionally rezone from A-1 Agricultural District to R-3C One-Family Residence District (Conditional) Parcel 736-754-6656 containing 3.945 acres located on the south line of Church Road approximately 150' west of its intersection with Brookstone Lane. The applicant proposes a single family development. The R-3 District allows a minimum lot area of 11,000 square feet and a 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 Urban Residential, density should be between 3.4 and 6.8 units per acre. **Staff – Lisa Blankinship (Deferral Requested to the September 10, 2015 Meeting)**

**Deferred to the September 10, 2015 Meeting**

#### **BROOKLAND:**

None.

**VARINA:**

**REZ2015-00025 Chris Shust for Swift Transportation Company:** Request to conditionally rezone from M-1C Light Industrial District (Conditional) to M-2C General Industrial District (Conditional) Parcels 817-707-6693 and 817-707-7588 containing 1.98 acres located on the south line of Charles City Road approximately 475' northwest of its intersection with Miller Road. The applicant proposes a transportation training facility. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Light Industry. The site is located in the Airport Safety Overlay District. **Staff – Ben Sehl**  
**Recommended for Approval**

**SIA2015-00002 Osborne Turnpike - Dominion Virginia Power Electric Substation:** The Department of Planning has received a request from Dominion Virginia Power to initiate a Substantially In Accord study of a proposed site for an electric substation. The proposed substation site would use 1.53 acres of part of Parcel 798-696-8886 located along the west line of Osborne Turnpike approximately 1,150 feet south of Equestrian Way. The existing zoning of the subject area is A-1 Agricultural District. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development. **Staff – William Moffett (Deferral Requested to the October 15, 2015 Meeting)**  
**Deferred to the October 15, 2015 Meeting**

**APPROVAL OF MINUTES: Planning Commission July 9, 2015**  
**Approved**

**DISCUSSION ITEM:** Schedule a Work Session for a Presentation on Housing Trends (Home Building Association of Richmond) – September 10, 2015.  
**Approved**

Acting on a motion by Mr. Branin, seconded by Mr. Leabough, the Planning Commission adjourned its meeting at 8:01 p.m. on August 13, 2015.

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