

**PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
FEBRUARY 15, 2007**

BEGINNING AT 6:00 P.M.

CALL TO ORDER:

PUBLIC HEARING ON CAPITAL IMPROVEMENT PROGRAM: Public Hearing to consider the FY 2007-2008 through FY 2011 – 2012 Capital Improvement Program for February 15, 2007 at 6:00 p.m.

BEGINNING AT 7:00 P.M.

CALL TO ORDER:

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (0); (8)

REQUESTS FOR EXPEDITED ITEMS: (2)

CASES TO BE HEARD: (9)

TUCKAHOE:

P-2-07 T-Mobile Northeast, LLC: Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120 and 24-122.1 of the County Code in order to allow a 5 foot extension of an existing 106-foot high monopole telecommunications tower for a total height of 111 feet, on part of Parcel 746-744-4470, located at the northeast intersection of Gayton and Gaskins Roads. The existing zoning is R-3 One-Family Residence District. The Land Use Plan recommends Semi-Public. **Staff – Livingston Lewis (*Expedited agenda requested*) [Recommended for Approval](#)**

VARINA:

Deferred from the January 11, 2007 Meeting.

C-67C-06 Ahmad Jafari: Request to conditionally rezone from R-3 One-Family Residence District and B-3 Business District to B-2C Business District (Conditional), Parcel 818-726-8240, containing 1.859 acres, located on the north line of Nine Mile Road between Barker and Forest Avenues. The applicant proposes a retail shopping center. The use will be controlled by zoning ordinance regulations and proffered

February 16, 2007

conditions. The Land Use Plan recommends Commercial Arterial. The site is in the Airport Safety Overlay District. The site is in the Enterprise Zone. **Staff – Ben Sehl Recommended for Approval**

Deferred from the January 11, 2007 Meeting.

C-51C-06 Caroline L. Nadal for Collins/Goodman Development, LLC: Request to conditionally rezone from A-1 Agricultural District to B-2C Business District (Conditional), Parcel 814-717-0480 and part of Parcel 813-717-7951, containing approximately 10.19 acres, located at the south intersection of S. Laburnum and Gay Avenues. The applicant proposes retail uses. The uses will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Office. The site is in the Airport Safety Overlay District. **Staff – Livingston Lewis Recommended for Approval**

Deferred from the January 11, 2007 Meeting.

C-2-07 Eugene Fitz: Request to rezone from A-1 Agricultural District to R-3 One-Family Residence District, Parcel 828-722-6529, containing 1.009 acres, located on the southwest line of Midage Lane approximately 900 feet northwest of Hanover Road. The applicant proposes to construct an additional single-family dwelling. The R-3 District allows a minimum lot size of 11,000 square feet and a maximum gross density of 3.96 units per acre. The use will be controlled by zoning ordinance regulations. 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 – Livingston Lewis Recommended for Denial**

Deferred from the January 11, 2007 Meeting.

C-4C-07 Todd M. Lynn for Twin Oaks Business Park, LLC: Request to conditionally rezone from A-1 Agricultural District to M-1C Light Industrial District (Conditional), Parcel 814-710-0782, containing 2.505 acres, located at the northwest intersection of Glen Alden Drive and Charles City Road (Garden City subdivision). The applicant proposes a warehouse with limited office. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Planned Industry. The site is in the Airport Safety Overlay District. **Staff – Tom Coleman (Deferral requested to the April 12, 2007 Meeting) Deferred to the April 12, 2007 Meeting**

C-9C-07 P. D. Sweet: Request to conditionally rezone from A-1 Agricultural District to R-2C One-Family Residence District (Conditional), part of Parcel 833-711-5122, containing approximately 11.133 acres, located on the west line of Whiteside Road approximately 1,300 feet north of Nash Road. The applicant proposes a single-family residential subdivision. The R-2 District allows a minimum lot size of 18,000 square feet and 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. The site is in the Airport Safety Overlay District. **Staff – Ben Sehl (Tabled by staff) Tabled**

BROOKLAND:**Deferred from the January 11, 2007 Meeting.**

C-64C-06 Jennifer D. Mullen for Wistar Creek, LLC: Request to conditionally rezone from R-3 One-Family Residence District to RTHC Residential Townhouse District (Conditional), Parcels 767-750-8298, 767-751-8651, 768-750-0490, 768-751-0638, -2435, -4119, and -1362 containing 24.46 acres, located on the south line of Wistar Road approximately 142 feet west of Walkenhut Drive. The applicant proposes a residential townhouse development with a maximum of 130 dwelling units, an equivalent density of 5.31 units per acre. The maximum density allowed in the RTH District is 9 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, and Office. **Staff – Lee Tyson (Deferral requested to the March 15, 2007 Meeting) [Deferred to the March 15, 2007 Meeting](#)**

C-10C-07 David Johannas for Pied Venture LLC: Request to conditionally rezone from B-2 Business District to R-6C General Residence District (Conditional), Parcel 772-737-7160, containing 2.874 acres, located between the north line of Fitzhugh Avenue and the south line of Markel Street, approximately 236 feet southeast of Byrd Avenue. The applicant proposes residential condominiums. The R-6 District allows a maximum gross density of 19.8 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office and Environmental Protection Area. The site is located within the Enterprise Zone. **Staff – Lee Tyson [Deferred to March 15, 2007 at the request of the Planning Commission](#)**

C-11C-07 Gloria L. Freye for Innkeepers USA: Request to conditionally rezone from O-2C Office District (Conditional) to B-2C Business District (Conditional), part of Parcels 767-747-9244 and 768-747-2750, containing 3.018 acres, located approximately 175 feet north from the north line of Glenside Drive and 290 feet west from the south line of Bethlehem Road. The applicant proposes a hotel. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office. **Staff – Ben Sehl [Recommended for Approval](#)**

P-3-07 Hillorie Morrison for Clearwire US, LLC: Request for a Provisional Use Permit under Sections 24-95(a)(3) 24-120 and 24-122.1 of the County Code to permit the installation of a microwave dish, and antennas and related equipment 107 feet above the base of an existing 113 foot high power transmission tower, on part of Parcel 764-766-7863, containing 1.0 acre, located on the northwest line of Courtney Road approximately 535 feet northeast of Staples Mill Road (U. S. Route 33). The existing zoning is A-1 Agricultural District. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. **Staff – Tom Coleman ([Expedited agenda requested](#)) [Recommended for Approval](#)**

FAIRFIELD:**Deferred from January 11, 2007 Meeting.**

C-55C-06 Caroline L. Nadal for First Centrum of Virginia, Inc.: Request to conditionally rezone from O-1 Office District and C-1 Conservation District to R-6C General Residence District (Conditional), Parcel 783-772-1148, containing 8.7 acres located on the west line of Brook Road (U.S. Route 1) at its intersection with Presbytery Court. The applicant proposes age-restricted multi-family dwellings. The R-6 District allows a minimum lot size of 2,200 square feet per family for multi-family dwellings and a maximum gross density of 19.80 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office and Environmental Protection Area. **Staff – Nathalie Croft Recommended for Approval**

C-12C-07 Tom Cook for Young You: Request to conditionally rezone from B-3C Business District (Conditional) to B-3C Business District (Conditional), Parcels 801-732-1911 and 801-732-2625, containing .988 acre, located on the east line of Mechanicsville Turnpike (U. S. Route 360) approximately 501 feet south of Harvie Road (out parcel within Oak Hill Plaza shopping center). The applicant proposes a car wash. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Commercial Concentration. The site is in the Enterprise Zone. **Staff – Tom Coleman Recommended for Approval**

THREE CHOPT:**Deferred from the January 11, 2007 Meeting.**

C-49C-06 Caroline L. Nadal for Rockwood, Inc: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional), Parcels 738-771-6301, -4105, and -2400, containing approximately 7.081 acres, located on the east line of Pouncey Tract Road approximately 1,412 feet north of its intersection with Shady Grove Road. The applicant proposes a single family zero-lot line residential subdivision. The R-5A District allows a minimum lot size of 5,625 square feet and a maximum gross density of 6 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 – Lee Tyson Recommended for Approval**

Deferred from the January 11, 2007 Meeting.

C-59C-06 Andrew Condlin for Towne Center West, LLC: Request to conditionally rezone from B-2C Business District (Conditional) to R-6C General Residence District (Conditional), part of Parcels 734-764-9340 and 736-764-1136, containing 13.56 acres (Parcel B - approximately 9.38 acres and Parcel I approximately - 4.18 acres), located on the north line of W. Broad Street (U. S. Route 250) approximately 540 feet east of N. Gayton Road (Parcel B) and approximately 700 feet north of W. Broad Street (U. S. Route 250) (Parcel I). The applicant proposes retail and office uses with no more than 165 multi-family dwelling units on Parcel B, and retail and office uses with no more than 75 multi-family dwelling units on Parcel I. The R-6 District allows a minimum lot size of 2,200 square feet per family for multi-family dwellings and a maximum gross density of

19.80 units per acre. The uses will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Mixed Use. The site is in the West Broad Street Overlay District. **(Deferral requested to the March 15, 2007 Meeting)** Staff – Tom Coleman [Deferred to the March 15, 2007 Meeting](#)

Deferred from the January 11, 2007 Meeting.

P-19-06 Andrew Condlin for Towne Center West, LLC: Request for a Provisional Use Permit under Sections 24-36.1(b), 24-120 and 24-122.1 of the County Code to permit retail and office uses within the proposed multi-family development on parts of Parcel 734-764-9340, and 736-764-1136, located on the north line of W. Broad Street (U. S. Route 250) approximately 540 feet east of N. Gayton Road (Parcel B) and approximately 700 feet north of W. Broad Street (U.S. Route 250) (Parcel I). The existing zoning is B-2C Business District (Conditional). The property is the subject of rezoning case C-59C-06, which proposes to rezone the property to R-6C General Residence District (Conditional). The Land Use Plan recommends Mixed Use. The site is in the West Broad Street Overlay District. **(Deferral requested to the March 15, 2007 Meeting)** Staff – Tom Coleman [Deferred to the March 15, 2007 Meeting](#)

Tabled from the January 11, 2007 Meeting.

C-7C-07 Andrew M. Condlin for Farmer Properties, Inc.: Request to conditionally rezone from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional), Parcel 747-773-6860, containing 5.204 acres, located on the southeast line of Twin Hickory Road approximately 800 feet northeast of Nuckols Road. The applicant proposes a residential townhouse development with a maximum of 28 units, an equivalent density of 5.38 units per acre. The RTH District allows a maximum density of 9 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Urban Residential, 3.4 to 6.8 net units per acre. **(Deferral requested to the May 10, 2007 Meeting)** Staff – Livingston Lewis [Deferred to the May 10, 2007 Meeting](#)

C-13C-07 James W. Theobald for Reynolds Holdings, LLC: Request to amend proffered conditions accepted with Rezoning Case C-22C-04, on Parcels 767-744-9052, -6325, 765-744-6557, 766-745-8230, 767-745-5402, located on the south line of Interstate 64 between Glenside Drive and W. Broad Street (U.S. Route 250). The applicant proposes to amend Proffers 10, 18, 33, 34, and 36 related to conceptual master plan, hours of construction, use restrictions for freestanding restaurants, and maximum floor area for office buildings, and restate all proffered conditions accepted with the previous case. The existing zoning is B-2C and B-3C Business Districts (Conditional) and O-3C Office District (Conditional). The Land Use Plan recommends Planned Industry. The site is located in the Enterprise Zone. **Staff – Livingston Lewis** [Recommended for Approval](#)

C-14C-07 Ralph L. Axelle, Jr. for Short Pump Town Center, LLC, Mercantile Operations, Inc., Federal Retail Holdings, Inc., Nordstrom, Inc., and Gibraltar Property Management, Inc.: Request to amend proffered conditions accepted with Rezoning Case C-29C-98, on Parcels 736-763-0263, -3247, -5234, -7718, 736-764-

3817, -7528, 737-762-8670, 737-763-0900, -2226, -3450, -1093, 737-764-0069, 738-762-1495, -5667, -7348, -9480, 738-764-0203, 739-762-0039, -1061, 738-763-7335, -7712, -0822, and 739-763-1874, located between the south line of Interstate-64 and the north line of W. Broad Street (U.S. Route 250) approximately 1,000 feet west of Pouncey Tract Road. The applicant proposes to delete Proffer 31 related to minimum floor area devoted to office use. The existing zoning is B-3C Business District (Conditional). The Land Use Plan recommends Mixed Use. The site is in the West Broad Street Overlay District. **Staff – Ben Sehl Recommended for Approval**

C-15C-07 Andrew M. Conclin for West Broad Village, LLC and West Broad Village II, LLC: Request to amend proffered conditions accepted with Rezoning Case C-12C-06, on Parcel 742-760-7866, located on the south line of W. Broad Street (U.S. Route 250), north of Three Chopt Road, at the I-64 Interchange. The applicant proposes to amend Proffer 16 to increase the number of apartments for lease from 250 to 350 units. The total number of all residential unit types (884) would remain unchanged. The existing zoning is UMUC, Urban Mixed Use (Conditional). The Land Use Plan recommends UMU. The site is in the West Broad Street Overlay District. **Staff – Lee Tyson (Deferral requested to the April 12, 2007 Meeting) Deferred to the April 12, 2007 Meeting**

C-16C-07 D. Bryant Gammon for Circuit Virginia Corp.: Request to amend proffered conditions accepted with Rezoning Case C-6C-93, on Parcel 745-761-7339, located at the northwest intersection of W. Broad Street (U. S. Route 250) and Old Sadler Road. The applicant proposes to amend Proffer 12 to permit ingress for inventory vehicles from Old Sadler Road. The existing zoning is B-3C Business District (Conditional). The Land Use Plan recommends Commercial Concentration. **Staff – Nathalie Croft (Deferral requested to February 28, 2007) Deferred to the February 28, 2007 Meeting**

APPROVAL OF MINUTES: Planning Commission – January 11, 2007
Approved

Acting on a motion by Mr. Branin, seconded by Mr. Vanarsdall, the Planning Commission adjourned its meeting at 9:48 p.m. on February 15, 2007.

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