

PLANNING COMMISSION

REZONINGS AND PROVISIONAL USE PERMITS

ACTIONS

MAY 11, 2000

BEGINNING AT 5:15:

DINNER: County Manager's Conference Room

BEGINNING AT 6:00 P.M.:

WORK SESSION: West Broad Street/I-64 Land Use Study - County Manager's Conference Room **Staff – Mark Bittner.**

 Public Hearing June 15, 2000 @ 7:00pm.

BEGINNING AT 6:30 P.M.:

CALL TO ORDER:

PLAN OF DEVELOPMENT *(Deferred from the April 26, 2000, Meeting)*

POD-22-00

The Goddard School
- Town
Center @ Twin
Hickory

Balzer & Associates and RealtiCorp for Retlaw 100 L.L.C. and Katherman & Company: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, 10,305 square foot day care facility in a shopping center. The 1.43 acre site is located along the south line of Old Nuckols Road approximately 600 feet west of Nuckols Road on part of parcel 18-A-22E. The zoning is B-2C, Business District (Conditional). County water and sewer.
(Three Chopt)

As of the preparation date of this agenda, the staff has not received a revised plan, as requested. 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:

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Planning Office for review and Planning Commission approval prior to the issuance of any occupancy permits.
11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams and fixture mounting height details shall be submitted for Planning Office review and Planning Commission approval.
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. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
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. A standard concrete sidewalk shall be provided along the south side of Old Nuckols Road.
26. Outside storage shall not be permitted.
27. 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.
28. 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.
29. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
30. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

(Staff Report by Kevin Wilhite)



ACTION: DEFER 5/24/00

PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION *(Deferred from the April 26, 2000, Meeting)*

POD-34-00
Bell Atlantic of
Virginia, Inc.
Pemberton Road

Resource International, Ltd. for Bell Atlantic of Virginia:
Request for approval of a plan of development and transitional buffer deviation as required by Chapter 24, Sections 24-106 and 24-106.2(e)(3)(a)(l) of the Henrico County Code to construct a

one-story, 9,170 square foot addition to an existing telephone switching center. The 1.643 acre site is located on the west line of Pemberton Road (State Route 157), approximately 240 feet north of Mayland Drive on parcel 58-A-22. The zoning M-1C, Light Industrial District (Conditional). County water and Sewer. **(Three Chopt)**

As of the preparation date of this agenda, the staff has not received a revised plan, as requested. 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 right-of-way for widening of Pemberton Road as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
24. 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. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
25. The entrances and drainage facilities on State Route 157 shall be approved by the Virginia Department of Transportation and the County.
26. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Planning Office prior to any occupancy permits being issued.
27. The developer shall provide fire hydrants as required by the Department of Public Utilities in its approval of the utility plans and contracts.
28. 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.
29. 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.
30. 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.
31. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Planning Office and approved prior to issuance of a certificate of occupancy for this development. **(Staff Report by Kevin Wilhite)**



ACTION: GRANT

BEGINNING AT 7:00 P.M.:

REQUESTS FOR DEFERRALS AND WITHDRAWALS:

EXPEDITED AGENDA ITEMS:

TUCKAHOE:

NONE.

VARINA:

Deferred from the April 13, 2000 Meeting:

C-22C-00 Alvin S. Mistr, Jr. for John C. Zehler, Sr.: Request to conditionally rezone from B-1 Business District to B-3C Business District (Conditional), Parcel 148-10-C-2, containing 0.44 acre, located at the northwest intersection of W. Nine Mile Road (Route 33) and Daisy Avenue. A gas/convenience store is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Commercial Arterial. The site is also within the Airport Safety Overlay District. Staff – Lee Householder.



ACTION: GRANT.

C-26C-00 Gail L. Sailes for Gail & James L. Sailes: Request to conditionally rezone from A-1 Agricultural District to R-2C One Family Residence District (Conditional), Parcel 202-A-20A, containing 3.87 acres, located on the east line of New Market Road, approximately 200 feet north of its intersection with Chatsworth Road. A single family residential subdivision is proposed. The applicant proffers no more than five lots to be developed on the property. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. Staff – Elizabeth Via.



ACTION: DEFER 6/15/2000

C-34-00 Jeanne E. McNeil: Request to rezone from M-1C Light Industrial District (Conditional) to R-3 One Family Residence District, part of Parcel 146-A-112, Parcels 146-A-119 and 119N, Parcel 146-4-A-52 and Parcel 146-4-A-49, containing 6.902, located on the north line of Nine Mile Road (Route 33) approximately 580 feet west of Laburnum Avenue and also along the east line of East Richmond Road approximately 1300 feet north of Nine Mile Road (Route 33) and at the western terminus of Steeple Lane. The property will be used for single family residences. The R-3 District requires a minimum lot size of 11,000 square feet. The Land Use Plan recommends Office and Office/Service. The site is in the Airport Safety Overlay District. Staff – Jo Ann Hunter.



ACTION: GRANT

C-35C-00 Potts & Minter Associates for Curnow Development, Inc.: Request to amend proffered conditions accepted with rezoning Cases C-62C-99 and C-38C-96, on part of Parcel 146-A-13 and Parcel 140-6-C-101, containing approximately 0.672, located at the northwest intersection of Robcurn Drive and Dabbs House Road. The amendment is related to the number of lots proposed for the property. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. The site is in the Airport Safety Overlay District. Staff – Lee Householder.



ACTION: GRANT

BROOKLAND:

Deferred from the April 13, 2000 Meeting:

C-47C-99 Ralph L. Axelle and Andrew Conclin for Penrose Corporation: Request to amend proffered conditions applicable to the Parham Place Office Park and accepted with rezoning case C-113C-85, on Part of Parcel 52-A-5, containing 11.75 acres, located on the south line of Old Hungary Road at the intersection of Hungary Road and Benham Court and also fronting on the north line of E. Parham Road. The proposed amendments are related to access to Hungary Road and buffer area on the property. The Land Use Plan recommends Office. Staff – Mark Bittner.



ACTION: DEFER 5/24/2000

C-28C-00 Henry L. Wilton for Wilton Development Corp.: Request to conditionally rezone from A-1 Agricultural District and R-3 One Family Residence District to M-1C Light Industrial District (Conditional), Parcels 49-A-33 and 34 and 49-5-0-9, containing approximately 4.35 acres, located at the northeast intersection of Springfield Road and Huron Avenue. A self-storage mini-warehouse is proposed. 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 – Elizabeth Via.



ACTION: DEFER 5/24/2000

P-4-00 Bruce D. Perretz AIA for Jeff Habibi: Request for a provisional use permit in accordance with Sections 24-58.2(d) and 24-122.1 of Chapter 24 of the County Code in order to operate an outdoor dining patio on part of Parcel 59-A-6T, containing 463 square feet, located on the north line of West Broad Street (U. S. Route 250) approximately 50 feet west of Sundance Way. The site is zoned B-2 Business District. Staff – Eric Lawrence.



ACTION: GRANT

C-17C-00 (REVISED) Robert M. Atack for Staples Mill L. C.: Request to conditionally rezone from A-1 Agricultural District and R-2 One Family Residence District to R-2C and R-2AC One Family Residence Districts (Conditional); R-5AC and R-6C General Residence Districts (Conditional); O-2C Office District (Conditional); and B-1C Business District (Conditional), Parcel 40-A-1A, 30-A-67 and part of Parcel 40-A-24, containing approximately 374.1 acres, located along the northern boundary of Revilo Subdivision then along the north line of Hungary Road beginning at the northeast intersection of Hungary Road and Vantay Drive to approximately 50 feet east of its intersection with the 150 foot Virginia Power easement, then extending northward long the west line of Staples Mill Road (State Route 33) following the property lines of Parcels 1A and the included part of 24 to approximately 1100 feet north of its intersection with Courtney Road or as more accurately described on the plat on file in the Planning Office. A mixed-use development is proposed. The R-2 District requires a minimum lot size of 18,000 square feet; the R-2A District requires a minimum lot size of 13,500 square feet; the R-5A District requires a minimum lot size of 5,625 square feet; and the R-6 District requires a maximum density of 19.8 units per acre.

The office and business uses 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 – Elizabeth Via.

 ACTION: **GRANT**

C-36C-00 Gloria L. Freye for McDonald's Corp.: Request to conditionally rezone from R-3 One Family Residence District to O-2C Office District (Conditional) and B-2C Business District (Conditional), Parcels 61-A-29 and 31, containing 2.046 acres, located on the west line of Staples Mill Road approximately 160 feet north of Parham Road and on the north line of Parham Road approximately 170 feet west of Staples Mill Road (U. S. Route 33). A fast food restaurant with drive through is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Office. Staff – Mark Bittner.

 ACTION: **DEFER 6/15/2000**

THREE CHOPT:

Deferred from the April 13, 2000 Meeting:

C-33C-00 Henry L. Wilton for Wilton Development Corp.: Request to conditionally rezone from RTH Residential Townhouse District to O-1C Office District (Conditional), part of Parcel 56-A-1B, containing approximately 1.4 acres, located at the northwest intersection of Gayton Road and Lauderdale Drive. An office district is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Environmental Protection Area. Staff – Eric Lawrence.

 ACTION: **GRANT**

C-37C-00 Jay M. Weinberg for West Broad Street Properties, L.L.C.: Request to conditionally rezone from B-2C Business District (Conditional) to B-3C Business District (Conditional), Parcels 49-9-A-3B, 49-9-A-4C, and 58-2-A-8A, containing approximately 6.32 acres, located on the south line of West Broad Street (U. S. Route 250) approximately 350 feet west of Old Springfield Road.

Periodic tent sales at an existing retail furniture store are proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Commercial Concentration. Staff – Elizabeth Via.



ACTION: GRANT

FAIRFIELD:

Deferred from the April 13, 2000 Meeting:

C-29C-00 Roy B. Amason for Virginia Center, L. L. C.: Request to amend proffered conditions accepted with Rezoning Case C-38C-97, on Parcel 44-A-1, containing 8.416 acres, located on the north line of Virginia Center Parkway, approximately 570 feet east of its intersection with Carriage Homes Way and 360 feet west of its intersection with Carriage Point Lane. The amendment would allow the development of 60 townhouse units instead of a 160 unit assisted care facility. The Land Use Plan recommends Office. Staff – Lee Householder.



ACTION: DEFER 7/13/2000

Discussion: Consider waiving the number of rezoning cases for the June 15th meeting.