

PLANNING COMMISSION

ACTIONS

SEPTEMBER 13, 2001

DINNER AT 5:30 P.M. IN THE COUNTY MANAGER'S CONFERENCE ROOM

6:00 P.M. WORK SESSION FOR SANDSTON COMMERCIAL STUDY AREA

BEGINNING AT 7:00 P.M.:

CALL TO ORDER:

REQUESTS FOR WITHDRAWALS AND DEFERRALS:

EXPEDITED ITEMS:

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PLAN OF DEVELOPMENT (*Deferred from the July 25, 2001, Meeting*)

POD-42-01	Balzer & Associates, Inc. for HHHunt Corporation and WSG Development 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, 5,780 square foot retail facility. The 0.71 acre site is located at the southeast corner of W. Broad Street (U.S. Route 250) and Spring Oak Drive at 11591 W. Broad Street on parcel 36-A-51. The zoning is B-1C, Business District (Conditional). County water and sewer. (Three Chopt)
Spring Oak Retail -	
W. Broad Street and Spring	
Oak Drive	

As of the preparation date of this agenda, the staff has not received a revised plan addressing comments from the Department of Public Utilities asking the applicant to realign a 20' utility easement up to the eastern property line and an 8" sanitary sewer and manhole to serve two customers. Traffic also needs to see a revised plan that eliminates the dead end rows of parking and provides a minimum of 30 feet of separation between the internal driveway and Spring Oak Drive. The staff

recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for development of this type, 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. 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 and Division of Fire.
25. A standard concrete sidewalk shall be provided along the east side of Spring Oak Drive.
26. Employees shall be required to use the parking spaces provided at the rear of the building(s) as shown on the approved plans.
27. Outside storage shall not be permitted.
28. A 35-foot planting strip to preclude ingress or egress along the south side of W. Broad Street (U.S. Route 250) shall be shown on the approved plans. The details shall be included with the required landscape plans for review and approval.
29. The proffers approved as a part of zoning case C-6C-01 shall be incorporated in this approval.
30. This business shall not remain in operation after midnight and no exterior signs shall remain lighted after 12:00 midnight.
31. The certification of building permits, occupancy permits and change of occupancy permits for individual units shall be based on the number of parking spaces required for the proposed uses and the amount of parking available according to approved plans.
32. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
33. 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.
34. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
35. Insurance Services Office (ISO) calculations must be included with the plans and approved by the Department of Public Utilities prior to the issuance of a building permit.
36. 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.
37. The owners shall not begin clearing of the site until the following conditions have been met:

- a. The site engineer shall conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements shall be shown.
- b. After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner shall have the limits of clearing delineated with approved methods such as flagging, silt fencing or temporary fencing.
- c. The site engineer shall certify in writing to the owner that the limits of clearing have been staked in accordance with the approved plans. A copy of this letter shall be sent to the Planning Office and the Department of Public Works.
- d. The owner shall be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details shall be included on the landscape plans for approval.

 DEFERRED TO 9/26/01

(Staff Report by [Christina Goggin](#))

THREE CHOPT:

Deferred from the March 8, 2001 Meeting

C-49C-00 James W. Theobald for Tascon Group, Inc.: Request to amend proffered conditions accepted with rezoning case C-45C-99, on Parcels 58-A-3, 6 and 6A and part of Parcels 58-A-4 and 5, containing approximately 38.3 acres, located on the north line of Three Chopt Road at its intersection with Pell Street. The amendment would allow a condominium development in place of a detached single family development and assisted living facility. The Land Use Plan recommends Urban Residential, 3.4 to 6.8 units per acre, and Environmental Protection Area. Staff – [Lee Householder](#)

 DEFERRED TO 3/14/02

C-49C-01 Frederick D. Edwards for Mark E. Caskey: Request to conditionally rezone from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional), part of Parcel 58-2-A-10 and Parcel 58-2-A-11, containing 4.38 acres, located at the south east intersection of Pemberton Road and Mayland Drive (Broad Acres Subdivision). Residential townhouses for sale are proposed. The applicant proffers no more than 33 units to be developed on the property. The Land Use Plan recommends Urban Residential. Staff – [Mark Bittner](#)

 APPROVED

C-50C-01 Balzer & Associates, Inc. for John W. & Luitgard H. Webb: Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcel 18-A-16, containing approximately 14.7 acres, located on the east line of Shady Grove Road approximately 525 feet south of Old Nuckols Road. A single family residential subdivision is proposed. The R-3 District allows a minimum lot size of 11,000 square feet. The Land Use Plan recommends Suburban Residential 2, 2.4 to 3.4 units net density per acre, and Environmental Protection Area. Staff – [Mark Bittner](#)

 APPROVED

TUCKAHOE:

None.

VARINA:

Deferred from the August 9, 2001 Meeting

C-37C-01 Robert Stout for The Dakota Group, Ltd.: Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcel 192-A-20, containing 8.254 acres, located on the west line of Midview Road approximately 70 feet south of Habersham Drive and on the north property line of Varina Station Subdivision. Single family residential development is proposed. The applicant proposes no more than twenty (20) lots. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre.

Staff – [Lee Householder](#)

 DEFERRED TO 10/11/01

C-51C-01 Laraine Isaac for Allen Brock: Request to conditionally rezone from A-1 Agricultural District to M-1C Light Industrial District (Conditional), Parcel 172-2-2-26, containing 3.0 acres, located on the north line of Charles City Road approximately 310 feet west of Glen Alden Drive (2372 Charles City Road, Garden City Subdivision). A one-story office, shop and warehouse are proposed. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Planned Industry. The site is also in the Airport Safety Overlay District. Staff – [Lee Householder](#)

 APPROVED

P-10-01 Richard Moseley for American Tower: Request for a provisional use permit under Sections 24-95(a) and 24-122.1 of Chapter 24 of the County Code in order to construct and operate a 150' telecommunications tower and related equipment on part of Parcel 235-A-17, containing 10,000 square feet (0.223 acre), located on the west side of Osborne Turnpike south of Cornelius Creek and approximately 1,000 feet south of proposed I-895 right-of-way (under construction). The existing zoning is A-1 Agricultural District. The Land Use Plan recommends Rural Residential, up to 1.0 units net density per acre, and Environmental Protection Area. Staff – [Tom Coleman](#) (Deferral requested to October 11, 2001 meeting)

 **DEFERRED TO 10/11/01**

C-52C-01 Foster & Miller, P.C. for Regional Development Co., LLC: Request to amend proffered conditions accepted with rezoning case C-48C-97, on part of Parcel 157-A-13, containing 15.179 acres, located on the north line of Meadow Road approximately 700 feet west of Taylor Road. The amendment is related to Proffer 10, minimum lot widths. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. Staff – [Tom Coleman](#) (Expedited agenda requested)

 **APPROVED**

BROOKLAND:

Deferred from the August 9, 2001 Meeting

C-46C-01 W. Gerald Yagen: Request to conditionally rezone from R-3 One Family Residence District and O-2 Office District to O-3C Office District (Conditional), Parcels 60-A-74 and 61-A-36, containing approximately 3.9 acres, located on the north line of E. Parham Road approximately 240 feet east of Hermitage High Boulevard and Prince Henry Drive and approximately 130 feet west of Dixon Powers Drive. Office development is proposed. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office and Environmental Protection Area. Staff – [Lee Householder](#)

 **DENIED**

Deferred from the August 9, 2001 Meeting

C-47C-01 Attack Properties: Request to conditionally rezone from A-1 Agricultural District and O/SC Office/Service District (Conditional) to R-5C General Residence District (Conditional) and RTHC Residential Townhouse District (Conditional), part

of Parcel 12-A-4B, Parcel 12-A-5, and part of Parcel 21-A-2, containing 33.719 acres, located on the north line of Hunton Park Boulevard approximately 700 feet northeast of Staples Mill Road (State Route 33). Apartments and townhouses are proposed. The R-5 District allows a density up to 14.52 units per acre. The RTH District allows a density up to 9 units per acre. The Land Use Plan recommends Office/Service and Environmental Protection Area. Staff – [Mark Bittner](#)

 APPROVED

Deferred from the August 9, 2001 Meeting

C-48C-01 Attack Properties: Request to conditionally rezone from RTHC Residential Townhouse District (Conditional) and O/SC Office/Service District (Conditional) to R-5AC General Residence District (Conditional), part of Parcels 13-A-24 and 21-A-5, containing 23.088 acres, located along the northwest line of Mill Road between Interstate 295 and Long Meadow Drive. A residential subdivision for older persons is proposed. The minimum lot size allowed in the R-5A District is 5,625 square feet. The Land Use Plan recommends Urban Residential, 3.4 to 6.8 units net density per acre, and Office/Service. Staff – [Mark Bittner](#)

 APPROVED

C-39C-01 James W. Theobald for JG Virginia, L.P.: Request to conditionally rezone from R-5 General Residence District to R-6C General Residence District (Conditional) and B-2C Business District (Conditional), Parcels 103-A-58 through 61, containing approximately 69.10 acres (R-6C – 52.6 acres; and B-2C – 16.5 acres), located on the west line of Staples Mill Road (U.S. Route 33) approximately 60 feet north of Park Lane (Mayfield Subdivision). Multi-family and commercial retail development are proposed. The R-6 District allows a density up to 19.8 units per acre. The business will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office/Service. Staff – [Lee Householder](#)

 APPROVED

P-11-01 Ralph Axelle, Jr. for The American Legion, Dept. of VA, Inc.: Request for a provisional use permit under Sections 24-51.1(a) and 24-122.1 of Chapter 24 of the County Code in order to use the property and existing building as a meeting place and offices for the Virginia Division of the American Legion and the American Legion Auxillary, on Parcels 93-A-11, containing 3.558 acres, located on the east line of Bethlehem Road approximately 170 feet north of Dickens Road. The existing zoning is A-1 Agricultural District. The Land Use Plan recommends

Government. Staff – [Tom Coleman](#) (Deferral requested to the October 11, 2001 Meeting)

 DEFERRED TO 10/11/01

C-53C-01 Jack R. Wilson, III for Newco Properties, Inc.: Request to conditionally rezone from O-3 Office District to B-3C Business District (Conditional), part of Parcel 92-A-24, containing approximately 0.255 acre (11,100 square feet), located at the Brookfield Office Park entrance on the east line of West Broad Street (U.S. Route 250) at its intersection with Forest Avenue approximately 170 feet south of the I-64 exit and approximately 700 feet north of Dickens Road. A variable message sign is proposed. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office.
Staff – [Lee Householder](#) (Expedited agenda requested)

 APPROVED

FAIRFIELD:

Deferred from the August 9, 2001 Meeting

C-11C-01 James W. Theobald for Daniel Corporation: Request to conditionally rezone from R-2 One Family Residence District, O-2C Office District (Conditional), O/SC Office/Service District (Conditional), and PMD Planned Industrial District to O-3C Office District (Conditional), Parcels 53-A-69, 71, 74B, 75-79, 81-84, and 87, containing 59.48 acres, located on the north line of Parham Road at St. Charles Road and on the east line of Scott Road approximately 450 feet south of Level Green Lane (private.). An office park is proposed. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre, Office and Office/Service. Staff – [Mark Bittner](#)

 APPROVED

C-54C-01 Andy Condlin for Gregory A. Windsor: Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcels 41-A-8 and 20A and part of Parcel 31-A-77, containing 11.879 acres, located on the west line of Woodman Road approximately 1,900 feet north of Blackburn Road and approximately 1,100 feet south of North Run Creek. Single family residential is proposed. The R-3 District allows a minimum lot size of 11,000 square feet. The Land Use Plan recommends Suburban Residential 2, 2.4 to 3.4 units net density per acre. Staff – [Tom Coleman](#)

 APPROVED

C-55-01 QMT for Gregory Windsor: Request to rezone from R-2C One Family Residence District (Conditional) and C-1 Conservation District to C-1 Conservation District, part of Parcel 64-A-26, containing approximately 7.2 acres, located along the west line of the Chickahominy River and at the south line of Faith Landmark Ministries. A conservation area is proposed. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre, and Environmental Protection Area. Staff – [Tom Coleman](#) (Expedited agenda requested)

 APPROVED

AMENDMENT TO THE MAJOR THOROUGHFARE PLAN OF THE COMPREHENSIVE PLAN: MTP-2-01.

Proposed Deletion of Concept Road 47-1 between West Broad Street and Three Chopt Road.

 APPROVED

An Ordinance To Add Section 24-29.1 Entitled "Provisional uses permitted" to the Code of the County of Henrico and to Amend and Reordain Section 24-36.1 Entitled "Provisional uses permitted," To Allow B-1 Uses in Multi-Family Residential Structures In the R-5 and R-6 Districts.

 APPROVED

An Ordinance to add new Sections 24-50.2:1 Entitled "Provisional uses permitted," 24-50.6:1 Entitled "Provisional uses permitted," and 24-50.11:1 Entitled "Provisional uses permitted," and To Amend and Reordain 24-55 Entitled "Provisional uses permitted," 24-58.2 Entitled "Provisional uses permitted," 24-62.2 Entitled "Provisional uses permitted," In Order to Add Requirements for Accessory Dwellings in Office and Business Districts.

 APPROVED

**DISCUSSION ITEM: Set work session for Comprehensive Plan Amendment
(September 26, 2001)**

APPROVAL OF MINUTES: June 14, 2001, July 12, 2001 and August 9, 2001

 **APPROVED**