

PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
JULY 15, 2004

5:00 P.M. DINNER IN THE CAFETERIA

BEGINNING AT 6:00 P.M.

CALL TO ORDER:

REQUESTS FOR WITHDRAWALS AND DEFERRALS: 6 00 p m : (1), (7)
7.00 p m : (0), (8)

REQUESTS FOR EXPEDITED ITEMS: 6:00 p.m.: (1)
7.00 p.m.: (2)

CASES TO BE HEARD: 6:00 p.m.: (4)
7.00 p m.: (3)

THREE CHOPT:

PUBLIC HEARING: INNSBROOK URBAN MIXED USE AREA: The Planning Commission will consider an amendment to the 2010 Land Use Plan that would redesignate a portion of the Innsbrook office park to Urban Mixed Use (UMU). The site is generally comprised of the area bordered by Cox Road, Sadler Place, Highwoods Parkway, and Waterfront Lake. The Recommended Plans may be examined in the Planning Office on the second floor of the County Administration Building. **Staff – Mark Bittner (Deferral requested to the August 12, 2004 Meeting). DEFERRED TO SEPTEMBER 9, 2004**

VARINA:

Deferred from the May 13, 2004 Meeting:

C-56C-03 WWLP Development, LLC: Request to conditionally rezone from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), Parcel 802-696-9269 and part of Parcel 803-696-6866, containing 41.76 acres, located on the east line of Osborne Turnpike .41 mile north of Tree Ridge Road. A single-family residential subdivision is proposed. The R-2A District allows 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. **Staff – Mark Bittner (Deferral requested to the August 12, 2004 Meeting). DEFERRED TO AUGUST 12, 2004**

Deferred from the April 15, 2004 Meeting:

C-6C-04 Ray Perkins: Request to conditionally rezone from A-1 Agricultural District and C-1 Conservation District to R-2C (82.1 acres) R-2AC (59.7 acres) and R-

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3C (30.1 acres) One Family Residence District (Conditional), R-5AC (26.6 acres) General Residence District (Conditional), and RTHC (40.728 acres) Residential Townhouse District (Conditional), and C-1C (21.6 acres) Conservation District (Conditional), Parcels 816-729-1884, 814-731-5764 and part of Parcel 817-731-6470, containing 260.828 acres, located at the northern terminus of Westover Avenue, extending northward to Creighton Road. The applicant proposes a residential community of no more than five hundred ninety-seven (597) units (320 one family lots, 79 villa lots, 96 townhouses, 102 condominiums). The R-2 District allows a minimum lot size of 18,000 square feet, the R-2A District allows a minimum lot size of 13,500 square feet, the R-5A District allows a minimum lot size of 5,625 square feet, and the maximum density in the RTH District is nine (9) units per acre. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre, Office/Service, Light Industry, and Environmental Protection Area. The site is in the Airport Safety Overlay District. **Staff – Jean Moore (Deferral requested to the August 12, 2004 Meeting). DEFERRED TO AUGUST 12, 2004**

Deferred from the May 13, 2004 Meeting:

C-13C-04 Mike Fleetwood: Request to conditionally rezone from A-1 Agricultural District, M-1 Light Industrial District and M-2 General Industrial District to M-2C General Industrial District (Conditional), Parcels 819-704-9284, 820-705-3941, 820-705-5372, 820-706-5002, 820-705-6725 and 819-703-7057, containing 105.164 acres, located at the southwest intersection of Monahan and Charles City Roads and the C&O Railroad. Light Industrial manufacturing with possible hotel/retail uses are proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Planned Industry. The site is in the Airport Safety Overlay District. **Staff – Jean Moore (Deferral requested to the August 12, 2004 Meeting). DEFERRED TO AUGUST 12, 2004**

Deferred from the April 15, 2004 Meeting:

C-17C-04 Darbytown Partners, LLC: Request to conditionally rezone from B-1C Business District (Conditional) to R-2AC One Family Residence District (Conditional) and C-1C Conservation District (Conditional), part of Parcel 807-707-6551, containing 8.7 acres (5.917 ac – R-2AC, 2.784 ac – C-1C), located at the southwest intersection of Darbytown and Oakland Roads. The applicant proposes no more than fourteen (14) single family residential units. The R-2A District allows a minimum lot size of 13,500 square feet. The Land Use Plan recommends Commercial Concentration and Environmental Protection Area. **Staff – Mark Bittner APPROVED**

Deferred from the June 10, 2004 Meeting:

C-28C-04 Rogers-Chenault, Inc.: Request to conditionally rezone from A-1 Agricultural District to R-2C One Family Residence District (Conditional), Parcels 828-720-7544, 829-720-1214, 828-720-6007 and 828-720-3514, containing 17.432 acres, located along the east line of Hanover Road between the south line of Meadow Road and the north line of Early Street. The applicant proffers the total number of lots not to exceed thirty-five (35). The R-2 District allows a minimum lot size of 18,000 square

feet The site is in the Airport Safety Overlay District **Staff – Mark Bittner (Withdrawn by the applicant). WITHDRAWN**

C-29C-04 Tree Top Service, Inc.: Request to conditionally rezone from A-1 Agricultural District to B-3C Business District (Conditional), part of Parcel 821-697-6489, containing 6 073 acres, located on the east line of Monahan Road 129 feet north of Darbytown Road A tree contracting service with a vehicle and equipment storage shed 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 The site is in the Airport Safety Overlay District **Staff – Mark Bittner APPROVED**

P-8-04 Omnipoint Communications CAP Operations LLC: 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 a 140-foot wireless telecommunications tower, on part of Parcel 833-716-9203, containing 2,500 square feet, located between I-64 and Old Williamsburg Road, 2,000 feet west of Drybridge Road The existing zoning is M-1C Light Industrial District (Conditional) The Land Use Plan recommends Planned Industry The site is in the Airport Safety Overlay District **Staff – Mark Bittner (Deferral requested to the August 12, 2004 Meeting). DEFERRED TO AUGUST 12, 2004**

C-32C-04 The Rebkee Company: Request to conditionally rezone from A-1 Agricultural District to B-2C Business District (Conditional), Parcels 834-713-8189, 834-714-9609 and part of Parcel 834-714-5632, containing 8 77 acres, located at the northwest intersection of Drybridge and E Williamsburg (U S Route 60) Roads A grocery store and other retail uses are proposed The uses will be controlled by zoning ordinance regulations and proffered conditions The Land Use Plan recommends Office The site is in the Airport Safety Overlay District **Staff – Mark Bittner APPROVED**

BROOKLAND:

Deferred from the June 10, 2004 Meeting:

C-24C-04 Lunsford L. Duke Request to conditionally rezone from A-1 Agricultural District to R-5C General Residence District (Conditional), Parcels 761-769-6447 and 761-769-4574, containing 10 36 acres located at the southwest intersection of Staples Mill (U S Route 33) and Springfield Roads A multifamily development is proposed The R-5 District allows a density up to 14 52 units per acre The Land Use Plan recommends Suburban Residential 1, 1 0 to 2 4 units net density per acre **Staff – Jean Moore (Deferral requested to the August 12, 2004 Meeting). DEFERRED TO AUGUST 12, 2004**

FAIRFIELD.

C-30-04 Gregory A Windsor: Request to rezone from R-2AC One Family Residence District (Conditional) to C-1 Conservation District, part of Parcel 793-759-4718, containing 6 38 acres, located on the south side of E Parham Road beginning

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approximately 900 feet east of Fredonia Road and on the northwest corner of E Parham Road and Chamberlayne Road. A common area is proposed. The Land Use Plan recommends Environmental Protection Area and Suburban Residential 1, 10 to 24 units net density per acre. **Staff – Jean Moore (Expedited agenda requested), APPROVED**

P-9-04 Omnipoint Communications CAP Operations LLC: 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 a 140-foot wireless telecommunications tower, on part of Parcel 795-745-6496, containing 2,238 square feet, located on the northwest side of Richmond Henrico Turnpike approximately 1,200 feet north of Azalea Avenue. The existing zoning is M-1 Light Industrial District. The Land Use Plan recommends Light Industry. **Staff – Mark Bittner APPROVED**

C-33C-04 Atlantic Senior Development, L.L.C.: Request to conditionally rezone from B-3C Business District (Conditional), R-5 General Residence District, and C-1 Conservation District, to R-5C General Residence District (Conditional), part of Parcel 783-748-5077, containing 20.792 acres, located west side of Brook Road (U.S. Route 1), approximately 875 feet south of its intersection with Hilliard Road. The applicant proposes a senior independent living facility containing no more than 240 residential units. The R-5 District allows a density up to 14.52 units per acre. The Land Use Plan recommends Commercial Concentration and Environmental Protection Area. **Staff – Mark Bittner (Deferral requested to the August 12, 2004 Meeting), DEFERRED TO AUGUST 12, 2004**

BEGINNING AT 7:00 P.M.

THREE CHOPT:

Deferred from the May 13, 2004 Meeting:

C-18C-03 Commercial Net Lease Realty Services, Inc.: Request to conditionally rezone from B-3 Business District and A-1 Agricultural District to B-2C Business District (Conditional), Parcel 741-761-8112 and part of Parcel 741-761-8532, containing approximately 2.899 acres, located at the southeast intersection of W. Broad Street (U.S. Route 250) and Three Chopt Lane. A retail use is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Office and Commercial Concentration. This site is within the West Broad Street Overlay District. **Staff – Mark Bittner (Deferral requested to the October 14, 2004 Meeting) DEFERRED TO OCTOBER 14, 2004**

Deferred from the June 10, 2004 Meeting:

C-51C-03 Larry D. Willis: Request to rezone from A-1 Agricultural District and M-1C Light Industrial District (Conditional) to B-2C Business District (Conditional), Parcels 742-762-9861, 743-762-1862 and 743-762-1538 and part of Parcel 742-762-9178, containing 4.089 acres, located at the northern terminus of Brookriver Drive and at the I64E/I295 southeast cloverleaf. Restaurants and other retail uses are proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Semi-Public. The site is also in the West Broad Street

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Overlay District Staff – Mark Bittner (Deferral requested to the September 9, 2004 Meeting). DEFERRED TO SEPTEMBER 9, 2004

Deferred from the March 11, 2004 Meeting:

C-4C-04 Forest Park Associates, L.L.C.: Request to conditionally rezone from RTH Residential Townhouse District and O-2 Office District to O-2C Office District (Conditional), Parcel 758-743-7963, containing 1 815 acres, located at the northeast intersection of Santa Rosa and Three Chopt Roads. An office and bank is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Office. Staff – Jean Moore (Deferral requested to the August 12, 2004 Meeting). DEFERRED TO AUGUST 12, 2004

Deferred from the April 15, 2004 Meeting:

C-9C-04 Webb L. Tyler and G. Edmond Massie, IV: Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional) and C-1 Conservation District, Parcels 744-764-5770, 744-764-5157, 744-764-4443, 744-764-3831, 744-764-3317, 744-764-2703, 744-763-2190, 744-763-1576, part of Parcels 744-763-0961 and 744-763-0148 (McDonalds Small Farms subdivision), and Parcel 743-763-3572, containing 30 31 acres (R-3C= 28 83 ac , C-1= 1 48 ac), located along the west line of Belfast Road beginning at a point approximately 167 feet south of its intersection with Dublin Road and on the east line of I-295 approximately 375 feet north of I-64. The applicant proffers no more than 2 2 single family residential dwelling units (approximately 67 single family units) per acre. The R-3 District allows a minimum lot size of 11,000 square feet. The Land Use Plan recommends Suburban Residential 1, 1 0 to 2 4 units net density per acre. Staff – Mark Bittner APPROVED

Deferred from the April 15, 2004 Meeting:

C-11C-04 Webb L. Tyler and G. Edmond Massie, IV: Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional) and C-1 Conservation District, Parcels 743-764-6363 and 743-764-4622, containing 20 95 acres (R-3C= 13 93 ac , C-1= 7 02 ac), located between Belfast Road and I-295. The applicant proffers no more than 2 2 single family residential dwelling units (approximately 46 single family units) per acre. The R-3 District allows a minimum lot size of 11,000 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 – Mark Bittner APPROVED

Deferred from the April 15, 2004 Meeting:

C-15C-04 Joseph P. Marchetti, Jr : Request to rezone from A-1 Agricultural District to O-1C Office District (Conditional), Parcel 746-757-7922, containing 0 556 acre, located on the east line of Church Road approximately 140 feet north of Woodbaron Way. The applicant proposes a general office, medical or dental use. The use will be controlled by proffered conditions land zoning ordinance regulations. The Land Use Plan recommends Office. Staff – Mark Bittner (Expedited agenda requested). APPROVED

Deferred from the April 15, 2004 Meeting:

C-16C-04 Colson & Colson Construction Co.: Request to conditionally rezone from A-1 Agricultural District and R-6C General Residence District (Conditional) to R-6C General Residence District (Conditional), Parcels 749-755-4576, 749-755-9136 and 749-755-8188, containing approximately 10 80 acres, located on the north line of Three Chopt Road and the southwest corner of the I-64/Gaskins Road Interchange, approximately 500 feet west of Gaskins Road The applicant proposes a 118-suite unit retirement residence for seniors with associated uses The R-6 District allows a density up to 19 80 units per acre The Land Use Plan recommends Office and Environmental Protection Area **Staff – Jean Moore (Deferral requested to the August 12, 2004 Meeting). DEFERRED TO AUGUST 12, 2004**

C-27C-04 Highwoods Realty LP, etal. Request to conditionally rezone from O-3C Office District (Conditional) to UMU Urban Mixed Unit Development, Parcels 750-766-3162, 750-765-4697, 749-765-7952 and 750-765-0494, containing approximately 36 13 acres, located along the southwest intersection of Cox Road and Sadler Place A mixed use development is proposed All uses will be controlled by proffered conditions and zoning ordinance regulations The applicant proffers any residential use will not exceed three hundred ninety-two (392) units The Land Use Plan recommends Office and Environmental Protection Area **Staff – Mark Bittner (Deferral requested to the August 12, 2004 Meeting). DEFERRED TO SEPTEMBER 9, 2004**

P-6-04 Highwoods Realty LP, etal: Request for a Provisional Use Permit under Sections 24-32 1(a) and 24-122 1 of Chapter 24 of the County Code in order to permit the activities listed in Section 24-32 1(a) of the UMU ordinance, on Parcels 750-766-3162, 750-765-4697, 749-765-7952 and 750-765-0494, containing approximately 36 13 acres, located along the southwest intersection of Cox Road and Sadler Place The existing zoning is O-3C Office District The Land Use Plan recommends Office and Environmental Protection Area **Staff – Mark Bittner (Deferral requested to the August 12, 2004 Meeting). DEFERRED TO SEPTEMBER 9, 2004**

P-7-04 Highwoods Realty LP, etal: Request for a Provisional Use Permit under Sections 24-32 1(u) and 24-122 1 of Chapter 24 of the County Code in order to permit a thirteen (13) foot increase in the permitted height of office buildings in the UMU District, on Parcels 750-766-3162, 750-765-4697, 749-765-7952 and 750-765-0494, containing approximately 36 13 acres, located along the southwest intersection of Cox Road and Sadler Place The existing zoning is O-3C Office District The Land Use Plan recommends Office and Environmental Protection Area **Staff – Mark Bittner (Deferral requested to the August 12, 2004 Meeting) DEFERRED TO SEPTEMBER 9, 2004**

C-34C-04 William W. Eudailey: Request to conditionally rezone from R-6C General Residence District (Conditional) to O-2C Office District (Conditional), Parcel 754-747-5520, containing 0 478 acre, located on the east line of Three Chopt Road, 364 feet south of its intersection with N Parham Road A real estate office is proposed The use will be controlled by proffered conditions and zoning ordinance regulations The

Land Use Plan recommends Office Staff – Jean Moore (Expedited agenda requested). **APPROVED**

TUCKAHOE:

Deferred from the April 15, 2004 Meeting:

C-73C-03 WILHOOK, LLC: Request to conditionally rezone from A-1 Agricultural District and R-1 One Family Residence District to R-2C One Family Residence District (Conditional), part of Parcel 744-742-5871, containing 22 753 acres, located on the north line of Patterson Avenue (Route 6) approximately 1,600 feet west of Gaskins Road The applicant proposes no more than forty (40) single family residential lots The R-2C Districts allows a minimum lot size of 18,000 square feet The Land Use Plan recommends Semi Public **Staff – Jean Moore APPROVED**

C-35C-04 Gaskins Centre, L.C.: Request to conditionally rezone from R-3C One Family Residence District (Conditional), R-5C General Residence District (Conditional), and RTHC Residential Townhouse District (Conditional) to RTHC Residential Townhouse District (Conditional), Parcels 745-740-9892, 746-741-3665 and part of Parcel 745-741-0907, containing 54 589 acres, located at the southeast intersection of N Gaskins Road and Patterson Avenue (State Route 6) The applicant proposes a mixed-residential development with no more than two hundred twenty (220) dwelling units The maximum density in the RTH District is 9 units per acre The Land Use Plan recommends Suburban Residential 1, 1 0 to 2 4 units net density per acre **Staff – Jean Moore (Deferral requested to the August 12, 2004 Meeting). DEFERRED TO AUGUST 12, 2004**

APPROVAL OF MINUTES: Planning Commission June 10, 2004 Minutes APPROVED

Acting on a motion by **Mr. Vanarsdall**, seconded by **Mrs. Ware**, the Planning Commission adjourned its meeting at **9:03 p.m. on July 15, 2004**

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