

PLANNING COMMISSION

REZONINGS AND PROVISIONAL USE PERMITS

ACTIONS

OCTOBER 9, 1997

BEGINNING AT 7:00 P.M.:

REQUEST FOR DEFERRALS OR WITHDRAWALS:

AMENDMENT TO CHAPTER 24 (ZONING) OF THE CODE OF THE COUNTY OF HENRICO: An Ordinance to amend and reordain Section 24-51.1 by adding Subsection (c) providing for issuance of provisional use permits allowing sales of firearms and gunsmithing in residences located in A-1 Agricultural Districts.
(Staff presentation by Allen Webb)



ACTION: Recommended for approval

Deferred from the September 23, 1997 Plan of Development Meeting:

SPECIAL EXCEPTION, PLAN OF DEVELOPMENT and TRANSITIONAL BUFFER DEVIATION.

POD-86-97

Parham Road

Seniors Apartments

Balzer & Associates for Anthony Tedesco and Elder Homes Parham Seniors, L.P.: Request for approval of a special exception for a three-story building, a transitional buffer deviation and a plan of development, as required by Chapter 24, Sections 24-94, 24-106 and 24-106.2 of the Henrico County Code to construct a three-story, 69,109 square foot, 86-unit independent living facility. The 4.35 acre site is located along the north line of E. Parham Road, approximately 400 feet west of Hungary Spring Road, on part of Parcels 60-A-28 and 60-A-27A. The zoning is R-6C, General Residence District (Conditional). County water and sewer. **(Brookland)**

As of the preparation date of this agenda, the staff has not received a revised plan, as requested. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

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 issues.
24. The developer shall provide fire hydrants as required by the Department of Public Utilities in

its approval of the utility plans and contracts.

25. 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.

26. 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.

27. 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.

28. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.

29. 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.

30. The approval of the construction plans by the Department of Public works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.

31. 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.

32. The limits and elevation of the 100 year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100 year floodplain must be labeled "Variable width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.

33. A standard concrete sidewalk shall be provided along the north side of East Parham Road.

(Staff presentation by Kevin Wilhite)



ACTION: Approved with special exception

RECONSIDERATION OF A PLAN OF DEVELOPMENT:

POD-17-96
The Summit,
Phase 1 and
Master Plan

Foster & Miller, P.C. and S. F. P. Company L. P. for S. F. P. Company and Dumbarton Properties, Inc.: Request for approval of a revised plan of development, as required by Chapter 24, Sections 24-101(e) and 24-106 of the Henrico County Code to construct a one-story, 22,475 square foot shopping center and a future 71,985 square foot addition. The 12.1 acre site is located along the south line of W. Broad Street (U.S. Route 250) and approximately 850 feet east of Cox Road on Parcel 48-A-38. The zoning is B-2C, Business District (conditional). County water and sewer. **(Three Chopt)**

As of the preparation date of this agenda, the Staff had not completed its review of revised plans. The Staff's recommendation will be made at the meeting.

(Staff presentation by Kevin Wilhite)



ACTION: Approved

VARINA:

C-66-97 Lawrence E. Marshall for William L. Cable, Sr.: Request to rezone from A-1 Agricultural District to B-3 Business District, Parcel 177-A-66, containing 1.59 acres, located on the north line of Old Williamsburg Road approximately 570' east of its intersection with Williamsburg Road (U.S. Route 60). An electrical repair company is proposed. The use will be controlled by zoning ordinance regulations. The Land Use Plan recommends RR Rural Residential development, not exceeding 1.0 units net density per acre, for this site. **(Staff presentation by Mark Bittner)**



ACTION: WITHDRAWN BY APPLICANT

C-67C-97 Scott D. Stolte for Pendragon Development Company: Request to conditionally rezone from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), Parcel 238-A-31, containing 86.31 acres, located on the west line of I-295 approximately 1,600' north of its intersection with New Market Road (State Route 5). A residential subdivision is proposed. The R-2A District permits densities up to 3.23 units gross density per acre. The Land Use Plan recommends SR 1 Suburban Residential 1 development, 1.0 to 2.4 units net density per acre, Office and Environmental Protection Area for this site. **(Staff presentation by Mark Bittner) (Deferral requested to December 11, 1997)**



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

BROOKLAND:

Deferred from the September 11, 1997 Meeting:

C-61C-97 Henry L. Wilton for Wilton Investment Corp.: Request to conditionally rezone from A-1 Agricultural District to R-3AC One Family Residence District (Conditional), Parcels 50-A-4 and 16, containing approximately 15.2 acres, located on the south line of Hungary Road 271.80' east of its intersection with Walton Farms Drive. A residential subdivision is proposed. The R-3A District permits densities up to 4.58 units gross density per acre. The Land Use Plan recommends SR 2 Suburban Residential 2 development, 2.4 to 3.4 units net density per acre for this site. **(Staff presentation by Lee Yolton)**



ACTION: Recommended for approval

P-12-97 James and Joyce Clifton: Request for approval of a provisional use permit in accordance with Sections 24-12.1 and 24-122.1 of Chapter 24 of the County Code in order to operate a bed and breakfast home on Parcels 31-A-46 and 47A, located at the northeast corner of the intersection of Mountain Road and Old Washington Highway (2900 Mountain Road). The site is zoned R-2A One Family Residence. **(Staff presentation by John Merrithew)**



ACTION: Recommended for approval

C-68C-97 Joe Coleman: Request to amend proffered conditions accepted with rezoning case C-41C-89, on Parcel 71-2-A-6 (Hermitage Farms Subdivision), containing 0.43 acres, located on the south line of Stoneman Road at its intersection with Staples Mill (U.S. Route 33). The existing zoning is B-2C Business District (Conditional). An amendment of the proffered conditions related to the principal uses on the site is proposed. The Land Use Plan recommends Commercial Concentration development for this site. **(Staff presentation by John Merrithew)**



ACTION: Recommended for approval

C-69C-97 **Alvin S. Mistr, Jr. for BMJ Associates:** Request to conditionally rezone from A-1 Agricultural District to O-2C Office District (Conditional), Parcel 31-A-77A, containing 8.57 acres, located on the south line of Mountain Road at its intersection with the west line of Woodman Road. An office park is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan designates this area as Office, Environmental Protection Area and Suburban Residential 1. **(Staff presentation by John Merrithew)**



ACTION: WITHDRAWN BY APPLICANT

FAIRFIELD:

C-70C-97 **Jay M. Weinberg for Chamberlayne Farms Shopping Center, L. C.:** Request to amend proffered conditions accepted with rezoning case C-40C-91, on Parcel 63-7-A-1 (Chamberlayne Farms Shopping Center), containing 6.414 acres, located at the northwest corner of Wilkinson Road and Upham Drive. The existing zoning is B-2C Business District (Conditional). An amendment of the proffered conditions related to the principal uses and signage permitted on the site is proposed. The Land Use Plan recommends Commercial Concentration development for this site. **(Staff presentation by Lee Yolton)**



ACTION: Recommended for approval

P-13-97 **Jay M. Weinberg Chamberlayne Farms Shopping Center, L. C.:** Request for approval of a provisional use permit in accordance with Sections 24.58.2(c) and 22-122.1 of Chapter 22 of the County Code in order to service vehicles used in the courier service operation on Parcel 63-7-A-1, located at the northwest corner of Wilkinson Road and Upham Drive. The site is zoned B-2C Business District (Conditional). **(Staff presentation by Lee Yolton)**



ACTION: Recommended for approval

THREE CHOPT:

Deferred from the September 11, 1997 Meeting:

C-57C-97 Glenn R. Moore for Melton Development Company: Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcels 20-A-19 and 19A, containing approximately 16.85 acres, located on the west line of Springfield Road at its intersection with Heart Mill Drive. Residential development is proposed. The R-3 District permits densities up to 3.96 units gross density per acre. The Land Use Plan recommends SR1 Suburban Residential 1 development, 1.0 to 2.4 units net density per acre, for this site. **(Staff presentation by Jim Lehmann)**



ACTION: Recommended for approval

C-73C-97 Glenn R. Moore for Melton Development Co. c/o Michael J. Melton: Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcel 20-A-18, containing 14.43 acres, located on the north line of Springfield Road approximately 711' east of Wintercreek 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 SR1 Suburban Residential 1 development, 1.0 to 2.4 units net density per acre, for this site. **(Staff presentation by Jim Lehmann)**



ACTION: Recommended for approval

C-71C-97 Patrick J. Morgan for Mai Cao: Request to conditionally rezone from B-2 Business District to B-3C Business District (Conditional), Parcel 92-9-D-7 (6318 Rigsby Road), containing 0.206 acres, located on the north line of Rigsby Road at its intersection with Pinehaven Road in the Pine Acres Subdivision. An office warehouse use is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Office development for this site. **(Staff presentation by Nancy Gardner)**



ACTION: Recommended for approval

C-72C-97 **James W. Theobald and Charles H. Rothenberg for Loch Levan Land Limited Partnership, c/o Daniel T. Schmitt:** Request to conditionally rezone from RTHC Residential Townhouse District (Conditional) to R-5AC General Residence District (Conditional), Part of Parcels 9-A-19C, 20, 19-16-A, Parcels 19-16-H-1, 2, 3 4, 19-16-I-1, 2, 3 4, 19-16-S-1, 2, 3, 4, and 19-16-T-1, 2, 3, 4, containing 8.412 acres, located at the northwest corner of the intersection of Nuckols Road and Wyndham Park Drive. A residential subdivision (single family detached homes on zero lot lines) is proposed. The R-5A District permits densities up to 6.0 units gross density per acre. The Land Use Plan recommends Commercial Concentration development for this site. **(Staff presentation by Nancy Gardner)**



ACTION: Recommended for approval

TUCKAHOE:

Deferred from the September 11, 1997 Meeting:

C-46C-97 **E. Carlton Wilton:** Request to conditionally rezone A-1 Agricultural District to O-2C Office District (Conditional), Parcels 66-A-14N and 56-A-25, containing 0.579 acres, located at the southwest corner of proposed John Rolfe Parkway and Ridgefield Parkway. Offices are proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Office development and Urban Residential development, 3.4 to 6.8 units net density per acre, for this site. **(Staff presentation by Jim Lehmann)**



ACTION: Recommended for approval

DISCUSSION: Nine Mile Road Economic Analysis and Revitalization Plan. **Request for Work Session on October 28, 1997.**



ACTION: Work session set for November 13, 1997

Cases acted upon by the Planning Commission on this meeting date were scheduled to be heard by the Board of Supervisors on November 12, 1997.