

PLANNING COMMISSION

REZONINGS AND PROVISIONAL USE PERMITS

ACTIONS

FEBRUARY 13, 2003

BEGINNING AT 6:15 P.M.

CALL TO ORDER:

PUBLIC HEARING ON PROPOSED CAPITAL IMPROVEMENT PROGRAM: Henrico County's proposed five year Capital improvement Program (CIP) for FY 2003-04 through FY 2007-08.



APPROVED

BEGINNING AT 7:00 P.M.:

REQUESTS FOR WITHDRAWALS AND DEFERRALS:

REQUESTS FOR EXPEDITED ITEMS:

CASES TO BE HEARD:

Deferred from the January 22, 2003 Meeting:

PLAN OF DEVELOPMENT

POD-7-03	Youngblood, Tyler & Associates, P. C. for HHHunt Corporation: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 60 detached condominiums. The 12.99-acre site is located on the west
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Park Commons @ Twin Hickory

	side of Hickory Bend Drive and the south side of Twin Hickory Road on part of parcels 745-770-0962; 746-770-1492 and 0619; 745-769-6789. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. (Three Chopt)
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As of the preparation date of the agenda, the staff has not received a revised plan, as requested. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

23. The unit house numbers shall be visible from the parking areas and drives.
24. The names of streets, drives, courts and parking areas shall be approved by the Richmond Regional Planning District Commission and such names shall be included on the construction plans prior to their approval. The standard street name signs shall be ordered from the County and installed prior to any occupancy permit approval.
25. Roof edge ornamental features that extend over the zero lot line, and which are permitted by Section 24-95(i)(1), must be authorized in the covenants.
26. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
27. The limits and elevations of the 100-year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain must be labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.
28. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
29. A standard concrete sidewalk shall be provided along the south side of Hickory Bend Drive and east side of Twin Hickory Road.
30. The proffers approved as a part of zoning case C-13C-02 shall be incorporated in this approval.
31. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
32. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
33. The pavement shall be of an SM-2A type and shall be constructed in accordance with County standard and specifications. The developer shall post a defect bond for all pavement with the Planning Office - the exact type, amount and implementation shall be determined by the Director of Planning, to protect the interest of the members of the Homeowners Association. The bond shall become effective as of the date that the Homeowners Association assumes responsibility for the common areas.
34. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the

issuance of a building permit.

35. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.

36. 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.

37. Any future building lot containing a BMP, sediment basin or trap and located within the buildable area for a principal structure or accessory structure, must be developed with engineered fill. All material shall be deposited and compacted in accordance with the uniformed Statewide Building Code and geotechnical guidelines established by a professional engineer. A detailed engineering report shall be submitted for review and approval by the Director of Public Works and the Building Official prior to the issuance of a building permit on the affected lot. A copy of the report shall be furnished to the Planning Office.

38. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the maintenance of the common area by a homeowners association shall be submitted to the Planning Office for review. Such covenants and restrictions shall be in form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat. (Staff Report by Michael Kennedy)



DEFERRED TO FEBRUARY 26, 2003

FAIRFIELD:

Deferred from the January 9, 2003 Meeting:

C-71C-02 Robert Atack/F. Robert Loftis for Cedar Fork, LLC: Request to conditionally rezone from A-1 Agricultural District and R-2A One Family Residence District to R-5AC General Residence District (Conditional), Parcels 813-729-0099, 813-729-1810, 813-728-1795, 812-729-4468 and 812-729-5529, containing approximately 51.04 acres, located on the west line of Cedar Fork Road at Tiffanywoods Lane. A zero-lot-line development is proposed. The R-5A District allows a minimum lot size of 5,625 square feet. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre, and Suburban Residential 2, 2.4 to 3.4 units net density per acre. The site is also in the Airport Safety Overlay District. **Staff - Jean Moore**



DEFERRED TO MARCH 13, 2003

Deferred from the January 9, 2003 Meeting:

C-80C-02 RRI, LLC: Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcels 811-731-2493, 811-731-6048 and 812-731-4040, containing 78.679 acres, located on the north line of Creighton Road approximately 800 feet east of Harvest Crest Drive, 600 feet west of Cedar Fork Road, and at the eastern terminus of Seasons Lane and Harvest Grove Lane. A single-family residential development with a maximum of 175 homes is proposed. The R-3 District allows a minimum lot size of 11,000 square feet. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. The site is also in the Airport Safety Overlay District. **Staff - Jean Moore**

 **APPROVED**

THREE CHOPT:

P-2-03 Larry O'Neil for Belle Enterprises, Inc. T/A Buffalo Wild Wings: Request for a provisional use permit in accordance with Sections 24-62.2(i) and 24-122.1 of Chapter 24 of the County Code to operate three billiards tables with extended hours (11 A.M. - 1:30 A.M., 7 days a week), on part of Parcel 764-750-7286 (Old Towne Shopping Center), located at 7801 W. Broad Street, approximately 450 feet east of Hungary Spring Road (Buffalo Wild Wings Bar and Grill). The existing zoning is B-3 Business District. The Land Use Plan recommends Commercial Arterial. **Staff - Jean Moore**

 **APPROVED**

C-2C-03 James W. Theobald for James Barden: Request to conditionally rezone from B-1 Business District to B-2C Business District (Conditional), a part of Parcel 754-744-6868, containing 5.742 acres, located on the north line of East Ridge Road approximately 400 feet west of Three Chopt Road and 460 feet east of N. Parham Road (Ridge Cinema 7). A retail use is proposed (Kroger Food Store). The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Commercial Concentration. **Staff - Mark Bittner**

 **APPROVED**

C-3C-03 Gloria L. Freye for Webb L. Tyler & G. Edmond Massie, IV: Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional) and C-1 Conservation District, Parcels 744-765-2664, 744-765-0530, 743-764-8795 and 744-765-4795, containing 20.8 acres (R-3C - 8.8 acres; C-1 - 12.0 acres) located along the east line of I-295 and adjoining the west line of McDonald's Small Farms subdivision approximately 1,800 feet north of I-64. A single family residential subdivision is proposed. The applicant proffers a density not to exceed

2.2 units per acre defined in this case and rezoning cases C-74C-02, C-2C-01 and C-77C-99 in the aggregate. The R-3 District allows a minimum lot size of 11,000 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 - Paul Gidley**

 **APPROVED**

P-3-03 Dean E. Hawkins, ASLA: Request for a provisional use permit under Sections 24-58.2.d and 24-122.1 of Chapter 24 of the County Code in order to allow an outside dining area at Garland's Way Restaurant, on part of Parcel 746-772-0397, containing approximately 1,265 square feet, located on the north line of Twin Hickory Road approximately 230 feet west of Nuckols Road (Twin Hickory Town Center-Phase 1). The existing zoning is B-2C Business District (Conditional). The Land Use Plan recommends Commercial Concentration. **Staff - Mark Bittner**

 **DEFERRED TO FEBRUARY 26, 2003**

TUCKAHOE:

Deferred from the January 9, 2003 Meeting:

C-27C-02 RFA Management, LLC: Request to amend proffered conditions accepted with rezoning case C-32C-89, on Parcel 740-750-0178, containing 12.415 acres, located at the northeast intersection of Ridgefield Parkway and Glen Eagles Drive, the northwest intersection of Ridgefield Parkway and Eagles View Drive, and the southeast intersection of Eagles View Drive and Glen Eagles Drive. The amendment would change the maximum density allowed from 7,850 square feet per acre to 8,975 square feet per acre. The existing zoning is B-2C, Business District (Conditional). The Land Use Plan recommends Commercial Concentration. **Staff - Paul Gidley**

 **DEFERRED TO APRIL 10, 2003**

C-4C-03 Larry Willis: Request to conditionally rezone from R-3 Residence to O-1C Office District (Conditional), part of Parcel 755-738-9807, containing 1.452 acres, located on the north line of Ridge Road approximately 60 feet west of Sinton Road and at the south terminus of Spottswood Road. An office building is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. **Staff - Mark Bittner**

 **DENIED**

VARINA:

Deferred from the December 12, 2002 Meeting:

C-65C-02 Sharon & Dwight Fortune, et al: Request to amend proffered conditions accepted with rezoning case C-61C-99, on Parcels 823-696-9339, 824-696-0738, 824-696-2237, 824-696-3536, 824-696-4734, 824-696-7532, 824-696-8055, 824-696-6684, 824-696-4265, 824-696-3265, 824-696-2265, 824-696-1265, 824-696-0266, 823-696-9167, 823-696-7861, 823-696-6569, 823-696-5469, 823-696-7443, 823-696-6345, 832-696-5246, located on Stansfield Court (Bewdly Subdivision). The amendment would reduce the natural buffer on the property. The existing zoning is R-2AC One Family Residence District (Conditional). The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. The site is also in the Airport Safety Overlay District. **Staff - Tom Coleman**

 **APPROVED**

APPROVAL OF MINUTES: Planning Commission January 9, 2003

 **APPROVED**

The application submission deadline for this hearing date for new applications only was January 2, 2003. The applicant can submit new material up to 48 hours prior to the public hearing; an exception to this 48-hour rule is sometimes possible but highly discouraged. The public can submit written or verbal comments at any time up to and through the public hearing.

Cases acted upon by the Planning Commission on this meeting date will be scheduled to be heard by the Board of Supervisors March, 2003.