

**PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
AUGUST 14, 2008**

BEGINNING AT 6:00 P.M.

6:00 P.M. Dinner and Work Session, County Manager's Conference Room: To discuss amendments the County Code in regards to Alternate Fence Height.

BEGINNING AT 7:00 P.M.

CALL TO ORDER:

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (1); (4)

REQUESTS FOR EXPEDITED ITEMS: (1)

CASES TO BE HEARD: (4)

PLAN OF DEVELOPMENT (Deferred from the July 23, 2008 Meeting)

POD-53-08
B&S Tree Service –
Old Staples Mill Road

Balzer & Associates, Inc. for Richard S. Bonds: 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, 4,707 square foot office/warehouse building. The 1.47-acre portion of the 2.78-acre site is located on the east line of Old Staples Mill Road, approximately 425 feet south of Hungary Road, on parcel 770-758-0073. The zoning is M-1, Light Industrial District. County water and sewer.
(Brookland)

The staff recommends approval subject to the annotation on the plans, the standard conditions for developments of this type, and the following additional conditions:

29. The right-of-way for widening of Old Staples Mill Road as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
30. A concrete sidewalk meeting County standards shall be provided along the east side of Old Staples Mill Road.

August 15, 2008

31. All repair work shall be conducted entirely within the enclosed building.
32. Outside storage shall not be permitted except as shown on the approved plan. All storage of contractor's equipment shall occur entirely within an enclosed building.
33. 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.
34. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determine appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
35. The applicant shall enter into a maintenance agreement with the Department of Public Works for any portion of the existing outdoor advertising sign that encroaches into the public right-of-way along Old Staples Mill Road prior to the issuance of a certificate of occupancy for this development. **Approved with deletion of Condition #30.**

**(Staff Report by Kevin Wilhite)
(Applicant's Representative: Simon Mueller)**

VARINA:

Deferred from the July 10, 2008 Meeting.

P-7-08 Gregory S. Tully for Diamond Communications, LLC: Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to construct a 150' high monopole telecommunications tower and related equipment, on part of Parcel 804-702-0772, located on the north line of Midview Road approximately 1,075 feet east of New Market Road (State Route 5). The existing zoning is R-3 One-Family Residence District. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. **Staff – Ben Sehl (Deferral requested to the October 9, 2008 Meeting) Deferred to the October 9, 2008 Meeting**

C-25C-08 Kristen D. Keatley for Tuckaway Child Development Center: Request to conditionally rezone from R-2AC One-Family Residence District (Conditional) and B-1C Business District (Conditional) to B-1C Business District (Conditional), Parcels 803-701-8673 and 803-701-3978, containing approximately 5.22 acres, located at the southeast intersection of New Market Road (State Route 5) and Midview Road. The applicant proposes a daycare. 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, and Commercial Concentration. **Staff – Rosemary Deemer (Deferral requested to the September 11, 2008 Meeting) Deferred to the September 11, 2008 Meeting**

August 15, 2008

P-13-08 Gloria L. Freye for Richmond 20 MHz LLC: Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to construct a 151.8' high flagpole-style telecommunications tower and related equipment, on part of Parcel 814-687-3204, located on the west line of Recreation Road approximately 1,200 feet south of its intersection with New Market Road (State Route 5). The existing zoning is A-1 Agricultural District. The Land Use Plan recommends Open Space/Recreation. The site is in the Airport Safety Overlay District. **Staff – Roy Props Recommended for Approval**

FAIRFIELD:

None.

THREE CHOPT:

Deferred from the July 10, 2008 Meeting.

P-10-07 Scott Turner for Richmond Strikers Soccer Club, Inc.: Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to construct a 144' high telecommunications tower on part of Parcel 740-768-1098, located on the east line of Pouncey Tract Road (State Route 271) approximately 900 feet south of Shady Grove Road. The existing zoning is A-1 Agricultural District. The Land Use Plan recommends Open Space/Recreation and Environmental Protection Area. **Staff – Livingston Lewis (Withdrawn by Applicant) Withdrawn**

C-26C-08 Andrew M. Condlin for Ethan and Elizabeth Krash: Request to conditionally rezone from A-1 Agricultural District to R-3C One-Family Residence District (Conditional), Parcel 745-764-4296, containing 2.94 acres, located on the north line of Dublin Road approximately 250 feet east of its intersection with Belfast Road. The applicant proposes a single-family residential subdivision with a density not to exceed 2.4 dwelling units per acre. 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 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 – Roy Props (Deferral requested to the September 11, 2008 Meeting) Deferred to the September 11, 2008 Meeting**

C-27C-08 John Nolde for The Peck Company: Request to amend proffered conditions accepted with Rezoning Case C-1C-86, on Parcel 753-757-6051, located on the northeast line of Mayland Drive approximately 250 feet east of its intersection with Stillman Parkway. The applicant proposes to amend Proffer 8 to increase permitted site coverage from 65% to 70% to allow additional parking area. The existing zoning is O-2C Office District (Conditional). The Land Use Plan recommends Office. **Staff – Livingston Lewis (Expedited agenda requested) Recommended for Approval**

C-28C-08 Gloria L. Freye for Twin Hickory Stables LLC: Request to conditionally rezone from A-1 Agricultural District, R-3C One-Family Residence District (Conditional), R-4C One-Family Residence District (Conditional) and C-1 Conservation District to R-

August 15, 2008

3C One-Family Residence District (Conditional), Parcels 747-776-8848, 748-776-3108, and 747-775-9503, containing 46.7 acres, located on the southwest line of the Chickahominy River and bisected by the proposed Holman Ridge Road Extended between Twin Hickory Road and Lemoore Drive. The applicant proposes a single-family residential subdivision with no more than ninety-one (91) lots. 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 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, Urban Residential, 3.4 to 6.8 units net density per acre, and Environmental Protection Area. **Staff – Ben Sehl Recommended for Approval**

TUCKAHOE:

None.

BROOKLAND:

Deferred from the July 10, 2008 Meeting.

C-64C-06 Jennifer D. Mullen 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, 768-750-0490, and part of Parcels 767-751-8651, 768-751-0638, 768-751-2435, 768-751-4119, and 768-751-1362 containing 20.38 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 72 dwelling units, an equivalent density of 3.53 units per acre. The RTH District allows a maximum gross density of 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 acre, and Office. **Staff – Ben Sehl (Deferral requested to the September 11, 2008 Meeting) Recommended for Denial**

C-29C-08 M. Akbar Ali for 1241 Associates, LLC: Request to conditionally rezone from O-3C Office District (Conditional) to R-2AC One-Family Residence District (Conditional), part of Parcel 775-749-1480, containing 3.6031 acres, located on the east line of Impala Drive at its intersection with Impala Place. The applicant proposes a place of worship. 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 Office and Environmental Protection Area. **Staff – Ben Sehl Recommended for Denial**

DISCUSSION ITEM: Alternate Fence Height: The Commission will discuss scheduling a Public Hearing to consider amendments to the County Code relating to Alternate Fence Height for September 11, 2008. **Public Hearing scheduled for September 11, 2008 beginning at 7:00 p.m.**

APPROVAL OF MINUTES: Planning Commission July 10, 2008 Approved

Acting on a motion by [Mr. Archer](#), seconded by [Mr. Jernigan](#), the Planning Commission adjourned its meeting at [8:24 p.m.](#) on [August 14, 2008](#).

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