

1 **Minutes of the regular monthly meeting of the Planning Commission of Henrico County**
2 **held in the Highland Spring High School Auditorium, 200 S Airport Drive, Highland**
3 **Springs, beginning at 8:19 p.m., Thursday, May 15, 2025. Display Notice having been**
4 **published in the Richmond *Times-Dispatch* on April 24, 2025, and May 1, 2025.**
5

6 **Members Present:** Mr. Robert Witte, Jr., Chairperson (Brookland)
7 Mr. Jaron N. Dandridge, Vice-Chair (Fairfield)
8 Mr. William M. Mackey, Jr., (Varina)
9 Mr. Brian Winterhoff, (Tuckahoe)
10 Mr. R. Joseph Emerson, Jr., AICP, Director of Planning
11 Secretary
12 Ms. Misty D. Roundtree (Three Chopt)
13 Board of Supervisors Representative
14

15 **Members Absent:** Mr. Bob Shippee, (Three Chopt)
16

17 **Also Present:** Ms. Jean Moore, Assistant Director
18 Mr. Ben Sehl, Senior Principal Planner
19 Mr. Livingston Lewis, County Planner
20 Mr. Michael Morris, County Planner
21 Ms. Ali Hartwick, County Planner
22 Ms. Neha Shinde, County Planner
23 Ms. Kelly Drash, County Planner
24 Ms. Molly Mallow, County Planner
25

26 **Mr. Witte -** We will reconvene the meeting for the Planning Commission
27 **for May 15, 2025.**
28

29 **Mr. Emerson -** Thank you Mr. Witte. As you mentioned, we are reconvening
30 the meeting. It is 8:19. The Planning Commission and Board of Supervisors did hold a
31 joint public hearing this evening to consider two items that appeared earlier on the
32 agenda. You did convene at 5:00 p.m. The two items that were considered were a
33 Comprehensive Plan amendment regarding the Technology Boulevard Special Focus
34 Area and data center development objectives and guidelines and ordinances regarding
35 data centers and overlay districts located at the White Oak Tech Park and then data
36 centers countywide in general with a Provisional Use Permit. With that said, Mr. Witte, we
37 are now on Page 2 of the Planning Commission Agenda, and we are at the requests for
38 withdrawal and deferrals. Those will be presented by Mr. Ben Sehl.
39

40 **Mr. Witte -** Mr. Sehl.
41

42 **Mr. Sehl -** Thank you Mr. Chairman. Staff is aware of five deferrals on
43 your agenda this evening. The first is on Page 2 of your agenda, and that's PUP 2024-
44 102211. This is 101 Laburnum LLC.
45

46 **PUP-2024-102211 101 Laburnum LLC:** Request for a Provisional Use Permit under
47 Sections 24-4324.B and 24-2306 of Chapter 24 of the County Code to allow gasoline
48 sales on Parcel 791-738-2113 located at the southwest intersection of W Laburnum

49 Avenue and Alma Avenue. The existing zoning is B-1 Business District. The 2026
50 Comprehensive Plan recommends Commercial Arterial. The site is in the Enterprise
51 Zone.

52
53 The applicant is requesting you defer this item to your July 10, 2025, meeting.

54
55 Mr. Witte - Any discussion from the Commission? How would you like to
56 proceed?

57
58 Mr. Dandridge - Mr. Chair, I move that PUP-2024-102211, 101, Laburnum
59 LLC be deferred to the July 10, 2025 meeting at the request of the applicant.

60
61 Mr. Winterhoff - Second.

62
63 Mr. Witte - We have a motion by Mr. Dandridge, a second by Mr.
64 Winterhoff. All in favor say aye.

65
66 Commission - Aye.

67
68 Mr. Witte - Opposed? Motion passes. One abstention.

69
70 Mr. Sehl - On Page 3 of your agenda is the next request for a deferral.
71 This is REZ-2025-100261, Discount Tire.

72
73 **REZ-2025-100261 Emily Trafecante for Discount Tire:** Request to amend proffers
74 accepted with C-29C-06 on Parcel 816-718-0130 located at the southeast intersection of
75 S. Laburnum Ave and Interstate 64. The applicant proposes to amend proffers to allow
76 tire sales, repair, and installation on a portion of the property. The existing zoning is B-3C
77 Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial
78 Concentration. The site is located in the Enterprise Zone.

79
80 The applicant is requesting you to defer this item to your July 10, 2025, meeting.

81
82 Mr. Witte - Is there anyone in the audience or on WebEx who would like
83 to speak to this?

84
85 Mr. Sehl - I'm seeing there's no one on WebEx, Mr. Witte. There's no
86 one on WebEx. I'm going to relay that now, just so you are aware, the WebEx folks are
87 behind me and I will relay whether there's anyone on the call.

88
89 Mr. Mackey - Mr. Chair, seeing there's no opposition, I move that REZ-
90 2025-100261, Discount Tire be deferred to the July 10, 2025, meeting at the request of
91 the applicant.

92
93 Mr. Winterhoff - Second.

94

95 Mr. Witte - We have a motion by Mr. Mackey, a second by Mr. Winterhoff.
96 All in favor say, aye.

97
98 Commission - Aye.

99
100 Mr. Witte - Opposed? One abstention, motion passes.

101
102 Mr. Emerson - Mr. Chairman, we probably should note, and I apologize that
103 we do not have Mr. Shippee with us tonight. We do not have him with us tonight, he did
104 have prior commitments for graduation ceremonies for a family member. He wasn't with
105 us earlier, we did note it, but we will have one absence on our agenda or on our minutes.

106
107 Mr. Witte - Thank you. My bad.

108
109 Mr. Sehl - Mr. Chairman, next on your agenda and staying in the Varina
110 District on Page 3 is REZ-2024-102790, Godsey Properties, Inc.

111
112 **REZ-2024-102790 Daniel Caskie for Godsey Properties, Inc.:** Request to
113 conditionally rezone from R-2AC One-Family Residence District (Conditional) and R-5AC
114 General Residence District (Conditional) to R-5AC General Residence District
115 (Conditional) Parcel 816-729-1884 containing 52.40 acres located at the northern
116 terminus of Westover Avenue. The applicant proposes a single-family residential
117 development. The use will be controlled by zoning ordinance regulations and proffered
118 conditions. The 2026 Comprehensive Plan recommends Suburban Mixed Use. The site
119 is located in the Airport Safety Overlay District.

120
121 The applicant is requesting you defer this item to your June 12th meeting.

122
123 Mr. Witte - Anybody like to speak to this deferral? We have one. We have
124 a whole bunch. Mr. Secretary, would you care to...

125
126 Mr. Emerson - Yes, sir, Mr. Chairman. It is up to the Commission if people
127 want to speak in opposition of the deferral, you can bump it from the deferral agenda and
128 hear it in its regular order. It depends on the wishes of the Commission in regard to this
129 case.

130
131 Mr. Mackey - So you said they can speak and say why they're in opposition
132 of the deferral?

133
134 Mr. Emerson - Yes sir, you could request that they limit their comments as to
135 why they're opposed to the deferral at this point. If you want to hear the case, we need to
136 bump it from the deferral agenda and hear it in its regular order on the agenda.

137
138 Mr. Mackey - I intend to grant the deferral, but I mean, we can let them
139 speak.

140

141 Mr. Emerson - Ma'am, if you'd like to speak, you would need to approach one
142 of the microphones and state your name and address for the record. We do keep verbatim
143 minutes. So we would like to know everybody's name and address in case we need to
144 contact you.

145
146 Ms. Smith - Good evening. My name is Patty Smith. I live at 5412 Waving
147 Meadow Road here in Henrico County. I am not opposed to the deferral of this. I do and
148 have the understanding we would be here to provide public comment as I'm opposed to
149 the development that's being requested under this agenda by Godsey Properties.

150
151 Mr. Mackey - You said Ms. Smith? Okay, Ms. Smith, the applicant
152 requested a deferral, so we only would allow you know or have comments on the deferral
153 portion of it. I mean we wouldn't hear the case and have the public comment if we were
154 going to grant the deferral.

155
156 Ms. Smith - Okay, that's the only thing I needed clarification on because
157 as you see a lot of people are here to speak on this particular case. We need clarity on
158 whether you want our comments about our opinions or feelings about this, but I'm good
159 with the deferral.

160
161 Mr. Mackey - Thank you.

162
163 Ms. Plummer - My question I'm sorry, my name is Candice Plummer. I'm
164 5410 Waving Meadow Road. Every time it keeps getting deferred for deferrals, so we
165 never get to really talk about it, it's been getting pushed back since what, March? We see
166 the trucks and the pavers and everything already out there, so we're trying to voice our
167 opinions on this before they start, you know, doing what they do.

168
169 Mr. Mackey - Yes, ma'am. I'm sorry I missed your name.

170
171 Ms. Plummer - Candice.

172
173 Mr. Mackey - What was your last name?

174
175 Ms. Plummer - Plummer.

176
177 Mr. Mackey - Okay, Ms. Plummer. Yes, there are other opportunities. They
178 have had several community meetings. You can, you know, express your opposition or
179 favor of, at those opportunities. They moved it back one time because they changed it
180 and now, they're asking for more time to continue to work with us and staff to try to make
181 it something that they feel that they can get passed.

182
183 Ms. Plummer - So, are they not going to start knocking down trees and
184 everything else before we had this meeting?

185
186 Mr. Mackey - No, they shouldn't be.

187
188 Ms. Plummer - I mean, everything is ready. The equipment is out there as of
189 this past weekend.
190
191 Mr. Mackey - I don't know that that has anything to do with the development.
192 I mean, it isn't someone that owns the property.
193
194 Mr. Sehl - Mr. Mackey, they would not be able to commence
195 construction on the property for the development prior to the rezoning and subsequent
196 subdivision and plan of development approval. I don't know where exactly the equipment
197 is.
198
199 Mr. Emerson - We'll have an inspector go out and look. There should be no
200 activity on the property at this time.
201
202 Unknown speaker - [Inaudible]
203
204 Mr. Emerson - Yes ma'am, that's possible because there is one off of
205 Westover that was approved several months ago, so that is possible. We'll check on it
206 and see.
207
208 Ms. Plummer - Thank you.
209
210 Mr. Morgan - I'm another resident on Waving Meadow. I'm Melvin Morgan
211 on Tiffany Meadows. That's what we're concerned about is that the development that's
212 going to take place that's going to take effect on Tiffany Meadows from Westover Avenue
213 about opening up our cul-de-sac and putting another exit way to be accessible to this,
214 building that you're going to be doing on Westover. We've been here on Waving Meadows
215 now for 26 years. My other neighbors have been there longer than we have. Our cul-de-
216 sac we don't want to open up to accommodate this new complex. The influx of traffic is
217 going to be coming through our neighborhood that we've been accustomed to or, well,
218 not necessarily accustomed to it, but appreciative of our privacy for over 30 years now.
219 Now that this new complex is coming in, they'll open up our neighborhood for more traffic
220 to come through, in and out, and that's what we really opposed to. Not the building of the
221 complex but opening up our block to access the new building or the complex that's coming
222 through on Westover and Tiffany Meadows.
223
224 Mr. Mackey - Thank you.
225
226 Mr. Witte - How would you like to proceed?
227
228 Mr. Mackey - Mr. Chairman, I move that REZ-2024-102790, Godsey
229 Properties, Inc. be deferred to the June 12, 2025, meeting at the request of the applicant.
230
231 Mr. Winterhoff - Second.

232
233 Mr. Witte - We have a motion by Mr. Mackey, a second by Mr. Winterhoff.
234 All in favor, say aye.

235
236 Commission - Aye.

237
238 Mr. Witte - Opposed? We have one abstention and one absent. Motion
239 passes.

240
241 Mr. Sehl - Mr. Chairman, the next deferral request staff is aware of is on
242 Page 4 of your agenda staying in the Varina District. This is REZ-2024-101268 GEM
243 Capital. Trying to make sure I can get to that. Excuse me.

244
245 **REZ-2024-101268 Andrew M. Condlin for GEM Capital, LLC:** Request to conditionally
246 rezone from A-1 Agricultural District and C-1 Conservation District to R-5AC General
247 Residence District (Conditional) on Parcel 832-727-2459 containing 65.95 acres located
248 on the north line of N. Washington Street approximately 150' east of its intersection with
249 Delbert Drive. The applicant proposes a single-family subdivision. The use will be controlled
250 by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan
251 recommends Suburban Residential 1, density should not exceed 2.4 acres per unit, and
252 Environmental Protection Area.

253
254 The applicant is asking you to defer this item to your June 12, 2025, meeting.

255
256 Mr. Witte - Is there anyone in the audience, or on WebEx who would like
257 to speak against the deferral?

258
259 Mr. Witt - Hello, board members, my name is Ricky Witt. I reside at 700
260 Beverstone Road, Highland Springs, Virginia. We are going to ask that the deferral be
261 denied tonight. We have a good amount of our community members here present. We
262 have all been waiting patiently this evening as everyone else has. This is now, I believe
263 the fourth deferral request. We have had multiple town hall meetings. The last one was
264 this past Monday on the 12th. The deferral is requesting roughly three to four weeks to
265 reconvene, and we feel that there's going to be basically no fruit's going to be beared [sic]
266 by, you know, deferring it any longer. We've gone far enough into the process where the
267 developer hasn't actually changed anything as far as the development plan. The proffers
268 I don't believe have been updated. Just out of respect for where the community members
269 we would like to get this over with.

270
271 Mr. Mackey - Thank you sir. Anyone else who wants to speak against this
272 deferral? State your name please.

273
274 Mr. Geary - My name is Bob Geary. I live on North Washington Street and
275 have a little 35-acre farm. The project is a quarter mile from my farm, and it's all downhill
276 to the state Chickahominy Scenic River. I wish it not be deferred.

277
278 Mr. Witte - Sir, you opposing the deferral?

279
280 Mr. Geary - That's what he spoke of, wasn't it?
281
282 Mr. Witte - Yes.
283
284 Mr. Geary - Okay. I like it to not to be deferred. I mean to be deferred. I
285 don't know. Tonight's my birthday.
286
287 Mr. Witte - Is there anybody else?
288
289 Mr. Mackey - Not seeing or hearing any more opposition, I move that REZ-
290 2024-101268, GEM Capital LLC be deferred to the June 12, 2025, meeting at the request
291 of the applicant.
292
293 Mr. Dandridge - Second.
294
295 Mr. Witte - We have a motion by Mr. Mackey, a second by Mr. Dandridge.
296 All in favor, say aye.
297
298 Commission - Aye.
299
300 Mr. Witte - Opposed? We have one abstention, and one absent. Motion
301 passes.
302
303 Mr. Sehl - Mr. Chairman, the last deferral staff is aware of this evening
304 is on Page 4 of your agenda and also in the Varina District. This is REZ-2025-100474,
305 Godsey Properties Inc.
306
307 **REZ-2025-100474 John Montgomery for Godsey Properties Inc:** Request to
308 conditionally rezone from R-5AC General Residence District (Conditional) to RTHC
309 Residential Townhouse District (Conditional) part of Parcel 836-713-7564 containing
310 15.65 acres located on the east line of Dry Bridge Road approximately 220' south of Old
311 Williamsburg Road. The applicant proposes a townhouse development. The uses will be
312 controlled by zoning ordinance regulations and proffered conditions. The 2026
313 Comprehensive Plan recommends Commercial Concentration and Urban Residential.
314 The site is located in the Airport Safety Overlay District.
315
316 The applicant is requesting you defer this item to your June 12th meeting.
317
318 Mr. Witte - Is there anyone in the audience or on WebEx that opposes
319 this deferral? I see none.
320
321 Mr. Mackey - Mr. Chairman, since there's no opposition, I move that REZ-
322 2025-100474, Godsey Properties be deferred to the June 12, 2025, meeting at the
323 request of the applicant.
324

325 Mr. Dandridge - Second.
326
327 Mr. Witte We have a motion by Mr. Mackey, a second by Mr. Dandridge.
328 All in favor, say aye.
329
330 Commission - Aye.
331
332 Mr. Witte - Opposed? Motion passes with one abstention and one
333 absence.
334
335 Mr. Emerson - Mr. Chairman, we now move on to the expedited items. We
336 have one of those this evening and that item will also be presented by Mr. Ben Sehl.
337
338 Mr. Sehl - Mr. Chairman, PUP-2025-100508 Nader Hagez is requesting
339 approval of a Provisional Use Permit on the east line of N. Ridge Road approximately 70
340 ft north of its intersection with Crest Road to allow an existing outside dining patio to
341 remain.
342
343 **PUP-2025-100508 Nader Hagez:** Request for a Provisional Use Permit under Sections
344 24-2306 and 24-4423 of Chapter 24 of the County Code to allow a restaurant patio to
345 remain on part of Parcel 756-737-9710 on the east line of N. Ridge Road approximately
346 70' north of its intersection with Crest Road. The existing zoning is B-1 Business District.
347 The 2026 Comprehensive Plan recommends Commercial Concentration.
348
349 Mr. Sehl: Staff is recommending approval of this request, subject to the
350 conditions contained in your staff report, and is unaware of any opposition to this item. I
351 would be happy to answer any questions you might have at this time.
352
353 Mr. Witte - Is there anyone in the audience on WebEx opposed and who
354 would like to speak to it? I see none. You have the floor.
355
356 Mr. Winterhoff - Mr. Chair, I move that we recommend approval of PUP-2025-
357 100508, Nader Hagez, with the conditions listed in the staff report.
358
359 Mr. Mackey - Second.
360
361 Mr. Witte - We have a motion by Mr. Winterhoff, a second by Mr. Mackey.
362 All in favor say, aye.
363
364 Commission - Aye.
365
366 Mr. Witte - Opposed? We have one abstention and one absent. Motion
367 passes.
368
369 **REASON:** Acting on a motion by Mr. Winterhoff, seconded by Mr.
370 Mackey, the Planning Commission voted 4-0 (one absent, one abstention) to recommend

371 the Board of Supervisors grant the request because it is reasonable in light of the
372 surrounding uses and existing zoning on the property and the conditions should minimize
373 the potential impacts on surrounding land uses.

374
375 Mr. Emerson - Mr. Chairman, we now move into the regular agenda to the
376 top of Page 3 for REZ-2025-100032 Biju Mattamana.

377
378 **REZ-2025-100032 Biju Mattamana:** Request to conditionally rezone from R-2 One-
379 Family Residence District to R-3C One-Family Residence District (Conditional) Parcel
380 764-766-6303 containing 1.387 acres located at the southeast intersection of Staples Mill
381 Road (U.S. Route 33) and Courtney Road. The applicant proposes single-family
382 residences. The use will be controlled by zoning ordinance regulations and proffered
383 conditions. The 2026 Comprehensive Plan recommends Suburban Residential 1.

384
385 The staff report will be presented by Ms. Neha Shinde.

386
387 Mr. Witte - Ms. Shinde, you have the floor.

388
389 Ms. Shinde - Thank you.

390
391 Mr. Witte - Is there anyone in the audience who would like to speak in
392 opposition or for this or who are on WebEx? I see none. Oh, we got one. Way back in the
393 corner. Alright, Ms. Shinde, you have the floor now.

394
395 Ms. Shinde - Thank you, Mr. Chairman, members of the Commission. This
396 is a request to conditionally rezone a 1.4-acre parcel from R-2 One-Family Residence
397 District to R-3C One-Family Residence District (Conditional). The property is
398 undeveloped and located at the southeast intersection of Staples Mill Road and Courtney
399 Road. The property is bordered on the east by single-family homes and to the south by a
400 family daycare home. To the west, across from Staples Mill Road, is a multi-family
401 development, and across from Courtney Road to the north is the Glen Allen Public Library.
402 The applicant has submitted a revised conceptual plan and proffers, handed out to you
403 this evening. The proffered concept plan, seen here, shows three lots oriented towards
404 Staples Mill Road. Access to the subdivision will be provided from Courtney Road and is
405 aligned with the entrance to the Glen Allen Public Library. A private road along the rear
406 of the property, with individual vehicular driveways, and a modified hammerhead at its
407 southern end will serve all three lots. A five-foot-wide sidewalk will also be provided along
408 the property's frontage on Courtney Road. While an effort has been made by the applicant
409 to address comments in the staff report, staff notes that the revised proffers remain
410 unclear in language and include several typographical errors. Additionally, staff notes an
411 opportunity to further clarify proffer language related to setbacks, buffers, and
412 landscaping in order to avoid potential confusion. Staff also recommends avoiding
413 restating existing code requirements. Other proffers submitted address items such as
414 driveway materials, roofing materials, stoops and porches, square footage, hours of
415 construction, and other commitments generally consistent with those provided with similar
416 recently approved rezoning requests. The applicant has also submitted a landscape plan,

417 seen here. However, no details regarding the intended plantings have been provided. The
418 2026 Comprehensive Plan designates the subject property for Suburban Residential 1,
419 with a recommended maximum density of 2.4 units per acre. The proposed density of
420 2.16 units per acre is consistent with this designation, however staff notes some residents'
421 concerns heard at the community meeting related to the number of residences proposed.
422 The applicant held a community meeting at the Glen Allen Public Library on April 1 with
423 approximately 15 people in attendance. Topics discussed at the meeting included density,
424 traffic along Staples Mill Road and Courtney Road, the proposed layout and access to
425 the subdivision, buffers, and neighborhood character in general. In closing, while staff
426 recognizes the applicant's efforts to address comments in the staff report, there remain
427 concerns regarding the proffer's lack of clarity. For these reasons, staff recommends
428 deferral of this request. This concludes my presentation. I am happy to answer any
429 questions you may have.

430
431 Mr. Witte - Are there any questions from the Commission? Is there
432 anyone to speak for or against? You have the floor.

433
434 Mr. Kirkland - Good evening, Mr. Chairman and fellow Commissioners, let
435 me get this right. My name is Rick Kirkland. I live at 10333 Old Courtney Road. I'm right
436 around the corner from the proposed construction area. I'm opposed mostly to the R-3C.
437 I want the land to stay R-2 and I believe with two dwellings that could be allowed. I have
438 lived at my house and the adjoining property for 75 years and everything in the area is R-
439 2 up and down Courtney, up and down Old Courtney, behind on Lakewood and all those
440 areas. My father built most of the homes in that area and all the lots that they're on are
441 R-2. That's my main concern, and I hope it can stay R-2 because there is two other plots
442 of land. If this goes through the same thing could happen again. Thank you.

443
444 Mr. Witte - Thank you sir. Anyone else? Would the applicant like to
445 speak?

446
447 Mr. Mattamana - Good evening, Commission. Thank you for giving me this
448 opportunity. My name is Biju Mattamana, I am the applicant for this property. I received
449 the May 1 staff report copy and I am willing and able to address all the concerns raised
450 by the staff report and we will make sure that the landscape plan will also be approved to
451 the satisfaction of the Planning Commission and this land 1.387 acres is within the limits
452 of 2.16 per acre as per the report. I would kindly request your consideration of my
453 application. I will address all the staff concerns and revise my drawings.

454
455 Mr. Witte - Any questions by the Commission? Thank you, sir. Anyone
456 else? One more, come on down.

457
458 Mr. Puryear - My name is William Puryear. I live on, I have two properties
459 on Courtney and did have one on Old Courtney that backed up to this thing. Like Mr.
460 Kirkland has said, I've been there for 78 years off and on. And like he said, everything in
461 that area is R-2, two houses on that piece of property would be as far as I'm concerned
462 plenty. My house and another house that I own on Courtney is an acre of land and I built

463 my house from my dad's property, I had to have an acre, so at this point in time, I think
464 R-2 would be appropriate. Thank you.

465
466 Mr. Witte - Thank you. Anyone on WebEx?

467
468 Ms. Shinde - There's no one on WebEx.

469
470 Mr. Witte - No one on WebEx. All right. Well, this has been interesting. It
471 is a by-right lot for two houses. Some of the neighbors have concerns about changing
472 from R-2 which is consistent with the area. I have some concerns with the private road,
473 ingress and egress, and I also have a concern with just having three houses on that
474 particular lot. I think it's a safety issue being so close to the road and the turn lanes and
475 on the corner and the amount of traffic there. I think having three houses come in off that
476 private drive is just not a good situation. With that, I move that REZ-2025-100032 Biju
477 Mattamana be recommended for denial.

478
479 Mr. Dandridge - Second.

480
481 Mr. Witte - We have a motion by Mr. Witte, a second by Mr. Dandridge.
482 All in favor, say aye.

483
484 Commission - Aye.

485
486 Mr. Witte - Opposed? One abstention, one absent. Motion passes.
487 Thank you.

488
489 **REASON:** Acting on a motion by Mr. Witte, seconded by Mr. Dandridge,
490 the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board
491 of Supervisors **deny** the request because it represents an increase in intensity which could
492 influence future zoning and development of adjacent properties.

493
494 Mr. Emerson - Mr. Chairman, we now move on to the next item also
495 appearing on Page 3. It is PUP-2025-100585, Andrew Elsbury.

496
497 **PUP-2025-100585 Andrew Elsbury:** Request for a Provisional Use Permit under
498 Section 24-2306 of Chapter 24 of the County Code to allow for a trade school on Parcel
499 763-751-4787 at the southeast intersection of Enterprise Parkway and Prestwick Road.
500 The existing zoning is O-2 Office District. The 2026 Comprehensive Plan recommends
501 Office.

502
503 The staff report will be presented by Ms. Molly Mallow.

504
505 Mr. Witte - Ms. Mallow, you have the floor.

506
507 Ms. Mallow - Thank you, Mr. Chairman, and members of the Commission.
508 As mentioned, this is a request to allow for a massage school in part of the Joyner Building
509 on Enterprise Parkway. The site is zoned O-2, Office District, which requires a Provisional

510 Use Permit to allow for a vocational or trade school. Surrounding uses include Affinity
511 Funeral Services, the Enterprise Parkway Office Building, and other commercial
512 businesses. To the west across Prestwick Road is the Williamsburg Park subdivision.
513 The proposed H&S School of Massage would be located in an approximately 1,600
514 square foot tenant space as shown here in Exhibit A. The school would provide a
515 massage education program in accordance with the requirements of the State Council for
516 Higher Education for Virginia. Revised conditions dated May 14 were included in tonight's
517 handouts. Changes were made to the hours of operation listed in Condition #1 to align
518 with the hours of operation in place for the existing office building. To mitigate potential
519 impacts on adjacent office uses, staff have included recommended conditions with this
520 request. These conditions address hours of operation, require that all training services
521 performed on members of the public be provided by appointment only, and limit this use
522 to the tenant space shown here in Exhibit A. The 2026 Comprehensive Plan recommends
523 Office for the subject parcel. Although a massage school is not fully consistent with this
524 designation, the recommended conditions with this request would regulate this use similar
525 to other office uses. For these reasons, staff supports this request subject to the
526 conditions included in tonight's handouts. This concludes my presentation, and I would
527 be happy to answer any questions.

528
529 Mr. Witte - Is there anyone in the audience or on WebEx who would like
530 to speak to this case?

531
532 Ms. Mallow - There's nobody on WebEx.

533
534 Mr. Ellis - I'm here, I'm the business, I'm the building owner. I'd like to
535 speak for just a second. My name is Dwight Ellis. I am a Henrico resident at 11113 Glen
536 Hollow Court, and I'm also the owner of the building. I bought this building from Joyner
537 Commercial Properties in 2019 and have been there for six years. In purchasing the
538 building back in 2019, there was over 90% occupancy, but due to COVID there's been a
539 tremendous downturn, unfortunately, in commercial office space. With this opportunity
540 that has been presented by the H&S Massage Therapy School, we have vetted them very
541 much both financially and also for their business as a whole. The school will allow for
542 therapists to be licensed and trained in the community and get certified by the
543 Commonwealth of Virginia. From that, they'll be able to find jobs. Mr. Elsbury, and vetting
544 him and his businesses, owns eight different Hand & Stones between Virginia Beach all
545 the way up to Maryland, included in that is the one at the Glen Allen at the Virginia Center
546 Commons area. There are already three of these Hand & Stone businesses in Henrico
547 County. We'd appreciate your consideration in allowing for the rezoning from an O-2 to
548 an O-3 for this building.

549
550 Mr. Winterhoff - I just wanted to ask. Mr. Elsbury, are you here in attendance
551 tonight?

552
553 Ms. Mallow - He is on WebEx, yes.

554

555 Mr. Winterhoff - He is. Oh wonderful. I first wanted to say, thank you, maybe
556 for spending a little extra time tonight, and Mr. Ellis, thank you for coming out and
557 representing your property. Ms. Mallow, you've been able to, I think, prepare a very
558 concise report. I appreciate the time that you've put into this. I just wanted to confirm that
559 Mr. Elsbury included in the application is some additional information about how this
560 program helps prepare students for this licensing exam. Is that standard in Virginia? I
561 think this is a type of program I'm less familiar with and I was just hoping that we could
562 learn a little bit more.

563
564 Mr. Elsbury - This is Andrew Elsbury. Can you hear me?

565
566 Mr. Winterhoff - Yes, we can. Thank you.

567
568 Mr. Elsbury - Yes, the program is governed by SCHEV. The program that
569 we form will allow them to qualify for all the requirements for SCHEV and once they pass
570 the exam that is being managed by SCHEV, they will be issued a license by the Board of
571 Nursing in Virginia and able to then practice massage therapy in the State of Virginia.

572
573 Mr. Winterhoff - Thank you very much, Mr. Elsbury, I think it's it sounds like a
574 wonderful program of helping people find new opportunities for jobs. I have no further
575 questions.

576
577 Mr. Witte - Anyone else? What's your pleasure?

578
579 Mr. Winterhoff - Mr. Chair, I move that we recommend approval of PUP-2025-
580 100585, Andrew Elsbury with the list of recommended conditions dated May 14, 2025,
581 distributed this evening.

582
583 Mr. Dandridge - Second.

584
585 Mr. Witte - We have a motion by Mr. Winterhoff, a second by Mr.
586 Dandridge. All in favor say, aye.

587
588 Commission - Aye.

589
590 Mr. Witte - Opposed? One abstention, one absent. Motion passes.

591
592 **REASON:** Acting on a motion by Mr. Winterhoff, seconded by Mr.
593 Dandridge, the Planning Commission voted 4-0 (one absent, one abstention) to
594 recommend the Board of Supervisors grant the request because the recommended
595 conditions should minimize the potential impact on surrounding land uses.

596
597 Mr. Emerson - Mr. Chairman, we now move on to Page 4 of your agenda.
598 For the final item prior to adjournment, which is the consideration of the approval of your
599 minutes from your regular meeting on April 10, 2025. We do not have an errata sheet, but

600 of course if you have any corrections or changes that need to be made, please advise us
601 and we will take care of that.

602
603 Mr. Witte - Does the Commission have any changes? Do we have a
604 motion?

605
606 Mr. Mackey - I move that the minutes be accepted as presented.

607
608 Mr. Winterhoff - Second.

609
610 Mr. Witte - A motion by Mr. Mackey, a second by Mr. Winterhoff. All in
611 favor, say aye.

612
613 Commission - Aye.

614
615 Mr. Witte - Opposed. One abstention, one absent. Motion passes.

616
617 Mr. Emerson - Mr. Chairman, I'd just like to thank everybody for bearing with
618 us tonight as we went through that important process this afternoon and in the change of
619 venue. I think everything ran very well and certainly appreciate everybody's participation
620 and efforts towards making that a successful hearing. With that, I have nothing further for
621 the Commission.

622
623 Mr. Witte - I want to thank staff. I know this has been trying from start to
624 finish but once again, wonderful job. Meeting adjourned.

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628



Mr. Robert Witte, Jr., Chairperson

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Mr. R. Joseph Emerson, Secretary