

REZONINGS AND PROVISIONAL USE PERMITS

ACTIONS

March 11, 1999

Items on this agenda were believed to be accurate and complete at the time of posting.

BEGINNING AT 6:00 P.M.:

CALL TO ORDER:

CAPITAL IMPROVEMENT PROGRAM

Henrico County's proposed five year Capital Improvement Program (CIP) for FY 1999-2000 through FY 2003-04. Complete copies of the CIP are available at the Office of Management and Budget, County Administration Building between 8:00 a.m. and 4:30 p.m. each business day.

BEGINNING AT 7:00 P.M.

REQUESTS FOR DEFERRALS AND WITHDRAWALS:

SUBDIVISION (*Deferred from the February 23, 1999 Meeting*)

Twin Hickory Collector Roads
(January 1999 Plan)

Youngblood, Tyler & Associates, P.C. for HHHunt Corporation: The 426.45-acre site is located on the terminus of Twin Hickory Road on parcels 18-A-2, 39A, 55, 26-A-30, 31, 32, 27-A-3A, 4, 5A, 6, 7, 8, 9A, 11 and 37-A-1. The zoning is R-2C, One-Family Residence District (Conditional), R-2AC, One-Family Residence District (Conditional), R-3C, One-Family Residence District (Conditional), R-4C, One-Family Residence District (Conditional), R-5C, General Residence District (Conditional), R-6C, General Residence District (Conditional), RTHC-Residential Townhouse District (Conditional), O-1C, Office District (Conditional) and O/S-2C, Office Service District (Conditional). (**Three Chopt**) 0 Lots

The staff recommends conditional approval subject to the annotations on the plans, the standard conditions for subdivision served by public utilities and the following additional conditions:

10. The limits and elevation of the 100 year frequency flood shall be conspicuously noted on the plat and construction plans and labeled "Limits of 100 Year Floodplain." Dedicate floodplain as a "Variable Width Drainage & Utility Easement."

11. Any necessary off-site drainage easements must be obtained prior to final approval of the construction plans by the Department of Public Works.

(Staff Report by Mikel Whitney)



ACTION: Recommended for approval

PLAN OF DEVELOPMENT (*Deferred from the February 23, 1999, Meeting*)

POD-114-98


River Road Church - Baptist – Additions And Renovations

Draper Aden Associates for River Road Church - Baptist: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a two-story, 16,000 square foot education building addition and related improvements to an existing church site. The 6.8-acre site is located at the intersection of River Road and Ridge Road on parcels 113-9-K2, 126-A-2 and 126-5-C-2. The zoning is R-1, One-Family Residence District. County water and sewer. **(Tuckahoe)**

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 and the following additional conditions are recommended:

23. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued.
24. The developer shall provide fire hydrants as required by the Department of Public Utilities in its approval of the utility plans and contracts.
25. 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.
26. 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.
27. 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.
28. 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.


(Staff Report by Mikel Whitney)

 **ACTION:** Recommended for approval

THREE CHOPT:

Deferred from the January 14, 1999 Meeting:

C-81C-98 Jay M. Weinberg for Buckley Shuler Properties: Request to conditionally rezone from B-3 Business District and A-1 Agricultural District to B-2C Business District (Conditional), part of Parcel 46-A-19, containing approximately 17.293 acres, located on the southwest side of the intersection of W. Broad Street (U. S. Route 250) and the planned John Rolfe Parkway. A shopping center is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Commercial Concentration and Office. The site is also in the West Broad Street Overlay District. **(Staff presentation by Nancy Gardner) Deferral requested to April 15, 1999**

 **ACTION:** Deferred to April 15, 1999


Deferred from the February 11, 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 April 15, 1999**

Deferred from the February 11, 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 CASE WITHDRAWN BY APPLICANT.)**

 **ACTION: Case withdrawn by Applicant**

C-16C-99 James W. Theobald for H. H. Hunt Corporation: Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), part of Parcel 10-A-7B, containing approximately 25.403 acres, located east of Shady Grove Road adjacent to the Chickahominy River. Single family residences are proposed. The applicant has proffered a maximum of 45 residential units on the property which yields a density of 1.77 units per acre. The Land Use Plan recommends Suburban Residential 2, 2.4 to 3.4 units net density per acre and Environmental Protection Area. **(Staff presentation by Mark Bittner)**

 **ACTION: Recommended for approval**

C-17C-99 James W. Theobald for H. H. Hunt Corporation: Request to conditionally rezone from A-1 Agricultural District to R-4C One Family Residence District (Conditional), part of Parcel 10-A-7C, containing approximately 3.28 acres, located northeast of Nuckols Road and west of Twin Hickory Lane. Single family residences are proposed. The R-4 District requires a minimum lot size of 8,000 square feet. The Land Use Plan designates the site for Office development and Environmental Protection Area. **(Staff presentation by Mark Bittner)**

 **ACTION: Recommended for approval**

C-18C-99 James W. Theobald for H. H. Hunt Corporation: Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional) and R-3AC One Family Residence District (Conditional), Parcels 11-A-3 & 4, and Parcel 19-A-13, containing approximately 79.77 acres, located north of Chappell Road and adjacent to the Chickahominy River. Single family residences are proposed. The applicant has proffered a maximum of 200 residential units which yields a

density of 2.51 units per acre. The Land Use Plan recommends Rural Residential, up to 1 unit net density per acre; Suburban Residential 2, 2.4 to 3.4 units net density per acre, Urban Residential 3.4 to 6.8 units net density per acre, and Environmental Protection Area. **(Staff presentation by Mark Bittner)**

 **ACTION: Deferred to April 15, 1999**

C-19C-99 **Andrew M. Condlin for BAWIN, LLC:** Request to conditionally rezone from A-1 Agricultural District to R-2AC, R-3C and R-3AC One Family Residence Districts (Conditional), part of Parcels 17-A-7A, 7B and 8, containing 67.56 acres, located on the south line of Nuckols Road, approximately 375' east of its intersection with Pouncey Tract Road. Single family residences are proposed. The applicant has proffered a maximum of 148 residential units which yields a density of 2.19 units per acre. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre and Environmental Protection Area. **(Staff presentation by John Merrithew)**

 **ACTION: Recommended for denial**

TUCKAHOE:

NONE.

VARINA:

Deferred from the February 11, 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) Deferral requested to May 13, 1999.**

 **ACTION: Deferred to May 13, 1999**

Deferred from the February 11, 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 Deferral requested to May 13, 1999.

 **ACTION:** Deferred to May 13, 1999

Deferred from the February 11, 1999 Meeting:

C-83C-98 Scott Stolte for 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 194.129 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 April 15, 1999


C-20C-99 **E. Delmonte Lewis for Continental Development:** Request to conditionally rezone from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), part of Parcel 216-A-51, containing 31.98 acres, located at the southeast corner of Darbytown Road and Doran Road. A single family residential subdivision is proposed. The R-2A District requires a minimum lot size of 13,500 square feet. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. This site is also in the Airport Safety Overlay District. **(Staff presentation by Jo Ann Hunter)**

 **ACTION:** Recommended for approval

C-21C-99 **Jay M. Weinberg for Dakota Associates:** Request to conditionally rezone from A-1 Agricultural District and RTH Residential Townhouse District to RTHC Residential Townhouse District (Conditional), Parcels 192-A-19 & 20, containing 20.017 acres, located on the west line of Midview Road approximately 400' south of its intersection with Darbytown Road. Residential townhomes for sale are proposed. The applicant has proffered a maximum of 130 residential units which yields a density of 6.49 units per acre. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. This site is also in the Airport Safety Overlay District. **(Staff presentation by Jo Ann Hunter)**

 **ACTION:** Deferred to April 15, 1999

P-5-99 **Gloria L. 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 wireless communication monopole tower up to 199', on part of Parcel 180-A-9, containing .05 acre, located on the west side of Osborne Turnpike approximately 50 feet south of Old Osborne Turnpike. The site is zoned A-1 Agricultural District. **(Staff presentation by Jo Ann Hunter)**

 **ACTION:** Recommended for denial

BEGINNING AT 8:00 P.M.:


BROOKLAND:

Referred back to the Planning Commission from the May 13, 1998 Board of Supervisors Meeting:
C-87C-97 **Randall S. Jensen:** Request to conditionally rezone from B-1 Business District to B-2C Business District (Conditional), Parcel 51-10-1-21 (Laurel Dell Subdivision), containing 0.32 acre located on the south line of Hungary Road, approximately 150' west of Woodman Road (2305 Hungary Road). An indoor recreation facility/model race track is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Commercial Concentration. **(Staff presentation by John Merrithew)**

 **ACTION:** Recommended for approval

Deferred from the November 12, 1998 Meeting:

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. **CASE WITHDRAWN BY APPLICANT.**


 **ACTION:** Withdrawn by Applicant

C-22C-99 **Strange-Boston & Associates for Woodmen, L.C.:** Request to amend proffered conditions accepted with rezoning case C-51C-98, on Parcels 51-A-98 & 99, also known as 9010 Woodman Road, containing 3.919 acres, located on the west side of Woodman Road, 200' north of Parham Road. The proposed amendment would permit an adult day care. The current zoning is R-6C General Residence District (Conditional). The Land Use Plan recommends Office development. **(Staff presentation by Nancy Gardner)**

 **ACTION:** Deferred to April 15, 1999


Deferred from the February 11, 1999 Meeting:

C-13C-99 **Ralph L. Axselle for Wilton Development Corp.:** Request to conditionally rezone from A-1 Agricultural District and C-1 Conservation District to R-2C One Family Residence District (Conditional) and C-1 Conservation District, Parcel 74-A-20, containing approximately 162 acres, located at the northeast corner of the 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 230 lots which yields a density of approximately 2.07 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) Deferral requested to April 15, 1999.**


 **ACTION:** Deferred to April 15, 1999

Deferred from the February 11, 1999 Meeting:

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 corner of the 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) Deferral requested to April 15, 1999.**

 **ACTION:** Deferred to April 15, 1999

C-23C-99 Roy B. Amason: Request to conditionally rezone from B-2 Business and O-3 Office Districts to RTHC Residential Townhouse District (Conditional), part of Parcel 33-A-69A, containing 2.965 acres, located on the north side of Virginia Center Parkway, 1,200' east of Interstate 95. Residential townhouses for sale are proposed. The applicant has proffered a maximum of 25 units which yields a density of 8.43 units per acre. The Land Use Plan recommends Office development. **(Staff presentation by Nancy Gardner) Deferral requested to April 15, 1999.**

 **ACTION:** Deferred to April 15, 1999

APPROVAL OF MINUTES: January 14, 1999, February 11, 1999, December 15, 1998 POD Minutes.