

PLANNING COMMISSION

REZONINGS AND PROVISIONAL USE PERMITS

ACTIONS

April 9, 1998

PUBLIC HEARING:

AMENDMENT TO ZONING ORDINANCE: AMENDMENT TO CHAPTER 24 (ZONING) OF THE CODE OF THE COUNTY OF HENRICO: An advertised public hearing on whether Section 24-104 of the Henrico County Code entitled "Signs" should be amended to change the current regulations concerning nonconforming structures such as billboards.



ACTION: Recommend approval of alternative #1

BEGINNING AT 7:00 P.M.:

TUCKAHOE:

C-19C-98 Andrew M. Condlin for Vasilios & Helen Konstantinakos: Request to conditionally rezone from B-1 Business District and R-3 One Family Residence District to B-1C Business District (Conditional), Parcel 100-13-G-4 (Ridgecrest Subdivision), containing 0.276 acre, located on the west line of Parham Road approximately 200' north of its intersection with Patterson Avenue (State Route 6). Office development is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Suburban Residential 2, 2.4 to 3.4 units net density per acre. **(Staff presentation by John Merrithew)**



ACTION: CASE WITHDRAWN BY APPLICANT.

P-12-98 **Charles H. Rothenberg and James W. Theobald for Sprint PCS:** 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 operate a communication tower up to 165' high and related equipment and improvements, on part of Parcel 89-A-31 (Westhampton Memorial Park), containing 2,500 sq. ft., located at the northwest intersection of Patterson Avenue (State Route 6) and Gaskins Road. The site is zoned A-1 Agricultural District. **(Staff presentation by John Merrithew)**



ACTION: Recommend approval

VARINA:

Deferred from the March 12, 1998 Meeting:

C-67C-97 **Scott D. Stolte for Pendragon Development Company:** Request to conditionally rezone from A-1 Agricultural District to R-3AC 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-3A District permits densities up to 4.59 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. **(Staff presentation by Mark Bittner)**



ACTION: Deferred to May 14, 1998

Deferred from the March 12, 1998 Meeting:

C-11C-98 **Henry L. Wilton for Wilton Development Corp.:** Request to conditionally rezone from R-4 One Family Residence District to R-5C General Residence District (Conditional), part of Parcel 162-A-10A and Parcel 162-A-31, containing approximately 14.36 acres, located on the south side of Gay Avenue approximately 600' east of Millers Lane and also fronting on the north side of Denison Road at Altair Road. A multifamily apartment development is proposed. The R-5 District permits densities up to 14.52 units gross density per acre. The Land Use Plan recommends Urban Residential development, 3.4 to 6.8 units net density per acre. The site is also in the Airport Safety Overlay District. **(Staff presentation by Nancy Gardner)**



ACTION: CASE WITHDRAWN BY APPLICANT.

C-20C-98 **Henry L. Wilton for Wilton Development Corp.:** Request to conditionally rezone from R-4 One Family Residence District to R-5C General Residence District (Conditional), part of Parcel 162-A-10A, containing approximately 4.2 acres, located at the southeast corner of the intersection of Millers Lane and Gay Avenue. Multi-family development is proposed. The R-5 District permits densities up to 14.52 units gross density per acre. The Land Use Plan recommends Urban Residential development, 3.4 to 6.8 units net density per acre. The site is also in the Airport Safety Overlay District. **(Staff presentation by Nancy Gardner)**



ACTION: CASE WITHDRAWN BY APPLICANT.

P-13-98 **James W. Theobald and Charles H. Rothenberg for Sprint PCS:** 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 operate a communication tower up to 160' high and related equipment and improvements, on part of Parcel 154-A-17A (4101 S. Laburnum Avenue), containing 2,500 sq. ft., located on the east side of S. Laburnum Avenue approximately 1200' north of I-64. The site is zoned M-1 Light Industrial District. The site is also in the Airport Safety Overlay District. **(Staff presentation by Lee Yolton)**



ACTION: Recommend approval

P-14-98 **Charles H. Rothenberg and James W. Theobald for Sprint PCS:** 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 operate a communication tower up to 199' high and related equipment and improvements, on part of Parcel 177-A-50 (4116 E. Williamsburg Road), containing 2,500 sq. ft., located on the north side of E. Williamsburg Road approximately 340' east of its intersection with Meadow Road. The site is zoned A-1 Agricultural District. **(Staff presentation by Lee Yolton)**



ACTION: Recommend approval

C-21-98 **AAT Communications Corporation for T. Scott & Wyatt Ross Renick:** Request to rezone from A-1 Agricultural District to M-1 Light Industrial District, part of Parcel 206-A-42, containing 1.923 acres, located at the northwest corner of the intersection of Charles City Road and Interstate 295. A 100' telecommunication tower is proposed. The use will be controlled by zoning ordinance regulations. The Land Use Plan recommends Planned Industrial development. The site is also in the Airport Safety Overlay District. **(Staff presentation by Mark Bittner)**



ACTION: CASE WITHDRAWN BY APPLICANT.

BROOKLAND:

Deferred from the February 12, 1998 Meeting:

C-7C-98 **Glenn R. Moore for Northgate Associates, LP:** Request to conditionally rezone from O-2C Office District (Conditional) to B-2C Business District (Conditional), Parcel 71-A-11, containing approximately 3.173 acres, located on the west side of Staples Mill Road at Hermitage Road. Commercial retail development is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Office development. **(Staff presentation by John Merrithew)**



ACTION: Deferred to July 9, 1998

P-8-98 **James W. Theobald and Charles H. Rothenberg for Sprint PCS:** 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 operate a communication tower up to 160' high and related equipment and improvements, on part of Parcel 41-3-E-24 (2522 Indale Road, Glen Allen Heights Subdivision), in a leased area of 2,500 sq. ft. located on the north side of Indale Road at its intersection with Winston Boulevard. The site is zoned A-1 Agricultural District. **(Staff presentation by Lee Yolton)**



ACTION: CASE WITHDRAWN BY APPLICANT.

C-22C-98 **Henry L. Wilton for Wilton Development Corp.:** Request to conditionally rezone from A-1 Agricultural District to R-3AC One Family Residence District (Conditional), part of Parcel 50-A-15, containing 1.0 acre, located approximately 160' east of the intersection of Walton Farms Drive and Walton Farms Court (Walton Farms Subdivision). Single-family residential development is proposed. The R-3A District permits densities up to 4.59 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 John Merrithew)**



ACTION: Recommend approval

BEGINNING AT 8:00 P.M.:

FAIRFIELD:

Deferred from the February 12, 1998 Meeting:

C-64C-97 **Abigail S. Phillips for Dodson Bros. Exterminating Co.:** Request to conditionally rezone from R-4 One Family Residence District to B-3C Business District (Conditional), part of Parcel 53-A-12, containing 0.301 acres, located at the southern terminus of Portsmouth Street approximately 250' west of Brook Road (U.S. Route 1). A pesticide service is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Commercial Concentration development. **(Staff presentation by John Merrithew)**



ACTION: Recommend approval

Deferred from the February 12, 1998 Meeting:

P-6-98 **Charles H. Rothenberg and James W. Theobald for Sprint PCS:** 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 communications tower up to 160' high and related equipment and improvements on part of Parcel 53-A-20A, containing 3,450 sq. ft., located on the east side of Mountain Road, approximately 600' northwest of Yellow Tavern Park Road. The site is zoned M-2C General Industrial District (Conditional). **(Staff presentation by Lee Yolton)**



ACTION: Recommend approval

Deferred from the March 12, 1998 Meeting:

C-8C-98 Jim Thornton for Virginia Center, Inc.: Request to conditionally rezone from R-2A One Family Residence District to O-3C Office District (Conditional), Part of Parcels 33-A-46 & 47, containing 11.78 acres, located at the southeast corner of Brook Road (U. S. Route 1) and Virginia Center Parkway. Office use is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Office development. **(Staff presentation by Lee Yolton)**



ACTION: Deferred to May 14, 1998

Deferred from the March 12, 1998 Meeting:

C-13C-98 Ralph L. Axselle and Andrew M. Condlin for Windsor Enterprises, LLC: Request to conditionally rezone from A-1 Agricultural District and C-1 Conservation District to R-3C and R-3AC One Family Residence Districts (Conditional), Parcel 42-A-42 and part of Parcels 52-A-20 and 24B, containing 83.6 acres located on the north line of Hungary Road approximately 510' east of Lydell Drive. A single family residential planned community is proposed. The R-3 District permits densities up to 3.96 units gross density per acre, and the R-3A District permits densities up to 4.59 units gross density per acre. The Land Use Plan recommends Suburban Residential 1 development, 1.0 to 2.4 units net density per acre, Suburban Residential 2 development, 2.4 to 3.4 units net density per acre, and Environmental Protection Area. The applicant also intends to file an application to vacate the Old Hungary Road right of way which runs through the southern end of the site. **(Staff presentation by John Merrithew)**



ACTION: Recommend approval

Deferred from the March 12, 1998 Meeting

C-15C-98 Clement Tingley for Easy Living Corporation: Request to conditionally rezone from A-1 Agricultural District to R-4AC One Family Residence District Conditional, Parcels 85-A-2, 3 and 5, containing approximately 31.0 acres, located on the north line of North Road at its intersection with Edgefield Court and Edgefield Street. A single family residential subdivision is proposed. The R-4A District permits densities up to 5.62 units gross density per acre. The Land Use Plan recommends Urban Residential development, 3.4 to 6.8 units net density per acre. **(Staff presentation by John Merrithew)**



ACTION: Deferred to May 14, 1998

C-23C-98 **Ralph L. Axelle, Jr. and Andrew M. Conclin for Andrew & Kelly Mulcornry & Milton E. & Brenda S. Womack:** Request to conditionally rezone from R-2A One Family Residence District to O-2C Office District (Conditional), Parcels 33-A-41 and 41A, containing 7.706 acres, located at the northeast corner of Old Francis Road and Bundle of Joy Lane. Office development is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Office development. **(Staff presentation by Mark Bittner)**



ACTION: Deferred to May 14, 1998

THREE CHOPT:

Deferred from the January 15, 1998 Meeting:

P-8-97 **J. Thomas O'Brien, Jr. for Short Pump Investors, L.P.:** Request for approval of a provisional use permit in accordance with Sections 24-58.2(a)(d) and 24-122.1 of Chapter 24 of the County Code to permit outside dining and extended hours of operation to 2:00 a.m. for proposed restaurants, on Parcels 36-A-19D (pt.), 21, 22, 23, and 24 located on the north line of W. Broad Street, 450' west of its intersection with Pouncey Tract Road. The site is zoned B-2C Business District (Conditional) and M-1 Light Industrial District. The site is also within the West Broad Street Overlay District. **(Staff presentation by John Merrithew)**



ACTION: Deferred to July 9, 1998

C-25C-98 **Henry L. Wilton for Wilton Development Corp.:** Request to conditionally rezone from A-1 Agricultural District to R-2C One Family Residence District (Conditional) part of Parcel 9-A-36, containing approximately 35.5 acres, located on the north line of Pouncey Tract Road and Nuckols Road beginning approximately 240' northwest of the intersection of Pouncey Tract Road and Nuckols Road. Single family residential development is proposed. The R-2 District permits densities up to 2.42 units gross density per acre. The Land Use Plan recommends Rural Residential development, not exceeding 1.0 unit per acre. **(Staff presentation by Nancy Gardner)**



ACTION: Recommend approval

C-26C-98 **Glenn R. Moore for Impac Hotel Development:** Request to conditionally rezone from O-3C Office District (Conditional) to B-2C Business District (Conditional), part of Parcel 37-2-E-1 (Innsbrook Subdivision), containing 6.78 acres, located at the southwest corner of the intersection of Innslake Drive and Dominion Boulevard. A hotel is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Office development. **(Staff presentation by Nancy Gardner)**



ACTION: Recommend approval

P-15-98 **James W. Theobald and Charles H. Rothenberg for SprintCom, 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 operate a communication tower up to 199' high and related equipment and improvements, on part of Parcel 11-A-1, containing 2,500 sq. ft., located approximately 300' north of the terminus of Twin Hickory Lane (5700 Twin Hickory Lane). The site is zoned A-1 Agricultural District. **(Staff presentation by Mark Bittner)**



ACTION: Deferred to April 28, 1998

Cases acted upon by the Planning Commission on this meeting date will be scheduled to be heard by the Board of Supervisors on May 13, 1998.