

PLANNING COMMISSION  
REZONING MEETING  
FINAL AGENDA  
APRIL 14, 2005

BEGINNING AT 7:00 P.M.

CALL TO ORDER

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (0); (3)

REQUESTS FOR EXPEDITED ITEMS.

CASES TO BE HEARD: (7)

---

**SUBDIVISION (DEFERRED FROM THE MARCH 10, 2005, MEETING)**

Majestic Meadows  
(February 2005 Plan)

**Engineering Design Associates for Reginald H. Nelson, IV and Phyllis Marie Nelson:** The 180 94-acre site proposed for a subdivision of 130, single-family homes is located at 9421 Osborne Turnpike at the northeast corner of the intersection of Osborne Turnpike and Kingsland Road on parcel 808-672-3167 The zoning is A-1, Agricultural District Individual well and septic tank/drainfield **(Varina) 130 Lots**

As of the preparation date of the agenda, the staff has not had an opportunity to review the most recent revised plan. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for subdivisions not served by public utilities, the following additional conditions are recommended:

- 4 **AMENDED** – This approval is the conditional plat only. Final approval of the plat shall not be granted until such time as the Virginia Department of Health has granted approval for sewage disposal on all lots or until a final plat is prepared that conspicuously indicates all lot(s) not receiving Virginia Department of Health approval for sewage disposal, and which states that there shall be no construction on lots without such approval. Details of approved sewage disposal systems and reserved areas for such systems shall be included with the final construction plan prior to construction plan approval.
- 11 Each lot shall contain at least 43,560 square feet, exclusive of the flood plain areas.
- 12 The limits and elevation of the 100-year frequency flood shall be conspicuously noted on the plat and construction plans and labeled "Limits of 100-year floodplain." Dedicate floodplain as a "Variable Width Drainage & Utilities Easement."

April 14, 2005

- 13 The detailed plant list and specifications for the landscaping and a decorative fence to be provided within the 20-foot-wide planting strip easement along the east side of Osborne Turnpike and the north side of Kingsland Road shall be submitted to the Department of Planning for review and approval prior to recordation of the plat
- 14 Any necessary offsite drainage easements must be obtained prior to approval of the construction plan by the Department of Public Works
- 15 Any future building lot containing a BMP, sediment basin or trap and located within the buildable area for a principal structure or accessory structure, may be developed with engineered fill. All material shall be deposited and compacted in accordance with the Virginia Uniform Statewide Building Code and geotechnical guidelines established by a professional engineer. A detailed engineering report shall be submitted for the review and approval by the Building Official prior to the issuance of a building permit on the affected lot. A copy of the report and recommendations shall be furnished to the Directors of Planning and Public Works
- 16 A plan shall be submitted prior to recordation of the plat showing the buildable area for each lot to properly recognize the limitations for dwelling unit dimensions and setbacks. Buildable area is that area within which a dwelling unit may legally be located considering the front yard, side yard, and rear yard setback requirements of Chapter 24, of the Henrico County Code
- 17 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 form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat
- 18 The individual owners of each lot with a common drive will be responsible for the maintenance of the common drives (alleys) as shown on the approved plan
- 19 The right-of-way dedicated for future realignment of Osborne Turnpike will be maintained by the owners of lots fronting on the right-of-way until such time as Osborne Turnpike (realigned) is constructed **APPROVED**

**(Staff Report by Jim Strauss)**

**BROOKLAND:**

**Deferred from the February 10, 2005 Meeting:**

**C-61C-04 Dominion Land & Development Partnership:** Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcels 759-767-5161, 759-767-2638, 759-767-6934, 759-767-6516 and 758-767-8413, containing approximately 14.2 acres, located on the west line of Francistown Road at Castle Point Road. The applicant proffers to develop no more than thirty (30) single-family units, an equivalent density of 2.1 units per acre. The R-3C District allows a minimum lot size of 11,000 square feet, an equivalent of 3.96 units per acre. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre, and Environmental Protection Area. **Staff – Seth Humphreys (Deferral requested to the May 12, 2005 Meeting). DEFERRED TO MAY 12, 2005**

**April 14, 2005**

**FAIRFIELD:****Deferred from the March 10, 2005 Meeting:**

**C-48C-04 Henry L. Wilton:** Request to conditionally rezone from A-1 Agricultural District to B-3C Business District (Conditional), Parcels 804-737-4084 and 804-737-1251, containing 4.83 acres, located on the east line of Mechanicsville Turnpike (U.S. Route 360) opposite Springdale Road. The applicant proposes business uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Government and Urban Residential. The site is in the Airport Safety Overlay District. **Staff – Rosemary Deemer (Deferral requested to June 9, 2005 Meeting). DEFERRED TO JUNE 9, 2005**

**C-12C-05 Wilton Development Corp.:** Request to conditionally rezone from B-2C and B-3C Business Districts (Conditional) to R-3C One Family Residence District (Conditional) and B-3C Business District (Conditional), Parcel 804-736-0481, containing 10.77 acres, located at the northeast intersection of Mechanicsville Turnpike (U.S. Route 360) and Neale Street. A single-family residential subdivision (6.87 acres) and business uses (3.9 acres) are proposed. The R-3 District allows a minimum lot size of 11,000 square feet, the equivalent of 3.96 units per acre. The proposed districts would be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Commercial Concentration. The site is in the Airport Safety Overlay District. **Staff – Rosemary Deemer (Deferral requested to the June 9, 2005 Meeting). DEFERRED TO JUNE 9, 2005**

**Deferred from the March 10, 2005 Meeting:**

**C-11C-05 Rogers-Chenault, Inc.:** Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcel 777-764-6922, approximately 41.6 acres, located on the west line of Mountain Road at its intersection with Megan Drive. The applicant proposes a single-family residential subdivision with a maximum number of eighty-six (86) lots, an equivalent density of 2.07 units per acre. The R-3 District allows a minimum lot size of 11,000 square feet, an equivalent density of 3.96 units per acre. The Land Use Plan recommends Open Space/Recreation and Environmental Protection Area. **Staff – Tom Coleman DEFERRED TO MAY 12, 2005**

**THREE CHOPT:**

**C-13C-05 Shawn Smith for The Estate of Madeline W. Smart and William D. Smart, Sr. and Mamie J. Smart:** Request to conditionally rezone from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), part of Parcel 740-770-0883 and all of 740-770-5728, containing 30.4 acres, located on the north line of Shady Grove Road approximately 1,100 feet east of Pouncey Tract Road (State Route 271). The applicant proposes a single-family residential subdivision with the maximum density not to exceed 2.0 lots per acre. The R-2A District allows a minimum lot size of 13,500 square feet, an equivalent of 3.23 units per acre. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. **Staff – Tom Coleman DEFERRED TO MAY 12, 2005**

April 14, 2005

**C-14C-05 Shawn Smith for The Estate of Madeline W Smart:** Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), part of Parcel 740-770-0883, containing 14.5 acres, located on the south line of Shady Grove Road approximately 1,100 feet east of Pouncey Tract Road (State Route 271). The applicant proposes a single-family residential subdivision with the maximum density not to exceed 2.0 lots per acre. The R-3 District allows a minimum lot size of 11,000 square feet, an equivalent of 3.96 units per acre. The Land Use Plan recommends Suburban Residential 2, 2.4 to 3.4 units net density per acre. **Staff – Tom Coleman DEFERRED TO MAY 12, 2005**

**TUCKAHOE:**

**Deferred from the February 10, 2005 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 – Lee Tyson (Deferral requested to the June 9, 2005 Meeting). DEFERRED TO JUNE 9, 2005**

**P-3-05 Ralph Axselle, Jr. for Parham Development Company:** 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 operate a Wal-Mart store to 1.00 a.m., on part of Parcel 753-745-5901, containing approximately 2.43 acres (105,994 square feet), located on the west line of N Parham Road approximately 275 feet north of Quioccasin Road and on the north line of Quioccasin Road approximately 1,175 feet west of N Parham Road (Parham Plaza Shopping Center). The existing zoning is B-2 Business District. The Land Use Plan recommends Commercial Concentration. **Staff – Lee Tyson APPROVED**

**VARINA:**

**C-17C-05 Alvin Mistr for WWLP Development, LLC:** Request to conditionally rezone from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), Parcel 806-703-3309, containing approximately 40.8 acres, located on the north line of Midview Road approximately 180 feet east of Fox Down Drive extended. The applicant proposes a single-family residential subdivision with no more than ninety-four (94) lots constructed on the property, an equivalent of 2.3 units per acre. The R-2A District allows a minimum lot size of 13,500 square feet, an equivalent of 3.23 units per acre. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. The site is in the Airport Safety Overlay District. **Staff – Rosemary Deemer APPROVED**

**DISCUSSION ITEM TO SET A PUBLIC HEARING FOR: INITIATE STUDY OF POTENTIAL AMENDMENT TO THE MAJOR THOROUGHFARE PLAN OF THE COMPREHENSIVE PLAN: MTP-1-05 Proposed Deletion of Shrader Road Extension between the northwest terminus of Bunche Street and Wistar Road APPROVED**

**APPROVAL OF MINUTES: Planning Commission March 10, 2005 APPROVED**

Acting on a motion by Mr. Archer, seconded by Mr. Branin, the Planning Commission adjourned its meeting at 9 37 on April 14, 2005

View the Planning Commission agendas at

<http://www.co.henrico.va.us/planning/meetnext.htm> and  
<http://www.co.henrico.va.us/planning/podnext.htm>