

**PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
OCTOBER 14, 2004**

BEGINNING AT 7.00 P.M.

CALL TO ORDER.

**REQUESTS FOR WITHDRAWALS AND DEFERRALS: 7:00 PM (0); (11)
8:00 PM (0); (6)**

**REQUESTS FOR EXPEDITED ITEMS: 7:00 PM (2)
8:00 PM (0)**

**CASES TO BE HEARD: 7 00 PM (4)
8:00 PM (5)**

**BEGINNING AT 7:00 P.M.
PLAN OF DEVELOPMENT (Deferred from the September 22, 2004, Meeting)**

POD-70-04 SunTrust Bank – Glen Lea Branch –Mechanicsville Turnpike	Resource International, Ltd for SunTrust Real Estate Corporation. Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a new entrance and revised parking for an existing bank. The 0.276-acre site is located at the southwest corner of the intersection of Rescue Avenue and Mechanicsville Turnpike (U S Route 360) on parcel 802-735-7608. The zoning is B-1, Business District. County water and sewer. (Fairfield)
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The staff recommends approval subject to the annotations on the plans, the standard conditions for developments of this type and the following additional conditions

- 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 entrances and drainage facilities on U S Route 360 shall be approved by the Virginia Department of Transportation and the County.
- 25 A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be

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- submitted to the Department of Planning prior to any occupancy permits being issued
- 26 The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire
- 27 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
- 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 In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-up teller facilities, the owner/occupant shall close the drive-up teller facilities until a solution can be designed to prevent traffic backup
- 30 Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit
- 31 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
- 32 Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Virginia Department of Transportation maintained right-of-way The elevations will be set by the contractor and approved by the Virginia Department of Transportation
- 33 The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval

(Staff Report by Michael Cooper) APPROVED

FAIRFIELD:

Deferred from the August 10, 2004 Board of Supervisors Meeting:

C-20C-04 James Theobald for Eric L. Walker: Request to conditionally rezone from A-1 Agricultural District to O-2C Office District (Conditional), part of Parcel 807-733-6105, containing 17.827 acres, located along the west line of N Laburnum Avenue approximately 1,360 feet southeast of its intersection with Harvie Road Office uses are proposed The use 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 – Seth Humphreys (Deferral requested to the November 10, 2004 Meeting). DEFERRED TO NOVEMBER 10, 2004**

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Deferred from the August 10, 2004 Board of Supervisors Meeting:

C-21C-04 James Theobald for Eric L. Walker: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional), part of Parcel 807-733-6105, containing 18 563 acres, located at the southeast intersection of N Laburnum Avenue and Harvie Road No more than 78 units are proposed The R-5A District allows a minimum lot size of 5,625 square feet The Land Use Plan recommends Office The site is in the Airport Safety Overlay District **Staff – Seth Humphreys (Deferral requested to the November 10, 2004 Meeting). DEFERRED TO NOVEMBER 10, 2004.**

Deferred from the September 9, 2004 Meeting:

C-48C-04 Henry L. Wilton: Request to conditionally rezone from A-1 Agricultural District to B-3C Business District (Conditional), Parcels 804-737-4084 and 804-737-1251, containing 4 8303 acres, located on the east line of Mechanicsville Turnpike (U S Route 360) opposite Springdale Road The applicant proposes business uses The use will be controlled by zoning ordinance regulations and proffered conditions The Land Use Plan recommends Government and Urban Residential The site is in the Airport Safety Overlay District **Staff – Lee Tyson/Samantha Brown (Deferral requested to the November 10, 2004 Meeting). DEFERRED TO NOVEMBER 10, 2004**

THREE CHOPT**Deferred from the July 15, 2004 Meeting:**

C-18C-03 Commonwealth Foundation For Cancer Research: Request to conditionally rezone from A-1 Agricultural District, O-2C Office District (Conditional), B-2C Business District (Conditional), and B-3 Business District to B-2C Business District (Conditional), Parcels 741-761-2931, 741-761-3418, 741-761-8532, 741-761-8112, 741-761-4704, 741-760-5792, 741-761-4645 and part of Parcels 741-760-6979, 742-760-1598, 741-759-0697 and 741-760-8628, containing approximately 14 23 acres, located south of West Broad Street at Three Chopt Lane A retail use is proposed The use will be controlled by zoning ordinance regulations and proffered conditions The Land Use Plan recommends Office and Commercial Concentration The site is in the West Broad Street Overlay District **Staff – Paul Gidley APPROVED**

Deferred from the September 9, 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 commercial 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 Overlay District **Staff – Tom Coleman (Deferral requested to the November 10, 2004 Meeting.) DEFERRED TO NOVEMBER 10, 2004**

Deferred from the August 12, 2004 Meeting:

C-16C-04 Garth Brandaw for 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 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 (Expedited agenda requested) APPROVED**

Deferred from the September 9, 2004 Meeting:

C-22C-04 James W. Theobald for Reynolds Development, LLC: Request to conditionally rezone from O-3C Office District (Conditional), B-3 Business District and M-1 Light Industrial District to B-2C Business District (Conditional), B-3C Business District (Conditional) and O-3C Office District (Conditional), Parcels 767-744-9052, 767-744-6325, 765-744-6557, 766-745-8230, and 767-745-5402, containing approximately 71.021 acres (54.317 ac – B-2C, 2.997 ac – B-3C, 13.707 ac – O-3C), located along the southeast intersection of I-64 and Glenside Drive and the southwest intersection of I-64 and W Broad Street (U.S. Route 250). A retail, hotel, and office development is proposed. The use will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Planned Industry and Government. The site is in the Henrico County Enterprise Zone. **Staff – Paul Gidley (Deferral requested to the November 10, 2004 Meeting) DEFERRED TO NOVEMBER 10, 2004**

Deferred from the September 9, 2004 Meeting:

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 – Tom Coleman (Deferral requested to the November 10, 2004 Meeting). DEFERRED TO NOVEMBER 10, 2004**

Deferred from the September 9, 2004 Meeting:

C-27C-04 James W. Theobald for Highwoods Realty LP, et al: 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 forty-four (344) units. The Land Use Plan recommends Office and Environmental Protection Area. **Staff – Tom**

Coleman (Deferral requested to the November 10, 2004 Meeting). DEFERRED TO NOVEMBER 10, 2004

Deferred from the September 9, 2004 Meeting:

P-6-04 James W. Theobald for 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 – Tom Coleman (Deferral requested to the November 10, 2004 Meeting). DEFERRED TO NOVEMBER 10, 2004**

Deferred from the September 9, 2004 Meeting:

P-7-04 James W. Theobald for 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 – Tom Coleman (Deferral requested to the November 10, 2004 Meeting). DEFERRED TO NOVEMBER 10, 2004**

Deferred from the September 9, 2004 Meeting:

C-44C-04 Andrew Condlin for David E. Cottrell: Request to amend proffered conditions accepted with Rezoning Case C-39C-95, on part of Parcel 740-765-2150, containing 1 4019 acres, located on the east line of Pouncey Tract Road, approximately 350 feet south of Twin Hickory Lake Drive The amendment is related to use restrictions and hours of operation and would permit a car wash The existing zoning is B-3C Business District (Conditional) The Land Use Plan recommends Commercial Concentration, Office and Environmental Protection Area **Staff – Paul Gidley (Deferral requested to the November 10, 2004 Meeting). DEFERRED TO NOVEMBER 10, 2004**

C-50C-04 Neil P. Farmer: Request to conditionally rezone from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional), Parcels 747-774-5839 and 747-774-6515, containing 5 00 acres, located on the northwest line of Twin Hickory Road approximately 270 feet southwest of Lemoore Drive The applicant proffers to develop no more than thirty (30) units The maximum density in the RTH District is nine (9) units per acre The Land Use Plan recommends Urban Residential, 3 4 to 6 8 units net density per acre **Staff – Paul Gidley DEFERRED TO NOVEMBER 10, 2004**

C-51-04 Bonnie Beavers for HHHunt Corporation: Request to rezone from R-5AC General Residence District (Conditional) and RTHC Residential Townhouse

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District (Conditional) to C-1 Conservation District, part of Parcels 747-771-2430 and 745-768-7376 containing 13.31 acres, located on along the north and south lines of Hickory Bend Drive, approximately 1,000 feet east of Twin Hickory Lake Drive. A conservation area and associated uses are proposed. The Land Use Plan recommends Environmental Protection Area, Rural Residential, and Suburban Residential 2, 2.4 to 3.4 units net density per acre. **Staff – Samantha Brown (Expedited agenda requested) APPROVED**

C-52C-04 Gloria Freye for D. O. Allen Homes: Request to conditionally rezone from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional), Parcels 736-755-9422 and 736-755-5630, containing 7.034 acres, located on the north line of Church Road opposite Church Court. The applicant proffers not to exceed thirty (30) units on the property. The maximum density in the RTH District is nine (9) units per acre. The Land Use Plan recommends Suburban Residential 2, 2.4 to 3.4 units net density per acre. **Staff – Jean Moore/Samantha Brown APPROVED**

C-53C-04 Alvin Mistr/Gordon Brooks for BMJ, LLC. Request to conditionally rezone from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), Parcels 742-771-2730 and 742-771-5837, containing approximately 8.0 acres, located on the west line of Shady Grove Road approximately 500 feet south of Hames Lane. A single-family residential subdivision is proposed. The R-2AC 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 and Environmental Protection Area. **Staff – Paul Gidley APPROVED**

BEGINNING AT 8:00 P.M.

TUCKAHOE:

Deferred from the August 12, 2004 Meeting:

C-36C-04 The Episcopal Diocese of Virginia: Request to conditionally rezone from O-3C Office District (Conditional) and B-2C Business District (Conditional) to R-0C One Family Residence District (Conditional), Parcel 737-750-7485, containing 7.577 acres, located at the northwest intersection of Ridgefield Green Drive and Ridgefield Parkway. A church is proposed. The use will be controlled by zoning ordinance regulations and proffered conditions. The R-0 District requires three acres for a church. The Land Use Plan recommends Urban Residential, 3.4 to 6.8 units net density per acre, and Office. **Staff – Tom Coleman (Deferral requested to the December 9, 2004 Meeting) DEFERRED TO DECEMBER 9, 2004**

VARINA:

Deferred from the August 12, 2004 Meeting:

C-56C-03 Alvin Mistr, Jr for WWLP Development, LLC: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional), Parcels 802-696-9269 and part of 803-696-6866, containing 41.76 acres, located on the east line of Osborne Turnpike approximately 4.1 mile north of Tree Ridge Road. A single-family subdivision is proposed. The maximum density in the R-5AC District is 7.7

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units per acre The Land Use Plan recommends Suburban Residential 1, 1 0 to 2 4 units net density per acre **Staff – Paul Gidley APPROVED**

Deferred from the September 22, 2004 Meeting:

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 – Tom Coleman APPROVED**

C-55C-04 Burrell Saunders for Rocketts Landing, LLC: Request to conditionally rezone from M-2 General Industrial District to UMU Urban Mixed Use District, Parcels 797-713-5542, 797-713-4210, 797-712-3780, 797-711-6071 and 797-711-2587, containing 30 68 acres, located between the west line of Old Osborne Turnpike and the James River, extending from the city/county boundary to Bickerstaff Road (Rocketts Landing UMU) A mixed-use district including residential, office and commercial uses as permitted in the UMU District is proposed The uses will be controlled by zoning ordinance regulations and proffered conditions The Land Use Plan recommends Urban Mixed Use **Staff – Tom Coleman APPROVED**

P-14-04 Burrell Saunders for Rocketts Landing LLC: Request for a Provisional Use Permit under Sections 24 32 1, 24-34 1 and 24-122 1 of the County Code in order to submit a Master Plan for the proposed Rocketts Landing Urban Mixed Use District, on Parcels 797-713-5542, 797-713-4210, part of Parcel 797-712-3780, and part of Parcel 797-713-8451, containing approximately 11 77 acres, located between the west line of Old Osborne Turnpike and the James River, extending from the city/county boundary to Bickerstaff Road The existing zoning is M-2 General Industrial District The Land Use Plan recommends Urban Mixed Use **Staff – Tom Coleman APPROVED**

PUBLIC HEARING AMENDMENT TO THE HENRICO 2010 LAND USE PLAN MAP The Planning Commission will consider an amendment to the Henrico County 2010 Land Use Plan Map to designate Wilton Farm – comprised of approximately 1,184 8 acres and bordered by the James River to the west and south and Osborne Turnpike to the east and straddling the Pocahontas Parkway (Route 895) – as an Urban Mixed Use Development Area (UMU) **Staff – Tom Coleman (Deferral requested to the November 10, 2004 Meeting). DEFERRED TO NOVEMBER 10, 2004**

C-56C-04 James Theobald for HHHunt Corporation: Request to conditionally rezone from A-1 Agricultural District and M-1 Light Industrial District to UMU Urban Mixed Use District, Parcel 798-683-5459, containing approximately 1,184 8 acres, located between the James River and Osborne Turnpike and along the north and south lines of the Pocahontas Parkway (State Route 895) The applicant proposes an Urban

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Mixed Use District with commercial uses and no more than three thousand two hundred nine (3,209) residential units developed on the property. The uses will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Rural Residential, not exceeding 1.0 unit per acre, Suburban Residential 1, 1.0 to 2.4 units net density per acre, and Environmental Protection Area. **Staff – Tom Coleman (Deferral requested to the November 10, 2004 Meeting). DEFERRED TO NOVEMBER 10, 2004**

P-15-04 James Theobald for HHHunt Corporation: Request for a Provisional Use Permit under Sections 24-32.1, 24-34.1 and 24-122.1 of the County Code in order to submit a Master Plan for the proposed Wilton Urban Mixed Use District, on Parcel 798-683-5459, containing approximately 1,184.8 acres, located between the James River and Osborne Turnpike and along the north and south lines of the Pocahontas Parkway (State Route 895). The existing zoning is A-1 Agricultural District and M-1 Light Industrial District. The Land Use Plan recommends Rural Residential, not exceeding 1.0 unit per acre, Suburban Residential 1, 1.0 to 2.4 units net density per acre, and Environmental Protection Area. **Staff – Tom Coleman (Deferral requested to the November 10, 2004 Meeting). DEFERRED TO NOVEMBER 10, 2004**

P-16-04 James Theobald for HHHunt Corporation: Request for a Provisional Use Permit under Sections 24-32.1 and 24-122.1 of the County Code in order to include single family detached homes in the proposed Wilton Urban Mixed Use District, on Parcel 798-683-5459, containing approximately 1,184.8 acres, located between the James River and Osborne Turnpike and along the north and south lines of the Pocahontas Parkway (State Route 895). The existing zoning is A-1 Agricultural District and M-1 Light Industrial District. The Land Use Plan recommends Rural Residential, not exceeding 1.0 unit per acre, Suburban Residential 1, 1.0 to 2.4 units net density per acre, and Environmental Protection Area. **Staff – Tom Coleman (Deferral requested to the November 10, 2004 Meeting). DEFERRED TO NOVEMBER 10, 2004**

P-17-04 James Theobald for HHHunt Corporation: Request for a Provisional Use Permit under Sections 24-32.1 and 24-122.1 of the County Code as required for the Urban Mixed Use District in order to exceed the 10,000 square foot maximum floor area for principal uses in the proposed Wilton Urban Mixed Use District, on Parcel 798-683-5459, containing approximately 1,184.8 acres, located between the James River and Osborne Turnpike and along the north and south lines of the Pocahontas Parkway (State Route 895). The existing zoning is A-1 Agricultural District and M-1 Light Industrial District. The Land Use Plan recommends Rural Residential, not exceeding 1.0 unit per acre, Suburban Residential 1, 1.0 to 2.4 units net density per acre, and Environmental Protection Area. **Staff – Tom Coleman (Deferral requested to the November 10, 2004 Meeting). DEFERRED TO NOVEMBER 10, 2004**

BROOKLAND.

Deferred from the September 9, 2004 Meeting:

C-40C-04 Glenn Moore for RER Properties, LLC: Request to amend proffered conditions accepted with Rezoning Case C-73C-85, on part of Parcel 760-755-5474,

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containing 1 644 acres, located on the north side of W Broad Street (U S Route 250) approximately 220 feet west of N Skipwith Road The amendments would permit vehicle repair and service as a use, and also regulate building location from the northern property line The existing zoning is B-3C Business District (Conditional) The Land Use Plan recommends Commercial Arterial **Staff – Tom Coleman APPROVED**

**APPROVAL OF MINUTES: Work Session September 9, 2004 Minutes
 Planning Commission September 9, 2004 Minutes**

Acting on a motion by Mr. Archer, seconded by Mr. Jernigan, the Planning Commission adjourned its meeting at 10:26 p.m. on October 14, 2004

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