

## REZONINGS AND PROVISIONAL USE PERMITS

### ACTIONS

May 13, 1999

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The application submission deadline for this hearing date for new applications only is April 1, 1999. The applicant can submit new material up to 48 hours prior to the public hearing; an exception to this 48-hour rule is sometimes possible but highly discouraged. The public can submit written or verbal comments at any time up to and through the public hearing.

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#### **BEGINNING AT 7:00 P.M.:**

#### **CALL TO ORDER:**

#### **REQUESTS FOR DEFERRALS AND WITHDRAWALS:**

#### **VARINA:**

*Deferred from the March 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 by Mark Bittner)**



**ACTION:** Deferred to June 10, 1999

*Deferred from the March 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 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 by Mark Bittner)**


 **ACTION:** *Deferred to June 10, 1999*

*Deferred from the March 11, 1999 Meeting*

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 June 10, 1999

C-37C-99 **Everette A. Felts for Edwin Warren Prince:** Request to rezone from B-1 Business District to R-3 One Family Residence District Parcel 164-5-5-3, containing 12,278 square feet (70x 174), located on the east line of Raines Avenue approximately 150' south of its intersection with Williamsburg Road (Route 60). A single family residence is proposed. The R-3 District requires a minimum lot size of 11,000 square feet. The Land Use Plan recommends Commercial Arterial development. The property is also within the Airport Safety Overlay District. **(Staff presentation by Mark Bittner)**

 **ACTION:** Recommended for Approval

## **BROOKLAND:**

C-38C-99 **Herbert E. Fitzgerald for Milhaus Corporation:** Request to amend proffered conditions accepted with rezoning case C-69C-94, on lots 21-6-B-1 through 5 and lot 21-6-C-54 (Sheppards Way Subdivision), containing approximately 2.41 acres, located on the east side of Sheppards Way Drive between Thornberry Street (extended) and Fontaine Lane. The amendment is related to fence heights on the property. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. **(Staff presentation by Jo Ann Hunter)**

 **ACTION:** Recommended for Approval

P-6-99 **David A. Hodges:** Request for a provisional use permit under Sections 24-62.2(I) and 24-122.1 of Chapter 24 of the County Code to operate a billiard parlor, on part of Parcel 103-A-100B, containing 2,500 sq. ft., located at the southeast intersection of Staples Mill Road and Park Lane (2125 Staples Mill Road). The site is zoned B-3 Business District. **(Staff presentation by Jo Ann Hunter)**

 **ACTION:** Recommended for Approval

C-39C-99 **Gloria L. Freye for Business Keypunch:** Request to conditionally rezone from B-2 Business District to B-3C Business District (Conditional), Part of Parcel 82-A-27B, containing 0.541 acre, located on the west line of Staples Mill Road approximately 50' south of its intersection with Old Hilliard Road. An office warehouse is proposed. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Commercial Arterial and Commercial Concentration. **(Staff presentation by Jo Ann Hunter)**

 **ACTION:** Recommended for Approval


### **FAIRFIELD:**

Deferred from the April 15, 1999 Meeting

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 1.986 acres, located on the north side of Virginia Center Parkway, 1,200' east of Interstate 95. Residential townhouses for sale are proposed. The RTH District permits a maximum density of 9.0 units per acre. The Land Use Plan recommends Office development. FOR DECISION ONLY. **(Staff presentation by John Merrithew)**

 **ACTION:** Recommended for Approval

C-24-99 **Carter Properties:** Request to rezone from B-3 Business District to M-2 General Industrial District, Parcel 128-A-5, containing 3.44 acres, located on the west side of Mechanicsville Turnpike (U. S. Route 360) approximately 494' north of Barlow Street. An equipment/storage yard is proposed. The use will be controlled by zoning ordinance regulations. The Land Use Plan recommends Heavy Industry. **(Staff presentation by Mark Bittner)**


 **ACTION:** Deferred to June 10, 1999

### **BEGINNING AT 8:00 P.M.:**

### **THREE CHOPT:**

Deferred from the April 15, 1999 Meeting

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 and 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:** Recommended for Approval

*Deferred from the April 15, 1999 Meeting*

C-25C-99 **Andrew M. Condlin for F & P, LLC:** Request to conditionally rezone from R-3 One Family Residence District to O-1C Office District (Conditional), part of Parcel 69-A-12 and Parcel 69-A-14, containing 0.82 acres, located at the northwest corner of Parham and Fordson Roads. Office use is proposed. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office. **(Staff presentation by Jo Ann Hunter)**

 **ACTION:** Recommended for Denial

*Deferred from the April 15, 1999 Meeting*

C-26C-99 **Jack R. Wilson, III for Tidewater Quarries, Inc.:** Request to amend proffered conditions accepted with rezoning case C-28C-91, on part of Parcels 20-A-1 and 2A containing 9.25 acres, located west of Staples Mill Road on the north line of I-295. The property is zoned M-2C, General Industrial District (Conditional). The amendment is related to the hours of operation. The Land Use Plan recommends Rural Residential, not exceeding one unit net density per acre and Environmental Protection Area. **(Staff presentation by Mark Bittner)**

 **ACTION:** Recommended for Denial

*Deferred from the April 15, 1999 Meeting*

C-28C-99 **Henry L. Wilton for Shady Grove Associates:** Request to conditionally rezone from O-2C Office District (Conditional) to RTHC Residential Townhouse District (Conditional), Parcel 10-A-19, containing approximately 12.63 acres, located at the northeast corner of Old Nuckols Road and Shady Grove Road. Townhouses or condominiums are proposed. The applicant has proffered a maximum density of 6 units per acre. The Land Use Plan recommends Environmental Protection Area and Office. **(Staff presentation by Mark Bittner)**

 **ACTION:** Deferred to May 26, 1999

*Deferred from the April 15, 1999 Meeting*


C-31C-99 **James W. Theobald for Duma & Associates, L. C.:** Request to conditionally rezone from A-1 Agricultural District and O-3C Office District (Conditional) to R-5AC General Residence District (Conditional), Parcel 20-A-29A, containing 35.184 acres, located at the northwest intersection of Staples Mill Road (State Route 33) and Springfield Road and the south side of Old Springfield Road. Residences for seniors are proposed. The applicant has proffered a minimum lot size of 6,500 square feet. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. **(Staff presentation by John Merrithew)**

 **ACTION:** Recommended for Denial

*Deferred from the April 15, 1999 Meeting*

C-32C-99 **James W. Theobald for Duma & Associates, L. C.:** Request to conditionally rezone from A-1 Agricultural District and R-2C One Family Residence District (Conditional) to R-2AC One Family Residence District (Conditional), Parcel 20-A-12 and part of Parcels 20-A-14 and 14NR, containing approximately 30.311 acres, located at the southwest intersection of I-295 and Staples Mill Road (State Route 33). Single family 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 and Environmental Protection Area. C-32C-99 (Staff presentation by John Merrithew)

 **ACTION:** Recommended for Approval


*Deferred from the April 15, 1999 Meeting*

C-33C-99 **James W. Theobald for Robert P. Bain:** Request to conditionally rezone from A-1 Agricultural District and C-1 Conservation District to R-2AC One Family Residence District (Conditional), Parcel 20-A-15, containing 28.71 acres, located at the northwest intersection of Springfield Road and Old Springfield Road. Single family subdivision is proposed. The applicant has proffered a minimum lot size of 18,000 square feet for lots abutting Springfield Road. 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 and Environmental Protection Area. (Staff presentation by John Merrithew)

 **ACTION:** Recommended for Approval

*Deferred from the April 15, 1999 Meeting*

C-34C-99 **Jay M. Weinberg for Dongil Associates, LLC:** Request to conditionally rezone from A-1 Agricultural District to R-6C General Residence District (Conditional), part of Parcel 46-A-19, containing approximately 14.829 acres, located at the southeast intersection of Three Chopt and Pump Roads. Condominiums and/or townhouses and/or assisted living facility are proposed. The applicant has proffered a maximum density of nine units per acre for townhouses and 12 units per acre for condominiums. The Land Use Plan recommends Suburban Residential 2, 2.4 to 3.4 units net density per acre. (Staff presentation by Randy Silber) For information on this case, contact John Merrithew.

 **ACTION:** Case Withdrawn by Applicant

*Deferred from the April 15, 1999 Meeting*

C-81C-98 (Revised) **Jay M. Weinberg for Buckley Shuler Properties:** Request to conditionally rezone from A-1 Agricultural District and B-3 Business District to B-2C Business District (Conditional) part of Parcels 46-A-19 and 19A, containing approximately 27.75 acres. Two shopping centers are proposed. One would be located on the west side of John Rolfe Parkway between W. Broad Street and realigned Three Chopt Road and the other would be located on the north side of realigned Three Chopt Road between Pump Road and John Rolfe Parkway. The uses will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Commercial Concentration and Office development. The site is also in the W. Broad Street Overlay District. (Staff presentation by Randy Silber) For information on this case, contact John Merrithew.

 **ACTION:** Case Withdrawn by Applicant

C-35C-99 **Richard H. Youngblood for Francis Run Associates, L. C.:** Request to conditionally rezone from A-1 Agricultural District to R-3AC One Family Residence District (Conditional), Parcels 39-A-7, 9, 11 and 26, containing 18.712 acres, located on the west line of Francistown Road approximately 800' south of its intersection with Nuckols Road. A single family subdivision is proposed. The R-3A District requires a minimum lot size of 9,500 square feet. 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 Mark Bittner)**

 **ACTION: Deferred to May 26, 1999**

C-36C-99 **Brian R. Marron for Bill Tsimbos:** Request to conditionally rezone from R-3 One Family Residence District to B-1C Business District (Conditional), Parcel 59-A-74, containing 0.446 acres, located on the east side of Skipwith Road approximately 480' south of its intersection with W. Broad Street (U. S. Route 250). A beauty salon and related uses are proposed. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office. **(Staff presentation by Mark Bittner)**

 **ACTION: Deferred to June 10, 1999**

C-40C-99 **James W. Theobald for The H. H. Hunt Corporation:** Request to conditionally rezone from R-2AC and R-3C One Family Residence Districts (Conditional) to R-2AC One Family Residence District (Conditional), part of Parcel 27-A-3A, containing 21.574 acres, located south of Twin Hickory Road Extended at its proposed connection with Shady Grove Road. A single-family residential subdivision is proposed. The applicant has proffered an aggregate density of 2.2 units per acre. If the Board of Supervisors approves a controlled density development (see P-7-99), the density shall not exceed 2.5 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 John Merrithew)**


 **ACTION: Recommended for Approval**

P-7-99 **James W. Theobald for The H. H. Hunt Corporation:** Request for a provisional use permit under Sections 24-95(q) and 24-122.1 of Chapter 24 of the County Code to permit controlled density development on a portion of a mixed use planned development, on part of Parcel 27-A-3A, containing 21.574 acres, located south of Twin Hickory Road Extended at its proposed intersection with Shady Grove Road. A residential subdivision of 50 lots is proposed. The site is zoned R-3C One Family Residence District (Conditional) and R-2AC One Family Residence District (Conditional). **(Staff presentation by John Merrithew)**

 **ACTION: Recommended for Approval**

## **TUCKAHOE:**

C-41C-99 **Mohsen Sean Pardis for Fred and Joy Mangels:** Request to amend proffered conditions accepted with rezoning case C-42C-94, on Parcel 66-23-B-76, containing 0.33 acre, located in the Keswick subdivision on the east line of Hawkesbury Ct. approximately 320' north of its intersection with Nettlestone Ct (2527 Hawkesbury Ct.). The amendment is related to the proffered setback from John Rolfe Parkway. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. **(Staff presentation by John Merrithew)**

 **ACTION: Recommended for Approval**

**RESOLUTION: Northwest Elementary School #6 Site** – Substantially in Accord with the County of Henrico Comprehensive Plan. (Staff presentation by Mark Bittner)



**ACTION: Recommended for Approval**

Acting on a motion by Vanarsdall, seconded by Archer, the Planning Commission adjourned its meeting at 2:22 A.M. on May 14, 1999.

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Cases acted upon by the Planning Commission on this meeting date will be scheduled to be heard by the Board of Supervisors on June 8, 1999.