

REZONINGS AND PROVISIONAL USE PERMITS

Actions

August 10, 2000

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**BEGINNING AT 6:30 P.M.:**

**CALL TO ORDER:**

**PLAN OF DEVELOPMENT** (*Deferred from the June 28, 2000, Meeting*)

|                           |   |
|---------------------------|---|
| POD-47-00                 | <b>Balzer &amp; Associates for Youth Services International:</b> Request for approval |
| Paragon Office Park -     | of a plan of development as required by Chapter 24, Section 24-106 of the             |
| Genesis                   | Henrico County Code to construct a two-story, 55,391 square foot residential          |
| Youth Service Institute - | rehabilitation facility for youth and a two-story, 15,525 square foot future          |
| Glenside Drive            | addition. The 5.13 acre site is located at Paragon Office Park, Glenside Drive        |
|                           | and Bethlehem Road on part of parcel 93-A-1C. The zoning B-2C, Business               |
|                           | District (Conditional). County water and Sewer. <b>(Brookland)</b>                    |

**(Staff Report by Michael Kennedy**

 **ACTION:** POSTPONED. (The Planning Commission review of the Plan of Development for Genesis Youth Services Institute can not be acted upon until after the pending appeal is acted on by the Board of Zoning Appeals).

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

**AMENDMENTS TO CHAPTER 24 (ZONING) OF THE CODE OF COUNTY OF HENRICO:** An Ordinance to amend and reordain Section 24-110 of the Code of the County of Henrico to reduce the amount of time of an appeal of a zoning violation from 30 days to 10 days and Section 24-120 of the Code of the County of Henrico to increase from 90 days to 100 days the amount of time the Planning Commission has to act on an amendment to the zoning ordinance. **Staff – Elizabeth Via and Ben Blankinship.**

 **ACTION:** GRANT.

**REQUESTS FOR WITHDRAWALS AND DEFERRALS:**

**EXPEDITED ITEMS:**

**BROOKLAND:**

*Deferred from the July 13, 2000 Meeting:*

C-36C-00 **Gloria L. Freye for McDonald's Corp.:** Request to conditionally rezone from R-3 One Family Residence District to O-2C Office District (Conditional) and B-2C Business District (Conditional), Parcels 61-A-2 and 31, containing 2.046 acres, located on the west line of Staples Mill Road approximately 160 feet north of Parham Road and on the north line of Parham Road approximately 170 feet west of Staples Mill Road (U. S. Route 33). A fast food restaurant with drive through is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Office. **Staff - Mark Bittner.** Deferral Requested to September 14, 2000.



**ACTION:** DEFER 9-14-00.

*Deferred from the July 13, 2000 Meeting:*

C-52C-00 **Gloria L. Freye for Doswell Properties, Inc.:** Request to conditionally rezone from O-2 Office District to B-2C Business District (Conditional) and O-2C Office District (Conditional), Parcel 103-A-104, containing 1.721 acres, located at the southwest intersection of Staples Mill and Massie Roads. A fueling facility is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Commercial Concentration. **Staff - Jo Ann Hunter.** Deferral requested to September 14, 2000.



**ACTION:** DEFER 9-14-00.

P-8-00 **Heidi H. Parker for RCTC Wholesale Corp.:** Request for a provisional use permit in accordance with Sections 24-95(a)(3) and 24-122.1 of Chapter 24 of the County Code in order to construct a 199 foot telecommunications tower and related equipment, on part of Parcel 116-A-13, containing 4,200 square feet of leased area, located on the east line of Westmoreland Street approximately 400 feet south of its intersection with Jacques Street (2001 Westmoreland Street). The site is zoned M-1 Light Industrial District. The Land Use Plan recommends Heavy Industry. **Staff - Jo Ann Hunter.** Deferral Requested to September 14, 2000.



**ACTION:** DEFER 9-14-00.

C-53C-00 **Henry L. Wilton for Wilton Development Corp.:** Request to conditionally rezone from R-4 One Family Residence District to RTHC Residential Townhouse District (Conditional) and B-2C Business District (Conditional), Parcels 82-A-14 through 18 & 20 and Parcels 82-7-A-2 & 9, containing 28.4 acres, located on the west line of Staples Mill Road at its intersection with Dublin Street. Townhouses and business uses are proposed. The RTH District allows a density of 9 units per acre. The business use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Urban Residential, 3.4 to 6.8 units net density per acre. **Staff – Elizabeth Via.** Deferral requested to September 14, 2000.



**ACTION:** DEFER 9-14-00.

C-55C-00 **Max Pearson for Holly Brook, Inc.:** Request to amend proffered conditions accepted with rezoning case C-100C-86, (zoned B-3C) on Parcel 60-A-2, containing 7.01 acres, located at the northwest

intersection of West Broad Street (U. S. Route 250) and E. Parham Road. The amendment proposes to withdraw the proffer related to signage on the property. The Land Use Plan recommends Commercial Concentration. **Staff – Eric Lawrence.** Expedited Agenda Requested.

 **ACTION: GRANT.**


C-56C-00 **Robert M. Atack for Staples Mill. L. C.:** Request to conditionally rezone from R-2 One Family Residence District to R-2AC One Family Residence District (Conditional), part of Parcel 50-A-20, containing 6.625 acres, located on the north side of Hungary Road approximately 320 feet west of its intersection with Honey Lane. A single family residential development is proposed. The R-2A District requires a minimum lot size of 13,500 square feet. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. **Staff – Elizabeth Via.** Expedited Agenda Requested.

 **ACTION: GRANT.**

#### **FAIRFIELD:**

*Deferred from the July 13, 2000 Meeting:*

C-29C-00 **Roy B. Amason for Virginia Center, L. L. C.:** Request to amend proffered conditions accepted with Rezoning Case C-38C-97, (zoned R-6C) on Parcel 44-A-1, containing 8.416 acres, located on the north line of Virginia Center Parkway, approximately 570 feet east of its intersection with Carriage Homes Way and 360 feet west of its intersection with Carriage Point Lane. The amendment would allow the development of 60 townhouse units instead of a 160 unit assisted care facility. The Land Use Plan

recommends Office. **Staff – Lee Householder.** Deferral requested to September 14, 2000.   
**ACTION: DEFER 9-14-00.**

C-57C-00 **John Weis for David C. Circeo, DDS, PC:** Request to conditionally rezone from R-4 One Family Residence District to O-1C Office District (Conditional), Parcels 83-23-C-37 through 40, containing 0.80 acre, located at the southeast intersection of Lakeside Avenue and Oak Street. Office uses, including a dental office, are proposed. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Urban Residential, 3.4 to 6.8 units net density per acre. **Staff – Mark Bittner.**

 **ACTION: GRANT.**

P-9-00 **Heidi Parker for RCTC Wholesale Corp d/b/a ALLTEL:** Request for a provisional use permit in accordance with Sections 24-95 (a)(3) and 24-122.1 of Chapter 24 of the County Code in order to construct a 199 foot monopole wireless telecommunications tower with related shelter and equipment, on part of Parcel 118-3-4-1, containing 4,200 square feet, located at the northern terminus of Benton Avenue (East Highland Park subdivision). The site is zone M-1 Light Industrial District. **Staff – Jo Ann Hunter.**

 **ACTION: GRANT.**

C-58C-00 **Garry Gallagher for Edge Development, L. L. C.:** Request to conditionally rezone from R-2A One Family Residence District to M-1C Light Industrial District (Conditional), Parcels 33-A-53 and 54, containing 3.652 acres, located on the north line of Virginia Center Parkway approximately 553 feet east of its intersection with Brook Road (U. S. Route 1). Commercial development is proposed. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office/Service. **Staff - Mark Bittner.**



**ACTION:** DEFER 9-14-00.

**BEGINNING AT 8:30 P.M.:**

**REQUESTS FOR WITHDRAWALS AND DEFERRALS:**

**EXPEDITED ITEMS:**

*Deferred from the July 13, 2000 Meeting:*

C-40C-00 **William W. Johnson:** Request to conditionally rezone from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), on Parcels 18-A-8, 9 and 10-A-17D containing 15.25 acres, located on the west line of Shady Grove Road at its intersection with Old Nuckols Road. A residential subdivision is proposed. The R-2A District requires a minimum lot size of 13,500 square feet. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre, and Environmental Protection Area. **Staff - Mark Bittner.**



**ACTION:** GRANT.

*Deferred from the July 13, 2000 Meeting:*

C-50C-00 **Ralph L. Axelle for Mr. & Mrs. Theodore Keflas:** Request to amend proffered conditions accepted with rezoning case C-54C-84, (zoned B-2C) on Parcel 59-3-A-2A, containing 1.75 acres, located at the southwest intersection of West Broad Street (U. S. Route 250) and Tanelron Drive. The amendment is to permit outdoor dining at the Red, Hot & Blue Restaurant. The Land Use Plan recommends Commercial Concentration. **Staff - Mark Bittner.**



**ACTION:** GRANT.

P-6-00 **Ralph L. Axelle for Virginia Crescent One, L.P.:** Request for a provisional use permit in accordance with Sections 24-58.2(d) and 24-122.1 of Chapter 24 of the County Code in order to permit outdoor dining at the Red, Hot & Blue Restaurant, on Parcel 59-3-A-2A, containing 1.75 acres, located at the southwest intersection of West Broad Street (U. S. Route 250) and Tanelron Drive. The Land Use Plan recommends Commercial Concentration. The site is zoned B-2C Business District (Conditional). **Staff - Mark Bittner.**



**ACTION:** GRANT.

### THREE CHOPT:

C-59C-00 **Mark H. Slusher or Jeff Bisger for TGM Realty Investors:** Request to conditionally rezone from A-1 Agricultural District to B-2C Business District (Conditional), Part of Parcel 36-A-49A, containing 0.466 acres, located on the south line of West Broad Street (U. S. Route 250) approximately 530 feet west of its intersection with Spring Oak Drive. Retail development is proposed. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Mixed Use Development. The site is also in the West Broad Street Overlay District. **Staff - Mark Bittner.** Expedited Agenda Requested.



**ACTION: GRANT.**

C-60C-00> **Andrew Condlin or Patrick Sanderson for MCI WorldCom:** Request to amend proffered conditions accepted with rezoning case C-30C-93 (zoned R-3C) on Parcel 29-A-50, containing 1.584 acres, located on the west line of Francistown Road approximately 150 feet north of its intersection with Castle Point Drive. The amendment is related to the front yard setback and non clearing area on the property. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. **Staff – Lee Householder.** Deferral requested to September 14, 2000.



**ACTION: DEFER 9-14-00.**

### TUCKAHOE:

NONE.

### VARINA:

*Deferred from the June 15, 2000 Meeting:*

C-73C-98 **James W. Theobald for W. A. Robins, et al, Redford 131, L.C., Edward M. Luck, Gerald A. Crigger:** Request to conditionally rezone from A-1 Agricultural District to O-3C Office District (Conditional) Parcels 197-A-21A, 21B (part), 21C and 22 (part), Parcels 197-1-1-6 (part), 7 and 7A, and Parcels 197-4-A-1, 2 and 3, containing 58.214 acres, located on the north line of Portugee Road (beginning in the Capes of Portugee subdivision) approximately 280' east of the intersection of Portugee Road and Memorial Drive and on the east line of Memorial Drive (beginning in the Gaulding and Orange subdivision) approximately 1890' north of the intersection of Portugee Road and Memorial Drive. An office park is proposed. The Land Use Plan recommends Rural Residential, not exceeding 1.0 unit net density per acre, and Environmental Protection Area. The site is also in the Airport Safety Overlay District. **Staff – Eric Lawrence.** Expedited Agenda Requested



**ACTION: GRANT.**

C-61-00 **Laraine Isaac for H. W. Owens, Inc.:** Request to rezone from R-3AC One Family Residence District (Conditional) to C-1 Conservation District, part of Parcel 146-A-13, containing 4.183 acres, located approximately 860 feet west of Dabbs House Road. A conservation district is proposed. The Land Use Plan recommends Environmental Protection Area. The site is also in the Airport Safety

Overlay District. **Staff – Lee Householder.** Expedited Agenda Requested



**ACTION: GRANT.**

C-62C-00 **James W. Theobald for Bradley T. Marshall, et al:** Request to conditionally rezone from A-1 Agricultural District to O-3C Office District (Conditional), part of Parcel 186-A-22, containing 19.173 acres, located on the west line of Technology Boulevard approximately 50 feet southwest of its intersection with Poplar Spring Road and on the south line of Poplar Spring Road approximately 50 feet southeast of its intersection with Technology Boulevard. An office park is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Rural Residential, not exceeding 1.0 unit net density per acre. The site is also in the Airport Safety Overlay District. **Staff – Eric Lawrence.** Expedited Agenda Requested



**ACTION: GRANT.**

C-63C-00 **Engineering Design Associates for Battlefield Veterinary Clinic:** Request to conditionally rezone from A-1 Agricultural District to B-1C Business District (Conditional), part of Parcel 165-A-27, containing 4.149 acres, located at the northwest intersection of the Williamsburg Road (U. S. Route 60) Service Road and Whiteside Road. Commercial uses including a veterinary clinic are proposed. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office. The site is also in the Airport Safety Overlay District. **Staff – Lee Householder.** Expedited Agenda Requested



**ACTION: DEFER 8-23-00.**

C-64-00 **Engineering Design Associates for Battlefield Veterinary Clinic:** Request to rezone from A-1 Agricultural District to R-3 One Family Residence District, part of Parcel 165-A-27, containing 0.641 acre, located on the south line of Old Williamsburg Road approximately 400 feet west of its intersection with Whiteside Road. A residential use is proposed. The R-3 District requires a minimum lot size of 11,000 square feet. The Land Use Plan recommends Office. The site is also in the Airport Safety Overlay District. **Staff – Lee Householder.** Expedited Agenda Requested



**ACTION: GRANT.**

APPROVAL OF MINUTES: June 15, 2000, July 13, 2000



**ACTION: GRANT.**