

**PLANNING COMMISSION  
REZONING MEETING  
FINAL AGENDA  
MARCH 15, 2007**

**BEGINNING AT 7:00 P.M.**

**CALL TO ORDER:**

**REQUESTS FOR WITHDRAWALS AND DEFERRALS: (1); (9)**

**REQUESTS FOR EXPEDITED ITEMS: (2)**

**CASES TO BE HEARD: (0)**

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**THREE CHOPT:**

**Deferred from the December 7, 2006 Meeting.**

**P-16-06 Glenn Moore for Basilius E. Tsimbos:** Request for a Provisional Use Permit under Sections 24-58.2(d), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to construct an outside dining area for a proposed restaurant on Parcel 761-754-1383, located on the east line of Skipwith Road approximately 350 feet south of West Broad Street (U. S. Route 250). The existing zoning is B-2C Business District (Conditional). The Land Use Plan recommends Commercial Arterial and Office. **Staff – Lee Tyson (Deferral requested to the June 14, 2007 Meeting) [Deferred to the June 14, 2007 Meeting](#)**

**Deferred from the January 11, 2007 Meeting.**

**C-19C-06 G. Edmond Massie, IV for Fidelity Properties, Ltd.:** Request to conditionally rezone from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional), Parcels 746-763-2482, -2896, -1769, 746-764-3818, and 746-763-7257 containing 12.54 acres, located between the east line of Glasgow Road and the west line of Sadler Road, approximately 600 feet north of Ireland Lane. The applicant proposes a residential townhouse development not to exceed 6 dwelling units per acre. The RTH Residential Townhouse District allows a maximum gross density of 9 units per acre. The proposed 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 – Tom Coleman (Deferral requested to the November 8, 2007 Meeting) [Deferred to the November 8, 2007 Meeting](#)**

**Deferred from the January 11, 2007 Meeting.**

**C-8C-05 G. Edmond Massie, IV for Fidelity Properties, Ltd.:** Request to conditionally rezone from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional), Parcel 746-764-5580, containing approximately 4.54 acres,

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located on the west line of Sadler Road approximately 290 feet south of Wonder Lane. The applicant proposes a townhouse development not to exceed six (6) units per acre. The maximum density allowed in the RTH District is nine (9) units per acre. The uses will be controlled by proffered conditions and zoning ordinance regulations. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. **Staff – Tom Coleman (Deferral requested to the November 8, 2007 Meeting)**  
**Deferred to the November 8, 2007 Meeting**

**Deferred from the January 11, 2007 Meeting.**

**P-4-06 Gloria Freye for Bechtel Corp.:** Request for a Provisional Use Permit under Sections 24-95(a)(3) and 24-122.1 of Chapter 24 of the County Code in order to construct a 149' high telecommunication tower on Parcel 744-771-3182, located on the east line of Shady Grove Road north of Hames Lane. The existing zoning is A-1 Agricultural District. The Land Use Plan recommends Suburban Residential 2, 2.4 to 3.4 units net density per acre. **Staff – Tom Coleman (Withdrawn by Applicant)**  
**Withdrawn by Applicant**

**Deferred from the February 15, 2007 Meeting.**

**C-59C-06 Andrew Condlin for Towne Center West, LLC:** Request to conditionally rezone from B-2C Business District (Conditional) to R-6C General Residence District (Conditional), part of Parcel 734-764-9340, containing 9.38 acres, located on the north line of West Broad Street (U. S. Route 250) approximately 540 feet east of N. Gayton Road. The applicant proposes retail and office uses with no more than 180 condominium units. The R-6 District allows a maximum gross density of 19.80 units per acre. The uses will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Mixed Use. The site is in the West Broad Street Overlay District. **Staff – Tom Coleman (Deferral requested to April 12, 2007 Meeting)**  
**Deferred to the April 12, 2007 Meeting**

**Deferred from the February 15, 2007 Meeting.**

**P-19-06 Andrew Condlin for Towne Center West, LLC:** Request for a Provisional Use Permit under Sections 24-36.1(b), 24-120 and 24-122.1 of the County Code to permit retail and office uses within a proposed multi-family development on part of Parcel 734-764-9340, located on the north line of West Broad Street (U. S. Route 250) approximately 540 feet east of N. Gayton Road. The existing zoning is B-2C Business District (Conditional). The property is the subject of rezoning case C-59C-06, which proposes to rezone the property to R-6C General Residence District (Conditional). The Land Use Plan recommends Mixed Use. The site is in the West Broad Street Overlay District. **Staff – Tom Coleman (Deferral requested to April 12, 2007 Meeting)**  
**Deferred to the April 12, 2007 Meeting**

**P-4-07 Walter Baietti for Cox Road, LLC:** Request for a Provisional Use Permit under Sections 24-58.2(d), 24-120 and 24-122.1 of the County Code in order to allow outside dining on part of Parcel 748-759-3503, located at the southeast intersection of Westerre Parkway and Cox Road (The Shoppes at Twin Oaks). The applicant proposes outside dining for the proposed Cupertino's N. Y. Bagel & Deli. The existing

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zoning is B-2C Business District (Conditional). The Land Use Plan recommends Office.  
**Staff – Tom Coleman (Expedited agenda requested) Recommended for Approval**

**C-17-07 Luke R. Lappin for McCabe’s Grant, LLC:** Request to rezone from R-2AC One-Family Residence District (Conditional) to C-1 Conservation District, part of Parcels 743-755-1624 and 742-754-8984, containing .90 acres, located on the south side of Church Road at the southern terminus of Loreine’s Landing Lane and Crown Grant Road. The applicant proposes conservation area. The Land Use Plan recommends Environmental Protection Area. **Staff – Lee Tyson (Expedited agenda requested) Recommended for Approval**

**TUCKAHOE:**

None.

**VARINA:**

*Deferred from the January 11, 2007 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 six (6) 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 May 10, 2007 Meeting) Deferred to the May 10, 2007 Meeting**

*Deferred from the January 11, 2007 Meeting.*

**C-3C-07 J. Thomas O’Brien, Jr. for The Tetra Group One, LLC:** Request to conditionally rezone from A-1 Agricultural District, R-3 One-Family Residence District, R-5 General Residence District and B-3 Business District to R-3C One-Family Residence District (Conditional), R-5C General Residence District (Conditional), and B-3C Business District (Conditional), Parcels 836-714-2353, 835-714-7916, 836-712-7784, 835-713-1662 and 836-713-7564, containing 79.769 acres (R-3C - 9.654 ac; R-5C – 9.305 ac; and B-3C – 60.810 ac), located between the north line of E. Williamsburg Road, the south line of Old Williamsburg Road, the east line of Dry Bridge Road and the west line of Old Memorial Drive. The applicant proposes a mixture of uses including a one-family development, age-restricted multi-family dwelling units, and general business. The R-3 District allows a minimum lot size of 11,000 square feet and a maximum gross density of 3.96 units per acre. The R-5 District allows a maximum gross density of 14.52 units per acre. The uses 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, Office and Environmental Protection

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Area. The site is in the Airport Safety Overlay District. **Staff – Lee Tyson (Deferral requested to the April 12, 2007 Meeting) [Deferred to the April 12, 2007 Meeting](#)**

**BROOKLAND:**

***Deferred from the February 15, 2007 Meeting.***

**C-64C-06 Andrew M. Conclin for Wistar Creek, LLC:** Request to conditionally rezone from R-3 One-Family Residence District to RTHC Residential Townhouse District (Conditional), Parcels 767-750-8298, 767-751-8651, 768-750-0490, 768-751-0638, 768-751-2435, 768-751-4119, and 768-751-1362 containing 24.46 acres, located on the south line of Wistar Road approximately 142 feet west of Walkenhut Drive. The applicant proposes a residential townhouse development with a maximum of 130 dwelling units, an equivalent density of 5.31 units per acre. The maximum density allowed in the RTH District is 9 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 ace, and Office. **Staff – Lee Tyson (Deferral requested to the May 10, 2007 Meeting) [Deferred to the May 10, 2007 Meeting](#)**

***Deferred from the February 15, 2007 Meeting.***

**C-10C-07 David Johannas for Pied Venture LLC:** Request to conditionally rezone from B-2 Business District to R-6C General Residence District (Conditional), Parcel 772-737-7160, containing 2.874 acres, located between the north line of Fitzhugh Avenue and the south line of Markel Street, approximately 236 feet southeast of Byrd Avenue. The applicant proposes residential condominiums. The R-6 District allows a maximum gross density of 19.8 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 located within the Enterprise Zone. **Staff – Lee Tyson (Deferral requested to June 14, 2007 Meeting) [Deferred to the June 14, 2007 Meeting](#)**

**FAIRFIELD:**

None.

**APPROVAL OF MINUTES:** Planning Commission – February 15, 2007

Acting on a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the Planning Commission adjourned its meeting at 7:15 p.m. on March 15, 2007.

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