

**PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
OCTOBER 11, 2007**

BEGINNING AT 5:15 P.M.

5:15 P.M. Dinner and Work Session, County Manager's Conference Room:
Discussion regarding an amendment to the Zoning Ordinance and Subdivision regulations pertaining to the floodplain.

Discussion regarding an amendment to the Urban Mixed Use District regulations of the Zoning Ordinance to permit residential uses within a floodplain.

BEGINNING AT 7:00 P.M.

CALL TO ORDER:

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (3); (2)

REQUESTS FOR EXPEDITED ITEMS: (2)

CASES TO BE HEARD: (5)

VARINA:

Deferred from the September 13, 2007 Meeting.

AMENDMENT TO THE HENRICO 2010 LAND USE PLAN MAP (LUP-2-07): The Planning Commission will consider an amendment to the Henrico County 2010 Land Use Plan Map to designate the Tree Hill Farm Site – comprised of 530.9 acres and generally bordered by the James River, Old Osborne Turnpike, Osborne Turnpike, and Mill Creek as an Urban Mixed Use Development Area (UMU). **Staff – Lee Tyson Recommended for Approval**

Deferred from the September 13, 2007 Meeting.

C-52C-07 Daniel K. Slone and Gloria L. Freye for Gray Land and Development Company-Tree Hill, LLC: Request to conditionally rezone from A-1 Agricultural District and M-2 General Industrial District to UMUC Urban Mixed Use District (Conditional), part of Parcel 797-706-5048, containing 530.9 acres, located between the James River and the west line of Osborne Turnpike and Old Osborne Turnpike, generally located between McCoul Street and the intersection of New Market Road and Osborne Turnpike. The applicant proposes an urban mixed use development including office, commercial and civic uses and a maximum of 2,770 residential units (including single-family, townhouse, condominium, and multi-family units). The uses will be controlled by

October 12, 2007

zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre, and Environmental Protection Area. **Staff – Lee Tyson Recommended for Approval**

Deferred from the September 13, 2007 Meeting.

P-17-07 Daniel K. Slone and Gloria L. Freye for Gray Land and Development Company-Tree Hill, LLC: Request for a Provisional Use Permit under Sections 24-32.1(a), 24-32.1(b), 24-32.1(e), 24-32.1(g), 24-32.1(k), 24-32.1(l), 24-32.1(m), 24-32.1(p), 24-32.1(t), 24-32.1(u), 24-32.1(v), 24-32.1(w), 24-34.1(c), and 24-122.1 of Chapter 24 of the County Code, related to a Master Plan for The Town of Tree Hill Urban Mixed Use development and to permit certain uses and exceptions to permitted height, density, and design for uses within the proposed UMU, on part of Parcel 797-706-5048, containing 530.9 acres, located between the James River and the west line of Osborne Turnpike and Old Osborne Turnpike, generally located between McCoul Street and the intersection of New Market Road and Osborne Turnpike. The existing zoning is A-1 Agricultural District and M-2 General Industrial District. The property is also subject to rezoning request C-52C-07. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre, and Environmental Protection Area. **Staff – Lee Tyson Recommended for Approval**

C-54-07 John E. and Elizabeth T. Neagle: Request to rezone from A-1 Agricultural District to R-3 One-Family Residence District, Parcel 819-729-9442, containing 0.68 acre, located on the east line of Forest Avenue approximately 975 feet north of Polaria Street. The applicant proposes an addition to an existing single family residence. 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 – Nathalie Croft (Expedited agenda requested) Recommended for Approval**

FAIRFIELD:

Deferred from the August 9, 2007 Meeting.

C-28C-07 Mike Morgan Engineering LLC for Tetra Investment Group 14 LLC: Request to conditionally rezone from R-6 General Residence District and B-3C Business District (Conditional) to O-1C Office District (Conditional), Parcel 784-746-3173, containing 1.182 acres, located on the north line of Brook Run Drive (private) at Cliffbrook Lane, approximately 830 feet west of Brook Road (U.S. Route 1). The applicant proposes an office building. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Commercial Concentration. **Staff – Livingston Lewis (Withdrawn by applicant) Withdrawn by Applicant**

Deferred from the August 9, 2007 Meeting.

C-39C-07 James Theobald for Herbert S. King: Request to conditionally rezone from R-2A and R-4 One-Family Residence Districts and O-2C Office District (Conditional) to R-6C General Residence District (Conditional), part of Parcel 808-733-

2903, containing approximately 18.23 acres, located on the south line of Harvie Road approximately 1,150 feet east of Laburnum Avenue. The applicant proposes an age-restricted multi-family residential community with a maximum of two hundred eighteen (218) units. The R-6 District allows a maximum gross density of 19.81 units per acre. The uses 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, and Office. The site is in the Airport Safety Overlay District. **Staff – Ben Sehl (Withdrawn by applicant) [Withdrawn by Applicant](#)**

Deferred from the September 13, 2007 Meeting.

C-29C-07 Caroline L. Nadal for Creighton & Laburnum LLC: Request to conditionally rezone from A-1 Agricultural District, B-2C Business District (Conditional) and M-1C Light Industrial District (Conditional) to B-2C Business District (Conditional) and M-1C Light Industrial District (Conditional), Parcels 807-730-9116, 808-730-6309, -4825, -3946, -3162, -2377 and -6227, containing approximately 27.04 acres (B-2C 7.37 ac; M-1C 19.67 ac), located at the northwest intersection of N. Laburnum Avenue and Creighton Road. The applicant proposes retail and office/service uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office/Service, Suburban Residential 1, 1.0 to 2.4 units net density per acre, and Environmental Protection Area. The site is in the Airport Safety Overlay District. **Staff – Lee Tyson (Deferral requested to the November 8, 2007 Meeting). [Deferred to the November 8, 2007 Meeting](#)**

C-56C-07 John S. Smart for Ginter Park Congregation of Jehovah’s Witnesses of Richmond, VA: Request to conditionally rezone from A-1 Agricultural District to B-1C Business District (Conditional), Parcel 800-729-2497, containing 3.486 acres, located at the northeast corner of Mechanicsville Turnpike (U. S. Route 360) and St. Claire Lane. The applicant proposes to construct a place of worship. 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 – Ben Sehl [Recommended for Approval](#)**

THREE CHOPT:

Deferred from the September 13, 2007 Meeting.

C-46C-07 James Theobald for Attack Properties: Request to conditionally rezone from A-1 Agricultural District to R-3C One-Family Residence District (Conditional), Parcel 750-773-1173 and part of Parcel 751-773-4286, containing approximately 34.9 acres, located between the terminus of Opaca Lane and the Chickahominy River. The applicant proposes a single-family residential subdivision with a maximum of 90 units. The R-3 District allows a minimum lot size of 11,000 square feet and a maximum density of 3.96 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Rural Residential, not to exceed 1.0 unit per acre, Suburban Residential 2, 2.4 to 3.4 units net density per acre, and Environmental Protection Area. **Staff – Livingston Lewis [Recommended for Approval](#)**

Deferred from the September 13, 2007 Meeting.

C-47C-07 Andrew M. Condlin for Gregory A. Windsor: Request to conditionally rezone from A-1 Agricultural District to R-2AC One-Family Residence District (Conditional), Parcels 740-770-9386, 741-770-1920, 741-771-6359, and part of Parcels 740-772-8110 and 741-770-0218, containing approximately 20.81 acres, located on the north line of Shady Grove Road approximately 590 feet west of its intersection with Twin Hickory Road. The applicant proposes a single-family subdivision. The R-2A District allows a minimum lot size of 13,500 square feet and 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, and Environmental Protection Area. **Staff – Ben Sehl (Withdrawn by applicant) [Withdrawn by Applicant](#)**

P-19-07 Gloria Freye for New Cingular Wireless PCS LLC: Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120, and 24-122.1 of Chapter 24 of the County Code to construct a 155' high telecommunications tower and related equipment, on part of Parcel 736-764-6294, located on the south line of I-64 approximately 540 feet east of Misty Cove Court. 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 – Livingston Lewis (Expedited agenda requested) [Recommended for Approval](#)**

TUCKAHOE:

None.

BROOKLAND:**Deferred from the August 9, 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 (Deferral requested to the December 6, 2007 Meeting). **[Deferred to the December 6, 2007 Meeting](#)**

APPROVAL OF MINUTES: Planning Commission September 13, 2007
[Approved With Corrections](#)

Acting on a motion by [Mr. Branin](#), seconded by _____, the Planning Commission adjourned its meeting at [9:11 p.m.](#) on [October 11, 2007](#).

View the Planning Commission agendas at

October 12, 2007

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