

PLANNING COMMISSION

REZONINGS AND PROVISIONAL USE PERMITS

ACTIONS

SEPTEMBER 11, 2003

ORDINANCE - To Amend and Reordain Subsection (a) of Section 24-12.1 Titled "Provisional uses permitted," Section 24-51.1 Titled "Provisional uses permitted" and Subsection (a) of Section 24-95 Titled "Additional requirements, exceptions and modifications" of the Code of the County of Henrico to Regulate Stage Towers and Scenery Lofts in Certain Districts.



RECOMMENDED APPROVAL

TUCKAHOE:

Deferred from the June 12, 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.



DEFERRED TO JANUARY 15, 2004

Deferred from the August 14, 2003 Meeting:

C-25C-03 Henry L. Wilton for Wilton Companies LLC: Request to conditionally rezone from O-3C Office District (Conditional) to B-2C Business District (Conditional), Parcel 737-751-4601 and part of Parcel 737-751-4028, containing 11.495 acres, located at the northeast intersection of Ridgefield Parkway and dedicated John Rolfe Parkway right-of-way. Retail businesses with limited office uses are proposed. The 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, and Office.



DEFERRED TO NOVEMBER 13, 2003

Deferred from the July 10, 2003 Meeting:

C-32C-03 William R. Cawthorn for Amir Zinat: Request to conditionally rezone from RTHC Residential Townhouse District (Conditional) to R-5C General Residence District (Conditional), Parcel 749-755-3834, containing approximately 3.33 acres, located on the south line of Three Chopt Road approximately 575 feet east of Cedarfield Parkway. A child care center or multi-family residences are proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The R-5 District allows a density up to 14.52 units per acre. The Land Use Plan recommends Urban Residential, 3.4 to 6.8 units net density per acre, and Environmental Protection Area.



DEFERRED TO DECEMBER 11, 2003

Deferred from the August 14, 2003 Meeting:

C-33C-03 Andrew Scherzer/Kristen Keatley for B K Katherman: Request to conditionally rezone from A-1 Agricultural District, RTHC Residential Townhouse District (Conditional) and R-6C General Residence District (Conditional) to O-2C Office District (Conditional), Parcels 749-754-5736 and 749-754-5769 and part of Parcel 749-754-2538, containing 6.813 acres, located on the south line of Three Chopt Road approximately 400 feet west of Gaskins Road and on the west line of Gaskins Road approximately 200 feet south of Three Chopt Road. A condominium office park and freestanding day care development is proposed. The 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.



RECOMMENDED APPROVAL

C-43C-03 Melvin Spain for Chuck Lessin: Request to conditionally rezone from R-0 One Family Residence District to R-1C One Family Residence District (Conditional), Parcel 742-738-9442, containing 3.0 acres, located on the west line of N. Gaskins Road approximately 996 feet north of River Road. A single family residential subdivision is proposed. The applicant proffers the density shall not exceed a maximum of four (4) lots. The R-1 District allows a minimum lot size of 25,000 square feet. The Land Use Plan recommends Rural Residential, not exceeding 1.0 unit per acre.



DEFERRED TO OCTOBER 9, 2003

VARINA:

Deferred from the August 14, 2003 Meeting:

C-35C-03 Gary Weinberger: Request to rezone from M-2 General Industrial District and M-2C General Industrial District (Conditional) to M-2C General Industrial District (Conditional) Parcels 818-707-0077, 818-707-3268, and 818-707-1322 containing approximately 31.2 acres located at the southwest intersection of Charles City and Miller Roads. The applicant proposes to construct additional parking and make other improvements to an existing truck terminal. The Land Use Plan recommends Heavy Industry. The site is also in the Airport Safety Overlay District.

 **RECOMMENDED APPROVAL**

Deferred from the August 14, 2003 Meeting:

C-41C-03 James W. Theobald for Don Smith: Request to conditionally rezone from B-2C Business District (Conditional) to M-1C Light Industrial District (Conditional), part of Parcel 808-729-7538, containing 6.496 acres, located at the southeast intersection of Dabbs House and Creighton Roads. A mini-storage warehouse/self-storage facility is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Commercial Concentration. The property is located in the Airport Safety Overlay District.

 **DEFERRED TO NOVEMBER 13, 2003**

BROOKLAND:

Deferred from the August 14, 2003 Meeting:

C-28C-03 Abe L. Massad for A. F. Associates: Request to conditionally rezone from B-1 Business District to B-3C Business District (Conditional), Parcel 764-752-9619, containing 1.02 acres, located at the northwestern terminus of Fountain Avenue (unimproved) approximately 275 feet west of Hungary Spring Road. A retail, sales, service and warehouse facility relating to a motorcycle and marine business is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Commercial Concentration.

 **RECOMMENDED APPROVAL**

C-44C-03 Jay Weinberg for Staples Mill, LC: Request to amend proffered conditions accepted with rezoning case C-17C-00, on part of Parcel 762-764-6451, containing approximately 8.92 acres, located on the west line of Staples Mill Road (State Route 33) at Warren Road. The applicant proposes to amend proffered conditions relating to building materials and size, access, and parking. The existing zoning is O-2C Office District (Conditional). The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre.

 **RECOMMENDED APPROVAL**

BEGINNING AT 8:00 P.M.

FAIRFIELD:

Deferred from the July 10, 2003 Meeting:

C-33C-02 Henry L. Wilton for WILHOOK, LLC: Request to rezone from B-3C Business District (Conditional) to R-3C One Family Residence District (Conditional) and B-3C Business District (Conditional), Parcel 804-736-0481, containing 10.415 acres (approximately 6.7 acres in R-3C; approximately 3.7 acres in B-3C), located at the northeast intersection of Mechanicsville Turnpike and Neale Street (Maplewood Farm). Commercial and single family residential developments are proposed. The uses will be controlled by proffered conditions and zoning ordinance regulations. The R-3 District allows a minimum lot size of 11,000 square feet. The Land Use Plan recommends Commercial Concentration. The site is also in the Airport Safety Overlay District.

 **DEFERRED TO NOVEMBER 13, 2003**

Deferred from the August 14, 2003 Meeting:

C-38C-03 Andrew M. Condlin for Park Central Associates, L. C.: Request to amend proffered conditions accepted with Rezoning Case C-8C-95, on Parcels 790-759-6085 and 789-759-9448, containing 14.003 acres, located at the northeast intersection of E. Parham Road and Park Central Drive (Park Central Business Park). The applicant proposes to reduce the Parham Road buffer from 125' to 75'. The existing zoning is O-2C Office District (Conditional). The Land Use Plan recommends Office.

 **DEFERRED TO OCTOBER 9, 2003**

Deferred from the August 14, 2003 Meeting:

C-39C-03 Andrew M. Condlin for Windsor Business Park, LLC: Request to amend proffered conditions accepted with rezoning case C-90C-97, on Parcels 791-760-1417, 791-760-7833, 792-760-2349 and 792-760-3482, containing 18.877 acres, located on the north line of E. Parham Road at Magellan Parkway (Windsor Business Park). The applicant proposes to reduce the Parham Road buffer from 125' to 75'. The existing zoning is O-2C Office District (Conditional) and M-1C Light Industrial District (Conditional). The Land Use Plan recommends Office and Office/Service.

 **DEFERRED TO OCTOBER 9, 2003**

C-45C-03 Ken Baucom for David C. Circeo: Request to conditionally rezone from O-1C Office District (Conditional) to B-1C Business District (Conditional), Parcel 781-748-5100, containing approximately 0.882 acre, located at the southeast intersection of Oak Street and Lakeside Avenue (Lakeside Place). A dental office and hair salon are proposed. The 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.

 **RECOMMENDED APPROVAL**

C-46C-03 Andrew Condlin for Gregory A. Windsor: Request to conditionally rezone from R-2 One Family Residence District to R-2AC One Family Residence District (Conditional), part of Parcel 791-759-1653, containing approximately 8.76 acres, located on the south line of E. Parham at the east line Franconia Road to the west line of Fredonia Road. A single family residential subdivision is proposed. The applicant proffers a maximum of 171 building lots including the acreage on the companion case C-47C-03. The R-2A District allows a minimum lot size of 13,500 square feet. The Land Use Plan recommends Office.

 **DEFERRED TO OCTOBER 9, 2003**

C-47C-03 Andrew Condlin for Gregory A. Windsor: Request to conditionally rezone from A-1 Agricultural District and R-2 One Family Residence District to R-2AC One Family Residence District (Conditional), part of Parcel 791-759-1653 and Parcels 792-759-3596 and 793-759-4718, containing approximately 90.3 acres, located on the southwest line of E. Parham Road at the east line of Fredonia Road to the north line of Chamberlayne Road (Route 301). A single family residential subdivision is proposed. The

applicant proffers a maximum of 171 building lots including the acreage on the companion case C-46C-03. The R-2A District allows a minimum lot size of 13,500 square feet. The Land Use Plan recommends Office and Environmental Protection Area.

 **DEFERRED TO OCTOBER 9, 2003**

THREE CHOPT:

Deferred from the August 14, 2003 Meeting:

P-8-03 Gloria Freye for Doswell Properties, Inc.: Request for a provisional use permit under Sections 24-58.2(a) and 24-122.1 of Chapter 24 of the County Code in order to permit 24 hours of service to the general public for a proposed convenience store with fuel pump and restaurant (Great To Go - Store No. 3; POD-119-98), on part of Parcel 747-760-6472, containing 4,400 square feet, located at the northeast intersection of Dominion Boulevard and W. Broad Street (U. S. Route 250). The existing zoning is B-2C Business District (Conditional). The Land Use Plan recommends Commercial Concentration.

 **RECOMMENDED APPROVAL**

Deferred from the July 10, 2003 Meeting:

C-18C-03 James W. Theobald for Commercial Net Lease Realty Services, Inc.: Request to conditionally rezone from B-3 Business District and A-1 Agricultural District to B-2C Business District (Conditional), Parcel 741-761-8112 and part of Parcel 741-761-8532, containing approximately 2.899 acres, located at the southeast intersection of W. Broad Street (U. S. Route 250) and Three Chopt Lane. A retail use is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Office and Commercial Concentration.

 **DEFERRED TO NOVEMBER 13, 2003**

Deferred from the August 14, 2003 Meeting:

C-23C-03 Robert Atack: Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residential District (Conditional), Parcels 747-764-3839, 747-

764-7729, and 747-764-9550, containing approximately 9.71 acres, located at the southeast intersection of Sadler Road and Thorncroft Drive. Single family subdivision is proposed. The applicant proffers a density not to exceed 2.3 units per acre. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units per acre.

 **RECOMMENDED APPROVAL**

P-11-03 Glen Thompson for An Tu Nguyen: Request for a provisional use permit under Sections 24-58.2 and 24-122.1 of Chapter 24 of the County Code in order to increase the number of billiard tables from two (2) to four (4), on part of Parcel 768-742-4600, containing 1,629 square feet, located on the south line of Rigsby Road approximately 60 feet east of Pinehaven Road Pine Acres subdivisions. The existing zoning is B-2 Business District. The Land Use Plan recommends Office.

 **RECOMMENDED APPROVAL**

Deferred from the August 14, 2003 Meeting:

C-24C-03 James Theobald for Springfield Land Development Group: Request to conditionally rezone from A-1 Agricultural District to B-3C Business District (Conditional), part of Parcels 730-766-8989 and 730-765-7288, containing approximately 16.0 acres, located between I-64 and West Broad Street (U. S. Route 250). An automotive sales development is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Mixed Use. The site is also in the West Broad Street Overlay District.

 **RECOMMENDED DENIAL**

C-48C-03 James Theobald for Edward Rose Properties, Inc.: Request to conditionally rezone from A-1 Agricultural District to R-6C General Residence District (Conditional), part of Parcels 730-766-8989 and 730-765-7288, containing approximately 39.064 acres, located between I-64 and West Broad Street (U. S. Route 250). A multifamily residential development is proposed. The applicant proffers no more than three hundred seventy eight (378) residential units shall be constructed on the property. The R-6 District allows a density up to 19.8 units per acre. The Land Use Plan recommends Mixed Use and Environmental Protection Area. The site is also in the West Broad Street Overlay District.

 **RECOMMENDED DENIAL**

Deferred from the August 14, 2003 Meeting:

C-42C-03 William Shewmake for P & F LLC: Request to conditionally rezone from R-3 One Family Residence District to O-1 Office and B-3C Business District (Conditional), Parcels 761-754-2053 and 761-754-1763, containing approximately 1.0 acre (B-3C - .23 acre, O-1 - .77 acre), located on the east line of Skipwith Road approximately 360 feet north of N. Parham Road and approximately 520 feet south of W. Broad Street (U. S. Route 250). Office uses and parking for the adjacent Infiniti car dealership are proposed. The uses will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Office.

 **DEFERRED TO NOVEMBER 13, 2003**

C-49C-03 North Atlantic Holdings, Inc: Request to amend proffered conditions accepted with Rezoning Case C-54C-89, on Parcel 761-754-4773, containing approximately 2.52 acres, located on the south line of W. Broad Street (U. S. Route 250) approximately 600 feet northwest of E. Parham Road. The amendment is related to the landscape and natural buffers. The existing zoning is B-3C Business District (Conditional). The Land Use Plan recommends Commercial Concentration.

 **RECOMMENDED APPROVAL**

APPROVAL OF MINUTES:

Work Session August 14, 2003

 **APPROVED**

Planning Commission August 14, 2003

 **APPROVED WITH CORRECTIONS**

The application submission deadline for this hearing date for new applications only is July 31, 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 October, 2003.