

PLANNING COMMISSION

SUBDIVISION AND PLANS OF DEVELOPMENT

ACTIONS

March 24, 2004

The submission deadline for this hearing date was February 6, 2004.

ROLL CALL:

REQUEST FOR DEFERRALS AND WITHDRAWALS:

EXPEDITED AGENDA:

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL

FOR PLANNING COMMISSION APPROVAL

Subdivision: Effinger Drive (Ded. of a Port. of Effinger Dr.) (June 1998 Plan)

Magisterial District: Fairfield

Original No. of Lots: 0

Remaining Lots: 0

Previous Extensions: 4

Year(s) Extended: 1 Year - 3/23/05

FOR INFORMATIONAL PURPOSES ONLY

Subdivision: Covington (March 2003 Plan)

Magisterial District: Three Chopt

Original No. of Lots: 73

Remaining Lots: 6

Previous Extensions: 0

Year(s) Extended: 1 Year - 3/23/05

Subdivision: Jamerson Park @Twin Hickory (March 2003 Plan)

Magisterial District: Three Chopt

Original No. of Lots: 124

Remaining Lots: 58

Previous Extensions: 0

Year(s) Extended: 1 Year - 3/23/05

Subdivision: Wellington Woods (March 2003 Plan)

Magisterial District: Varina

Original No. of Lots: 32

Remaining Lots: 32
Previous Extensions: 0
Year(s) Extended: 1 Year - 3/23/05

TRANSFER OF APPROVAL (*Deferred from the February 25, 2004 Meeting*)

POD-10-88

North Court @ Innsbrook

John F. McIntyre for 5030 Sadler Place, LLC and 5040 Sadler Place, LLC: Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code from Sadler Place, LLC and Financial Enterprises III, LLC to 5030 Sadler Place, LLL and 5040 Sadler Place, LLC. The 1.685-acre site is located at the southwest corner of the intersection of Nuckols Road and Cox Road on parcels 750-766-8562 and 9480. The zoning is O-2C, Office District (Conditional). County water and sewer. **(Three Chopt)**

As of the preparation date of the agenda, the new owner has not closed on the property at 5030 Sadler Place. The staff recommendation will be made at the meeting.

(Staff Report by Michael Cooper and Presented by Dave O'Kelly)



ACTION: Deferred to April 21, 2004

ALTERNATIVE FENCE HEIGHT PLAN (*Deferred from the January 28, 2004, Meeting*)

West Lawn Subdivision

8000 Moorfield Road

Linda A. Bergh: Request for approval of an alternative fence height plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The applicant requests a fence 52 inches in height in the front yard, whereas Section 24-95(7) permits 42 inches. The approximately 12,100 square foot lot is located on the northeastern corner of Moorefield Road and Fon-du-lac Road on parcel 759-750-1616. The zoning is R-3, One-Family Residence District. **(Three Chopt)**

The applicant has built a four-foot, six-inch, split-rail fence around her house which is located on a corner lot. The fence starts at the neighbor's existing chain link fence and runs the length of the rear yard to Moorefield Road, continues down the side yard and cuts across the front yard (Fon-Du-Lac). The fence then goes up the side yard to the existing fence in the neighbor's rear yard.

County Code limits the maximum fence height in a residential zoned front yard to three feet, six inches, but the Planning Commission may approve an alternative fence height as part of a landscape plan. The applicant did not provide a plan, but has agreed to work with staff to create a plan to provide landscaping for the fence in the front yard.

The fence is not located within County right-of-way, but is within a drainage and utility easement as is her neighbor's fence. The request has been routed and reviewed by County agencies

including Police, Public Works Design and Traffic and Public Utilities and there are no issues concerning the existing location.

Should the Commission act on this request staff recommends the following conditions:

6. A landscape plan will be reviewed and approved by County Staff and all plant material installed per the approved plan by May 1, 2004.
7. All fences on the site shall be continuously and properly maintained in good repair by the property owner.
8. Trash and debris will not be allowed to accumulate along the fence.

(Staff Report by Christina Goggin and Presented by Jim Strauss)



ACTION: Approved

TRANSFER OF APPROVAL

POD-144-88

Mexican Restaurant (Formerly El Paso Restaurant)

Leopoldo Lugo for L J Lugo, LLC: Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code from John G. Dankos, Jr., Mark A. Dankos, Glenn D. Dankos, Tracey L. Dankos, Holly D. Angel, Trustees of the Dankos Family Irrevocable Trust of January 5, 1988 to L J Lugo, LLC. The 0.550-acre site is located at 910 Parham Road, approximately 200 feet west of the intersection of Parham Road and Brook Road (U.S. Route 1) on parcel 783-756-9858. The zoning is B-2, Business District. County water and sewer. **(Fairfield)**

As of the preparation date of the agenda, the staff has not completed its review of site deficiencies for the subject property. The staff recommendation will be made at the meeting.

(Staff Report by Michael Cooper and Presented by Dave O'Kelly)



ACTION: Deferred to April 21, 2004

PLAN OF DEVELOPMENT & MASTER PLAN *(Deferred from the February 25, 2004 Meeting)*

POD-14-04

Gaskins Professional Offices

Balzer & Associates, Inc. for Kathermann & Company, Inc.: Request for approval of a plan of development and master plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story 5,760 square foot office building and for approval of a master plan for seven future buildings totaling 43,507 square feet. The 6.81-acre site is located at the southwest corner of Gaskins Road and Three Chopt Road on parcel 749-754-5736. The zoning is O-2C, Office District (Conditional). County water and sewer. **(Tuckahoe)**

Staff has requested a revised plan showing the realignment of the driveway entrance on Three Chopt Road and adequate sight distance at that entrance. As of the preparation date of the 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 developments of this type, the following additional conditions are recommended:

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 Three Chopt 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 limits and elevations of the 100-year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain must be labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.
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 Gaskins and Three Chopt Roads.
28. The proffers approved as a part of zoning cases C-33C-03 and C-62C-03 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. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.
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. 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.
35. 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 shall be reviewed and approved by the Planning Commission and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/approval.
36. 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.

37. 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 and Presentation by Michael Kennedy)



ACTION: Approved

REVISED LANDSCAPE & LIGHTING PLAN LP/POD-79-01

John Rolfe Commons Shopping Center –John Rolfe Parkway and Ridgefield Parkway

The Wilton Companies, LLC: Request for reconsideration of a revised landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 34.90-acre site is located on the northwest corner of Ridgefield Parkway and proposed John Rolfe Parkway on parcels 735-751-6513, 8611; 736-751-0405, 6330; 736-750-3696, 6388, 8896 and 737-751-0413, 2333, 3748, 0067. The zoning is B-2C, Business District (Conditional).

(Tuckahoe)

A revised landscape plan has been submitted for reconsideration of the plantings in the buffer behind the shopping center, adjacent to the Bennington Ridge East subdivision. The plan, which consisted of three alternative plans, was submitted in response to concerns raised by the adjacent residents regarding the need for additional buffering between the residences and the rear of the shopping center, where loading and servicing operations occur.

Additionally, the residents have requested that the developer provide fencing to eliminate access across the buffer for security purposes, address noise concerns in the shopping center, and address concerns regarding lighting. The staff has reviewed the proposed alternatives, and has recommended revisions to the plan incorporating portions of each alternative, as annotated on the plan in the packet. The staff's recommendations are currently under review by the developer. The developer has scheduled a community meeting to review the plans with the residents on March 16, 2004. Conditions have been recommended in the agenda to address concerns related to lighting, loading and servicing of the facility.

The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for landscape and lighting plans, the following additional conditions are recommended:

6. All dumpsters shall be serviced, and all ground maintenance shall occur in the shopping center between the hours of 7:00 a.m. and 11:00 p.m.
7. Exterior lighting in the shopping center shall be reduced to security level only within one hour of the close of business.
8. Deliveries to all units in the shopping center shall be only between the hours of 6:00 a.m. and 12:00 p.m., with the exception of the proposed Wendy's restaurant which may have deliveries at

other times provided any associated noise does not become a nuisance as determined by the Director of Planning.

(Staff Report and Presentation by Leslie News)



ACTION: Approved

PLAN OF DEVELOPMENT (*Deferred from the February 25, 2004 Meeting*)

POD-15-04

Wendy's @ John Rolfe Commons Shopping Center (POD-79-01 Revised)
2120 John Rolfe Parkway

Balzer & Associates, Inc. for the Wilton Companies, LLC and WEN-Rich, 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, 4,095 square foot restaurant addition to a shopping center. The 1.39-acre site is located on the northwest corner of John Rolfe Parkway and Ridgefield Parkway on parcels 736-750-6338, 736-751-6330 and 737-751-0067. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Tuckahoe)**

This project is located on an outparcel in the existing shopping center near the intersection of Ridgefield Parkway and John Rolfe Parkway. While this outparcel is located at a point which is not adjacent to a residential area, staff has been working with the developer to address the neighborhood concerns with the overall shopping center including landscape buffering and fencing at the rear of the shopping center, lighting, drainage, and noise related to servicing the shopping center.

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 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 south side of the interior access road.
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. All repair work shall be conducted entirely within the enclosed building.
28. Outside storage shall not be permitted.
29. The proffers approved as a part of zoning case C-66C-88 shall be incorporated in this approval.
30. The developer shall install an adequate restaurant ventilating and exhaust system to minimize smoke, odors, and grease vapors. The plans and specifications shall be included with the building permit application for review and approval. If, in the opinion of the County, the type system provided is not effective, the Commission retains the rights to review and direct the type of system to be used.

31. 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.
32. 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.
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 delivery facilities, the owner/occupant shall close the drive-up delivery facilities until a solution can be designed to prevent traffic backup.
34. 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.
35. The conceptual master plan, as submitted with this application, is for planning and information purposes only.
36. 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.
37. Service to the public is limited to 6:00 a.m. to 12:00 midnight.
38. Only retail business establishments permitted in a B-2 zone may be located in this center.
39. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
40. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).
41. All dumpsters shall be serviced, and all ground maintenance shall occur in the shopping center between the hours of 7:00 a.m. and 11:00 p.m.
42. Exterior lighting in the shopping center shall be reduced to security level only within one hour of the close of business.
43. Deliveries to all units in the shopping center shall be only between the hours of 6:00 a.m. and 12:00 p.m., with the exception of the Wendy's restaurant, which may have deliveries at other times provided any associated noise does not become a nuisance as determined by the Director of Planning.

(Staff Report by Christina Goggin and Presented by Leslie News)



ACTION: Approved

PLAN OF DEVELOPMENT, TRANSITIONAL BUFFER DEVIATION & MASTER PLAN

(Deferred from the March 11, 2004 Meeting)

POD-21-04

Bowl America @ Downtown Short Pump

Jordan Consulting Engineers for Short Pump Mini Storage Associates, LC and Bowl America, Inc.: Request for approval of a plan of development, transitional buffer deviation and master plan, as required by Chapter 24, Sections 24-106 and 106.2 of the Henrico County Code, to construct a one-story, 35,165 square foot, 40-lane bowling alley on a 3.61 acre site and a master plan for a 8.95 acre addition to the Downtown Short Pump shopping center. The site is

located on the southwest corner of Pouncey Tract Road and I-64 on parcel 739-763-7376. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Three Chopt)**

Bowl America at Downtown Short Pump is a proposed 8.95 acre addition to the Downtown Short Pump Shopping Center that was originally approved in 1998. The master plan for the additional property proposes a 40 lane free standing bowling alley which contains approximately 35,000 square feet of floor area and two future two retail building totaling approximately 40,000 square feet of floor area. Approximately 240 parking spaces would be provided with the proposed bowling alley and another 240 would be constructed on the remainder of the property. 25 of those spaces would replace existing spaces in the previously developed shopping center that would be eliminated in conjunction with this development.

The plan provides sole access at this time by a 36-foot wide drive located on the adjoining property in front of the American Family Fitness Building. Based upon information provided by the developer at this time, negotiations are underway to increase the existing 24-foot wide access easement at that location. The master plan contemplates shared parking and access with both the Skate Nation and the American Family Fitness property owners. Negotiations are underway with the American Family Fitness Property owner, however the owner of Skate Nation has declined an invitation to share either parking or access at this time. There would be sufficient parking on the site to support the proposed uses even without shared parking with Skate Nation.

The master plan proposes a potential secondary access thru the adjoining Parc Place Development to the Short Pump Town Center Ring Road. At the time this agenda was prepared no active negotiations to provide an access easement at that location have taken place. However, a meeting of the principal parties has been scheduled to occur before the Commission's meeting.

The plan proposed a storm water management pond at the northern end of the property to address storm water quantity and quality concerns. The master plan proposes a landscape island to protect a monumental oak tree located on the site.

A revised master plan was submitted to address staff concerns expressed by staff regarding the adequacy of access and internal circulation conflicts. The revised plan includes a request for a Transitional Buffer Deviation, which would reduce the standard 50-foot transitional buffer along the northern property line abutting I-64 to a 25-foot transitional buffer. The master plan indicates that future development may be limited if secondary access is not obtained.

The Property was rezoned M-1C Light Industrial District in 1998. The proffers applicable to the property contemplated that the property would originally be developed with a mini-storage warehouse facility. The proffers provide that the property would be developed in accordance with site and elevation plans attached to the applicable zoning cases, unless otherwise specifically requested and approved by the Planning Commission at the time of Plan of Development review.

A Plan of Development (POD 57-98) consistent with proffered site plan and elevations (and which included a similar transitional buffer deviation request) was approved by the Commission at their March 28, 1998 meeting. Final construction plans for the Plan of Development were approved by staff on May 27, 1999. No work has taken place on the property. The current Plan of Development approval will expire on July 28, 2004.

Since that time the developer has indicated that development as previously proposed is no longer economically feasible and has submitted the subject development plan for Commission consideration and approval. In addition to the proffered site plans and elevations, the applicable zoning cases proffer a traffic restriction that states “No Plan of Development shall be granted for a use on the Property (other than for mini-storage warehouse facilities) which would generate more trips per day than can be adequately handled in the opinion of the Director of Public Works or until alternative vehicular access is obtained to serve the Property.”

Public Works staff, including the County Traffic Engineer has considered the implications of this proffer on the submitted master plan. The Traffic Engineer has indicated that trip generation from the latest edition of the Trip Generation Handbook, published in 2003, suggests at the mini-warehouse facility would have generated 184 trips a day, while the proposed bowling alley would generate 1333 trips per day, and the proposed retail center would generate an additional 3743 trips per day.

Given the additional traffic volumes generated by the proposal, the Director of Public Works has indicated that the proposed bowling alley may be developed with a single point of access, provided that modifications to the American Family Fitness driveway are made and that cross-access agreements for the American Family Fitness driveway are obtained.

The Director of Public Works has also indicated that no further development would be permitted until a second point of access is provided. He noted that two points of access should be provided to allow for additional traffic distribution in the area, and not load up all of the traffic from this site in the one driveway located in front of American Family Fitness.

Due to the access limitations on this site staff has requested that the developer provide some documentation that secondary access is feasible before recommending approval of the master plan as proposed. If secondary access is not feasible, staff recommends that the master plan reflect that the ultimate build out of the site, which may only include the proposed bowling alley. If secondary access is feasible, staff has requested that the grading plan be revised to facilitate the future secondary access. In either case, staff has requested modifications to the American Family Fitness driveway, required by the Traffic Engineer, be shown on the plans along with any replacement parking necessitated by those modifications.

At this time, staff has not received the additional information it has requested to complete its review of the required Master Plan; therefore a recommendation will be made at the meeting.

Should the Commission act on this request, in addition to the annotations on the plans, the standard conditions for shopping centers and the conditions on the agenda, the following additional and revised conditions are recommended:

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 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. The proffers approved as a part of zoning case C-3C-98 and C-16C-98 shall be incorporated in this approval.
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. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.
28. 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.
29. 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.
30. The owners shall not begin clearing of the site until the following conditions have been met:
 - (a) The site engineer shall conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements shall be shown.
 - (b) After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner shall have the limits of clearing delineated with approved methods such as flagging, silt fencing or temporary fencing.
 - (c) The site engineer shall certify in writing to the owner that the limits of clearing have been staked in accordance with the approved plans. A copy of this letter shall be sent to the Planning Office and the Department of Public Works.
 - (d) The owner shall be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details shall be included on the landscape plans for approval.
31. 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 shall be approved by the Planning Commission and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/approval.
32. 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.
33. Colored architectural plans and samples shall be submitted to the Planning Commission for review and approval, prior to the issuance of building permits. The building shall have compatible architectural detailing to the Downtown Short Pump shopping center.
34. A coordinated architectural, lighting, landscape and signage scheme shall be maintained for all parcels.
35. Prior to the approval of final construction plans, cross-access easements shall be submitted to the Planning Office for review and approval. Said easement, shall be recorded prior to the issuance of Certificates of Occupancy.
36. Prior to the approval of final construction plans, a revised landscape plan for the American

Family Fitness property shall be submitted for review and approval. Said plan will document the adequacy of sight distance at major intersections of internal access drives.

37. To the extent determined possible by the Director of Planning or his designee, trees over 36 inches in diameter shall be identified, protected, and preserved on the construction plans.

38. For the purposes of signage, this development shall be identified as separate shopping center. The maximum height of a free standing sign shall be 10' if within the 35' West Broad Street Overlay District buffer or 25' if outside the buffer.

39. The proposed bowling alley may be developed with a single point of access, provided that modifications to the American Family Fitness driveway are made in accordance with the requirements of the Director of Public Works.

40. Cross-access agreements for the American Family Fitness driveway shall be obtained prior to approval of construction plans for the bowling alley.

41. No additional development other than the proposed bowling alley shall be permitted until a second point of access is provided in accordance with the requirements of the Director of Public Works.

42. Cross-access agreements for the secondary access driveway shall be obtained prior to approval of construction plans for any additional development.

Staff recommends approval of the requested Transitional Buffer Deviation, subject to the conditions on the agenda.

1. A 25-foot-wide enhanced transitional buffer shall be provided in lieu of the required 50-foot transitional buffer and the balance of the planting requirement of the 50-foot transitional buffer shall be provided elsewhere on the site.
2. An irrigation plan shall be submitted with the landscape plan, providing for the irrigation of all major landscape areas.
3. The landscape and lighting plan shall be submitted for Planning Commission review and approval.

(Staff Report and Presentation by Michael Kennedy)



ACTION: Deferred to April 21, 2004

PLAN OF DEVELOPMENT

POD-24-04

Hickory Corner –5350 Twin Hickory Road

Jordan Consulting Engineers, P.C. for Hickory Corner, LC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct six, one-story office buildings totaling 56,900 square feet. The 5.135-acre site is located on the east line of Twin Hickory Road approximately 170 feet north of Nuckols Road on part of parcels 747-773-1506 and 746-772-8676. The zoning is O-2C, Office 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:

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 north side of Nuckols Road and the east side of Twin Hickory Road.
26. All repair work shall be conducted entirely within the enclosed building.
27. The proffers approved as a part of zoning case C-70C-99 shall be incorporated in this approval.
28. 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.
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. 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.
32. 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.
33. 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.
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 and Presented by Kevin Wilhite)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-25-04

Wachovia Financial Center@ Twin Hickory –11290 Nuckols Road

Jordan Consulting Engineers, P.C. for Wachovia Bank, N.A.: 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, 4,025 square foot bank with drive-thru facilities. The 1.556-acre site is located on the northeast corner of Nuckols and Twin Hickory Roads on part of parcels 747-773-1506 and 746-772-8676. The zoning is O-2C, Office 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:

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 north side of Nuckols Road and the east side of Twin Hickory Road.
26. All repair work shall be conducted entirely within the enclosed building.
27. The proffers approved as a part of zoning case C-70C-99 shall be incorporated in this approval.
28. 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.
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. 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.
35. 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 and Presented by Kevin Wilhite)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-26-04

The Cheesecake Factory @ Short Pump Town Center

McKinney & Company for Short Pump Town Center, LLC and The Cheesecake Factory: 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, 10,300 square foot restaurant with 1,200 square feet of outside dining area in an existing shopping center. The 2.59-acre site is located along the north line of W. Broad Street (U.S. Route 250) approximately 200 feet west of its intersection with Lauderdale Drive on parcel 737-763-0900. The zoning is B-3C, Business District (Conditional) and WBSO (West Broad Street Overlay District). Private water and sewer. **(Three Chopt)**

As of the preparation date of the 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 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. Outside storage shall not be permitted.
25. The proffers approved as a part of zoning case C-29C-98 shall be incorporated in this approval.
26. The developer shall install an adequate restaurant ventilating and exhaust system to minimize smoke, odors, and grease vapors. The plans and specifications shall be included with the building permit application for review and approval. If, in the opinion of the County, the type system provided is not effective, the Commission retains the rights to review and direct the type of system to be used.
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. 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.
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.
30. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
31. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

(Staff Report and Presentation by Kevin Wilhite)



ACTION: Approved

SUBDIVISION

Brinley Meadows (March 2004 Plan)

Engineering Design Associates for Mable Vernell Kahl and Ausland Homes, Inc.: The 25.00-acre site proposed for a subdivision of 19 single-family homes is located on the southern line of

Charles City Road, approximately 1,400 feet east of the intersection of Charles City Road and Yahley Mill Road on part of parcel 838-698-2829. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield. **(Varina)** 19 Lots

As of the preparation date of the agenda, the staff has not completed its review of the revised plan. The original plan submitted included a lot that did not meet the required lot width requirement. As well, the staff had concern for the location of a dwelling on lot 10, due to the design of the lot. the staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for subdivisions not served by public utilities, the following additional conditions are recommended:

11. Each lot shall contain at least one acre.
12. Any necessary offsite drainage easements must be obtained prior to approval of the construction plan by the Department of Public Works.
13. Any future building lot containing a BMP, sediment basin or trap and located within the buildable area for a principal structure or accessory structure, may be developed with engineered fill. All material shall be deposited and compacted in accordance with the Virginia Uniform Statewide Building Code and geotechnical guidelines established by a professional engineer. A detailed engineering report shall be submitted for the review and approval by the Building Official prior to the issuance of a building permit on the affected lot. A copy of the report and recommendations shall be furnished to the Directors of Planning and Public Works.
14. The detailed plant list and specifications for the landscaping to be provided within the 25-foot-wide no ingress/egress planting strip easement along Charles City Road shall be submitted to the Planning Office for review and approval prior to recordation of the plat.
15. A 10-foot-wide pedestrian access easement shall be provided between lot 10 and 11 from the cul-de-sac to the eastern property line.

(Staff Report by Michael Cooper and Presented by Dave O’Kelly)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-23-04

The Townes @ Meredith Creek, Section 3 – Springfield Road

Koontz-Bryant, P.C. for Kenneth E. Mills, Jr., James T. Mills, Keith A. Mills, Karen M. De Jarnette and Wilton Development Corporation: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 18, two-story townhouse units. The 3.73-acre site is located on the east side of Springfield Road (State Route 157) approximately 200 feet north of Bocastle Road at 4475 Springfield Road on parcel 755-762-0241. The zoning is RTHC, Residential Townhouse 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 Meredith Creek, Section 3, shall be recorded before any building permits are issued.

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 limits and elevations of the 100-year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain must be labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.
26. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
27. The proffers approved as a part of zoning case C-37C-03 shall be incorporated in this approval.
28. 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.
29. 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.
30. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.
31. 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.
32. 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.
33. 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.
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 and Presentation by Michael Kennedy)



ACTION: Approved

SUBDIVISION RECONSIDERATION

Blairmount of Grey Oaks, Section A (March 2004 Plan)

Youngblood, Tyler & Associates, P. C. for Route 271 and Loftis Real Estate &

Development, Inc.: The 24.92-acre site proposed for a subdivision of 50 single-family homes is located on Pouncey Tract Road (State Route 271) at Grey Oaks Park Drive on part of parcel 738-772-9227. The zoning is R-2AC, One-Family Residence District (Conditional). County water and sewer. **(Three Chopt) 50 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 detailed plant list and specifications for the landscaping to be provided within the 10-foot-wide planting strip easement along Grey Oaks Park Drive shall be submitted to the Planning Office for review and approval prior to recordation of the plat.
13. A County standard sidewalk shall be constructed along the north side of Grey Oaks Park Drive.
14. Any necessary offsite drainage easements must be obtained prior to approval of the construction plan by the Department of Public Works.
15. The proffers approved as part of zoning case C-16C-03 shall be incorporated in this approval.
16. 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.
17. Prior to recordation a development agreement for the proffered recreational area must be submitted for review and approval by the Director of Planning. The development agreement shall provide for the dedication of the recreational area, a master plan for the recreational area and a performance schedule or bond for the proffered recreational area amenities.
18. Any future building lot containing a BMP, sediment basin or trap and located within the buildable area for a principal structure or accessory structure, may be developed with engineered fill. All material shall be deposited and compacted in accordance with the Virginia Uniform Statewide Building Code and geotechnical guidelines established by a professional engineer. A detailed engineering report shall be submitted for the review and approval by the Building Official prior to the issuance of a building permit on the affected lot. A copy of the report and recommendations shall be furnished to the Directors of Planning and Public Works.

(Staff Report and Presentation by Michael Kennedy)



ACTION: Approved

SUBDIVISION

Westcott @ Grey Oaks, Section C (March 2004 Plan)

Youngblood, Tyler & Associates, P. C. for Route 271 and Loftis Real Estate & Development, Inc.: The 42.68-acre site purposed for a subdivision of 66 single-family homes is located on the south side of Grey Oaks Park Drive approximately 1,900 feet east of Pouncey Tract Road on part of parcel 738-772-9227 and 739-770-0693. The zoning is R-2AC, One-Family Residence District (Conditional). County water and sewer. **(Three Chopt) 66 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 detailed plant list and specifications for the landscaping to be provided within the 10-foot-wide planting strip easement along Grey Oaks Park Drive shall be submitted to the Planning Office for review and approval prior to recordation of the plat.
13. A County standard sidewalk shall be constructed along the north side of Grey Oaks Park

Drive.

14. Any necessary offsite drainage easements must be obtained prior to approval of the construction plan by the Department of Public Works.

15. The proffers approved as part of zoning case C-16C-03 shall be incorporated in this approval.

16. 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.

17. Prior to recordation a development agreement for the proffered recreational area must be submitted for review and approval by the Director of Planning. The development agreement shall provide for the dedication of the recreational area, a master plan for the recreational area and a performance schedule or bond for the proffered recreational area amenities.

18. Any future building lot containing a BMP, sediment basin or trap and located within the buildable area for a principal structure or accessory structure, may be developed with engineered fill. All material shall be deposited and compacted in accordance with the Virginia Uniform Statewide Building Code and geotechnical guidelines established by a professional engineer. A detailed engineering report shall be submitted for the review and approval by the Building Official prior to the issuance of a building permit on the affected lot. A copy of the report and recommendations shall be furnished to the Directors of Planning and Public Works.

19. A maximum of 50 lots may be developed with a single point of access, unless a limited (pedestrian and fire) access and utility easement is provided to the property to the east.

(Staff Report and Presentation by Michael Kennedy)



ACTION: Approved

SUBDIVISION

Turnbridge @ Grey Oaks, Section E (March 2004 Plan)

Youngblood, Tyler & Associates, P. C. for Route 271 and Loftis Real Estate &

Development, Inc.: The 13.29-acre site purposed for a subdivision of 29 single-family homes is located on the south side of proposed Grey Oaks Park Drive approximately 600 feet east of Pouncey Tract Road on part of parcel 738-772. The zoning is R-2AC, One-Family Residence District (Conditional). County water and sewer. **(Three Chopt) 29 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 detailed plant list and specifications for the landscaping to be provided within the 10-foot-wide planting strip easement along Grey Oaks Park Drive shall be submitted to the Planning Office for review and approval prior to recordation of the plat.

13. A County standard sidewalk shall be constructed along the north side of Grey Oaks Park Drive.

14. Any necessary offsite drainage easements must be obtained prior to approval of the construction plan by the Department of Public Works.

15. The proffers approved as part of zoning case C-16C-03 shall be incorporated in this approval.

16. 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.

17. Prior to recordation a development agreement for the proffered recreational area must be submitted for review and approval by the Director of Planning. The development agreement shall provide for the dedication of the recreational area, a master plan for the recreational area and a performance schedule or bond for the proffered recreational area amenities.

18. Any future building lot containing a BMP, sediment basin or trap and located within the buildable area for a principal structure or accessory structure, may be developed with engineered fill. All material shall be deposited and compacted in accordance with the Virginia Uniform Statewide Building Code and geotechnical guidelines established by a professional engineer. A detailed engineering report shall be submitted for the review and approval by the Building Official prior to the issuance of a building permit on the affected lot. A copy of the report and recommendations shall be furnished to the Directors of Planning and Public Works.

(Staff Report and Presentation by Michael Kennedy)



ACTION: Approved

SUBDIVISION

Sterling Forest, Section 4 (September 2003 Plan)

Bay Design Group, P.C. for Wilton Real Estate & Development Corporation: The 4.28-acre site purposed for a subdivision of 7 single-family homes is located on the corner of Wilkinson Road and Sterling Forest Parkway on part of parcel 796-751-5394. The zoning is R-2C, One-Family Residence District (Conditional). County water and sewer. **(Brookland) 7 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-13C-99 shall be incorporated in this approval.

13. 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 and Presentation by Michael Kennedy)



ACTION: Approved

LANDSCAPE & LIGHTING PLAN

LP/POD-84-02

Jiffy Lube at 9215 Quioccasin Road

Balzer & Associates, Inc. for Vircal Lubes, Inc.: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 1.89-acre site is located at 9215 Quioccasin Road approximately 500 feet west of Inez Road on parcel 750-745-1577. The zoning is B-1C, Business District (Conditional) and B-2C, Business District (Conditional). **(Tuckahoe)**

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

(Staff Report and Presentation by Jim Strauss)



ACTION: Approved

LANDSCAPE PLAN

LP/POD-13-03

Church of the Epiphany
8000 Hermitage Road

Hulcher & Associates for Church of the Epiphany: 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 5.985-acre site is located on the north line of Hermitage Road at 8000 Hermitage Road across from Gibraltar Drive on parcel 775-752-8156. The zoning is R-3, One-Family Residence District. **(Brookland)**

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

(Staff Report and Presentation by Leslie News)



ACTION: Approved

LANDSCAPE & LIGHTING PLAN

LP/POD-26-03

YMCA Shady Grove –Twin Hickory Road

Gilbert McCraw for YMCA of Grater Richmond: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 22.56-acre site is located at the southwest corner of Twin Hickory Road and Nuckols Road at 11255 Nuckols Road on parcel 746-771-2682. The zoning is A-1, Agricultural District. **(Three Chopt)**

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

(Staff Report and Presentation by Michael Kennedy)

 **ACTION: Approved**

LANDSCAPE PLAN

LP/POD-37-03

Jamerson Park Sections A & B

Higgins & Gerstenmaier for HHHunt Corporation: 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 29.68-acre site is located at the intersection of proposed Hickory Bend Drive and proposed Parkland Drive, 11664 New Wade Lane on parcel 745-768-7374. The zoning is RTHC, Residential Townhouse District (Conditional). **(Three Chopt)**

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

(Staff Report and Presentation by Michael Kennedy)

 **ACTION: Approved**

VARINA:

PUBLIC HEARING:

AMENDMENT TO THE MAJOR THOROUGHFARE PLAN OF THE

COMPREHENSIVE PLAN: MTP-1-04 Proposed Deletion of Kara Drive, Forest Drive, and Concept Road 219-1 between Yahley Mill Road and Charles City Road.

(Staff Presentation by Mark Bittner)

 **ACTION: Approved**

APPROVAL OF MINUTES: February 25, 2004, Minutes

 **ACTION: Approved**

ADJOURNed at 10:57 a.m.