

PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
November 10, 2005

DINNER AT 5:45 P.M. IN THE COUNTY MANAGER'S CONFERENCE ROOM

5:30 P.M. WORK SESSION: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

BEGINNING AT 7:00 P.M.

CALL TO ORDER:

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (1); (7)

REQUESTS FOR EXPEDITED ITEMS: (0)

CASES TO BE HEARD: (9)

TUCKAHOE.

None

VARINA:

Deferred from the October 13, 2005 Meeting

C-62C-05 Russell Jones for Mary Street Associates: Request to conditionally rezone from R-4 One Family Residence District, M-1C Light Industrial District (Conditional) and C-1 Conservation District to R-5AC General Residence District (Conditional), Parcels 832-719-2212 and 832-718-1235, containing approximately 23.6 acres, located on the east line of Broad Water Creek and the south line of Meadow Road. The applicant proposes an age-restricted single family residential subdivision. The R-5A District allows a minimum lot size of 5,625 square feet and a density of 6 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Planned Industry and Environmental Protection Area. The site is in the Airport Safety Overlay District. **Staff – Nathalie Neaves (Deferral requested to the January 12, 2006 Meeting) DEFERRED TO JANUARY 12, 2006**

C-67C-05 Andrew M. Condlin for Dtown L.L.C.: Request to conditionally rezone from R-4 One Family Residence District and M-2 General Industrial District to R-5AC General Residence District (Conditional), Parcels 806-710-8061 and 807-711-0058, containing 21.694 acres, located on the north line of Darbytown Road approximately 765 feet southeast of Oregon Avenue. The applicant proposes a single-family

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residential development with a maximum density of eighty-seven (87) lots. The R-5A District allows a minimum lot size of 5,625 square feet and a maximum gross density of six (6) units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Heavy Industry and Suburban Residential 1, 1.0 to 2.4 units net density per acre. **Staff – Lee Tyson DEFERRED TO DECEMBER 8, 2005**

C-68C-05 Alvin S. Mistr, Jr. for WWLP Development, LLC: Request to conditionally rezone from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), Parcels 829-725-8000, 829-725-2031, 829-725-6657, 829-725-9496, 829-726-6419, 829-726-7956, 830-724-1497 and 829-725-2590, containing 35.5 acres, located between N Washington Street and N Airport Drive beginning on the south line of N Washington Street approximately 600 feet west of Junior Drive. The applicant proposes a single-family residential subdivision of no more than eighty-five (85) units. The R-2A District allows a minimum lot size of 13,500 square feet with a maximum gross density of 3.23 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. 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 – Tom Coleman APPROVED**

BROOKLAND:

Deferred from the October 13, 2005 Meeting

C-50C-05 James W. Theobald for Molland Spring/Atack Properties: Request to conditionally rezone from A-1 Agricultural District to R-2C One Family Residence District (Conditional), Parcels 762-768-2433, 762-768-3508, and 762-767-5793 containing approximately 17.152 acres, located on the west line of Staples Mill Road approximately 1,350 feet north of Meadow Pond Lane. The applicant proposes a single family subdivision with a maximum of 31 dwellings. The R-2 District allows a minimum lot size of 18,000 square feet with a maximum gross density of 2.42 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. **Staff – Rosemary Deemer (Deferral requested to the December 8, 2005 Meeting) DEFERRED TO DECEMBER 8, 2005**

C-64C-05 Robert M. Atack for Kent and Mary Glass: Request to conditionally rezone from A-1, Agricultural District to R-2AC, One Family Residence District (Conditional), Parcel 765-769-5497, containing 5.7 acres, located on the west line of Mountain Road at its intersection with Good Oak Lane. The applicant proposes a single-family residential subdivision. The R-2A District allows a minimum lot size of 13,500 square feet and a density of 3.23 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends SR-1, Suburban Residential uses (1.0 – 2.4 units per acre). **Staff – Lee Tyson (Deferral requested to the December 8, 2005 Meeting) DEFERRED TO DECEMBER 8, 2005**

C-69C-05 LIM Properties, LLC: Request to amend proffered conditions accepted with Rezoning Case C-8C-82 on Parcel 755-759-3886, containing 1.35 acres, located at the southeast intersection of Springfield and Meadowgreen Roads. The applicant proposes to amend the proffers pertaining to vehicle access and maximum square footage for office space, and to delete the proffer related to the 35-foot buffer area. The existing zoning is O-1C Office District (Conditional). The Land Use Plan recommends Office Staff – Rosemary Deemer (*Deferral requested to the December 8, 2005 Meeting*) **DEFERRED TO DECEMBER 8, 2005**

FAIRFIELD:

Deferred from the September 15, 2005 Meeting.

C-52-05 John G. Shurley: Request to rezone from C-1 Conservation District to A-1 Agricultural District, part of Parcel 817-735-3028, containing 6.6 acres, located on the northwest line of Creighton Road approximately 1.25 miles northeast of Cedar Fork Road. The applicant proposes to replace one single-family residence. The A-1 District allows a minimum lot size of 43,560 square feet with a maximum gross density of 1.00 unit per acre. The Land Use Plan recommends Environmental Protection Area. The site is in the Airport Safety Overlay District. **Staff – Lee Tyson DENIED**

C-65C-05 Maggie Buchanan: Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcel 809-733-6061, containing 1.0 acre, located on the north line of Meadowview Lane approximately 10 feet east of Harvie Road. The applicant proposes to construct an additional single-family residence. The R-3 District allows a minimum lot size of 11,000 square feet with a maximum gross density of 3.96 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Suburban Residential 2, 2.4 to 3.4 units net density per acre. The site is in the Airport Safety Overlay District. **Staff – Nathalie Neaves APPROVED**

C-70C-05 Duke Management Services: Request to conditionally rezone from R-4 One-Family Residence District and B-3 Business District to M-1C Light Industrial District (Conditional), Parcel 783-759-6898 and part of Parcel 783-760-6649, containing approximately 4.86 acres, located on the west line of Brook Road (U.S. Route 1) approximately 920 feet south of Georgia Avenue. A parking area for portable mini storage units is proposed. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Commercial Concentration. The site is in the Enterprise Zone. **Staff – Tom Coleman DEFERRED TO DECEMBER 8, 2005**

C-71C-05 Ridge Construction, LLC: Request to conditionally rezone from O-2C Office District (Conditional) to R-5AC General Residence District (Conditional), part of Parcel 807-733-6105, containing 18.563 acres, located at the southeast intersection of N Laburnum Avenue and Harvie Road. The applicant proposes a single-family residential subdivision. The R-5A District allows a minimum lot size of 5,625 square feet and a maximum gross density of six (6) units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan

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recommends Office The site is in the Airport Safety Overlay District **Staff – Rosemary Deemer** (*Deferral requested to the December 8, 2005 Meeting*) **DENIED**

THREE CHOPT:

Deferred from the September 15, 2005 Meeting.

C-53C-05 D. L. Strange-Boston for Robert R. Bock, LLC: Request to conditionally rezone from C-1C Conservation District (Conditional) and M-1C Light Industrial District (Conditional) to M-1C Light Industrial District (Conditional), Parcel 751-758-8362, containing 1 413 acres, located on the north line of Mayland Drive approximately 230 feet west of Gaskins Road The applicant proposes a car wash The use will be controlled by zoning ordinance regulations and proffered conditions The Land Use Plan recommends Planned Industry and Environmental Protection Area **Staff – Tom Coleman** **APPROVED**

Deferred from the September 15, 2005 Meeting.

C-56C-05 J. F. Williams for Wms, LLC: Request to rezone from A-1 Agricultural District to B-2C Business District (Conditional), Parcels 746-760-6689, 746-760-3696, and part of parcel 746-761-5525, containing approximately 5 16 acres, located at the northeast intersection of W Broad Street (U S Route 250) and Old Sadler Road The applicant proposes a convenience store with gas sales and automobile dealership The uses will be controlled by zoning ordinance regulations and proffered conditions The Land Use Plan recommends Commercial Concentration **Staff – Tom Coleman** (*Deferral requested to the December 8, 2005 Meeting*) **DEFERRED TO DECEMBER 8, 2005**

Deferred from the September 15, 2005 Meeting.

P-8-05 J. F. Williams for Wms, LLC Request for a provisional use permit under Sections 24-58 2(a), 24-120 and 24-122 1 of Chapter 24 of the County Code, in order to allow 24-hour operation of a convenience store with gas sales as permitted in the B-2C Business District (Conditional), on Parcel 746-760-3696, located at the northeast intersection of W Broad Street (U S Route 250) and Old Sadler Road The existing zoning is A-1 Agricultural District The Land Use Plan recommends Commercial Concentration **Staff – Tom Coleman** (*Deferral requested to the December 8, 2005 Meeting*) **DEFERRED TO DECEMBER 8, 2005**

Deferred from the September 15, 2005 Meeting:

P-2-05 Andrew M. Conclin for Yimmer LLC. 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 allow extended hours of operation until 2 00 a m for a restaurant on Parcel 735-763-5299, containing 1 922 acres, located on the north line of W Broad Street (U S Route 250), approximately 1,550 feet east of its intersection with N Gayton Road The existing zoning is A-1 Agricultural District The Land Use Plan recommends Mixed Use Development The site is in the West Broad Street Overlay District **Staff – Lee Tyson** (*Withdrawn by applicant*) **WITHDRAWN**

C-72C-05 James W. Theobald for HHHunt Corporation: Request to conditionally rezone from O-3C Office District (Conditional) to RTHC Residential Townhouse District (Conditional), part of Parcel 747-771-2430, containing 15.66 acres located at the southeast intersection of Hickory Park and Hickory Bend Drives. The applicant proposes an age-restricted single-family detached condominium development of no more than fifty-nine (59) units. The maximum density in the RTH District is nine (9) units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Rural Residential and Environmental Protection Area. **Staff – Nathalie Neaves APPROVED**

C-73C-05 RER/New Boston West Broad Street, LLC: Request to conditionally rezone from O-3 Office District, A-1 Agricultural District and B-1 Business District to O-3C Office District (Conditional) and B-3C Business District (Conditional), part of Parcel 746-760-8608, containing 8.18 acres (O-3C – 4.244 ac and B-3C – 3.936 ac), located in the WestMark Office Park at the southeast intersection of Interstate 64 and West Broad Street (U S Route 250). The applicant proposes an office and commercial development. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office. **Staff – Lee Tyson APPROVED**

AMENDMENT TO THE MAJOR THOROUGHFARE PLAN. MTP-2-05 Proposed Addition of a Three Chopt Road Extension and West Broad Street Connector between Lauderdale Drive and North Gayton Road. **Staff – Nathalie Neaves**

APPROVAL OF MINUTES: Planning Commission October 13, 2005

Acting on a motion by Jones , seconded by Archer , the Planning Commission adjourned its meeting at 10.59 p.m. on November 10, 2005

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