

**PLANNING COMMISSION  
REZONING MEETING  
FINAL AGENDA  
JUNE 11, 2009**

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

**CALL TO ORDER:**

**REQUESTS FOR WITHDRAWALS AND DEFERRALS: (0); (4)**

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

**CASES TO BE HEARD: (3)**

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**FAIRFIELD:**

**C-11C-09 Sandra Verna for Wilton Development Corp:** Request to amend proffered conditions accepted with Rezoning Case C-12C-05, on Parcels 804-737-7961, 804-736-0481, and 804-737-1251, located at the northeast intersection of Mechanicsville Turnpike (U. S. Route 360) and Neale Street. The applicant proposes to amend Proffer 1 related to the conceptual plan, Proffer 20 related to architectural treatment, and Proffer 27 related to height limitations. The existing zoning is R-5C General Residence District (Conditional) and B-2C Business District (Conditional). The Land Use Plan recommends Urban Residential, 3.4 to 6.8 units net density per acre, Commercial Concentration, and Government. The site is in the Airport Safety Overlay District. **Staff – Livingston Lewis (Deferral requested to the July 9, 2009 Meeting)**  
**[Deferred to the July 9, 2009 Meeting](#)**

**THREE CHOPT:**

**[Deferred from the May 14, 2009 Meeting.](#)**

**C-8C-09 James W. Theobald for CP Other Realty, LLC:** Request to conditionally rezone from B-2C Business District (Conditional) to B-3C Business District (Conditional), part of Parcel 735-763-7898, containing approximately 1.680 acres, located on the north line of West Broad Street (U. S. Route 250) approximately 1,650 feet east of N. Gayton Road. The applicant proposes a car wash. The use 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 – Jamie Sherry (Deferral requested to the July 9, 2009 Meeting)** **[Deferred to the July 9, 2009 Meeting](#)**

**June 12, 2009**

**Deferred from the April 9, 2009 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, located on the west line of Sadler Road approximately 290 feet south of Wonder Lane. The applicant proposes a residential townhouse development not to exceed six (6) dwelling units per acre. The RTH 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 – Ben Sehl (Deferral requested to the July 9, 2009 Meeting) [Deferred to the July 9, 2009 Meeting](#)**

**Deferred from the April 9, 2009 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, 746-763-2896, 746-763-1769, and 746-764-3818, containing 10.79 acres, located on the east line of Glasgow Road, approximately 600 feet north of Ireland Lane. The applicant proposes a residential townhouse development not to exceed six (6) dwelling units per acre. The RTH 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 – Ben Sehl (Deferral requested to the July 9, 2009 Meeting) [Deferred to the July 9, 2009 Meeting](#)**

**P-7-09 Dan Brantingham for CC Short Pump Crossing, 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 for a restaurant on part of Parcel 738-760-8449, located on the west line of Pump Road approximately 500 feet north of its intersection with Three Chopt Road (Short Pump Crossing Shopping Center). The existing zoning is B-2C Business District (Conditional). The Land Use Plan recommends Commercial Concentration. The site is in the West Broad Street Overlay District. **Staff – Lisa Taylor (Expedited Agenda Requested) [Recommended for Approval](#)**

**TUCKAHOE:**

None.

**BROOKLAND:**

**C-13C-09 Gloria L. Freye, Esq. for 5215 West Broad St LLC:** Request to conditionally rezone from B-3 Business District and B-2 Business District to R-6C General Residence District (Conditional), Parcel 772-738-8719, containing 2.31 acres, located on the southeast line of Byrd Avenue between W. Broad Street (U.S. Route 250) and Markel Road. The applicant proposes a mixed use development with commercial uses and a maximum of 45 residential units per companion case P-8-09. The uses will be controlled by zoning ordinance regulations and proffered conditions.

The R-6 District allows a maximum gross density of 19.8 units per acre. The Land Use Plan recommends Office. The site is in the Enterprise Zone. **Staff – Ben Sehl Recommended for Approval**

**P-8-09 Gloria L. Freye, Esq. for 5215 West Broad St 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 commercial uses within the proposed mixed use development on Parcel 772-738-8719, located on the southeast line of Byrd Avenue between W. Broad Street (U.S. Route 250) and Markel Road. The existing zoning is B-3 Business District and B-2 Business District. The property is the subject of rezoning case C-13C-09, which proposes to rezone the property to R-6C General Residence District (Conditional). The Land Use Plan recommends Office. The site is in the Enterprise Zone. **Staff – Ben Sehl Recommended for Approval**

**VARINA:**

**C-15C-09 Larry Horton for New Market Village Land Co. LLC and New Market Development Co.:** Request to amend proffered conditions accepted with Rezoning Case C-79C-05, on Parcels 812-700-4749 and 812-701-5756, located at the southwest intersection of S. Laburnum Avenue and Darbytown Road. The applicant proposes to amend Proffer 17 requiring sod in the rear yard of lots. The existing zoning is R-5AC General Residence District (Conditional), RTHC Residential Townhouse District (Conditional) and B-2C Business District (Conditional). The Land Use Plan recommends Urban Residential, 3.4 to 6.8 units net density per acre, Office, and Environmental Protection Area. The site is in the Airport Safety Overlay District. **Staff – Roy Props Recommended for Approval**

**C-16-09 Daniel Caskie, P.E. for Lloyd Poe:** Request to rezone from RTHC Residential Townhouse District (Conditional) to C-1 Conservation District, part of Parcel 812-718-6325, containing approximately 0.95 acre, located approximately 750 feet east of the east line of Millers Lane approximately 1,100 feet north of its intersection with Gay Avenue. The applicant proposes a conservation district. The Land Use Plan recommends Environmental Protection Area. The site is in the Airport Safety Overlay District. **Staff – Jamie Sherry (Expedited Agenda Requested) Recommended for Approval**

**APPROVAL OF MINUTES: Planning Commission May 14, 2009  
Approved**

Acting on a motion by Mr. Archer, seconded by Mr. Branin, the Planning Commission adjourned its meeting at 7:24 p.m. on June 11, 2009.

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

June 12, 2009