

PLANNING COMMISSION

REZONINGS AND PROVISIONAL USE PERMITS

ACTIONS

June 11, 1998

BEGINNING AT 7:00 P.M.:

CALL TO ORDER:

REQUESTS FOR DEFERRALS AND WITHDRAWALS:

AMENDMENT TO THE MAJOR THOROUGHFARE ELEMENT OF THE COMPREHENSIVE PLAN: MTP-1-98 - Cedar Fork Road/E. Cedar Fork Road Amend the Plan by substituting E. Cedar Fork Road (Minor Collector Road) for the portion of Cedar Fork Road (Minor Collector) between Nine Mile Road to the junction of E. Cedar Fork/ Cedar Fork Roads. **(Staff presentation by Lee Yolton).**



ACTION: Recommend approval

FAIRFIELD:

Deferred from the May 14, 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: Recommend approval

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 JoAnn Morgan Hunter)**



ACTION: Deferred to August 13, 1998

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 August 13, 1998

THREE CHOPT:

C-30C-98 **Glenn E. Ayres for Hong Yen Ngn Duong (H&W):** Request to amend proffered conditions accepted with rezoning case C-37C-87, Parcel 102-12-30-1, containing 0.410 acre, located on the south line of Horsepen Road approximately 260' east of its intersection with Catawba Lane in the Westwood Subdivision (6427 Horsepen Road). Amendments to proffers related to permitted uses, parking, signage, traffic flow, refuse area, and lighting are proposed. The site is zoned B-1C Business District (Conditional). The Land Use Plan recommends Office development. **(Staff presentation by Nancy Gardner)**



ACTION: Recommended for denial

P-20-98 **Kimberly Tetlow for Barksdale Theatre:** Request for approval of 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 to 2:00 a.m., Thursday through Saturday nights for the Barksdale Theatre at Willow Lawn, on part of Parcels 115-9-B-2 and 115-A-13, containing 12,786 sq. ft., located in the Willow Lawn Shopping Center (1601 Willow Lawn Drive, Suite 301E). The site is zoned B-2 Business District. The Land Use Plan recommends Commercial Concentration. **(Staff presentation by Nancy Gardner)**



ACTION: Recommended for approval

C-41C-98 **Henry L. Wilton for Wilton Investment Corp.:** Request to conditionally rezone from A-1 Agricultural District to R-2C One Family Residence District (Conditional), Parcel 9-1-1-100, containing 5.05 acres +/-, located on the east line of Pouncey Tract Road approximately 350' south of its intersection with Country Creek Way. 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 net density per acre. **(Staff presentation by Nancy Gardner)**



ACTION: Recommended for approval

TUCKAHOE:

Deferred from the May 14, 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: Deferred to August 13, 1998

C-33C-98 **Phyllis J. Moorefield:** Request to conditionally rezone from R-2A One Family Residence District to A-1C Agricultural District (Conditional), Parcels 79-A-22, 23 and 24, containing 13.23 acres, located at the southern terminus of Tuckaway Lane at its intersection with Lyndonway Drive. Residential development is proposed. The A-1 District permits residential densities not exceeding 1.0 unit gross density per acre. The Land Use Plan recommends Suburban Residential 1 development, 1.0 to 2.4 units net density per acre and Environmental Protection Area. **(Staff presentation by JoAnn Morgan Hunter)**



ACTION: Deferred to July 9, 1998 (readvertisement)

C-42C-98 **Jay M. Weinberg for Beth Shalom Home of Virginia, Inc.:** Request to conditionally rezone from A-1 Agricultural District and R-5 General Residence District to R-6C General Residence District (Conditional), part of Parcels 76-A-8A and 8G, containing 3.52 acres, located on the west side of proposed John Rolfe Parkway between Lauderdale Drive and Gayton Road. Assisted living and residential units for the aged are proposed. The Land Use Plan recommends Semi-Public development. **(Staff presentation by Lee Yolton)**



ACTION: Recommended for approval

BEGINNING AT 8:00 P.M.:

VARINA:

Deferred from the May 14, 1998 Meeting

C-34C-98 **Hotel Holdings Associates and P&T Associates II:** Request for amendment of proffered conditions accepted with rezoning case C-67C-89, on part of Parcel 163-A-19D, containing 3.0 acres, located on the west line of Trampton Road approximately 120' north of its intersection with Audubon Drive. Amendments related to the use of the site and height restrictions are proposed. The existing zoning is M-1C Light Industrial District (Conditional). The site is also in the Airport Safety Overlay District. **(Staff presentation by Mark Bittner)**



ACTION: Recommended for approval

Deferred from the May 14, 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 120' 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: Deferred to July 9, 1998

C-43C-98 **Gloria L. Freye for Essex Properties of Va., Inc.:** Request to conditionally rezone from A-1 Agricultural District to B-3C Business District (Conditional), part of Parcel 249-A-51, containing approximately 24.8 acres, located at the southeast quadrant of the intersection of New Market Road (State Route 5) and I-295. Restaurants, hotel and gas/convenience are proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Environmental Protection Area and Commercial Concentration development. The site is also in the Airport Safety Overlay District. **(Staff presentation by Mark Bittner)**



ACTION: Recommended for approval

C-44C-98 **HAI LLC:** Request to conditionally rezone from B-1 and B-3 Business Districts to M-1C Light Industrial District (Conditional), part of Parcel 142-A-10, containing approximately 6.285 acres, located on the south line of W. Nine Mile Road (Route 33) at its intersection with Forest Avenue. A furniture warehouse with small repair shop and used furniture sales are 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: Recommended for approval

BROOKLAND:

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: Deferred to July 9, 1998

C-37C-98 **David B. Craven:** Request to conditionally rezone from B-2 Business District to M-1C Light Industrial District (Conditional), Parcel 51-7-10-1 (9206 Old Staples Mill Road), containing 0.76 acre, located on the west side of Old Staples Mill Road approximately 30' west of its intersection with Virginia Street. An office warehouse 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: Recommended for denial; request amended to B-3C instead of M-1C.

C-38C-98 **Ralph L. Axelle, Jr. or Andrew M. Condlin for Faller Management:** Request to conditionally rezone from R-2 One Family Residence District to B-2C Business District (Conditional), Parcel 50-5-F-52, containing 4.30 acres, located at the southeast intersection of Staples Mill Road (U.S. Route 33) and Hungary Road. A drugstore and other retail or restaurant 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: Recommended for approval

Cases acted upon by the Planning Commission on this meeting date will be scheduled to be heard by the Board of Supervisors on July 8, 1998