

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

BEGINNING AT 5:00 P M.

5:00 P M. **Dinner and Work Session** County Manager's Conference Room to discuss the status of the Comprehensive Plan

BEGINNING AT 6:00 P.M.

CALL TO ORDER:

PUBLIC HEARING ON PROPOSED CAPITAL IMPROVEMENT PROGRAM:

Henrico County's proposed five year Capital improvement Program (CIP) for FY 2005-06 through FY 2009-10 **APPROVED**

BEGINNING AT 7:00 P.M.

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (3); (5)

REQUESTS FOR EXPEDITED ITEMS: (1)

CASES TO BE HEARD: (4)

RECONSIDERATION OF PLAN OF DEVELOPMENT TO DELETE REQUIREMENT FOR DEDICATION OF RIGHT-OF-WAY

POD-60-04
Lee Conner Realty Office
Building-245 E
Williamsburg Road

Engineering Design Associates for Lee Conner Realty Associates: A plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story, 5,280 square foot office building and associated parking. The 0.94-acre site is located at 245 E Williamsburg Road (U S Route 60), approximately 500 feet east of the intersection of Williamsburg Road (U S Route 60) and Raines Avenue on parcel 828-715-6950. The zoning is B-1, Business District (**Varina**)

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Staff recommends approval of the deletion of condition No 23 and annotations on the plan pertaining to right-of-way dedication, from the Planning Commission's approval of the POD on October 27, 2004

(Staff Report by Michael Cooper) (Expedited agenda requested). APPROVED

PLAN OF DEVELOPMENT (Deferred from the January 26, 2005, Meeting)

<p>POD-4-05 Best Buy @ Brook Road – Brook Road and Technology Park Drive</p>	<p>VHB, Inc for Best Buy Stores, L.P., Bank of Essex, Riner Realty LLC, and RS Brook Road Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 45,000 square foot building, to include a 30,000 square foot retail use and four additional tenant spaces The 5.59-acre site is located at the northeast corner of the intersection of Brook Road (U S Route 1) and Technology Park Drive on parcels 783-768-9476, 783-768-8493 and 783-769-9024 The zoning is B-3C, Business District (Conditional) and M-1, Light Industrial District and C-1C, Conservation District (Conditional) County water and sewer (Fairfield)</p>
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Staff is aware of concerns for traffic circulation from adjacent property owners. These issues are under review. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended.

- 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 Brook Road (U S Route 1) 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 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 The proffers approved as a part of zoning cases C-113C-88 and C-116C-88 shall be incorporated in this approval.

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- 28 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
- 29 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
- 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. 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
- 32 The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction plans needed to implement this conceptual plan may be administratively reviewed and approved and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/approval
- 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

THREE CHOPT:

Deferred from the January 13, 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 DEFERRED TO MARCH 10, 2005

Deferred from the January 13, 2005 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

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B-3C Business District (Conditional) The Land Use Plan recommends Commercial Concentration, Office and Environmental Protection Area **Staff –Tom Coleman (Withdrawn by the applicant). WITHDRAWN**

Deferred from the January 13, 2005 Meeting:

C-2C-05 Ralph Axselle, Jr for LCL Company: Request to amend proffered conditions accepted with Rezoning Case C-36C-89, on Parcel 754-744-1970, containing approximately 8.8 acres, located on the east line of N Parham Road, approximately 650 feet north of its intersection with Eastridge and Quiocasin Roads (Ridge Shopping Center) The amendment deletes Proffer 1, relating to hours of service The existing zoning is B-2C Business District (Conditional) The Land Use Plan recommends Commercial Concentration and Suburban Residential 2, 2.4 to 3.4 units net density per acre **Staff – Lee Tyson (Withdrawn by the applicant). WITHDRAWN**

Deferred from the January 13, 2005 Meeting:

P-19-04 Ralph Axselle, Jr for LCL Company: 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 allow 24 hour service to the general public for a retail business (Fed Ex/Kinkos Store in the Ridge Shopping Center), on part of Parcel 754-744-1970, containing approximately 6,000 square feet, located on the east line of N Parham Road approximately 600 feet north of Eastridge Road The existing zoning is B-2C Business District (Conditional) The Land Use Plan recommends Commercial Concentration **Staff – Lee Tyson (Withdrawn by the applicant). WITHDRAWN**

C-49C-04 Andrew Condlin for Kent Little Request to conditionally rezone from A-1 Agricultural District to B-2C Business District (Conditional) and R-6C General Residence District (Conditional), Parcels 734-764-6330, 734-764-8352, 735-764-1287, 736-764-1973, 735-764-6278, 735-764-4320 and 735-763-5299, containing 43.8 acres, located between the south line of I-64 and the north line of W Broad Street (U S Route 250) beginning approximately 600 feet east of N Gayton Road A retail shopping center and apartments are proposed The use will be controlled by zoning ordinance regulations and proffered conditions The Land Use Plan recommends Mixed Use Development The site is in the West Broad Street Overlay District **Staff – Seth Humphreys APPROVED**

P-2-05 Andrew Condlin for Kent Little. 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 allow extended hours of operation until 2:00 a.m. for a restaurant on Parcel 735-763-5299, containing 1.922 acres, located on the north line of W Broad Street (U S Route 250), approximately 1,550 feet east of its intersection with N Gayton Road The existing zoning is A-1 Agricultural District The Land Use Plan recommends Mixed Use Development The site is in the West Broad Street Overlay District **Staff – Lee Tyson (Deferral requested to the June 9, 2005 Meeting). DEFERRED TO JUNE 9, 2005**

C-4C-05 Ralph Axelle for The Shady Grove Company, Inc.: Request to conditionally rezone from R-2AC One Family Residence District (Conditional) to RTHC Residential Townhouse District (Conditional), part of Parcel 738-772-9227, containing 13 966 acres, located on the northeast side of Pouncey Tract Road southeast of the southern terminus of Hillshire Way The applicant proposes residential condominiums for sale The maximum density allowed 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 **Staff – Lee Tyson APPROVED**

TUCKAHOE:

Deferred from the November 10, 2004 Meeting:

C-27C-02 RFA Management, LLC: Request to amend proffered conditions accepted with rezoning case C-32C-89, on Parcel 740-750-0178, containing 12 415 acres, located at the northeast intersection of Ridgfield Parkway and Glen Eagles Drive, the northwest intersection of Ridgfield Parkway and Eagles View Drive, and the southeast intersection of Eagles View Drive and Glen Eagles Drive The amendment would change the maximum density allowed from 7,850 square feet per acre to 8,975 square feet per acre The existing zoning is B-2C, Business District (Conditional) The Land Use Plan recommends Commercial Concentration **Staff – Lee Tyson (Deferral requested to the April 14, 2005 Meeting). DEFERRED TO APRIL 14, 2005**

BROOKLAND:

Deferred from the January 13, 2005 Meeting:

C-61C-04 Dominion Land & Development Partnership: Request to conditionally rezone from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcels 759-767-5161, 759-767-2638, 759-767-6934, 759-767-6516 and 758-767-8413, containing approximately 14 2 acres, located on the west line of Francistown Road at Castle Point Road The applicant proffers to develop no more than thirty (30) single-family units 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 – Seth Humphreys (Deferral requested to the April 14, 2005 Meeting). DEFERRED TO APRIL 14, 2005**

FAIRFIELD.

C-5C-05 Robert Atack for RMA/Hunton, LLC: Request to conditionally rezone from B-3 Business District to R-5AC General Residence District (Conditional), Parcel 783-764-5602, containing approximately 2 9 acres, located on the north line of Cole Boulevard at the southwest intersection of the I-295 exit ramp and Brook Road (U S Route 1) The applicant proposes a zero lot line, single-family residential subdivision with no more than twenty (20) homes The R-5A District allows a minimum lot size of 5,625 square feet The Land Use Plan recommends Suburban Residential 2, 2 4 to 3 4 units net density per acre **Staff – Tom Coleman APPROVED**

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 **DEFERRED TO MARCH 10, 2005**

APPROVAL OF MINUTES: Planning Commission January 13, 2005 APPROVED

Acting on a motion by Mr. Archer, seconded by Mr. Jernigan, the Planning Commission adjourned its meeting at 8:31 p.m. on February 10, 2005

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