

PLANNING COMMISSION

REZONINGS AND PROVISIONAL USE PERMITS

ACTIONS

JANUARY 15, 1998

All meetings scheduled for the Board Room from December, 1997, to February, 1998, have been relocated. The Planning Commission and Board of Zoning Appeals meetings will be held in the Demonstration Kitchen on the second floor of the Human Services Building, 8600 Dixon Powers Drive.

BEGINNING AT 7:00 P.M.:

CALL TO ORDER:

ADOPTION OF PLANNING COMMISSION'S RULES AND REGULATIONS:



ACTION: Adopted

REQUESTS FOR DEFERRALS AND WITHDRAWALS:

ELECTION OF CHAIRMAN:



ACTION: Chris Archer (Fairfield) elected as Chairman

ELECTION OF VICE-CHAIRMAN:



ACTION: Elizabeth Dwyer (Tuckahoe) elected as Vice Chair

AMENDMENT TO THE MAJOR THOROUGHFARE ELEMENT OF THE COMPREHENSIVE PLAN : MTP-1-97. Delete Old Sellers Way and Chickahominy Bluffs Road.



ACTION: Recommend approval

Deferred from the December 16, 1997 Meeting

PLAN OF DEVELOPMENT, LANDSCAPE, & LIGHTING PLAN *(Deferred from the December 16, 1997, Meeting)*

POD-124-97
First Union Bank
Lakepointe at
Innsbrook
(POD-17-87 Rev.)

Bengston DeBell & Elkin, Ltd. for Dominion Bank of Richmond N.A.
: Request for approval of a revised plan of development and landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code to construct an additional drive through lane; a drive through automated teller machine addition; and a 250 square foot building addition to an existing building. The 1.61 acre site is located on the west side of Cox Road, 506 feet north of West Broad Street (U.S. Route 250) on parcel 48-5-B-1D. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Three Chopt)**

As of the preparation date of the agenda, the staff has not had an opportunity to complete its review of the revised plan. 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 developer shall provide fire hydrants as required by the Department of Public Utilities in its approval of the utility plans and contracts.

24. 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.

25. In the event if any traffic backup which blocks traffic circulation on this site as a result of congestion caused by the drive-thru automated teller/facilities machine (ATM), the owner/occupant shall close the drive-thru ATM facilities until a solution can be designed to prevent traffic backup.

26. 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.

27. 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 presentation by Mikel Whitney)



ACTION: Approved

FAIRFIELD:

Deferred from the December 11, 1997 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)**
(Deferral requested to February 12, 1998)



ACTION: Deferred at applicant's request to February 12, 1998

Deferred from the December 11, 1997 Meeting

C-90C-97 Ralph L. Axelle, Jr. or Andrew M. Condlin for General Investment & Development Co.: Request to conditionally rezone from O-2C Office District (Conditional) and O/SC Office Service District (Conditional) to O-2C Office District (Conditional) and M-1C Light Industrial District (Conditional), Parcels 54-A-1A and 2 containing 81.5 acres located on the north line of Parham Road approximately 770' east of Fredonia Road. Commercial, office, retail and light industrial uses are proposed. The uses will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Office and Office/Service development. **(Staff presentation by Nancy Gardner)**



ACTION: Recommend approval

Deferred from the December 11, 1997 Meeting

C-91C-97 Gloria L. Freye for Joseph P. Marchetti, Jr.: Request to conditionally rezone from O/SC Office Service (Conditional) to M-1C Light Industrial District (Conditional), part of Parcels 53-A-80B and 80D, containing 37.686 acres located along the east line of Park Central Drive at its intersection with Scott Road. Light industry and office/service uses are proposed. The uses will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Office/Service development. **(Staff presentation by Nancy Gardner)**



ACTION: Recommend approval

C-1C-98 **James W. Theobald for Security Capital Atlantic, Inc.:** Request to amend proffered conditions pertaining to building materials and accepted with rezoning case C-115C-88 on part of Parcel 33-A-8 and Parcel 33-A-9, containing approximately 6.3 acres, located at the northwest corner of Brook Road (U.S. Route 1) and Virginia Center Parkway. The site is zoned R-6C General Residence District (Conditional). The R-6 District permits densities up to 19.8 units gross density per acre. The Land Use Plan recommends Commercial Concentration and Multi-Family, 6.8 to 19.8 units net density per acre. **(Staff presentation by Nancy Gardner)**



ACTION: Recommend approval

THREE CHOPT:

Deferred from the September 11, 1997 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) (Deferral requested to April 9, 1998).**



ACTION: Deferred to April 9, 1998

Deferred from the December 11, 1997 Meeting

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 to February 12, 1998

C-82C-97 **Gene B. Holman for Hearthside Builders:** Request to conditionally rezone from A-1 Agricultural District to O-2C Office District (Conditional), Parcel 56-A-45 containing 1.0 acre located on the north line of Church Road approximately 770' east of Pump Road. An office use is proposed. The use will be controlled by zoning ordinance regulations. 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: Deferred to February 12, 1998

C-2C-98 **James W. Theobald for HBR Associates:** Request to conditionally rezone from A-1 Agricultural District to B-1C Business District (Conditional) and O-2C Office District (Conditional), Parcels 48-A-15A, 16 and 17, located at the northwest corner of Hungary and Springfield Roads (S.R. 157). Veterinarian and office uses are 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: Recommend approval

C-3C-98 **Jay M. Weinberg for Short Pump Associates LLC:** Request to conditionally rezone from A-1 Agricultural District to M-1C Light Industrial District (Conditional), part of Parcels 36-A-13 and 15 and Parcels 36-A 16 and 17, containing 9.769 acres located at the southwest corner of I-64 and Pouncey Tract Road. A mini-storage warehouse is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Mixed Use development. The site is also in the West Broad Street Overlay District. **(Staff presentation by Lee Yolton)**



ACTION: Recommend approval

P-1-98 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 a 195' high communications tower and related equipment on part of Parcel 36-A-18C, containing 2,500 sq. ft., located at the northeast corner of I-64 and Pouncey Tract Road. The site is zoned M-1C Light Industrial District (Conditional) and West Broad Street Overlay District. **Staff presentation by Lee Yolton)**



ACTION: Recommend approval

C-4C-98 Ralph L. Axselle, Jr. or Andrew M. Condlin for Manorhouse Retirement Centers, Inc.: Request to conditionally rezone from R-3 One Family Residence District and R-5 General Residence District to R-6C General Residence District (Conditional), Parcel 69-A-92 and part of Parcel 59-A-97, containing 5.082 acres, located on the west line of Skipwith Road 684' south of Parham Road. A nursing or convalescent home is proposed. The R-6 District permits densities up to 19.8 units gross density per acre. The Land Use Plan recommends Suburban Residential 1 and Multi-Family development at 6.8 to 19.8 units net density per acre. **(Staff presentation by Mark Bittner)**



ACTION: Deferred to February 12, 1998

BEGINNING AT 8:00 P.M.:

TUCKAHOE:

P-5-98 James W. Theobald for YMCA of Greater Richmond, Tuckahoe Branch: Request for approval of a provisional use permit in accordance with Sections 24-96(3) and 24-122.1 of Chapter 24 of the County Code to permit the YMCA to use 50 substitute parking spaces on Parcel 100-A-2, containing approximately 8.69 acres, being the Welborne Church at 920 Maybeury Drive. The church site is zoned R-2A One Family Residence District and the Land Use Plan recommends Semi-Public uses. **(Staff presentation by Nancy Gardner)**



ACTION: Recommend approval

VARINA:

Deferred from the December 11, 1997 Meeting

C-85C-97 Engineering Design Associates for Godsey & Son, Inc.: Request to conditionally rezone from M-1C Light Industrial District (Conditional) to M-2C General Industrial District (Conditional) part of Parcel 194-A-53 containing 7.165 acres located on the south line of Charles City Road approximately 3,168' east of Monahan Road. A contractor's office/shop is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The site is also within the ASO Airport Safety Overlay District. The Land Use Plan recommends Planned Industrial development. **(Staff presentation by John Merrithew)**



ACTION: Recommend approval

Deferred from the December 11, 1997 Meeting

C-86C-97 Gloria L. Freye for Exxon Company, USA: Request to conditionally rezone from A-1 Agricultural District to B-2C Business District (Conditional), Parcel 237-A-114 containing 3.823 acres, located at the southeast corner of the intersection of New Market and Strath Roads. A convenience store with fuel pumps is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Rural Residential development, not exceeding 1.0 unit net density per acre. **(Staff presentation by Mark Bittner)**



ACTION: Recommend approval

P-2-98 Charles H. Rothenberg or 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 a 190' high communications tower and related equipment on part of Parcel 277-A-7, containing 1,380 sq. ft., located at the southeast corner of I-295 and Varina Road. The site is zoned A-1 Agricultural District and Airport Safety Overlay District. **(Staff presentation by Lee Yolton)**



ACTION: Recommend approval

P-3-98 **Charles H. Rothenberg or 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 a 190' high communications tower and related equipment on part of Parcel 165-A-74NR, containing 2,440 sq. ft., located at the southeast corner of Drybridge Road and Drybridge Court. The site is zoned M-1C Light Industrial District (Conditional) and Airport Safety Overlay District. **(Staff presentation by Lee Yolton)**



ACTION: Recommend approval

C-5-98 **Rob Hargett for Oaklawn Plaza, Inc.:** Request to rezone from A-1 Agricultural District to B-3 Business District, part of Parcel 172-A-22, containing 0.08 acre, located on the southwest corner of Laburnum Avenue and Williamsburg Road (Route 60). A pharmacy is proposed. The use will be controlled by zoning ordinance regulations. The site is in the Airport Safety Overlay District. The Land Use Plan recommends Commercial Arterial. **(Staff presentation by John Merrithew)**



ACTION: Recommend approval

BROOKLAND:

C-6C-98 **Daniel A. Myers for JD Properties, L.P.:** Request to amend proffered conditions accepted with rezoning case C-70C-86 on Parcels 51-A-66, 70, 70N, 71, 72, 73 and 74, Laurel Park Shopping Center, containing approximately 17.1 acres, located at the northwest corner of Hungary and Woodman Roads. The amendment would allow overnight parking of trucks. The site is zoned B-2C Business District (Conditional). The Land Use Plan recommends Commercial Concentration. **(Staff presentation by John Merrithew)**



ACTION: CASE WITHDRAWN BY APPLICANT

P-4-98 **James W. Theobald for Mulligan's Sport Grille:** 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 to extend hours of operation until 2:00 a.m. daily for a restaurant on Parcel 70-A-21B, containing 2.029 acres, located on the south line of proposed Shrader Road 890' west of the intersection of Shrader and Hungary Spring Roads. The site is zoned B-3C Business District (Conditional). (**Staff presentation by Mark Bittner**)



ACTION: Recommend approval

Set Public Hearing on proposed Capital Improvements Program - February 12, 1998.



ACTION: Hearing set

Cases acted upon by the Planning Commission on this meeting date will be scheduled to be heard by the Board of Supervisors on February 11, 1998