

**PLANNING COMMISSION**

REZONINGS AND PROVISIONAL USE PERMITS

ACTIONS

NOVEMBER 13, 1997

**BEGINNING AT 5:30 P.M.:**

Dinner--County Manager's Conference Room

**BEGINNING AT 6:00 P.M.:**

WORK SESSION - County Manager's Conference Room  
Nine Mile Road Economic Analysis and Revitalization Plan.

**BEGINNING AT 7:00 P.M.:**

**REQUEST FOR DEFERRALS OR WITHDRAWALS:**

**PLAN OF DEVELOPMENT** (*Deferred from the October 28, 1997 Meeting*)

POD-103-97

Exxon #2 - 6042 Parham Road

**The Spectra Group for Robert Bates Ball and Exxon Company, U.S.A.:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, 2,700 square foot convenience store with fuel pumps and a one-story, 3,784 square foot canopy. The 0.67 acre site is located along the south line of Parham Road (State Route 73) approximately 500 feet east of Brook Road (U.S. Route 1) on parcel 63-A-10 and parts of 63-A-9 and 11. The zoning is B-3, Business District. County water and sewer. **(Fairfield)**

A revised plan has been submitted which addresses staff's concerns. Staff recommends approval subject to the annotations on the plans, the standard conditions for developments of this type, and the following additional conditions:

23. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued.
24. The entrances and drainage facilities on Parham Road (State Route 73) shall be approved by the Virginia Department of Transportation and the County.
25. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Planning Office prior to any occupancy permits being issued.
26. The developer shall provide fire hydrants as required by the Department of Public Utilities in its approval of the utility plans and contracts.
27. Outside storage shall not be permitted.
28. The developer shall install an adequate restaurant ventilating and exhaust system to minimize

smoke, odors, and grease vapors. The plans and specifications shall be included with the building permit application for review and approval. If, in the opinion of the County, the type system provided is not effective, the Commission retains the rights to review and direct the type of system to be used.

29. The certification of building permits, occupancy permits and change of occupancy permits for individual units shall be based on the number of parking spaces required for the proposed uses and the amount of parking available according to approved plans.

30. Any necessary off-site drainage easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans by the Department of Public Works.

31. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.

32. Insurance Services Office (ISO) calculations must be included with the utilities plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.

33. The approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Virginia Department of Transportation maintained right-of-way. The elevations will be set by the contractor and approved by the Virginia Department of Transportation.

34. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Planning Office and approved prior to the issuance of a certificate of occupancy for this development.

**(Staff Report by Leslie News)**



**ACTION:** Approved

#### TUCKAHOE:

**C-74C-97 Curtis B. Mellon for MJPF Corporation:** Request to conditionally rezone from O-2C Office District (Conditional) and R-2A One Family Residence District to O-2C Office District (Conditional), Parcels 68-2-A-22 and 23, and part of Parcel 68-2-A-21, containing approximately 1.0 acre, located on the east side of Pemberton Road approximately 200' south of Three Chopt Road. A dental office is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Suburban Residential 1 development, 1.0 to 2.4 units net density per acre, for this site. **(Staff presentation by Mark Bittner)**



**ACTION:** Recommended for denial

**C-75C-97 Glenn R. Moore for Beverly Hills, Inc. c/o E. Carlton Wilton, Jr.:** Request to conditionally rezone from B-1 Business District to B-2C Business District (Conditional), part of Parcel 100-12-D-3 and Parcel 100-12-D-4 (in the Greenbrier Hills Subdivision), containing 1.48 acres, located at the northwest corner of the intersection of Quail Lane and Patterson Avenue. A pharmacy is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Commercial Concentration development for this site. **(Staff presentation by Mark Bittner)**



**ACTION:** Recommended for approval

VARINA:

*Deferred from the September 11, 1997 Meeting:*

**C-51C-97 Philip deB. Rome for Sauer Properties, Inc.:** Request to conditionally rezone from A-1 Agricultural District to M-1C Light Industrial District (Conditional), Parcels 193-A-24 and 31, containing 81.30 acres, located on the southeast corner of Laburnum Avenue and Seven Hills Boulevard. The site is also in the Airport Safety Overlay District. Industrial development is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Planned Industrial development for this site. **(Staff presentation by John Merrithew)**



**ACTION:** Deferred at applicant's request to December 11, 1997

*Deferred from the September 11, 1997 Meeting:*

**C-55C-97 Philip deB. Rome for Sauer Properties, Inc.:** Request to conditionally rezone from A-1 Agricultural District and M-1 Light Industrial District to M-2C General Industrial District (Conditional), Parcels 193-A- 25, 26 and 194-1-A-1 and 2 (Seven Hills Industrial Center), containing 45.23 acres, located on the southeast corner of Seven Hills Boulevard and Miller Road. The site is also in the Airport Safety Overlay District. Industrial development is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Planned Industrial development for this site. **(Staff presentation by John Merrithew)**



**ACTION:** Deferred at applicant's request to December 11, 1997

P-14-97 **Lewis White for Nextel Communications, Inc.:** Request for approval of a provisional use permit in accordance with Sections 24-95 (a) and 24-122.1 of Chapter 24 of the County Code in order to construct and maintain a 195' self-supporting wireless lattice-type tower, a 10'x20' communications shelter and space for additional users on part of Parcel 150-A-63, containing 0.2 acres (10,000 square feet), located on the west side of I-295 approximately 1800 feet south of the Airport Drive interchange. The site is zoned A-1 Agricultural District. **(Staff presentation by Jim Lehmann)**



**ACTION:** Recommended for approval

C-76C-97 **Gary Weinberger for Swift Transportation Co., Inc.:** Request to conditionally rezone from A-1 Agricultural District to M-2C General Industrial District (Conditional), Parcel 182-A-20, containing approximately 11.00 acres, located on the west line of Miller Road approximately 489' south of its intersection with Charles City Road. Private truck and trailer parking is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Heavy Industry on this site. **(Staff presentation by Mark Bittner)**



**ACTION:** Recommended for approval

BROOKLAND:

P-15-97 **Richard H. Youngblood, III for Cedar Knoll Development Corp.:** Request for approval of a provisional use permit in accordance with Sections 24-12.1, 24-95 (q) and 24-122.1 of Chapter 24 of the County Code, governing controlled density development, in order to amend Condition number 4 of the existing provisional use permit, P-23-96 , for the Brookhaven Subdivision. The site is located north of Cherrystone Avenue beginning at its intersection with Gillis Street. The site is zoned R-3C One Family Residence District (Conditional). **(Staff presentation by John Merrithew)**



**ACTION:** Recommended for approval

C-81C-97 **Christopher T. McGee for Springfield Land Development Group, c/o Sonny Haynes, Haynes Jeep Eagle:** Request to conditionally rezone from A-1 Agricultural District to B-3C Business District (Conditional) Parcels 49-A-33 and 34, containing 4.012 acres, located at the northeast corner of Springfield Road and Huron Avenue. An automobile and truck storage lot is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Suburban Residential 1 development, 1.0 to 2.4 units net density per acre. **(Staff presentation by Nancy Gardner)**



**ACTION:** Deferred at applicant's request to December 11, 1997

FAIRFIELD:

P-16-97 **Wingate & Kestner for Commerce, L. L. C.:** Request for approval of a provisional use permit in accordance with Sections 24-12.1, 24-95 (q) and 24-122.1 of Chapter 24 of the County Code in order to develop a controlled density residential development on Parcels 43-A 27, and 43, located on the east line of Telegraph Road 0.1 mile north of its intersection with New York Avenue. The site is zoned A-1 Agricultural District and R-2A One Family Residence District. An application to rezone the site from A-1 Agricultural and R-2A One Family Residence District to R-3AC One Family Residence District (Conditional) was denied by the Board of Supervisors on October 22, 1997. The R-3A District (Controlled Density) permits densities up to 3.7 units per acre. **(Staff presentation by John Merrithew)**



**ACTION:** WITHDRAWN BY APPLICANT

THREE CHOPT:

**C-77C-97 Jay M. Weinberg for Broadvest Associates Limited Partnership:** Request to amend proffered conditions accepted with rezoning case C-51C-96 on Parcels 48-A-33A and 34, containing 5.072 acres, located on the north line of W. Broad Street (U. S. Route 250) approximately 226' west of its intersection with Gaskins Road. The existing zoning is B-2C Business District (Conditional). The Land Use Plan recommends Commercial Concentration and Multi-family Residential, 6.8 - 19.8 units net density per acre for this site. An amendment of the proffered condition relating to fence construction is proposed. **(Staff presentation by Lee Yolton)**



**ACTION:** Recommended for approval

**C-78C-97 Jay M. Weinberg Sunrise Development, Inc.:** Request to conditionally rezone from R-2 One Family Residence District to R-6C General Residence District (Conditional), Parcel 79-A-69, containing 6.33 +- acres, located at the northeast corner of the intersection of Michael Road and Parham Road. Housing for the elderly is proposed. The R-6 District permits densities up to 19.8 units gross density per acre. The Land Use Plan recommends Suburban Residential 2 development, 2.4 to 3.4 units net density per acre. **(Staff presentation by Lee Yolton)**



**ACTION:** Recommended for approval

**C-79C-97 Jay M. Weinberg for Summit Properties:** Request to conditionally rezone from A-1 Agricultural District to O-2C Office District (Conditional), RTHC Residential Townhouse District (Conditional) and R-5C General Residence District (Conditional), Parcels 58-A-3, 4, 5, 6, 6A and 31, containing 48.9 acres, located on the north line of Three Chopt Road approximately 440' west of its intersection with Gaskins Road. Office, townhouses and apartments are proposed. Uses will be controlled by proffered conditions and zoning ordinance regulations. The RTH District permits densities up to 9.0 units gross density per acre and the R-5 District permits densities up to 14.52 units gross density per acre. The Land Use Plan recommends Environmental Protection Area, Office and Urban Residential development, 3.4 to 6.8 units net density per acre. **(Staff presentation by John Merrithew)**



**ACTION:** Deferred at applicant's request to December 11,1997

**C-80C-97 Gibson M. Wright for Dominion Land & Development Partnership:** Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcel 9-A-26 and part of Parcel 9-A-37, containing 15.43 acres, located on the north line of Nuckols Road approximately 350' southwest of its intersection with Wyndham Lake Drive. A residential subdivision is proposed. The R-3 District permits densities up to 3.96 units gross density per acre. The Land Use Plan recommends Environmental Protection Area and Suburban Residential 1 development, 1.0 to 2.4 units net density per acre. **(Staff presentation by Nancy Gardner)**



**ACTION:** Deferred at applicant's request to December 11, 1997

APPROVAL OF MINUTES: (Zoning) October 9, 1997, (POD) July 22, 1997, and August 26, 1997.

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Cases acted upon by the Planning Commission on this meeting date are scheduled to be heard by the Board of Supervisors on December 10, 1997.