

# Legal Notices

CHESTERFIELD COUNTY, VIRGINIA  
PLANNING COMMISSION AGENDA  
AND PUBLIC NOTICE  
Tuesday – October 16, 2007

NOTE: The symbol indicates that an attachment accompanies the agenda item. These attachments are generally available the second or first Wednesday prior to the Planning Commission meeting, depending upon their release date. Any subsequent changes to this agenda prior to the date of the meeting, and more detailed information regarding agenda items can be found at [www.chesterfield.gov/plan](http://www.chesterfield.gov/plan), or by calling the Planning Department at 804-748-1050 during regular business hours, 8:30 a.m. to 5:00 p.m. Monday through Friday.

**12:00 p.m. C O M M I S S I O N ASSEMBLES - MULTIPURPOSE ROOM, CHESTERFIELD COUNTY COMMUNITY DEVELOPMENT BUILDING, 9800 GOVERNMENT CENTER PARKWAY.**

**12:30 p.m. WORK SESSION**

**I. Requests to Postpone Action, Emergency Additions, Changes in the Order of Presentation and Dinner Location Selection.**

**II. Review Upcoming Agendas.** (Any rezonings or conditional uses scheduled for future meetings.)

**III. Review Day's Agenda.** (Any items listed for the 3:00 p.m. and 7:00 p.m. Sessions.)

**IV. Work Program - Review and Update.**

**V. Upper Swift Creek Draft Ordinances to Decrease Impervious and Increase PerVIOUS Areas.,**

**VI. Recess.**

**3:00 p.m. PUBLIC MEETING**

**I. Requests to Postpone Action, Emergency Additions or Changes in the Order of Presentation.**

**II. Approval of Planning Commission Minutes:**

September 18, 2007 Planning Commission Meeting Minutes.

**III. Consideration of the Following Cases in this Order:**

- Requests for withdrawals/deferrals.
- Cases where the applicant accepts the recommendation and there is no public opposition.
- Cases where the applicant does not accept the recommendation and/or there is public opposition.

**07PW0406\*:** In Midlothian Magisterial District, **CHESTERFIELD COUNTY PARKS AND RECREATION** requests Planning Commission approval of a waiver of development standards to the Zoning Ordinance requirement that illumination at the property line adjacent to Agricultural (A), Residential Townhouse (R-TH) and Residential Multi-Family (R-MF) Districts be limited to five-tenths (0.5) foot candle. This project is commonly known as **Midlothian Middle School Recreation Site Improvements.** This request lies in Agricultural (A), Residential (R-7) and Community Business (C-3) Districts on a 28 acre parcel fronting approximately 775 feet on the south line of Midlothian Turnpike. Tax ID 729-707-6714.

**08PR0170:** In Midlothian Magisterial District, **VILLAGE MILL LAND INVESTORS LLC** request Planning Commission approval for architecture, as required by zoning Case 83S141. This development is commonly known as **MIDLOTHIAN VILLAGE SQUARE.** This request lies in a Community Business (C-3) District on a 4.301 acre parcel located along the south line of Midlothian Turnpike and the north line of Village Mill Drive east of Charter Colony Parkway and better known as 13800 Village Place Drive. Tax ID 727-708-4907.

**08PS0133:** In Midlothian Magisterial District, **SMITH PACKETT MED-COM, INC.** requests Planning Commission approval for a revised schematic plan for a mixed use development. This project is commonly known as **THE CROSSINGS AT BON AIR.** This request lies in Residential (R-7) and Community Business (C-3) Districts on a 17.6 acre parcel fronting approximately 600 feet on the north line of Midlothian Turnpike, also

fronting approximately 400 feet on North Pinetta Drive. Tax IDs 753-706-9512; 754-705-5275; and 754-706-1128 and 3718.

**08PS0156:** In Clover Hill Magisterial District, **JEFFREY STOKER** requests an amendment to approved schematic plans and elevations of Case 88PS1069. This project/development is commonly known as **HASTY LANE OFFICE WAREHOUSE.** This request lies in a Light Industrial (I-1) District on a 0.95 acre parcel fronting approximately 200 feet on the north line of Hasty Lane, also fronting approximately 240 feet east of the intersection of Hasty Lane and Speeks Drive. Tax IDs: 745-685-4521 and Part of 3715.

**08PW0153:** In Bermuda Magisterial District, **COLONIAL HEIGHTS BAPTIST CHURCH** requests modifications to development standards of the Zoning Ordinance that require parking areas to be paved, have perimeter curb and gutter and have interior landscaping for two (2) areas of interim overflow gravel parking. This project is commonly known as **COLONIAL HEIGHTS BAPTIST CHURCH.** This request lies in a Regional Business (C-4) District on a 25 acre parcel fronting approximately 1,300 feet on the north line of Arrowfield Road. Tax ID 800-628-7899.

**08TS0105\*:** In Midlothian Magisterial District, **TONY AND KATHRYN LUCAS AND OLD GUN ROAD PROPERTIES** request a tentative subdivision consisting of twenty (20) single family residential lots. This project is commonly known as **THE PRESERVE AT OLD GUN.** This request lies in a Residential (R-40) District on a 48.02 acre parcel fronting approximately 625 feet on the west line of Old Gun Road. Tax IDs 735-721-2025, 736-721-6540 and 736-722-5574.

**08TW0152:** In Bermuda Magisterial District, **JAMES TRUMP** requests a development standards waiver to Section 19-510(a)(1) of the Zoning Ordinance to park an RV trailer outside of the required rear yard. This development is commonly known as **MILLSIDE SUBDIVISION.** This request lies in a Mobile Home (MH-2) District on a .20 acre parcel fronting approximately 65 feet on the east line of S. Swift Bluff Court. Tax ID 802-629-1660.

\*These cases were deferred at a previous session by the Planning Commission.

**IV. Recess** (To Selected Dinner Location.)

**6:00 p.m. PUBLIC MEETING AND HEARING - PUBLIC MEETING ROOM, CHESTERFIELD COUNTY ADMINISTRATION BUILDING. (IF ALL ITEMS CANNOT BE COMPLETED ON TUESDAY, OCTOBER 16, 2007, THE MEETING WILL BE RECESSED TO THURSDAY, OCTOBER 18, 2007, AT 7:00 P.M. IN THE PUBLIC MEETING ROOM.)**

**(NOTE: AT THE AUGUST 21, 2007, MEETING, THE PLANNING COMMISSION TOOK ACTION TO CHANGE THE START TIME FOR THE SEPTEMBER THROUGH DECEMBER 2007 MEETINGS TO 6:00 P.M. WITHDRAWAL, DEFERRAL AND CONSENT ITEMS WILL BE CONSIDERED FROM 6:00 P.M. TO 7:00 P.M. AND CODE AND/OR PLAN AMENDMENTS AND CONTESTED ZONING AND CONDITIONAL USE ITEMS WILL BEGIN AT 7:00 P.M.)**

**I. Invocation.**

**II. Pledge of Allegiance** to the Flag of United States of America.

**III. Review Upcoming Agendas.**

**IV. Requests to Postpone Action, Emergency Additions or Changes in the Order of Presentation.**

**V. Review Meeting Procedures.**

**VI. Citizen Comment on Unscheduled Matters Involving the Services, Policies and Affairs of the County Government regarding Planning or Land Use Issues.**

**VII. Public Hearing: Consideration of the Following Proposals in this Order:**

- Requests for withdrawals/deferrals.
- Cases where the applicant accepts the recommendation and there is no public opposition.

- Plan or Code Amendments.
- Cases where the applicant does not accept the recommendation and/or there is public opposition.



**Proposed Code Amendment Relating To Neo-Traditional Zoning District Classification.**

◆ Amendments to the County's Comprehensive Plan and Zoning Ordinance that would establish a Traditional Neighborhood Development Mixed Use (TND-MU) zoning district. No property will be rezoned by these amendments but, if these amendments are adopted by the Board of Supervisors, the TND-MU zoning district would be available to landowners and the County for possible future rezoning actions. The proposed Comprehensive Plan amendment and the Zoning Ordinance amendments are described in more detail below:

**Comprehensive Plan Amendment:**

An amendment to the Introduction to the Plan For Chesterfield ("Plan"). The amendment would add the following language to the discussion of neighborhood development goals and policies:

Traditional neighborhood development (TND) provides opportunities for creating new mixed-use, pedestrian-oriented, activity centers containing a variety of uses, including, business, retail, residential, cultural, educational, and other public and private uses. Traditional neighborhood development encourages physical community building at the neighborhood scale, while providing a range of housing choice. TND districts may be appropriate, subject to Board of Supervisors approval, for areas with the following Comprehensive Plan land use designations: Community Mixed Use; Community Mixed Use Center; Community Mixed Use Node; Regional Mixed Use; Regional Mixed Use Center; and Regional Mixed Use Node.

If adopted by the Board of Supervisors, the amendment will become part of the Plan, the County's comprehensive plan. The Plan is used by County citizens, staff, Planning Commission and Board of Supervisors as a guide for future decisions affecting the County including, but not limited to, decisions regarding future land use, road networks and zoning actions. The Plan does not rezone land, but suggests Ordinance amendments and other actions.

**Zoning Ordinance Amendments:**

An ordinance to amend the Code of the County of Chesterfield, 1997, as amended, by adding Sections 19-200.1 through 19-200.12 relating to the TND-MU zoning district. A summary of the proposed ordinance amendments is set forth below.

The purpose/intent of the TND-MU zoning district includes, among other things, (1) allowing development of mixed-use, pedestrian-oriented, activity centers; (2) incorporating publicly accessible community open space; (3) encouraging high quality development/redevelopment; (4) permitting compatible mix of uses; (5) increasing number of permitted principal and accessory uses in a single district; (6) and encouraging high quality redevelopment by permitting regulatory flexibility and innovative and creative design. Applicable design principles include: (1) compact development patterns; (2) human scale development; (3) mixing nonresidential and residential land uses; (4) providing a community center and focus; (5) promoting mix of housing types on varying lot sizes; (6) encouraging in-fill residential and/or nonresidential development and redevelopment; and (7) incorporating narrow, interconnected streets with sidewalks, bikeways, and transit. The ordinances provide a number of definitions relating to TND-MU projects.

The TND-MU district would allow a number of uses, including among others, access to land in certain zoning districts; accessory uses, buildings, and structures; automobile self-service stations; bed and

breakfast establishments; boarding houses; catering establishments; churches and other places of worship; clubs and lodges; civic, fraternal, non-profit, private, public, or social; cocktail lounges and nightclubs; colleges, public or private; communication antennas integrated into the design of a permitted building; communication offices, studios, and stations; not including towers; conference centers; convenience store; dwellings: attached, detached, duplex, live/work, multiple-family, single-family, townhouse, two-family; fire stations and emergency rescue squads, buildings and grounds; fraternities (in conjunction with school or college); funeral homes; galleries, art; government buildings; group homes; hospitals and other medical facilities; hotels; laboratories: dental, medical, and optical; libraries, public or private; meal preparation and delivery services; messenger services; model homes; mortuaries; museums, public or private; offices: dental, general, medical, project management, temporary real estate; parking lots: commercial, non-commercial, park and ride; personal service establishments; post offices; public utility service buildings; recreational establishments, commercial-indoor; restaurants and cafes: carry-out, fast-food, or sit-down; retail, general; schools, public or private; schools, specialty; sororities (in conjunction with school or college); telephone exchanges; theaters (except drive-in theaters); upon approval of the Director of Planning, other uses not specifically enumerated in this chapter that are of the same general character as specifically enumerated uses; and utility uses located underground or not requiring a structure.

The TND-MU district would provide for a number of restricted uses, including among others, check cashing, incidental, subject to limitations of §19-145(h); Christmas tree sales, temporary, subject to limitations of §19-152(h); construction buildings/trailers, temporary, subject to limitations of §19-131(e); group care facilities, provided that facilities in excess than 10,000 square feet shall be limited to the Community Center, and group care facilities in Community Center shall have at least 50% of the ground-floor frontage that faces adjoining streets to include tenant spaces for commercial use with primary entrances facing the adjoining street; home occupations, subject to limitations of §19-65(e); intercoms accessory to permitted uses, not audible to any residential use; motor vehicle rental and repair, subject to limitations of §19-159(f); outside display/storage, subject to limitations of §19-159(i); parks, public or private, not exceeding five acres of active recreational uses; pet grooming shops, subject to limitations of §19-145(d); plant nurseries not exceeding 10,000 square feet of total floor area; public address systems (outside), not audible to any residential use; recreational establishments / facilities, outdoor, not exceeding five acres; satellite dishes, subject to limitations of §19-131(h); utility uses requiring a structure, public or private, subject to limitations of §19-131(g); veterinary clinics or offices, subject to limitations of §19-131(f); and warehouses, subject to limitations of §19-138(i). If these restrictions cannot be met, these uses may be allowed by conditional use.

The TND-MU district would provide for a number of accessory uses, including among others, boat houses, private; docks, private; equipment storage buildings; garages, private; gardens and garden buildings, private; grounds keeping buildings; hothouses, residential; in-law dwelling units; maintenance buildings; microbreweries; piers, private; plant propagation and cultivation (not for sale); crop, flower, tree, shrub; signs; storage buildings, private; structures devoted to maintenance, grounds keeping and equipment storage; swimming pools and adjoining deck areas; tennis courts; tool buildings, private; and yard sales.

The TND-MU district would provide for the following conditional uses subject to provisions of §19-13: communication towers; halfway houses; liquor stores; and mini-storage/warehouse facilities. It would also provide for the following uses by special exception subject to provisions

of §19-21: kennel, private; and yard sales in excess of 2 days.

In addition, the proposed ordinance amendments establish application procedures for approving an application for zoning to a TND-MU district, including among other things a requirement for a Master Zoning Plan and a Design Guidelines Manual, and the procedures for filing applications for an overall development plan, and site plan or subdivision plan approvals.

The proposed ordinance amendments also provide design standards and guidelines for projects in the TND-MU district: Among other things, these standards provide:

(a) Minimum project area requirement of 60 acres, or 20 acres for infill/redevelopment projects if a 60-acre sphere of influence is established with existing adjacent neighborhoods; (b) Mix of uses in project design, providing for, among other things a horizontal and vertical mix of non-residential, residential, commercial and community center uses across the project and within buildings; (c) Minimum percentages and standards for open space, conservation, and outdoor recreation uses; (d) Maximum building height standards; (e) Minimum lot requirements and block standards as established in the applicable Overall Development Plan; (f) standards for public streets and motor vehicle circulation shall be designed to promote pedestrian and bicycle activity; (g) parking standards; (h) landscape and buffering standards; (i) required tree and shrub plantings; (j) minimum planting areas for screen landscaping; (k) standards for lighting and street lights; (l) standards for signage; and (m) provisions for bicycle and pedestrian circulation.

Discussion may include all of the recommendations listed above. After the public hearing, appropriate changes or corrections may be made to the proposed amendments.



**Proposed Code Amendment Relating To Impact Fee Road Improvement Plan, Comprehensive Plan Amendment and Impact Fee Ordinance.**

◆ An ordinance to amend the Code of the County of Chesterfield, 1997, as amended, by adding sections 9-250 through 9-256 relating to the establishment of a system of transportation impact fees to fund and recapture the cost of providing reasonable road improvements. The public hearing will also include consideration of changes to the County's Comprehensive Plan relating to the proposed impact fee program and adoption of an Impact Fee Road Improvements Plan.

The amount of the proposed impact fee is \$5,820 per residential dwelling unit. The legal authority for enactment of the proposed fee is found in Article 8, Chapter 22 of Title 15.2 of the Code of Virginia and more particularly in Va. Code §15.2-2319.

**Comprehensive Plan Amendment/ Impact Fee Road Improvements Plan:**

If adopted by the Board of Supervisors, the Impact Fee Road Improvements Plan will become part of The Plan for Chesterfield, the County's comprehensive plan, which is used by County citizens, staff, the Planning Commission and Board of Supervisors as a guide for future decisions affecting the County including, but not limited to, decisions regarding future land use, road networks and zoning actions. The Plan does not rezone land, but suggests Ordinance amendments and other actions.

The Impact Fee Road Improvement Plan shows road improvements that could be constructed as part of the proposed impact fee system. The impact fee service area to be designated within the County's comprehensive plan is comprised of the entire County of Chesterfield. The Impact Fee Road Improvement Plan is based on

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