

**PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
MARCH 10, 2005**

BEGINNING AT 7:00 P.M.

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (1); (5)

REQUESTS FOR EXPEDITED ITEMS. (1)

CASES TO BE HEARD: (4)

**PLAN OF DEVELOPMENT (ARCHITECTURAL PLANS)
(DEFERRED FROM THE FEBRUARY 23, 2005, MEETING)**

POD-5-05
Grayson Hill, Section 1
Patterson Avenue and
Gaskins Road

E. D. Lewis & Associates, P.C for Gaskins Centre, LC.
Request for approval of architectural plans for a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 50, two and three-story townhouse units for sale with a club house and swimming pool. The 14.836-acre site is located on the southeast corner of Patterson Avenue (State Route 6) and Gaskins Road on parcels 745-741-0907 (part), 745-740-9892 (part) and 746-741-3665. The zoning is RTHC, Residential Townhouse District. County water and sewer
(Tuckahoe)

At this time, the applicant has withdrawn his request for the approval of hardiplank siding as an option to be used on the side elevations of certain townhouse units within this development. The architectural elevations provided are in substantial conformance with the exhibits approved as part of zoning case C-35C-04. Staff comments related to the design and dimensions of the various architectural projections will need to be addressed prior to issuance of any building permits. The staff recommends approval of the architectural plans for Grayson Hill. The Planning Commission approved the site plan for Section 1 on January 26, 2005. No changes to the approved conditions are recommended.

(Staff Report by Kevin Wilhite) APPROVED

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SUBDIVISION (DEFERRED FROM THE FEBRUARY 23, 2005, MEETING)

Majestic Meadows
(February 2005 Plan)

Engineering Design Associates for Reginald H. Nelson, IV and Phyllis Marie Nelson The 180.94-acre site proposed for a subdivision of 130, single-family homes is located at 9421 Osborne Turnpike at the northeast corner of the intersection of Osborne Turnpike and Kingsland Road on parcel 808-672-3167. The zoning is A-1, Agricultural District Individual well and septic tank/drainfield **(Varina) 130 Lots**

As of the preparation date of the agenda, the staff has not had an opportunity to review the most recent revised plan. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for subdivisions not served by public utilities, the following additional conditions are recommended:

- 4 **AMENDED** – This approval is the conditional plat only. Final approval of the plat shall not be granted until such time as the Virginia Department of Health has granted approval for sewage disposal on all lots or until a final plat is prepared that conspicuously indicates all lot(s) not receiving Virginia Department of Health approval for sewage disposal, and which states that there shall be no construction on lots without such approval. Details of approved sewage disposal systems and reserved areas for such systems shall be included with the final construction plan prior to construction plan approval.
- 11 Each lot shall contain at least 43,560 square feet, exclusive of the flood plain areas.
- 12 The limits and elevation of the 100-year frequency flood shall be conspicuously noted on the plat and construction plans and labeled "Limits of 100-year floodplain." Dedicate floodplain as a "Variable Width Drainage & Utilities Easement."
- 13 The detailed plant list and specifications for the landscaping and a decorative fence to be provided within the 20-foot-wide planting strip easement along the east side of Osborne Turnpike and the north side of Kingsland Road shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.
- 14 Any necessary offsite drainage easements must be obtained prior to approval of the construction plan by the Department of Public Works.
- 15 Any future building lot containing a BMP, sediment basin or trap and located within the buildable area for a principal structure or accessory structure, may be developed with engineered fill. All material shall be deposited and compacted in accordance with the Virginia Uniform Statewide Building Code and geotechnical guidelines established by a professional engineer. A detailed engineering report shall be submitted for the review and approval by the Building Official prior to the issuance of a building permit on the affected lot. A copy of the report and recommendations shall be furnished to the Directors of Planning and Public Works.
- 16 A plan shall be submitted prior to recordation of the plat showing the buildable area for each lot to properly recognize the limitations for dwelling unit dimensions and setbacks. Buildable area is that area within which a dwelling unit may legally be located considering the front yard, side yard, and rear yard setback requirements of Chapter 24, of the Henrico County Code.

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- 17 Prior to requesting the final approval, a draft of the covenants and deed restrictions for the maintenance of the common area by a homeowners association shall be submitted to the Planning Office for review. Such covenants and restrictions shall be form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.
- 18 The individual owners of each lot with a common drive will be responsible for the maintenance of the common drives (alleys) as shown on the approved plan.
- 19 The right-of-way dedicated for future realignment of Osborne Turnpike will be maintained by the owners of lots fronting on the right-of-way until such time as Osborne Turnpike (realigned) is constructed.

(Staff Report by Jim Strauss) DEFERRED TO APRIL 14, 2005

FAIRFIELD

Deferred from the November 10, 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 – Rosemary Deemer (Deferral requested to the April 14, 2005 Meeting). DEFERRED TO APRIL 14, 2005**

Deferred from the January 13, 2005 Meeting:

C-58C-04 Loftis Real Estate & Development: Request to conditionally rezone from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional), part of Parcel 800-730-7438, containing 6.981 acres, located at the north intersection of Elkridge Lane and 20th Street, adjoining the northwest property line of the Oak Hill subdivision. Residential townhouses are proposed. 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 – Lee Tyson (Deferral requested to the May 12, 2005 Meeting). DEFERRED TO MAY 12, 2005**

Deferred from the February 10, 2005 Meeting:

C-6C-05 Robert Atack for Atack Properties, Inc.: Request to conditionally rezone from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), Parcels 781-773-3186, 780-773-3673, 780-773-2718 and 780-772-9071, containing approximately 88.11 acres, located between the Chickahominy River and the north line of the proposed Woodman Road extension, approximately 2,500 feet west of Brook Road (U.S. Route 1). The applicant proposes a single-family residential subdivision with a maximum density not to exceed 2.4 lots per acre. 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 and Environmental Protection Area. **Staff – Tom Coleman APPROVED**

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C-11C-05 Rogers-Chenault, Inc.: Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcels 777-764-6922 and 777-764-7772, containing approximately 42.56 acres, located on the west line of Mountain Road at its intersection with Megan Drive. The applicant proposes a single-family residential subdivision with a maximum number of eighty-four (84) lots. The R-3 District allows a minimum lot size of 11,000 square feet. The Land Use Plan recommends Open Space/Recreation and Environmental Protection Area. **Staff – Tom Coleman (Deferral requested to the April 14, 2005 Meeting). DEFERRED TO APRIL 14, 2005**

THREE CHOPT:

Deferred from the February 10, 2005 Meeting:

C-42C-04 Skip Gelletly: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional), Parcel 731-763-1648, containing approximately 3.1 acres, located on the west line of Gayton Hills Lane approximately 200 feet south of Graham Meadows Drive. A residential subdivision is proposed. The maximum density in the R-5AC District is 7.7 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Suburban Residential 2, 2.4 to 3.4 units net density per acre. **Staff – Seth Humphreys (Withdrawn by the applicant). WITHDRAWN**

C-9C-05 Barrington Investors Ltd : Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcel 743-756-3422, containing 5.27 acre, located on the east line of Bell Tower Court, approximately 300 feet southeast of its intersection with Bell Tower Lane. The applicant proposes single-family residential development to be incorporated into the Bell Tower subdivision. 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 – Rosemary Deemer/Jean Moore (Expedited agenda requested). APPROVED**

VARINA:

Deferred from the January 13, 2005 Meeting:

C-54C-04 Craig Erdmann for Chimilson Acres, LLC: Request to rezone from M-1 Light Industrial District, R-4 One Family Residence District and B-1 Business District to RTHC Residential Townhouse District (Conditional), part of Parcel 805-710-1834, containing approximately 13.07 acres, located on the southwest line of Darbytown Road opposite Oregon Avenue. Residential townhouses are proposed. The maximum density in the RTH District is nine (9) units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Multi-Family Residential, 6.8 to 19.8 units net density per acre, Commercial Concentration, and Environmental Protection Area. **Staff – Seth Humphreys (Deferral requested to the June 9, 2005 Meeting). DEFERRED TO JUNE 9, 2005**

Deferred from the January 13, 2005 Meeting:

P-1-05 David Redmond for Mid-Atlantic Commercial Properties, LLC
 Request for a Provisional Use Permit under Sections 24-58 2(a) and 24-122 1 of Chapter 24 of the County Code in order to operate a retail drug store 24 hours per day, on Parcels 816-714-4637 and 816-714-5217, containing 2 11 acres, located on the east line of S Laburnum Avenue approximately 300 feet north of Williamsburg Road (U S Route 60) and the north line of Williamsburg Road (U S Route 60), approximately 170 feet east of S Laburnum Avenue The existing zoning is B-1 and B-3 Business Districts and O-2 Office District The Land Use Plan recommends Commercial Arterial, Commercial Concentration and Suburban Residential 2, 2 4 to 3 4 units net density per acre The site is in the Airport Safety Overlay District **Staff – Lee Tyson APPROVED**

BROOKLAND:

C-10C-05 CGS Properties, LLC: Request to conditionally rezone from R-3 One Family Residence District to RTHC Residential Townhouse District (Conditional), Parcel 767-751-2632, containing 15 17 acres, located on the south line of Wistar Road at its intersection with Shrader Road The applicant proposes residential townhouses for sale with the number of dwelling units not to exceed one hundred twenty-five (125) The RTH Districts allows a maximum of nine (9) units per acre The Land Use Plan recommends Office **Staff – Lee Tyson APPROVED**

APPROVAL OF MINUTES · **Work Session February 10, 2005 APPROVED**
Planning Commission February 10, 2005
APPROVED

Acting on a motion by **Mr. Archer**, seconded by **Mrs Jones**, the Planning Commission adjourned its meeting at **8:46 p.m.** on **March 10, 2005**

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