

PLANNING COMMISSION

SUBDIVISION AND PLANS OF DEVELOPMENT

**ACTIONS
JANUARY 23, 2002**

The submission deadline for this hearing date was December 7, 2001.

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 PLANNING COMMISSION APPROVAL

Subdivision: Almond Creek Estates (January 1993 Plan)

Magisterial District: Varina

Original No. of Lots: 100

Remaining Lots: 21

Previous Extensions: 8

Year(s) Extended: Recommendation at Meeting

Subdivision: *Carter Oaks, Sec. C (July 1993 Plan)

Magisterial District: Tuckahoe

Original No. of Lots: 5

Remaining Lots: 5

Previous Extensions: 8

Year(s) Extended: Recommendation at Meeting

(FOR INFORMATIONAL PURPOSE ONLY)

Subdivision: Carrington (January 2000 Plan)

Magisterial District: Three Chopt

Original No. of Lots: 35

Remaining Lots: 35

Previous Extensions: 1
Year(s) Extended: 1 Year - 1/22/03

Subdivision: Carrington North (January 2000 Plan)
Magisterial District: Three Chopt
Original No. of Lots: 108
Remaining Lots: 108
Previous Extensions: 1
Year(s) Extended: 1 Year - 1/22/03

Subdivision: *Magnolia Pointe (January 2001 Plan)
Magisterial District: Fairfield
Original No. of Lots: 66
Remaining Lots: 66
Previous Extensions: 0
Year(s) Extended:

Subdivision: Malvern Hill Manor (January 2001 Plan)
Magisterial District: Varina
Original No. of Lots: 121
Remaining Lots: 80
Previous Extensions: 0
Year(s) Extended: 1 Year - 1/22/03

Subdivision: *Old Washington Place (January 2001 Place)
Magisterial District: Brookland
Original No. of Lots: 10
Remaining Lots: 10
Previous Extensions: 0
Year(s) Extended:

Subdivision: Sterling Forest (January 2000 Plan)
Magisterial District: Fairfield
Original No. of Lots: 175
Remaining Lots: 120
Previous Extensions: 1
Year(s) Extended: 3 Years - 1/26/05

*Extension requests have not yet been received for these subdivisions.

TRANSFER OF APPROVAL
POD-19-71 and **POD-22-72**
Darbytown Manor Apartment Complex

Edgewood Management Corporation for Williamsburg Associates, L.P.: Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code from Darbytown Manor Apartment Complex to Williamsburg Associates, L.P. The 9.65-acre site is located at the southern terminus of Shirleydale Avenue, south of Darbytown Road on parcel 804-710-7779 (171-A-14). The zoning is R-5, General Residence District. County water and sewer. (Varina)

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, subject to the following condition.

1. The site deficiencies, as identified in the inspector's report dated January 10, 2002, shall be corrected by February 28, 2002.

(Staff Report by Michael Kennedy)

 **ACTION: Approved**

PLAN OF DEVELOPMENT

POD-1-02

Faith Landmarks Church Access Road – 8491 Chamberlayne Road
(POD-8-98 Revised)

E. D. Lewis & Associates for Faith Landmark Ministries: Request for approval of a revised plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code to construct an access driveway. The 1.6 acre portion of the 54.1 acre site is located on the east line of Chamberlayne Road (U.S. Route 301) at its intersection with Parham Road on parcel 794-757-5738 (64-A-23A). The zoning is A-1, Agricultural District and R-2C, One-Family Residence District (Conditional). (Fairfield)

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 entrances and drainage facilities on Chamberlayne Road (U.S. Route 301) shall be approved by the Virginia Department of Transportation and the County.

24. 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 Planning Office prior to any occupancy permits being issued.

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

26. 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.

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. 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.

(Staff Report by Ted McGarry)

 **ACTION: Approved**

**PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION
POD-4-02**

Lakeside Heating, Air Conditioning and Plumbing - 2372 Charles City Road

Engineering Design Associates for George Allen Brock: Request for approval of a plan of development and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code, to construct a phased, one-story, 13,150 square foot office/warehouse. The 3.0 acre site is located on the north side of Charles City Road approximately 300 feet west of Glen Alden Drive on parcel 813-711-8407 (172-2-2-26). The zoning is M-1C, Light Industrial District 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 developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.

24. The proffers approved as a part of zoning case C-51C-01 shall be incorporated in this approval.

25. 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.

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. 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.

28. 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.

(Staff Report by Ted McGarry)

 **ACTION: Approved**

SUBDIVISION

The Manor at Hunton Park

(Semidetached Dwellings on Zero Lot Lines)

(December 2001 Plan)

Foster & Miller, P.C. for Star City Land and Development Company, L.C. and Hunton Manor Homes Development Corporation: The 21.23 acre site is located at the northwest corner of the intersection of Mill Road and Long Meadow Drive on part of parcel 767-774-0652 (13-A-24) and part of 765-773-5358 (21-A-5). The zoning is R-5AC, General Residence District (Conditional). County water and sewer. (Brookland) 80 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 case C-48C-01 shall be incorporated in this approval.

13. Prior to Planning Commission approval of a POD, the VDOT right-of-way shall be abandoned and ownership transferred to Star City Land Development Company.

14. Prior to Planning Commission approval of a POD, the Director of Public Works shall grant a waiver for an off-site BMP.

(Staff Report by Ted McGarry)

 **ACTION: Approved**

LANDSCAPE PLAN (*Deferred from the December 19, 2001, Meeting*)

LP/POD-13-01

Smith Turf – Dabney Road

Balzer & Associates, Inc.: Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 2.1 acre site is located at 2203 Dabney Road on parcel 778-736-1652 (116-A-56B). The zoning is M-1, Light Industrial District and M-2, General Industrial District. (Brookland)

As of the preparation date of this agenda, the staff has not received a revised plan, as requested. The staff recommendation will be made at the meeting. Should the Commission act on this request, the standard conditions for landscape plans are recommended.

(Staff Report by Michael Kennedy)

 **ACTION: Approved**

LANDSCAPE PLAN

LP/POD-94-00

Merchant's Tire @ Virginia Center Marketplace Shopping Center

Balzer & Associates, Inc. for Trammell Crow Company: Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code.

The 1.314 acre site is located on the north side of J.E.B. Stuart Parkway on an outparcel of the Virginia Center Marketplace Shopping Center on parcel 783-769-2291 (24-A-9V). The zoning is B-3C, One-Family Residence District (Conditional). (Fairfield)

The staff recommends approval subject to the annotations on the plan and the standard conditions for landscape plans.

(Staff Report by Michael Kennedy)

 **ACTION: Approved**

PLAN OF DEVELOPMENT & LIGHTING PLAN (*Deferred from the December 19, 2001, Meeting*)

POD-78-01

Rigsby Road Retail Shops

QMT Corporation for Than Phan & Lan Thi Huynh: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, 2,311 square foot retail building. The .41 acre site is located on the south line of Rigsby Road approximately 60 feet east of Pinehaven Road on parcels 768-741-4099 (92-9-B-9), 768-741-4600 (92-9-B-8) and part of parcel 768-741-3983 (102-10-B-1). The zoning is B-2, Business District. County water and sewer. (Three Chopt)

As of the preparation date of this agenda, the staff has not had an opportunity to complete its review of the revised 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. Outside storage shall not be permitted.

25. The certification of building permits, occupancy permits and change of occupancy permits for individual units shall be based on the number of parking spaces required for the proposed uses and the amount of parking available according to approved plans.

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. Insurance Services Office (ISO) calculations must be included with the plans and approved by the Department of Public Utilities prior to the issuance of a building permit.

28. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Planning Office and approved prior to issuance of a certificate of occupancy for this development.

(Staff Report by Kevin Wilhite)



ACTION: Approved

PLAN OF DEVELOPMENT (*Deferred from the December 19, 2001, Meeting*)

POD-84-01

Walgreen's – Nuckols Road and Twin Hickory Road

Balzer & Associates, Inc. for CK Concourse Associates, LLC and G.H.K. 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 a 14,490 square foot retail building on an outparcel of a future community shopping center. The 1.905 acre site is located on the northeast corner of Nuckols Road and Twin Hickory Road on part of parcel 773-746-8345 (18-A-22D). The zoning is B-2C, Business District (Conditional). County water and sewer. (Three Chopt)

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

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Planning Office for review and Planning Commission approval prior to the issuance of any occupancy permits.

11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture and specifications and mounting height details shall be submitted for Planning Office review and Planning Commission approval.

23. The right-of-way for widening of Nuckols 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.

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 required building setback shall be measured from the proposed right-of-way line and the parking shall be located behind the proposed right-of-way line.

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

27. A standard concrete sidewalk shall be provided along the north side of Twin Hickory Road and the east side of Nuckols Road.

28. Outside storage shall not be permitted.

29. The proffers approved as a part of zoning case C-71C-95 shall be incorporated in this approval.

30. 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.

31. 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.

32. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.

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

34. Insurance Services Office (ISO) calculations must be included with the plans and approved by the Department of Public Utilities prior to the issuance of a building permit.

35. 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.

36. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Planning Office and approved prior to issuance of a certificate of occupancy for this development.

37. The conceptual master plan, as submitted with this application, is for planning and information purposes only.

38. The applicant will not apply for or construct an electronic message board sign on site.

(Staff Report by Christina Goggin)

 **ACTION: Approved**

SUBDIVISION ALTERNATIVE FENCE HEIGHT PLAN

2501 Cedar Cone Drive

(Section C, Block C, Lot 3 Cedar Chase)

Robert Parsons: Request for approval of an alternative fence height plan, as required by Chapter 24, Section 24-95.(1)(7)b of the Henrico County Code. The site is located at the northeast corner of Cedar Cone Drive and Cedar Knoll Lane on parcel 746-754-2295 (57-9-C-3). The zoning is R-3, One-Family Residence District. (Three Chopt)

As of the preparation date of this agenda, the staff has not had an opportunity to complete its review of the alternative fence height/landscape plan. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for landscape plans, the following additional conditions are recommended.

5. The existing southern fence line will be relocated eight feet to the north per the submitted landscape plan.

6. The owner shall acquire any necessary permits for the construction of the fence.

(Staff Report by Christina Goggin)

 **ACTION: Deferred to February 27, 2002**

SUBDIVISION

Battlefield Woods (January 2002 Plan)

G. Stuart Grattan for Pauline B. Utz and Wilford J. McMillian: The 7.24 acre site is located on the south line of Hurop Road, approximately 365 feet east of White Oak Road on parcel 857-703-6172 (199-A-36). The zoning is A-1, Agricultural District. County individual well and septic tank/drainfield. (Varina) 5 Lots

The staff recommends conditional approval subject to the annotations on the plans, the standard conditions for subdivisions not served by public utilities, and the following additional condition.

11. The parcel identified as “out parcel” on the conditional plat shall be incorporated into an adjoining parcel prior to recordation of the final plat.

(Staff Report by Michael Kennedy)

 **ACTION: Approved**

SUBDIVISION RECONSIDERATION

Sadler Grove (April 2001 Plan)

Youngblood, Tyler & Associates, P.C. for Queen Esther Bush, Lillie B. Morton Estate, T-N Corporation of Virginia, Donna F. Tyler, et. als. and Sadler Grove, L.L.C.: The 26.64 acre site is located at the intersection of Sadler Road and Wonder Lane on parcels 746-766-0613 (27-A-34), 745-765-7271 (27-A-35), 746-765-0853 (37-A-14), 746-765-7878 (37-A-17) and 746-765-7836 (37-A-18). The zoning is R-3C, One-Family Residence District (Conditional) and C-1C, Conservation District (Conditional). County water and sewer. (Three Chopt) 56 Lots

The applicant has requested reconsideration of the Sadler Grove (April 2001 Plan) with regards to the location of a stub street to adjacent property and the number of lots able to be developed on a single point of access. This subdivision received conditional approval from the Planning Commission on April 25, 2001.

The approved plat showed a stub street to the western boundary, adjacent to parcel 745-766-3912 (old 27-A-33), and located in the vicinity of Lot 8 on the new proposed layout. This street location is consistent with the subdivision layout exhibit included (but not proffered) with companion zoning cases C-2C-01, C-3C-01, and C-4C-01. The adjacent parcel was rezoned to R-3C and C-1 with case C-4C-01, but the applicant has indicated that this property will no longer be included within the bounds of the overall development. The applicant has instead requested a stub connection to the adjacent property to the south, parcel 745-765-2822 (old 37-1-A-16), which he anticipates will be added to this development. The property to the south is part of an old subdivision known as McDonalds Small Farm and is still zoned agricultural. A proposed layout of how this property might be developed has not been submitted to the County. The new stub street location would pass through a portion of a 100-yr. flood plain zoned C-1. Since one stub street connection near the existing private Wonder Road will be constructed to the western boundary of the subdivision, staff can support the elimination of the second stub to the west as requested by the applicant. However, we request information be provided on the potential development of the property to the south prior to recommending the new stub street location.

The applicant is also requesting that the condition limiting the number of lots that can be developed on a single point of access be modified. Condition #18 of the original plat approval stated: "A maximum of 50 lots shall be recorded in this subdivision prior to the construction of a second point of access." Since the parcel to the west will no longer be part of this development, the anticipated street connection with Sadler Glen subdivision to the north can not be made by the developer to provide a second point of access. The approved subdivision plan includes 56 lots. This revised plan proposes only 52 lots due to an overall increase in lot size within the development. The applicant requests that the condition be modified to allow 52 lots on a single point of access. The County policy is to allow no more than 50 lots to be developed with a single point of access in a single-family residential subdivision. The other conditions of the original Planning Commission approval would remain unchanged.

(Staff Report by Kevin Wilhite)



ACTION: Approved

SUBDIVISION RECONSIDERATION

Kings Forest (February 2001 Plan)

E. D. Lewis & Associates, P.C. for Willbrook, L.L.C.: The 10.06 acre site is located 300 feet north to Hart Mill Drive and the east line of Springfield Road on parcels 756-769-5716 (29-A-22), 756-769-9117 (29-A-24A) and 756-769-6739 (24-A-25). The zoning is R-3C, One-Family Residence District (Conditional). County water and sewer. (Brookland) 22 Lots

The subject subdivision known as Kings Forest, was originally granted conditional approval by the Planning Commission on February 28, 2001 for a 21-lot subdivision. Since that time, the County adopted the watershed management program, which allows an applicant to pay into The Environmental Fund in lieu of installing individual BMP's on the project sites.

The applicant has diligently pursued and obtained construction plan approval for the subdivision November 2, 2001. During construction plan review, the applicant requested, and staff determined that this subdivision meets the program requirements, to pay into the stream restoration fund in lieu of building a BMP. The applicant would like to participate in this program and convert the reserved BMP area into an additional lot for a total of twenty-two (22) lots. The proposed lot is lot 4, section C on the revised subdivision plan. Staff has reviewed the revised plans, and has received favorable recommendations from the Department of Public Works and Utilities.

Staff recommends approval subject to the original conditions of Planning Commission approval of the February 2001 conditional subdivision.

(Staff Report by Christina Goggin)



ACTION: Approved

SUBDIVISION

Bartley Pond (January 2002 Plan)

Bay Design Group for Forest G. Urban and Caskey Construction Company: The 4.38 acre site is located at the southeast intersection of Pemberton Road (State Route 157) and Mayland Drive (future extension) on parcel 754-756-0177 (58-2-A-11) and part of parcel 754-756-0177 (58-2-A-10). The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. (Three Chopt) 33 Lots

As of the preparation date of this agenda, the staff has not received a revised plan, as requested. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for residential townhouses, the following additional conditions are recommended.

13. The proffers approved as part of zoning case C-49C-01 shall be incorporated in this approval.
14. 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.

(Staff Report by Kevin Wilhite)



ACTION: Deferred to February 27, 2002

PUBLIC HEARING: To Amend and Reordain Section 24-104 Entitled "Signs" of the Code of the County of Henrico to Regulate Changeable Message Signs.

(Staff Report by Ben Blankinship)



ACTION: Deferred to February 27, 2002

RESOLUTION: Gill Dale Road Park and School Site – Substantially In Accord with the
County of Henrico Comprehensive Plan (Varina District)
(Staff Report by Audrey Anderson)

 **ACTION: Approved**

DISCUSSION ITEM: Screening Requirements for Utility and Mechanical Equipment
(Staff Report by Leslie News)

 **ACTION: Approved to Adopt Policy**

APPROVAL OF MINUTES: November 28, 2001 and December 19, 2001, Minutes

 **ACTION: Approved**

ADJOURNed at 11:47 a.m.