

**PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
SEPTEMBER 14, 2006**

BEGINNING AT 6:30 P.M.

CALL TO ORDER:

PUBLIC HEARING: AN ORDINANCE to amend and reordain subsections (d) and (e) of Section 24-8 of the Code of the County of Henrico to modify existing requirements for repair of nonconforming buildings damaged by natural disasters. **APPROVED**

PUBLIC HEARING: AN ORDINANCE to amend Sections 24-50.11:1, 24-58.2, 24-59, 24-62.2, 24-63, 24-94, 24-94.1 and 24-101 of the Code of the County of Henrico to allow buildings up to 200 feet in height in the O-3, B-2 and B-3 districts by provisional use permit. **APPROVED**

BEGINNING AT 7:00 P.M.

CALL TO ORDER:

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (2); (5)

REQUESTS FOR EXPEDITED ITEMS: (3)

CASES TO BE HEARD: (7)

TUCKAHOE:

None.

VARINA:

Deferred from the March 9, 2006 Meeting.

C-31C-05 Courtney Fisher for Richmond Land Company: Request to conditionally rezone from O-2C Office District (Conditional) to R-3C One Family Residence District (Conditional), Parcel 818-716-1579, containing 0.762 acre, located at the southwest intersection of Audubon Drive and Oakleys Lane. The applicant proposes a single-family residential development. The R-3 District allows a minimum lot size of 11,000 square feet with a maximum gross density of 3.96 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office and Environmental Protection Area. The site is in the Airport Safety Overlay District. **Staff – Rosemary Deemer (Withdrawn by Applicant) WITHDRAWN**

September 14, 2006

Deferred from the August 10, 2006 Meeting.

C-79C-05 Larry Horton for StyleCraft Homes Development Corp.: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional), RTHC Residential Townhouse District (Conditional), and B-3C Business District (Conditional), Parcel 813-701-0425, containing 81.45 acres, located at the southwest intersection of Darbytown Road and Laburnum Avenue. The applicant proposes a retail and residential development with density of no more than one hundred and eighty three (183) single family and townhouse units. The uses will be controlled by zoning ordinance regulations and proffered conditions. The R-5A District allows a minimum lot size of 5,625 square feet with a maximum gross density of 7.7 units per acre. 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, Office, and Environmental Protection Area. **Staff – Lee Tyson RECOMMENDED FOR APPROVAL.**

Deferred from the August 10, 2006 Meeting.

C-35C-06 E. F. Moseley, LLC: Request to conditionally rezone from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), Parcels 820-689-0994 and -3688, and part of Parcels 819-689-8194, 820-689-1644, and 818-688-9639, containing 21.33 acres, located on the west line of Doran Road approximately 3,300 feet north of New Market Road (State Route 5). The applicant proposes a single-family residential subdivision at a density of not more than 2.3 units per acre. The R-2A District allows a minimum lot size of 13,500 square feet and a maximum gross density of 3.23 units per acre. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The site is in the Airport Safety Overlay District. **Staff – Nathalie Croft (Deferral requested to the October 12, 2006 Meeting). DEFERRED TO 10/12/2006.**

Deferred from the August 10, 2006 Meeting.

C-36C-06 Gloria Freye for Waypoint Development, LLC: Request to conditionally rezone from R-4 One Family Residence District, B-1 Business District and M-1 Light Industrial District to R-5AC General Residence District (Conditional), part of Parcel 805-710-1834, containing 13.15 acres, located on the southwest line of Darbytown Road at its intersection with Oregon Avenue. The applicant proposes a single family residential subdivision with a maximum of 40 lots. The R-5A District allows a minimum lot size of 5,625 square feet and a maximum gross density of 7.7 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 – Lee Tyson (Deferral requested to the October 12, 2006 Meeting). DEFERRED TO 10/12/2006.**

C-45C-06 Caroline L. Nadal for Raj Jain: Request to amend proffered conditions accepted with Rezoning Case C-10C-89, on part of Parcel 818-717-5830, containing 3.071 acres, located between the north line of Audubon Drive and the southern

terminus of International Trade Court. The applicant proposes to amend Proffer 6 to include hotels in the list of permitted uses. The applicant proposes an extended-stay hotel. 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 and Enterprise Zone. **Staff – Nathalie Croft (Deferral requested to the October 12, 2006 Meeting) DEFERRED TO 10/12/2006**

C-46C-06 James Theobald for the Rebkee Company: Request to conditionally rezone from B-2C and B-3C Business Districts (Conditional) to B-2C Business District (Conditional), Parcel 824-720-8799, containing approximately 1.784 acres, located on the southeast line of S. Airport Drive approximately 244 feet southwest of its intersection with E. Nine Mile Road. The applicant proposes a drug store or other retail uses. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Commercial Concentration. The site is in the Airport Safety Overlay District and the Enterprise Zone. **Staff – Nathalie Croft RECOMMENDED FOR APPROVAL.**

BROOKLAND:

C-38C-06 James Theobald for CA, LLC: Request to amend proffered conditions accepted with Rezoning Case C-67C-03, on part of Parcels 762-773-4696 and 764-774-3512, located between the north line of Interstate 295, the south line of Hunton Park Boulevard, the east line of Hunton Park Lane, and the west line of The Manor at Hunton Park subdivision. The applicant proposes amending RTHC Residential Townhouse District (Conditional) proffers 2, 3, 4, 9, 18, and 20 related to architectural treatment, minimum house size, buffers, entry signage, sound suppression, and garages, and amending R-2AC One Family Residence District (Conditional) proffers 15 and 21 related to fences and sound suppression. The applicant proposes adding four new proffers related to building setbacks, landscaping, dead tree removal, and lighting. The existing zoning is RTHC Residential Townhouse District (Conditional), R-2AC One Family Residence District (Conditional), and C-1 Conservation District. The Land Use Plan recommends Office/Service, Urban Residential 3.4 to 6.8 units net density per acre, and Environmental Protection Area. **Staff – Livingston Lewis (Expedited agenda requested) RECOMMENDED FOR APPROVAL.**

FAIRFIELD:

P-17-06 Jacqueline Karp for Verizon Wireless: Request for a provisional use permit under Sections 24-92.2, 24-95(a), 24-120 and 24-122.1 of the County Code in order to construct a 150' monopole telecommunications tower on part of Parcel 802-736-8028, located at the northwest intersection of E. Laburnum Avenue and Mechanicsville Turnpike (U. S. Route 360). The existing zoning is B-2 Business District. The Land Use Plan recommends Commercial Concentration. The site is in the Airport Safety Overlay District. **Staff – Tom Coleman (Deferral requested to the October 12, 2006 Meeting) DEFERRED TO 10/12/2006.**

C-47-06 George Haw: Request to rezone from R-3 One Family Residence District and C-1 Conservation District to M-2 General Industrial District, part of Parcels 798-738-

7146 and 798-738-9090, containing 0.43 acre, located on the west line of Vawter Avenue approximately 600 feet north of its intersection with E. Laburnum Avenue. The applicant proposes parking and a storage shed for the existing office/warehouse uses. The use will be controlled by zoning ordinance regulations. The Land Use Plan recommends Heavy Industry. The site is in the Airport Safety Overlay District. **Staff – Livingston Lewis (Expedited agenda requested) RECOMMENDED FOR APPROVAL.**

THREE CHOPT:

Deferred from the July 13, 2006 Meeting.

C-75C-05 John J. Hanky III, for Barrington Development, Inc.: Request to conditionally rezone from R-3C One Family Residence District (Conditional) to O-2C Office District (Conditional), Parcel 740-758-4797, containing 2.215 acres, located on the east line of the proposed John Rolfe Parkway right-of-way approximately 310 feet south of Three Chopt Road. The applicant proposes an office development. 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, and Environmental Protection Area. The site is in the West Broad Street Overlay District. **Staff – Nathalie Croft (Withdrawn by Applicant) WITHDRAWN**

Deferred from the August 10, 2006 Meeting.

P-14-06 Gloria Freye for Richmond 20MHz, LLC (NTELOS): Request for a provisional use permit under Sections 24-95(a), 24-120 and 24-122.1 of the County Code in order to construct a PCS wireless communications facility with a 102' high flagpole style antenna, on part of Parcel 752-749-9473, located on the east side of Three Chopt Road at its intersection with Ridgefield Road. The existing zoning is A-1 Agricultural District and R-3 One Family Residence District. The Land Use Plan recommends Semi Public and Environmental Protection Area. **Staff – Livingston Lewis RECOMMENDED FOR APPROVAL.**

Deferred from the August 10, 2006 Meeting.

C-42C-06 James Theobald for Smith Packett Med-Com: Request to conditionally rezone from A-1 Agricultural District, R-3 One Family Residence District, and R-5C General Residence District (Conditional), to R-6C General Residence District (Conditional), Parcels 752-753-3276 and 753-754-0908, containing approximately 46.73 acres, located on the east line of Pemberton Road (State Route 157) between the north line of Fordson Road and the south line of Interstate 64. The applicant proposes a life care facility with retail uses. 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, Multi-Family Residential, 6.8 to 19.8 units net density per acre, Semi-Public, and Environmental Protection Area. **Staff – Nathalie Croft RECOMMENDED FOR APPROVAL.**

Deferred from the August 10, 2006 Meeting.

P-15-06 James Theobald for Smith Packett Med-Com: Request for a provisional use permit under Sections 24-36.1, 24-120 and 24-122.1 of the County

Code to construct and operate a life care facility with retail uses, on Parcels 752-753-3276 and 753-754-0908, containing approximately 46.73 acres, located on the east line of Pemberton Road (State Route 157) between the north line of Fordson Road and the south line of Interstate 64. The existing zoning is A-1 Agricultural District, R-3 One Family Residence District and R-5C General Residence District (Conditional). The property is the subject of rezoning case C-42C-06, which proposes to rezone the property to R-6C General Residence District (Conditional). The Land Use Plan recommends Suburban Residential 2, 2.4 to 3.4 units net density per acre, Multi-Family Residential, 6.8 to 19.8 units net density per acre, Semi-Public, and Environmental Protection Area. **Staff – Nathalie Croft RECOMMENDED FOR APPROVAL.**

Deferred from the August 10, 2006 Meeting.

C-44C-06 Andrew Conclin for Kalyan Plaza II, Inc.: Request to amend proffered conditions accepted with Rezoning Case C-43C-05, on Parcel 735-763-7898, located on the north line of West Broad Street (U. S. Route 250) approximately 1,650 feet east of North Gayton Road. The applicant proposes to amend Proffer 13 related to use restrictions and square footage and Proffer 15 related to exterior elevations and conceptual site plan. The existing zoning is B-2C Business District (Conditional). The Land Use Plan recommends Mixed Use. The site is in the West Broad Street Overlay District. **Staff – Nathalie Croft RECOMMENDED FOR APPROVAL.**

P-18-06 David Du: Request for a provisional use permit under Sections 24-58.2(d), 24-120 and 24-122.1 of the County Code to permit an outside dining area for Dd 33 Asian Bistro in the Shoppes @ Twin Oaks, on part of Parcel 748-759-3503, located at the southeast intersection of Westerre Parkway and Cox Road. The existing zoning is B-2C Business District (Conditional). The Land Use Plan recommends Office. **Staff – Livingston Lewis (Expedited agenda requested) RECOMMENDED FOR APPROVAL.**

C-48C-06 Ralph L. Axelle, Jr. for Henrico Doctors Hospital: Forest Campus, LLC: Request to conditionally rezone from R-6 General Residence District to O-3C Office District (Conditional), part of Parcel 760-744-1845, containing approximately 8.85 acres, located on the southeast line of Forest Avenue approximately 1,300 feet west of its intersection with Skipwith Road. The applicant proposes an expansion of a hospital complex including general hospitals, office buildings with retail and service facilities, and child care centers. 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. **Staff – Lee Tyson RECOMMENDED FOR APPROVAL.**

C-49C-06 Caroline L. Nadal for Rockwood, Inc.: Request to conditionally rezone from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), Parcels 738-771-6301, -4105, and -2400, containing approximately 7.081 acres, located on the east line Pouncey Tract Road approximately 1,412 feet north of its intersection with Shady Grove Road. The applicant proposes a single family residential subdivision with a maximum density not to exceed 2.0 units per acre. The R-2A District allows a

minimum lot size of 13,500 square feet and a maximum gross density of 3.23 units per acre. 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. **Staff – Lee Tyson (Deferral requested to the October 12, 2006 Meeting) DEFERRED TO 10/12/2006.**

**APPROVAL OF MINUTES: Planning Commission August 10, 2006
APPROVED**

Acting on a motion by [Branin](#), seconded by [Mrs. Jones](#), the Planning Commission adjourned its meeting at [9:19](#) on [9/14/2006](#).

View the Planning Commission agendas at

<http://www.co.henrico.va.us/planning/meetnext.htm> and
<http://www.co.henrico.va.us/planning/podnext.htm>