

PLANNING COMMISSION

SUBDIVISION AND PLANS OF DEVELOPMENT

ACTIONS
April 24, 2002

ROLL CALL:

REQUEST FOR DEFERRALS AND WITHDRAWALS:

(Presented by Ted McGarry)

EXPEDITED AGENDA: (Presented by Ted McGarry)

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL

(Presented by Kevin Wilhite)

(FOR INFORMATIONAL PURPOSE ONLY)

Subdivision: Sadler Grove (April 2001 Plan)

Magisterial District: Three Chopt

Original No. of Lots: 56

Remaining Lots: 19

Previous Extensions: 0

Year(s) Extended: 1 Year - 4/23/03

Subdivision: White Oak Forest (April 1999 Plan)

Magisterial District: Varina

Original No. of Lots: 61

Remaining Lots: 9

Previous Extensions: 2

Year(s) Extended: 1 Year - 4/23/03

FOR PLANNING COMMISSION APPROVAL

Subdivision: Hunton Park (A Ded. of Hunton Parkway) (March 1997 Plan)

Magisterial District: Brookland

Original No. of Lots: 0

Remaining Lots: 0

Previous Extensions: 4

Year(s) Extended: Recommendation at Meeting

TRANSFER OF APPROVAL

POD-29-94

Helig Meyers Distribution Center - 8820 Park Central Drive

Scott Traynham for Norman Seay: Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code from Val T. Orton Trustee, Heilig-Meyers Furniture Company to Norman Seay. The 5.990 acre site is located on the west line of Park Central Drive, approximately 1,800 feet north of Parham Road on parcel 789-760-0587. The zoning is O-SC, Office/Service District (Conditional). **(Fairfield)**

As of the preparation date of the agenda, the applicant has not closed on the sale of property and cannot specify a date by which the site deficiencies will be corrected. Staff recommendation will be made at the meeting.

(Staff Report by Michael Cooper)

 **ACTION: Deferred to May 22, 2002**

TRANSFER OF APPROVAL

POD-69-85

Summit Breckinridge Apartments - 9951 Racquet Club Lane

Real Estate Advisory, L.L.C.: Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code from Summit Properties Partnership to Real Estate Advisory, L.L.C. The 21.370 acre site is located along Gaskins Road, approximately 700 feet north of W. Broad Street (U. S. Route 250) on parcels 753-760-0679 and 753-760-3407. The zoning is R-5C, General Residence District (Conditional). **(Three Chopt)**

As of the preparation date of the agenda, the staff had not completed its review of this transfer request. The staff recommendation will be made at the meeting.

(Staff Report by Michael Cooper)

 **ACTION: Deferred to May 22, 2002**

TRANSFER OF APPROVAL

POD-94-84

Famous Dave's Restaurant (Formerly Shoney's) - 7007 W. Broad Street

Foster & Miller, P.C. for Famous Dave's of America: Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code from Motels of America, LLC to Famous Dave's of America. The 1.059 acre site is located on the south side of W. Broad Street (U.S. Route 250), approximately 200 feet west of the intersection of Glenside Drive and W. Broad Street (U.S. Route 250) on parcel 766-746-9974. The zoning is M-1, Light Industrial District. **(Three Chopt)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. The staff recommends approval of this transfer request with the following condition:

1. The site deficiencies, as identified in the inspection report, dated March 21, 2002, shall be

bonded or corrected by June 1, 2002.

(Staff Report by Christina Goggin)

 **ACTION: Deferred to May 22, 2002**

ALTERNATIVE FENCE HEIGHT

LP/POD-83-01

The Lodge at Hunton Park

Foster & Miller, P.C. for Clarendon Associates, L.L.C.: Request for approval of an alternative fence height plan, as required by Chapter 24, Sections 24-106 and 24-95(1) (6) of the Henrico County Code. The 32.588 acre site is located on the north side of Hunton Park Boulevard approximately 1,200 feet east of Staples Mill Road (U.S. Route 33) on parcel 765-774-0652 (21-A-2). The zoning is R-5C, General Residence District (Conditional). **(Brookland)**

This request is for approval of an alternative fence height to construct an entrance wall and fence exceeding 42 inches in height in the front yard along Hunton Park Boulevard. As of the preparation date of the agenda, the staff has not had an opportunity to complete its review of the alternative fence height plan. The staff recommendation will be made at the meeting.

(Staff Report by Ted McGarry)

 **ACTION: Deferred to May 22, 2002**

ALTERNATIVE FENCE HEIGHT

LP/POD-70-98

Car Nation

Melissa Moes for Victor Moes: Request for approval of an alternative fence height plan, as required by Chapter 24, Sections 24-106 and 24-95(1)(5) of the Henrico County Code. The .425 acre site is located at 7212 W. Broad Street on parcel 81-12-A-1A. The zoning is B-3, Business District. **(Brookland)**

This request is for approval of an alternative fence height to allow an 8-foot-high black vinyl clad chain link fence in the front yard along W. Broad Street. The fence was constructed without proper approvals. Due to its inappropriate appearance staff believes the fence has a negative impact on the values of adjacent properties. In addition, the Traffic Engineer has indicated that the design and operation of the gate impedes traffic circulation on and off the site. In fact, the gate has already been struck by a car.

The applicant has indicated that they installed the fence to protect their property from vandalism. There does not appear to be an unusual amount of criminal activity reported to the police on this property. There are many auto dealerships in the area several of which have undergone recent renovation and none of which expressed security problems. Staff suggests that a video surveillance system would be more appropriate and effective. Staff therefore does not recommend approval of the application.

(Staff Report by Michael Kennedy)

 **ACTION: Denied**

SUBDIVISION

Meadow Farms (April 2002 Plan)

Youngblood, Tyler & Associates, P.C. for Meadow Farms Associates, L.L.C., Fred T. and Helen M. Mayers, Fred T. and Christine W. Mayers and Fred T. and Dayle S. Mayers, III:

The 18.34 acre site is located between the southern stub end of Farm Meadow Drive and the north side of Courtney Road on parcels 764-767-7797 (30-A-27), 9890 (30-A-28) and 8114 (30-A-58) and part of 765-767-0848 (30-A-57) and 3218 (30-A-56). The zoning is R-2C, One-Family Residence District (Conditional). County water and sewer. **(Brookland) 20 Lots**

The staff recommends conditional approval subject to the annotations on the plans, the standard conditions for subdivisions served by public utilities, and the following additional conditions:

12. The proffers approved as part of zoning cases C-27C-93 and C-71C-01 shall be incorporated in this approval.

13. Prior to requesting recordation, the developer shall furnish a letter from Dominion Virginia Power stating that this proposed development does not conflict with its facilities.

14. The detailed plant list and specifications for the landscaping to be provided within the 25-foot-wide planting strip easement along Courtney Road shall be submitted to the Planning Office for review and approval prior to recordation of the plat.

15. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the maintenance of the common area by a homeowners association shall be submitted to the Planning Office for review. Such covenants and restrictions shall be in form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.

16. The "Reserved Area" abutting Lot 39 shall either be conveyed to the owner of Lot 39 prior to final approval of the plat or included in the adjacent common area prior to recordation.

(Staff Report by Ted McGarry)

 **ACTION: Deferred to May 22, 2002**

PLAN OF DEVELOPMENT

POD-23-02

(POD-77-95 Revised)

Loveland Distributing Receiving & Truck Parking Expansion

Foster & Miller, P.C. for Loveland Distributing Company: Request for approval of a revised plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to expand a truck parking lot with an 11,385 square foot loading dock addition. The 18.504 acre site is located along the west line of Dabney Road approximately 20 feet north of Par Street at 2290 Dabney Road on parcels 776-739-4008 (104-A-18N), 8841 (3), 9517 (3C) and 77-738-0291 (27). The zoning is M-2, General Industrial District. County water and sewer. **(Brookland)**

The Department of Public Utilities has requested additional information before they can recommend approval. As of the preparation date of the agenda, that information has not been received. 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 developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.

24. 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.

25. 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.

26. 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.

27. 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.

28. 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 Ted McGarry)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-22-02

Bank of America -Westgate @ Wellesley

TIMMONS for Wellesley Centre, L.C. and Trammell Crow Company: 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, 4,800 square foot bank building with drive-thru facilities. The 1.60 acre site is located at the southwest corner of W. Broad Street (U.S. Route 250) and Westgate Parkway (private) on part of parcel 737-762-4724 (36-A-49A). The zoning is B-2C, Business District (Conditional) and WBSO (West Broad Street Overlay District). County water and sewer. **(Three Chopt)**

As of the preparation date of the agenda, the staff has not had an opportunity to complete its review of the plan. 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 developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
25. A standard concrete sidewalk shall be provided along the west side of Westgate Parkway.
26. Outside storage shall not be permitted.
27. The proffers approved as a part of zoning case C-69C-95 shall be incorporated in this approval.
28. 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.
29. In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-up teller facilities, the owner/occupant shall close the drive-up teller facilities until a solution can be designed to prevent traffic backup.
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. The conceptual master plan, as submitted with this application, is for planning and information purposes only.

(Staff Report by Kevin Wilhite)

 **ACTION: Approved**

PLAN OF DEVELOPMENT

POD-25-02

BB&T - 4799 S. Laburnum Avenue

TIMMONS for Parker, Pollard & Brown, P.C., BB&T, Bettye B. Watson, Thomas H. Robinson, William M. Shipman, Everette A. and Marie N. Felts, Ashby Milton Myers and Mary E. Short: 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, 5,268 square foot bank. The 1.42 acre site is located at the northeast intersection of S. Laburnum Avenue and Finlay Street on parcels 816-715-1082 (162-A-52), 815-715-9860 (162-A-56) and part of 816-715-1063 (162-A-56). The zoning is O-2C, Office District (Conditional) and ASO (Airport Safety Overlay District). County water and sewer. **(Varina)**

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

23. The right-of-way for widening of S. Laburnum Avenue 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.
24. 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.
25. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
26. Employees shall be required to use the parking spaces provided at the rear of the building(s)

as shown on the approved plans.

27. Outside storage shall not be permitted.

28. The proffers approved as a part of zoning case C-66C-01 shall be incorporated in this approval.

29. 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.

30. 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.

31. In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-up teller facilities, the owner/occupant shall close the drive-up teller facilities until a solution can be designed to prevent traffic backup.

32. 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.

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, 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 Christina Goggin)



ACTION: Deferred to May 22, 2002

PLAN OF DEVELOPMENT

POD-26-02

The Cottages at Cross Ridge

Wingate & Kestner for Courtney Development, Inc.: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct 29, single-family detached dwellings for sale to seniors with zero lot lines. The 7.98 acre site is located on Staples Mill Road (U.S. Route 33) on part of parcel 762-764-6451. The zoning is R-5AC, General Residence District (Conditional). County water and sewer. **(Brookland)**

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

23. The subdivision plat for The Cottages at CrossRidge, Section 2 shall be recorded before any building permits are issued.

24. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.

25. The proffers approved as a part of zoning case C-17C-00 shall be incorporated in this approval.

26. 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.

27. The pavement shall be of an SM-2A type and shall be constructed in accordance with County standard and specifications. The developer shall post a defect bond for all pavement with the Planning Office - the exact type, amount and implementation shall be determined by the Director of Planning, to protect the interest of the members of the Homeowners Association. The bond shall become effective as of the date that the Homeowners Association assumes responsibility for the common areas.

28. 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.

29. The developer shall provide signage, the wording and location as deemed appropriate by the Director of Public works, which addresses the possible future extension of any stub street.

30. 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.

31. Roof edge ornamental features that extend over the zero lot line, and which are permitted by Section 24-95(i)(1), must be authorized in the covenants.

32. Eight-foot easements for construction, drainage, and maintenance access for abutting lots shall be provided and shown on the POD plans.

33. Building permit request for individual dwellings shall each include two (2) copies of a layout plan sheet as approved with the plan of development. The developer may utilize alternate building types providing that each may be located within the building footprint shown on the approved plan. Any deviation in building footprint or infrastructure shall require submission and approval of an administrative site plan.

34. Architectural plans for this development must meet the standards of the April 24, 1995, Planning memo of Zero Lot Line Development Standards. The standard memo addresses the building relationship to the zero lot line and include: minimum percentage of wall on the zero lot line, number, size and location of window and door openings in first and second floors and height and setbacks for fences abutting decks.

(Staff Report by Michael Kennedy)

 **ACTION: Deferred to May 22, 2002**

PLAN OF DEVELOPMENT

POD-27-02

The Townes at Cross Ridge

Wingate & Kestner for Courtney Development, Inc.: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct 103 townhouses for sale for senior citizens. The 19.78 acre site is located on Staples Mill Road (U.S. Route 33) on part of parcel 762-764-6451. The zoning is R-6C, General Residence District (Conditional). County water and sewer. **(Brookland)**

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

23. The subdivision plat for The Townes at CrossRidge, Section 2 shall be recorded before any building permits are issued.
24. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
25. The proffers approved as a part of zoning case C-17C-00 shall be incorporated in this approval.
26. The pavement shall be of an SM-2A type and shall be constructed in accordance with County standard and specifications. The developer shall post a defect bond for all pavement with the Planning Office - the exact type, amount and implementation shall be determined by the Director of Planning, to protect the interest of the members of the Homeowners Association. The bond shall become effective as of the date that the Homeowners Association assumes responsibility for the common areas.
27. 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.
28. The developer shall provide signage, the wording and location as deemed appropriate by he Director of Public works, which addresses the possible future extension of any stub street.
29. 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 Kennedy)



ACTION: Approved

PLAN OF DEVELOPMENT (*Deferred from the February 27, 2002, Meeting*)

POD-95-00

(POD-3-96 Revised)

Superstar, Inc. Service Center - 9999 Brook Road

Keith & Associates for Superstar, Inc.: Request for approval of a revised plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, three service bay addition to an existing convenience store with fuel pumps. The 1.316 acre site is located at 9999 Brook Road at the southeast corner of Brook Road (U.S. Route 1) and J.E.B. Stuart Parkway on parcel 783-769-9052 (33-A-3C). The zoning is B-3C, Business District (Conditional). County water and sewer. **(Fairfield)**

As of the preparation date of the agenda, the staff has not received an acceptable plan for review. The staff recommendation will be made at the meeting.

(Staff Report by Ted McGarry)



ACTION: Deferred to June 26, 2002

PLAN OF DEVELOPMENT

POD-21-02

Trellis Crossing

Balzer & Associates, Inc. for Tascon - Ridgefield LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 46 condominium units for sale, a clubhouse and associated parking areas. The 11.20 acre site is located on the southwest quadrant of the intersection of Pump Road and Ridgefield Parkway on parcel 741-750-3069 (66-A-11J) (67-A-2A). The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Tuckahoe)**

As of the preparation date of the agenda, the staff has not received a revised site or the additional architectural plans, as requested. The staff recommendation will be made at the meeting.

(Staff Report by Jim Strauss)

 **ACTION: Deferred to May 22, 2002**

APPROVAL OF MINUTES: March 27, 2002 Minutes

 **ACTION: Approved**

ADJOURNed at 10:04 a.m.