

PLANNING COMMISSION

REZONINGS AND PROVISIONAL USE PERMITS

ACTIONS

August 13, 1998

BEGINNING AT 7:00 P.M.:

CALL TO ORDER:

REQUESTS FOR DEFERRALS AND WITHDRAWALS:

Deferred from the July 28, 1998 Meeting

SUBDIVISION

Windsor Business Park
(June 1998 Plan)
(A dedication of a
portion of Windsor
Business Parkway)

TIMMONS for Robert B. Ball, Sr. Et Al and General Investment & Development Company: Located along the north line of Parham Road approximately 2,400 feet east of the intersection of Park Central Drive, Windsor Business Parkway would extend 500 feet northwardly to its temporary terminus on part of parcels 54-A-1A and 2. The zoning is M-1C, Light Industrial District (Conditional) and O-2C, Office District (Conditional). **(Fairfield)** 0 Lot

There is one outstanding issue. The Major Thoroughfare Plan requires Scott Road to connect to Parham Road. This plan does not provide a connection to Scott Road. The developer has requested the Director of Planning and the Department of Public Works accept the stub road as meeting the requirement of the Major Thoroughfare Plan. Several meetings have been held and no decision has been made. 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:

1. As stated in proffer #3, zoning case C-90C-97, the details plant list and legend for the landscaping to be provided within the 25-foot-landscaped buffer along both sides of the spine road shall be provided as any portion of the road is dedicated and constructed and further shall be submitted to the Planning Office for review and approval prior to recordation of the plat.
2. A Phase 1 final plat providing access from Parham Road to the site approved in POD-67-98 shall be granted final approval, recorded and constructed prior to issuance of an occupancy permit for POD-67-98. **(Staff Presentation by Ted McGarry)**



ACTION: Approved

Deferred from the July 28, 1998 Meeting:

PLAN OF DEVELOPMENT

POD-67-98

Windsor Business Park
Master Plan and Building #1

TIMMONS for Robert B. Ball, Sr., Et. Al. and General

Investment & Development Company: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code for a master plan and first phase for building #1 which would be a one-story, 55,800 square foot office/warehouse. The 81.5-acre site is located along the north line of E. Parham Road approximately 2,400 feet east of Park Central Drive on part of parcel 54-A-1A and part of 54-A-2. The zoning is M-1C, Light Industrial District (Conditional) and O-2C, Office District (Conditional). County water and sewer. **(Fairfield)**

This is a companion case for Windsor Business Park Subdivision. There is one outstanding issue. The Major Thoroughfare Plan requires Scott Road to connect to Parham Road. This plan does not provide a connection to Scott Road. The developer has requested the Director of Planning and the Department of Public Works accept the stub road as meeting the requirement of the Major Thoroughfare Plan. Several meetings have been held and no decision has been made. 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, and the following additional conditions are recommended:

1. The subdivision plat for Windsor Business Park shall be recorded before any occupancy permits are issued.
2. The developer shall provide fire hydrants as required by the Department of Public Utilities in its approval of the utility plans and contracts.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. The master plan and summary table required by proffers for this project shall be updated with each request for POD approval. The summary table, a minimum, shall include site

coverage percentages, gross square footage of all buildings, and percentages of restricted uses.

9. Prior to landscape plan approval, the developer shall provide a sight line plan which would provide details of the berms and walls necessary for the screening of all loading dock facilities. Further, with the construction of future phases, any remedial screening necessary to meet proffer No. 8 shall be completed by the property owner. **(Staff presentation by Ted McGarry)**



ACTION: Approved

Deferred from the July 28, 1998 Meeting:

PLAN OF DEVELOPMENT

POD-73-98

Aero Park –
Audubon Drive –
Auto Valet

Charles C. Townes & Associates for ACRE, LLC and Childress Kline Properties: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a 624 space commercial parking lot. The 8.03-acre site is located along the southern line of Audubon Drive approximately 650 feet west of its intersection with Airport Drive (State Route 156) on part of parcel 163-A-14B. The zoning is M-1, Light Industrial District and ASO (Airport Safety Overlay District). County water and sewer. **(Varina)**

The staff recommends approval subject to the annotations on the plans, the standard conditions for developments of this type, and the following additional conditions:

1. The developer shall provide fire hydrants as required by the Department of Public Utilities in its approval of the utility plans and contracts.
2. 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.
3. 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.
4. 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.
5. 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.
6. An access easement agreement shall be submitted for review by the Planning Office and the County Attorney and approved prior to construction plan approval. The agreement shall provide a 24-foot access easement located at least 30 feet from Sanburne Park which would cross the applicant's parcel in order to provide ingress and egress between the separate portions of Parcel 163-A-19, **(Staff presentation by Ted McGarry)**



ACTION: Approved

VARINA:

Deferred from the July 9, 1998 Meeting

P-17-98 **Susan Stancil for Nextel Communications:** 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 217-A-30, containing 2,500 sq. ft., located at 3622 Darbytown Court on the east side of Interstate 295. The site is zoned A-1 Agricultural District. The site is also in the ASO Airport Safety Overlay District. **(Staff presentation by Mark Bittner)**



ACTION: WITHDRAWN BY APPLICANT

Deferred from the July 9, 1998 Meeting

P-28-98 **James D. Thornton for Triton PCS, 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, operate and maintain a communication tower up to 199' high and related equipment and improvements, on part of Parcels 142-13-B-9 and 11, containing 2,500 sq. ft., located on the southwest line of Nine Mile Road, approximately 100' west of Battery Avenue (St. Johns Catholic Church property, 813 W. Nine Mile Road). The site is zoned R-2A and R-4 One-Family Residence Districts. **(Staff presentation by Lee Yolton)**



ACTION: Deferred to September 10, 1998

P-29-98 **James D. Thornton for Triton PC, 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, operate and maintain a communication tower up to 199' high and related equipment and improvements, on part of Parcel 166-A-3A, containing 2,500 sq. ft., located on the north line of Old Williamsburg Road, in the southeast quadrant of Interstates 64 and 295. The site is zoned A-1 Agricultural District. **(Staff presentation by Lee Yolton)**



ACTION: Recommended for approval

P-30-98 **James W. Theobald and Charles H. Rothenberg for Sprint PCS:** Request for 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, operate and maintain a communication tower up to 199' high and related equipment and improvements, on part of Parcel 196-A-40, containing 2,500 sq. ft., located at 1955 Portugee Road, approximately 1000' east of LaFrance Road. The site is zoned M-3 Heavy Industrial District and Airport Safety Overlay District. **(Staff presentation by Lee Yolton)**



ACTION: Recommended for approval

P-31-98 **Gloria L. Freye for AAT Communications Corporation:** Request for 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, operate and maintain a communication tower up to 199' high and related equipment and improvements, on part of Parcel 249-A-32, containing 4,200 sq. ft., located at the terminus of Fordson Farm Lane, just northwest of Interstate 295. The site is zoned A-1 Agricultural District. The site is also located in the Airport Safety Overlay District. **(Staff presentation by Jo Ann Morgan Hunter)**



ACTION: Recommended for approval

Deferred from the July 9, 1998 Meeting

P-25-98 **Heidi H. Parker for 360 Communications Company:** 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, operate and maintain a communication tower up to 199' high and related equipment and improvements, on part of Parcel 249-A-30, containing 4,200 sq. ft., located on the east line of Buffin Road, approximately 1200' northwest of Interstate 295. The site is zoned A-1 Agricultural District. The site is also located in the Airport Safety Overlay District. **(Staff presentation by Jo Ann Morgan Hunter)**



ACTION: Deferred to September 10, 1998

BROOKLAND:

Deferred from the July 9, 1998 Meeting

C-36C-98 **Gloria L. Freye for Sun Suites:** Request to amend proffered conditions accepted with rezoning case C-11C-88, part of Parcel 59-A-12C, containing 1.988 acres, located on the east line of Homeview Drive approximately 640' north of W. Broad Street (U.S. 250). Amendments to permitted uses are proposed. The site is zoned B-3C Business District (Conditional). The Land Use Plan recommends Commercial Concentration. **(Staff presentation by John Merrithew)**



ACTION: Recommended for denial

Deferred from the July 9, 1998 Meeting

P-21-98 **Ellen L. Vogel for Triton PCS, Inc.:** Request for 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, operate and maintain a communication tower up to 199' high and related equipment and improvements, on part of Parcel 22-A-15, containing 2,500 sq. ft., located between the northern terminus of Brookley Road and the southern side of RF&P Park (10820 Brookley Road). The site is zoned A-1 Agricultural District. **(Staff presentation by Lee Yolton)**



ACTION: Deferred to October 15, 1998

C-51C-98 **Strange-Bosten & Associates for Woodmen, LC:** Request to conditionally rezone from R-3 One Family Residence District to R-6C General Residence District (Conditional), Parcels 51-A-98 and 99, containing 3.919 acres, located on the southwest line of Woodman Road approximately 340' northwest of its intersection with Parham Road. An assisted living facility is proposed. The Land Use Plan recommends Office development. **(Staff presentation by Mark Bittner)**



ACTION: Deferred to September 10, 1998

P-32-98 **Gloria L. Freye for Food Lion, Inc.:** Request for a provisional use permit in accordance with Sections 24-58.2(a) and 24.122.1 of Chapter 24 of the County Code in order to permit 24 hour operation on part of Parcel 70-A-68, containing 45,000 square feet, located in Merchants Walk Shopping Center (7804 W. Broad Street). The site is zoned B-2 Business District. **(Staff presentation by Mark Bittner)**



ACTION: Deferred to November 12, 1998

FAIRFIELD:

Deferred from the May 14, 1998 Meeting

C-14C-98 James Thornton for Virginia Center, Inc.: Request to conditionally rezone from O-3C Office District (Conditional) to M-1C Light Industrial District (Conditional), part of Parcel 24-A-8D, containing approximately 61.74 acres, located on the east line of I-95 approximately 1,620' north of Virginia Center Parkway within the Virginia Center development. Light Industrial uses are proposed. The uses 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 September 10, 1998

Deferred from the June 11, 1998 Meeting

P-19-98 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, operate and maintain a communication tower up to 199' high and related equipment and improvements, on part of Parcel 119-A-8D, containing 2,500 sq. ft., located northeast of the terminus of Neale Street and its intersection with Goodell Road (Abundant Life Church property, 3300 Neale Street). The site is zoned A-1 Agricultural District and Airport Safety Overlay District. **(Staff presentation by Jo Ann Morgan Hunter)**



ACTION: Deferred to November 12, 1998

Deferred from the June 11, 1998 Meeting

C-40C-98 Robert M. Atack for Atack Properties, Inc.: Request to conditionally rezone from R-3AC and R-2AC One Family Residence Districts (Conditional) to RTH Residential Townhouse District (Conditional), part of Parcels 23-A-72A and 32-A-94, containing 18.08 acres, located adjacent to the western terminus of proposed J.E.B. Stuart Parkway and north of the terminus of Proposed Magnolia Ridge Drive. Townhomes or condominiums for sale are proposed. The RTH District permits densities up to 9.0 units gross density per acre. The Land Use Plan recommends Suburban Residential 1 development, 1.0 to 2.4 units net density per acre and Suburban Residential 2, 2.4 to 3.4 units net density per acre. **(Staff presentation by Lee Yolton)**



ACTION: Deferred to September 10, 1998

Deferred from the July 9, 1998 Meeting

C-24C-98 **Arthur McGurn:** Request to conditionally rezone from A-1 Agricultural District and R-2C One Family Residence District (Conditional) to R-5C General Residence District (Conditional), Parcels 32-A-102N, 117 and 122, and Part of Parcel 32-A-114A, containing 12.659 acres, located at the southeast corner of Francis Road and Virginia Center Parkway. 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 Suburban Residential 2, 2.4 to 3.4 units net density per acre, and Government uses. **(Staff presentation by Nancy Gardner)**



ACTION: Recommended for denial

C-52C-98 **A. G. Bertozzi for Addon Associates, LLC:** Request to conditionally rezone from A-1 Agricultural District to R-3AC One Family Residence District, on Parcel 43-A-43, containing 3.97 acres, located at the east line of Telegraph Road, approximately 200' north of Pennsylvania Avenue. 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 Suburban Residential 2, 2.4 to 3.4 units net density per acre. **(Staff presentation by Mark Bittner)**



ACTION: Deferred to September 10, 1998

BEGINNING AT 8:00 P.M.:

THREE CHOPT:

Deferred from the July 28, 1998 Plan of Development Meeting

C-50C-98 **Brenda Hartless for CK Overlook Associates, LLC:** Request for amendment of proffered conditions accepted with rezoning case C-88C-96, on Parcels 28-A-35A, 23 and parts of Parcels 28-A-24A, 35B, and 25, containing 11.398 acres, located between the north line of Sadler Road and the southwest line of Nuckols Road, approximately 100' east of Interstate 295. Amendments related to the buffer are proposed. The existing zoning is O-2C Office District (Conditional). **(Staff presentation by Mark Bittner)**



ACTION: Recommended for approval

Deferred from the July 9, 1998 Meeting

C-48C-98 James W. Theobald for The Snyder-Hunt Corp.: Request to conditionally rezone from A-1 Agricultural District to R-2C, R-3C and R-4C One Family Residence Districts (Conditional), RTHC Residential Townhouse District (Conditional), R-5C, R-5AC and R-6C General Residence Districts (Conditional), O-2C Office District (Conditional), B-2C and B-3C Business Districts (Conditional) and M-1C Light Industrial District (Conditional), Parcels 18-A-11, 26-A-27A (pt), 30-32, 73, 27 (pt), 27-A-3A, 5A, 6, 7, 8, 9A, 11 and 10 (pt.), and 37-A-1,10,12 (pt.),13 (pt.), containing 426.452 acres located at the southeast corner of the intersection of Shady Grove Road and Nuckols Road. A mixed use planned community is proposed. The R-2 District permits densities up to 2.42 units gross density per acre. The R-3 District permits densities up to 3.96 units gross density per acre. The R-4 District permits densities up to 5.45 units gross density per acre. The RTH District permits densities up to 9.0 units gross density per acre. The R-5 District permits densities up 14.52 units gross density per acre. The R-5A District permits densities up to 6.0 units gross density per acre. The R-6 District permits densities up to 19.8 units gross density per acre. The office, business and industrial uses will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Government, Environmental Protection Area, Light Industry, Urban Residential 3.4 to 6.8 units net density per acre, Suburban Residential 2, 2.4 to 3.4 units net density per acre, and Rural Residential, not exceeding 1.0 unit net density per acre. **(Staff presentation by John Merrithew)**



ACTION: Deferred to September 10, 1998

C-53C-98 Robert M. Atack for Attack Properties, Inc.: Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District and C-1C Conservation District, on Parcel 20-A-27C, Part of Parcels 20-A-26, 27C, and 27F, containing 23.37 acres, located at the southwest line of Springfield Road, approximately 150' west of Old Springfield Road. 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 Suburban Residential 1, 1.0 to 2.4 units net density per acre. **(Staff presentation by Jo Ann Morgan Hunter)**



ACTION: Recommended for approval

C-54C-98 Glenn R. Moore for ESA Management, Inc.: Request to amend proffered conditions accepted with rezoning case C-12C-88 on Parcel 47-A-11A, containing 4.67 acres, located at the southwest corner of Dominion Boulevard and Sadler Road. The current zoning is B-3C, Business District (Conditional). The amendment would delete or revise proffers regarding numerous issues including site plan, elevations, building materials, uses, and access. The Land Use Plan recommends Commercial Concentration development. **(Staff presentation by Jo Ann Morgan Hunter) Deferral requested to September 10, 1998.**



ACTION: Deferred to September 10, 1998

P-33-98 **Jay M. Weinberg for Stor-All:** Request for a provisional use permit in accordance with Sections 24-62.2(h), 24-58.2(b) and 24.122.1 of Chapter 24 of the County Code in order to permit a self-service storage facility on part of Parcel 47-A-21, containing 2.979 acres, located on the south side of W. Broad Street (U.S. Route 250) at the ramp to Interstate 64. The site is zoned B-3C Business District (Conditional) and is also in the West Broad Street Overlay District. The Land Use Plan recommends Commercial Concentration. **(Staff presentation by John Merrithew)**



ACTION: Recommended for denial

TUCKAHOE:

Deferred from the June 11, 1998 Meeting

C-31C-98 **Ralph L. Axselle, Jr. or Andrew M. Conclin for Sigma Development:** Request to conditionally rezone from A-1 Agricultural District to B-2C Business District (Conditional), part of Parcel 56-A-62, containing 7.956 acres, fronting on the south line of Church Road approximately 200' east of its intersection with Pump Road and on the east line of Pump Road 200' south of Church Road. Retail use is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Commercial Concentration. **(Staff presentation by Lee Yolton)**



ACTION: WITHDRAWN BY APPLICANT

Approval of Minutes: **(Rezoning)** June 11, 1998, July 9, 1998, **(POD)** April 28, 1998, May 26, 1998.

Cases acted upon by the Planning Commission on this meeting date will be scheduled to be heard by the Board of Supervisors on September 9, 1998.