

REZONING AND PROVISIONAL USE PERMITS

Actions

February 11, 1999

BEGINNING AT 6:00 P.M.:

CALL TO ORDER:

REQUESTS FOR DEFERRALS AND WITHDRAWALS:

TUCKAHOE:

NONE.

VARINA:

Deferred from the January 14, 1999 Meeting:

C-70C-98 **James W. Theobald for Payne 13, L.C. and Redford 131, L.C.:** Request to conditionally rezone from A-1 Agricultural District to M-1C Light Industrial District (Conditional) and M-2C General Industrial District (Conditional), part of Parcels 186-A-23 and 24 and part of Parcel 197-A-22, containing 103.793 acres (M-1C, 33.882 acres; M-2C, 69.92 acres), located on the south line of Technology Boulevard approximately 0.25 miles east of its intersection with Memorial Drive. An industrial use is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Rural Residential, not exceeding 1.0 unit net density per acre, and Environmental Protection Area. The site is also in the Airport Safety Overlay District. **(Staff presentation by John Merrithew)**



ACTION: Recommended for approval

Deferred from the January 14, 1999 Meeting:

C-71C-98 **James W. Theobald for Payne 13, L.C. and Redford 131, L.C.:** Request to conditionally rezone from A-1 Agricultural District to M-1C Light Industrial District (Conditional), part of Parcels 186-A-22, 23 and 24, containing 26.104 acres, located on the north line of Technology Boulevard approximately 200' east of its intersection with Memorial Drive. An industrial use is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Rural Residential, not exceeding 1.0 unit net density per acre. The site is also in the Airport Safety Overlay District. **(Staff presentation by John Merrithew)**



ACTION: Recommended for denial

Deferred from the January 14, 1999 Meeting:

C-72C-98 James W. Theobald for Bradley T. Marshall, et al: Request to conditionally rezone from A-1 Agricultural District to M-1C Light Industrial District (Conditional) part of Parcel 186-A-22, containing 19.173 acres, located on the south line of Technology Boulevard approximately 100' east of its intersection with Memorial Drive and on the east line of Memorial Drive approximately 100' south of its intersection with Technology Boulevard. An industrial use with potential retail is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Rural Residential, not exceeding 1.0 unit net density per acre. **(Staff presentation by John Merrithew)**



ACTION: Recommended for approval

Deferred from the January 14, 1999 Meeting:

C-73C-98 James W. Theobald for W. A. Robins, et al, Redford 131, L.C., Edward M. Luck, Gerald A. Crigger: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcels 197-A-21A, 21B (part), 21C and 22 (part), Parcels 197-1-1-6 (part), 7 and 7A, and Parcels 197-4-A-1, 2 and 3, containing 58.214 acres, located on the north line of Portugee Road (beginning in the Capes of Portugee subdivision) approximately 280' east of the intersection of Portugee Road and Memorial Drive and on the east line of Memorial Drive (beginning in the Gaulding and Orange subdivision) approximately 1890' north of the intersection of Portugee Road and Memorial Drive. A single family subdivision is proposed. The applicant has proffered a maximum density of 2.8 units per acre. The Land Use Plan recommends Rural Residential, not exceeding 1.0 unit net density per acre, and Environmental Protection Area. The site is also in the Airport Safety Overlay District. **(Staff presentation by John Merrithew)**



ACTION: Deferred to 4/15/99

Deferred from the January 14, 1999 Meeting:

C-55C-98 James W. Theobald for Roy B. Amason: Request to conditionally rezone from A-1 Agricultural District to B-2C Business District (Conditional), Parcel 260-A-36, containing 3.87 acres, located at the northeast corner of the intersection of New Market Road (Route 5) and Long Bridge Road. A business use is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Prime Agriculture. The site is also in the Airport Safety Overlay District. **(Staff presentation of Mark Bittner)**



ACTION: Deferred to 3/11/99

Deferred from the January 14, 1999 Meeting:

C-56C-98 James W. Theobald for Roy B. Amason: Request to conditionally rezone from A-1 Agricultural District to R-1C, R-2AC and R-3AC One Family Residence Districts (Conditional), RTHC Residential Townhouse District (Conditional), R-5C and R-6C General Residence Districts (Conditional), O-2C Office District (Conditional), B-2C Business District (Conditional) and C-1 Conservation District, Parcels 240-A-17, 250-A-48, 49, and 51A, and 251-A-4A, and 260-A-28, containing 633.61 acres, generally located along the east line of Turner Road between New Market Road (Route 5) and Camp Holly Drive; along the north line of New Market Road (Route 5) from Turner Road to Camp Hill Road and from Kingsland Road to Long Bridge Road; along the northwest line of Long Bridge Road to its intersection with Yahley Mill Road and along the west side of Yahley Mill to the Virginia Power easement. A mixed use planned community is proposed. The applicant has proffered a maximum of 1,341 residential units on the property. The uses will be controlled by proffered conditions and zoning

ordinance regulations. The Land Use Plan recommends Prime Agriculture and Environmental Protection Area. The site is also in the Airport Safety Overlay District. **(Staff presentation of Mark Bittner)**



ACTION: Deferred to 3/11/99

Deferred from the January 14, 1999 Meeting:

C-83C-98 Lifestyle Homes of Four Mile Run, L.L.C.: Request to conditionally rezone from R-2AC One Family Residence District (Conditional) to R-3AC One Family Residence District (Conditional), Parcels 238-2-A-22 to 24, being part of Four Mile Run Subdivision Section A, Parcels 227-5-D-28, 29 and 100; 227-2-E-2 to 5 and 100; 238-2-C-12 to 34; 238-2-D-1 to 27; 238-2-E-1; and 238-2-G-1 to 23, being Four Mile Run Subdivision, Section B; part of Parcel 238-A-31 and Parcel 238-A-38, containing approximately 89.00 acres, located approximately 550' east of the intersection of New Market Road (State Route 5) and Doran Road. A single family subdivision is proposed. The applicant has proffered the development shall not contain more than 432 dwellings. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre, and Environmental Protection Area. The site is also in the Airport Safety Overlay District. **(Staff presentation by Mark Bittner)**



ACTION: Deferred to 3/11/99

Deferred from the January 14, 1999 Meeting:

P-31-98 Approval of Obstruction Lighting Gloria L. Freye for AAT Communications Corporation: Request for approval of obstruction marking and lighting of a communication tower pursuant to the approved conditions of Provisional Use Permit P-31-98. This is a 159-foot communication tower located at the southwest corner of Route 5 and I-295 at the end of Fordson Farm Lane, on part of parcel 249-A-32. The tower was approved to a height of 199' on September 9, 1998 with no obstruction marking or lighting. The applicant has now requested the tower be lighted per the requirements of the Federal Aviation Administration. This action requires approval by the Henrico County Planning Commission. **(Staff presentation by Jo Ann Hunter)**



ACTION: Recommended for denial

BROOKLAND:

C-11-99 The McGurn Co., Inc.: Request to rezone from B-2C Business District (Conditional) to C-1 Conservation District, part of Parcel 31-A-11D, containing 1.2 acres, located north of Mountain Road approximately 240' south of the intersection of Pine Lodge Court and John Cussons Drive. A conservation area is proposed. The Land Use Plan recommends Environmental Protection Area. **(Staff presentation by John Merrithew)**



ACTION: Recommended for approval

C-12C-99 Robert M. Atack: Request to conditionally rezone from A-1C Agricultural District (Conditional), O/SC Office/Service District (Conditional), M-1C Light Industrial District (Conditional) and R-2C One Family Residence District (Conditional) to R-1AC One Family Residence District (Conditional), Parcels 13-A-25, 26 and 33, 14-A-60B and 61, 22-A-1, 2, 10 and 11B and part of Parcels 13-A-31A and 32A, containing approximately 176.5 acres, located between Mill Road and I-295

beginning at the northwest intersection of the CSX Railroad and I-295. A single family residential development is proposed. The applicant has proffered a maximum of 177 lots which yields a density of approximately 1 lot per acre. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre, Office/Service and Light Industrial development. **(Staff presentation by John Merrithew)**

 **ACTION:** Recommended for approval

FAIRFIELD:

Deferred from the January 14, 1999 Meeting:

C-40C-98 **Robert M. Atack for Atack Properties, Inc.:** Request to conditionally rezone from R-2C and R-2AC One Family Residence Districts (Conditional) to RTHC Residential Townhouse District (Conditional), part of Parcels 23-A-72A and 32-A-94, containing 16.795 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 applicant has proffered a maximum of 92 units which yields a density of 5.09 units 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 Nancy Gardner)**

 **ACTION:** Recommended for denial

Deferred from the January 14, 1999 Meeting:

C-3-99 **Windsor Enterprises, L. L. C.:** Request to rezone from R-4 One Family Residence District and C-1 Conservation District to R-4 One Family Residence District and C-1 Conservation District, part of Parcel 73-A-18, containing 4.5 acres, located on the west side of Interstate 95 approximately 335' south of Lakeside Boulevard. A single family subdivision, recreation area and wetland mitigation area are proposed. The R-4 District requires a minimum lot size of 8,000 square feet. The Land Use Plan recommends Environmental Protection Area. **(Staff presentation by Nancy Gardner)**

 **ACTION:** Recommended for approval

P-3-99 **Gloria L. Freye for PrimeCo Personal 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, operate and maintain a wireless communication monopole tower up to 185', on part of Parcel 24-A-2, containing 1296 sq. ft., located on the east side of Brook Road (U.S. Route 1) at the Henrico County and Hanover County line. The site is zoned O-2 Office District. **(Staff presentation by Mark Bittner)**

 **ACTION:** Deferred to February 23, 1999

C-13C-99 **Ralph L. Axelle for Wilton Development Corp.:** Request to conditionally rezone from A-1 Agricultural District and C-1 Conservation District to R-2AC One Family Residence District (Conditional) and C-1 Conservation District, Parcel 74-A-20, containing approximately 162 acres, located at the northeast intersection of Diane Lane, Old Sellers Way and Wilkinson Road. A single family residential development is proposed. The applicant has proffered a maximum density of 2.5 units per

acre. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. **(Staff presentation by Nancy Gardner)**



ACTION: Deferred to March 11, 1999

P-4-99 **Ralph L. Axselle for Wilton Development Corp:** Request for approval of a provisional use permit in accordance with Sections 24-12.1, 24-95 and 24-122.1 of Chapter 24 of the County Code in order to allow a controlled density subdivision in conjunction with rezoning Case C-13C-99 on Parcel 74-A-20, containing approximately 162 acres, located at the northeast intersection of Diane Lane, Old Sellers Way and Wilkinson Road. The site is zoned A-1 Agricultural District and C-1 Conservation District.

(Staff presentation by Nancy Gardner)



ACTION: Deferred to March 11, 1999

C-14C-99 **James W. Theobald for Alternative Living Services, Inc.:** Request to conditionally rezone from R-2 One Family Residence District to R-6C General Residence District (Conditional), Parcel 53-A-80C, containing 5.9085 acres, located at the southeast intersection of St. Charles Road and E. Parham Road. The applicant has proffered to limit the use of the property to a nursing home, convalescent home, home for the aged or assisted living facility. 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

BEGINNING AT 8:00 P.M.:

THREE CHOPT:

Deferred from the January 14, 1999 Meeting:

P-23-98 **Gloria Freye 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 Parcel 47-A-59, containing 2,500 sq. ft., east of Interstate 64 between Cox Road and Old Cox Road (3600 Old Cox Road). The site is zoned A-1 Agricultural District. **(Staff presentation by Mark Bittner)**



ACTION: Deferred to March 11, 1999

Deferred from the January 14, 1999 Meeting:

C-5C-99 **Glenn R. Moore for Robert M. Atack:** Request to conditionally rezone from A-1 Agricultural District to O-2C Office District (Conditional), Parcels 28-A-36A and 36B, containing approximately 2.7 acres, located on the north line of Sadler Road approximately 150' east of relocated Sadler Road. Offices and a branch banking facility are 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: Recommended for denial

Deferred from the January 14, 1999 Meeting:

P-1-99 Glenn R. Moore for Allen Tire, Inc.: Request for approval of a provisional use permit in accordance with Sections 24-58.2(c) and 24-122.1 of Chapter 24 of the County Code in order to operate an auto parts sales, service and installation facility, on part of Parcels 56-10-2S & 1B, containing 1.157 acres, located at the southeast corner of Lauderdale Drive and Rutgers Drives. The site is zoned B-2C Business District (Conditional). **(Staff presentation by Mark Bittner)**



ACTION: Deferred to March 11, 1999

C-15C-99 Henry L. Wilton for WILHOOK L.L.C.: Request to conditionally rezone from A-1 Agricultural District to R-5C General Residence District (Conditional), part of Parcel 9-A-36, containing 1.49 acres, located at the northwest corner of the intersection of Pouncey Tract Road and Nuckols Road and on the east side of State Route 271. The applicant has proffered to limit the use of the property to a child care center. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. **(Staff presentation by Jo Ann Morgan)**



ACTION: Recommended for denial

MTP-1-99 Major Thoroughfare Plan (MTP) Amendment to delete a portion of concept road 10-1 between concept road 19-1 and Springfield Road. This is a staff initiated amendment. The amendment is requested due to significant development having already occurred in this area and limited available land remains for the proposed roadway. In addition, construction of road way would be difficult because it is proposed to pass through the County's sanitary landfill and cross Interstate 295. **(Staff presentation by Jo Ann Morgan)**



ACTION: Recommended for approval

DISCUSSION: Approval of Planning Commission Rules and Regulations.