

**PLANNING COMMISSION**

**SUBDIVISIONS AND PLANS OF DEVELOPMENT**

**December 13, 2006**

The submission deadline for this hearing date was October 27, 2006.

The agenda for this meeting will be posted closer to the meeting date. For questions about the agenda, contact Diana Carver, 501-4606.

---

**ROLL CALL:**

**REQUEST FOR DEFERRALS AND WITHDRAWALS:** Leslie News

**EXPEDITED AGENDA:** Leslie News

**SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL:** Christina Goggin

**FOR INFORMATIONAL PURPOSES ONLY**

**Subdivision:** Holladay Hills (December 2005 Plan)

**Magisterial District:** Brookland

**Original No. of Lots:** 21

**Remaining Lots:** 21

**Previous Extensions:** 0

**Year(s) Extended Recommended:** 1 Year - 12/12/07

**Subdivision:** Michael's Way (October 2005 Plan)

**Magisterial District:** Fairfield

**Original No. of Lots:** 18

**Remaining Lots:** 18

**Previous Extensions:** 0

**Year(s) Extended Recommended:** 1 Year - 12/12/07

**Subdivision:** Turner Woods, Section C (December 2005 Plan)

**Magisterial District:** Varina

**Original No. of Lots:** 5

**Remaining Lots:** 5

**Previous Extensions:** 0

**Year(s) Extended Recommended:** 1 Year - 12/12/07

**TRANSFER OF APPROVAL**

**POD-20-94**

The Concourse @ Wyndham  
11520 Nuckols Road

**Spotts-Fain for MGME Richmond-Nuckols, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Concourse Commons, LLC to MGME Richmond-Nuckols, LLC. The 2.1-acre site is located on the north line of Nuckols Road, approximately 250 feet west of Concourse Boulevard on parcel 745-775-7141. The zoning is O/SC, Office/Service District Conditional. County water and sewer. **(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 conditions:

1. The site deficiency (the missing stop bar), as identified in the inspection report, dated October 12, 2006 shall be corrected by January 3, 2007.

**(Staff Report by Christina Goggin)**  
(Applicant's Representative: Emily Combs)



**ACTION: Approved**

**TRANSFER OF APPROVAL**  
**POD-123-97 (part)**

Airport Distribution (Formerly Highwoods Distribution Center)  
Darbytown Road and Laburnum Avenue

**Mill Management Inc. for Fawn Industrial, LLC:** Request for transfer of approval of a portion of a POD as required by Chapter 24, Section 24-106 of the Henrico County Code from Highwoods Industrial Virginia, LLC to Fawn Industrial, LLC. The 9.858-acre site is located at on the southeast side of S. Laburnum Avenue at the corner of S. Laburnum Avenue and Darbytown Road on parcel 813-790-6207. This is a portion of the whole development known as Airport Distribution, consisting of building "F" as shown on the master plan. The zoning is M-1, Light Industrial 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.

**(Staff Report by Anthony Greulich)**  
(Applicant's Representative: Steve Schacter)



**ACTION: Approved**

## **TRANSFER OF APPROVAL**

### **POD-123-97 (part)**

Airport Distribution (Formerly Highwoods Distribution Center)  
Darbytown Road and Laburnum Avenue

**Engineering Design Associates for Graham & Company South East, LLC:** Request for transfer of approval of a portion of a POD as required by Chapter 24, Section 24-106 of the Henrico County Code from Ramona Max Brown, LLC to Graham & Company South East, LLC. The 57.263-acre site is located on the southeast side of S. Laburnum Avenue at the corner of S. Laburnum Avenue and Darbytown Road on parcels 814-699-7796 and 813-790-7148. This is a portion of the whole development know as Airport Distribution, consisting of the area for buildings B, C, D, E and the common area as shown on the master plan. The zoning is M-1, Light Industrial 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.

### **(Staff Report by Anthony Greulich)**

(Applicant's Representative: Robert Nelson)



**ACTION: Approved**

## **PLAN OF DEVELOPMENT**

### **POD-66-06**

Easthampton Townhomes – S. Kalmia Street and E. Jerald Street

**Engineering Design Associates for Extra Enterprises Construction & Development, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 44, two-story, 1,440 square feet townhouse for sale units totaling 63,360 square feet. The 6.58-acre site is located at the southeast intersection of S. Kalmia Avenue and E. Jerald Street on parcel 822-722-0609. The zoning is RTHC, Residential Townhouse District. County water and sewer. **(Varina)**

As of the preparation date of the agenda, staff has not received a revised plan, as requested. A revised plan was requested to address issues related to the tot lot, mailbox locations and floodplain details. Additionally, revisions to the architectural plans were requested to include shutters. 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:

24. The subdivision plat for Easthampton Townhomes shall be recorded before any building permits are issued.
25. 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.

26. 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.
27. 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 Department of Planning prior to any occupancy permits being issued.
28. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
29. Prior to issuance of a certificate of occupancy for any building in this development, the engineer of record shall certify that the site has been graded in accordance with the approved grading plans.
30. A standard concrete sidewalk shall be provided along the south side of Jerald Street.
31. The proffers approved as a part of zoning case C-23C-06 shall be incorporated in this approval.
32. All exterior lighting fixtures shall be designed and arranged so the source of light is not visible from the roadways or adjacent residential properties. The lighting shall be low intensity, residential in character, and the height or standards shall not exceed 15 feet.
33. Prior to issuance of a building permit, the developer must furnish a letter from Dominion Virginia Power stating that this proposed development does not conflict with their facilities.
34. 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.
35. 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.
36. 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 Department of Planning - 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. Prior to the issuance of the last Certificate of Occupancy, a professional engineer must certify that the roads have been designed and constructed in accordance with County standards.
37. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.
38. 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.
39. 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.
40. 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.
41. A note in bold lettering shall be provided on the erosion control plan indicating that sediment basins or traps located within buildable areas or building pads shall be reclaimed with engineered fill. All materials shall be deposited and compacted in accordance with the applicable sections of the state building code and geotechnical guidelines established by the engineer. An engineer's report certifying the suitability of the fill materials and its compaction shall be submitted for

review and approval by the Director of Planning and Director of Public Works and the Building Official prior to the issuance of any building permit(s) on the affected sites.

42. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

43. The unit house numbers shall be visible from the parking areas and drives.

44. The names of streets, drives, courts and parking areas shall be approved by the Richmond Regional Planning District Commission and such names shall be included on the construction plans prior to their approval. The standard street name signs shall be installed prior to any occupancy permit approval.

**(Staff Report by Anthony Greulich)**

(Applicant's Representative: Susan Smith)



**ACTION: Deferred to January 24, 2007**

## **SUBDIVISION LANDSCAPE PLAN**

### **SUB-64-05**

Turnberry – Pouncey Tract Road and Shady Grove Road

Jeff McKay for Centex Homes: 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 2.852-buffer between the subdivision and Shady Grove Road is located in the Turnberry Subdivision, on the south side of Shady Grove Road, approximately 1,100 feet east of the intersection of Pouncey Tract Road and Shady Grove Road on parcels 740-769-0088 and 740-767-7087. The zoning is R-3C, One-Family Residential District (Conditional). **(Three Chopt)**

The staff recommends approval subject to the annotations on the plans, the standard conditions for landscape plans and the following additional condition:

1. The landscape buffer between the subdivision and Shady Grove Road must be maintained in good condition, including the removal of trash and debris.

**(Staff Report by Anthony Greulich)**

(Applicant's Representative: Jeff McKay)



**ACTION: Approved**

## **PLAN OF DEVELOPMENT – ARCHITECTURALS**

### **POD-42-06**

West Broad Village – W. Broad St./Three Chopt Road

**Timmons Group and Antunovich Associates for West Broad Village, LLS, West Broad Village II, LLC and Unicorp National Developments, Inc.:** Request for approval of

architectural plans, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 63,875 square foot grocery store with mezzanine, a five-story, 133,166 square foot retail/residential building, a five-story, 93,118 square foot retail/residential building, a four-level, 680 space parking garage, and a one-story, 6,255 square foot clubhouse in an urban mixed use development. The 115.04-acre site is located along the south line of W. Broad Street (U. S. Route 250), the north line of Three Chopt Road, and the east line of the future John Rolfe Parkway on parcel 742-760-7866. The zoning is UMUC, Urban Mixed Use 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 architectural plans. The staff recommendation will be made at the meeting.

**(Staff Report by Kevin Wilhite and Michael Kennedy)**  
(Applicant's Representative: Joseph Antunovich)



**ACTION: Approved**

**PLAN OF DEVELOPMENT** (*Deferred from the November 15, 2006 Meeting*)  
**POD-58-06 (Revised)**

The Shops @ White Oak Village – 4500 S. Laburnum Avenue

**Vanasse Hagen Brustlin, Inc. for Forest City Commercial Group, Inc:** Request for approval of a revised plan of development as required by Chapter 24, Sections 24-106 and 24-56 of the Henrico County Code, for approval of the outside display of merchandise for a proposed Lowe's home improvement store (major anchor B). The 13.21-acre site is located at the northwest corner of the intersection of S. Laburnum Avenue and I-64, west of Audubon Drive on part of parcel 815-718-5710. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Varina)**

As of the preparation date of the 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, the previous conditions approved with this POD are recommended.

**(Staff Report by Jim Strauss)**  
(Applicant's Representative: Mitch Mitchell)



**ACTION: Approved**

**PLAN OF DEVELOPMENT** (*Deferred from the November 15, 2006 Meeting*)  
**POD-65-06**

Lowe's @ Short Pump Plaza – Garden Center Expansion  
(POD-85-97 Revised)

**McKinney & Company for Lowes Home Centers, Inc.:** Request for approval of a plan of development, as required by Chapter 24, Sections 24-106 and 24-56 of the Henrico County Code, for approval of the outside display of merchandise and an expansion of an existing garden center for an existing Lowe's home improvement store. The 16.21-acre site is located in the Short Pump Plaza Shopping Center on parcel 740-763-6239. The zoning is B-3C, 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 revised plan. The recommendation will be made at the meeting. Should the Commission act on this request, the previous conditions approved with POD-85-97 are recommended.

**(Staff Report by Jim Strauss)**  
(Applicant's Representative: Stacey Burcin)



**ACTION: Deferred to January 24, 2007**

**PLAN OF DEVELOPMENT & SPECIAL EXCEPTION  
POD-69-06**

Country Inn & Suites – Short Pump Town Center

**McKinney & Company for Short Pump Town Center, LLC and Dumra Hospitality Group, LLC:** Request for approval of a plan of development and special exception for buildings exceeding 45 feet in height, as required by Chapter 24, Sections 24-106, 24-2, and 24-94(b) of the Henrico County Code, to construct a four-story, 96-room hotel. The 1.77-acre site is located along the south line of I-64, approximately 2,600 feet west of Pouncey Tract Road, on part of parcel 738-764-0203. The zoning is B-3C, 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 received a revised plan that addresses issues related to parking lot design, as requested. In addition, staff has requested evidence of a shared parking agreement and additional architectural information, including Forest City's approval of the design.

This plan of development includes a request for a special exception for height to allow construction of a building exceeding 45 feet in height. As is normal procedure, staff makes no recommendation regarding the special exception. It is the applicant's responsibility to present evidence to the Commission to support the request.

The staff recommendation will be made at the meeting. Should the Commission approve the applicant's request for the special exception, staff recommends approval of the POD subject to the annotations on the plan, the standard conditions for developments of this type, and the following additional conditions:

24. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
25. Outside storage shall not be permitted.
26. The proffers approved as a part of zoning case C-29C-98 shall be incorporated in this approval.
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. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Department of Planning and approved prior to issuance of a certificate of occupancy for this development.
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.

**(Staff Report by Kevin Wilhite)**  
(Applicant's Representative: Robert Gray)



**ACTION: Withdrawn**

## **PLAN OF DEVELOPMENT**

### **POD-67-06**

American Family Fitness – Short Pump Town Center

**Balzer & Associates, Inc. for Short Pump Town Center, LLC, Bee-Pump, LLC and American Family Fitness:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story, 72,750 square foot fitness center. The 5.92-acre site is located along the south line of I-64, approximately 2,600 feet west of Pouncey Tract Road, on part of parcel 737-764-0069. The zoning is B-3C, 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 received a revised plan that addresses issues related to parking lot design and location of the building, as requested. In addition, staff has requested evidence of sufficient parking being provided for the use and additional architectural information, including Forest City's approval of the design. 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:

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

32. Outside storage shall not be permitted.
33. The proffers approved as a part of zoning case C-29C-98 shall be incorporated in this approval.
34. 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.
35. 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.
36. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Department of Planning and approved prior to issuance of a certificate of occupancy for this development.
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 by Kevin Wilhite)**  
(Applicant's Representative: Simon Muller)



**ACTION: Deferred to January 24, 2007**

## **PLAN OF DEVELOPMENT**

### **POD-68-06**

Car America – 8050 W. Broad Street

**Hulcher & Associates for Prime 8050–LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story, two service bay, 5,136 square foot automobile dealership to replace an existing service station. The 0.80-acre site is located along the north line of W. Broad Street (U.S. Route 250) approximately 375 feet west of Carousel Lane on parcel 763-753-2544. The zoning is B-3, Business District. 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:

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any 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 entrances and drainage facilities on W. Broad Street (U. S. Route 250) shall be approved by the Virginia Department of Transportation and the County.
26. 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 Department of

Planning prior to any occupancy permits being issued.

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

28. A standard concrete sidewalk shall be provided along the north side of W. Broad Street (U.S. Route 250).

29. All repair work shall be conducted entirely within the enclosed building.

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. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.

33. 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.

34. 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.

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)**

(Applicant's Representative: Wayne Mayton)



**ACTION: Approved**

## **PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION POD-73-06**

After Hours Formal Wear – Williamsburg Road and Eastover Road  
(POD-111-89 Revised)

**Hulcher & Associates, Inc. for After Hours Formal Wear:** 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 one-story, 21,000 square foot addition to an existing one-story, 30,000 square foot warehouse building. The transitional buffer deviation would reduce the 50-foot buffer by 35 feet. The 5.66-acre site is located on the south side of Williamsburg Road (U. S. Route 60) on parcel 811-713-1179. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Varina)**

The staff recommends approval of this plan, provided the Commission grants the transitional buffer deviation as requested, subject to the annotations on the plans, the standard conditions for developments of this type and the following additional conditions:

24. Any dry cleaning equipment shall use only non-inflammable cleaning solvents and have fully enclosed cleaning and solvent reclamation processes and fully enclosed pressing equipment with no outside steam exhaust.
25. 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.
26. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
27. Outside storage shall not be permitted.
28. The proffers approved as a part of zoning case C-22C-89 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. 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 Virginia Department of Transportation maintained right-of-way. The elevations will be set by the contractor and approved by the Virginia Department of Transportation.
33. 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.
34. The location of outdoor storage containers on site is prohibited.
35. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

**(Staff Report by Tony Greulich)**

(Applicant's Representative: Bruce Hulcher)



**ACTION: Approved**

**PLAN OF DEVELOPMENT & SPECIAL EXCEPTION**

**POD-70-06**

Courtyard by Marriott – Virginia Center Commons Shopping Center

**Timmons Group and Brook Hospitality, LLC:** Request for approval of a plan of development and special exception, as required by Chapter 24, Sections 24-2, 24-94b, 24-11b(c) and 24-106 of the Henrico County Code, to construct a 137 room, 86,195 square foot hotel with a proposed height of 61 feet 6 inches, or five stories in an existing shopping center. The special exception would authorize a building in excess of three stories and 45 feet in height. The 4.08-acre site is

located approximately 700 feet east of Brook Road (U.S. Route 1) on JEB Stuart Parkway on parcel 784-769-4292. 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 a revised plan, as requested. A revised plan and revised elevations have been requested which would provide quality building materials and the proffered 10-foot landscape buffer along JEB Stuart Parkway. The staff recommendation will be made at the meeting.

This plan of development includes a request for a special exception for height to allow construction of a building exceeding 45 feet in height. As is normal procedure, staff makes no recommendation regarding the special exception. It is the applicant's responsibility to present evidence to the Commission to support the request.

Should the Commission approve the applicant's request for the special exception, staff recommends approval of the POD subject to the annotations on the plans, the standard conditions for developments of this type, and the following additional conditions:

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. The proffers approved as a part of zoning case C-113C-88 shall be incorporated in this approval.

27. 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.

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

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. 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.

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.

**(Staff Report by Greg Garrison)**

(Applicant's Representative: Brain Crutchfield)



**ACTION: Deferred to January 24, 2007**

**PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION  
POD-71-06**

Glen Allen Service Center – Mountain Road and Hamilton Road

Foster & Miller, P.C. for Glen Allen Service Center, Inc.: Request for approval of a plan of development and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 106.2(3)b of the Henrico County Code, to construct a one-story, 3,916 square foot auto service/repair shop. The transitional buffer deviation would permit deviations in width and alternative planting within the required buffers, as depicted on the plans. The 0.619-acre site is located on the south line of Mountain Road west of Hamilton Road at 3015 Mountain Road on parcel 770-767-2959. The zoning is B-3C, Business 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:

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning 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 Department of Planning review and Planning Commission approval.
24. The right-of-way for widening of Mountain 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.
25. 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.
26. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
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-33C-06 shall be incorporated in this approval.
30. This business shall not remain in operation after midnight and no exterior signs shall remain lighted after 12:00 midnight.
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. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.
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. 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 Department of Planning 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. 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.

38. 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 Mike Kennedy)**

(Applicant's Representative: Alex Grinblat)



**ACTION: Deferred to January 11, 2007**

## **PLAN OF DEVELOPMENT**

### **POD-72-06**

Christ Church Episcopal – 5000 Pouncey Tract Road

**Borden Engineering, PLC for Christ Church Episcopal:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 169-space parking lot for an existing church. The 11.01-acre site is located on the west line of Pouncey Tract Road (State Route 271) at its intersection with Shady Grove Road on parcel 738-769-3891. The zoning is A-1, Agricultural District. County water and sewer. **(Three Chopt)**

There is one outstanding issue with this plan. The applicant proposes 2 gravel parking lots with a gravel access drive. The County's Zoning Ordinance requires all public parking lots as well as parking lots within 200 feet of residential zoning to be paved. Public Work's design manual also requires all parking lots to be paved with curb and gutter. At this time the applicant has not agreed to pave the parking lots and drive aisle as required.

Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

24. The right-of-way for widening of Pouncey Tract and North Gayton extended 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.

25. 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.

26. Outside storage shall not be permitted.

27. 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.

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.

**(Staff Report by Christina Goggin)**

(Applicant's Representative: Todd Borden)



**ACTION: Approved**

## **SUBDIVISION**

### **SUB-61-06**

**Brandon Estates** (December 2006 Plan)

4100 Darbytown Road Corner of Turner Road and Darbytown Road

**A.G. Harocopos & Associates, P.C. and P. D. Allen, Sr. for Madeline E. Turner:** The 3.8030-acre site proposed for a subdivision of 2 single-family homes is located on the north line of Darbytown Road and the west line of Turner Road, approximately 400 feet northwest of the Turner Road and Darbytown Road intersection on part of parcel 831-690-1245. The zoning is A-1, Agricultural District. Individual well and septic/tank drainfield. (**Varina**) 2 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 conditions:

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.

**(Staff Report by Greg Garrison)**

(Applicant's Representative: A. G. Harocopos)



**ACTION: Approved**

## **SUBDIVISION**

### **SUB-62-06**

**Meadow Chase Estates** (December 2006 Plan)

Meadow Road and Chartwood Drive

**Richard L. Baird, Jr., P.E. and Baker Development Resources for Courthouse Acres and Emerald Land Development:** The 29.91-acre site proposed for a subdivision of 18, single-

family homes is located on the south side of Meadow Road, approximately 400 feet west of Taylor Road on parcel 833-718-6524. The zoning is A-1, Agricultural District. County water and sewer. **(Varina)** 18 Lots

As of the preparation date of the agenda, the staff has not had an opportunity to complete its review of the revised plan. A revised plan was requested by Traffic showing right-of-way dedication for a turn lane along Meadow Road. Staff is requesting a revised plan to address the impacts of the setbacks for the wetlands buffer on the buildable areas of Lots, 1, 4, 5, 6, 7 10 and 11. Staff also requested that Lot 3 be redesigned to distribute the wetlands area more evenly on Lots 4 and 6.

Should the Commission act on this request, the standard conditions for subdivisions served by public utilities are recommended.

**(Staff Report by Jim Strauss)**  
(Applicant's Representative: Richard Baird)



**ACTION: Approved**

## **SUBDIVISION**

### **SUB-63-03**

**Wilton Parkway** (December 2006 Plan)

**Youngblood, Tyler & Associates, P.C. for WF Hunt LLC, Albert H. Jonathan, and HHHunt Corporation:** The 22.44-acre site proposed for a public road is located at its eastern terminus on New Market Road (State Route 5) approximately 350 feet north of Battlefield Park Road, to its western terminus, approximately 1,100 feet west of the intersection of Osborne Turnpike and Mill Road on parcels 802-686-7867 and 9466, 803-686-0426, 0862, 1847, 2025, 2162,4052, 5549, 6854, 7753 and 8950, 805-688-7568, 808-689-1595, 808-690-7572, 809-691-2613 and 809-692-4528. The zoning is A-1, Agricultural District and R-2A, One-Family Residence District.  
**(Varina)** 0 Lot

As of the preparation date of the agenda, the staff has not received comments from the Virginia Department of Transportation concerning the proposed road. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for subdivisions served by public utilities, the following additional conditions are recommended:

12. The developer shall construct right turn lanes in accordance with Henrico County standards on Wilton Parkway at the intersection with Osborne Turnpike.
13. The developer shall construct left turn lanes in accordance with Henrico County standards on Osborne Turnpike at the intersection with Wilton Parkway.
14. The developer shall install left and right turn lanes in accordance with VDOT standards on New Market Road (State Route 5) at the intersection with Wilton Parkway.

**(Staff Report by Kevin Wilhite)**

(Applicant's Representative: Anne W. Tignor)



**ACTION: Approved**

**SUBDIVISION** (*Deferred from the November 15, 2006 Meeting*)

**SUB-59-06**

**Dalton Park @ Greenbrooke** (November 2006 Plan)

4320 – 4350 Belfast Road

**Youngblood, Tyler & Associates for Fidelity Properties, Ltd.:** Dalton Park LLC; Estate of Daisey A. Childress; Maynard L. Puryear, Helen D. Puryear, and Brenda H. Puryear; Larry C. Riley and Patricia R. Coleman and Myrtle B. Graves: The 2.254-acre site proposed for a subdivision of 30, single-family homes is located between the east line of I-295 entrance ramp and the west line of Belfast Road on parcels 743-763-3572, 743-762-7481, 743-763-8604 (part), 743-763-8655, 743-762-3527 (part) 9020 and 9533. The zoning is R-3C, One-Family Residence District (Conditional). County water and sewer. **(Three Chopt)** 30 Lots

As of the preparation date of this agenda, the staff has not received a revised plan, as requested to remove the 2 stem lots as shown at the end of road A. The Planning Commission must specifically approve stem lots and staff cannot recommend approval of the plan as submitted because there are no extenuating circumstances that necessitate the use of stem lots as proposed. Staff has provided an alternative staff plan that shows how the layout can be altered to remove the stem lots. Should the Commission act on this request, in addition to the standard conditions for subdivisions served by public utilities, the following additional conditions are recommended:

11. Each lot shall contain at least 11,000 square feet exclusive of the flood plain areas.
12. The limits and elevation of the 100-year frequency flood shall be conspicuously noted on the plat and construction plans and labeled "Limits of 100-year floodplain." Dedicate floodplain as a "Variable Width Drainage & Utilities Easement."
13. The detailed plant list and specifications for the landscaping to be provided within the 35-foot-wide planting strip easement along I-64 shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.
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 cases C-16C-06, C-9C-04 and C-40C-06 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 Department of Planning 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. 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.

18. Prior to requesting recordation, the developer shall furnish a letter from Plantation Pipeline stating that this proposed development does not conflict with its facilities.

**(Staff Report by Christina Goggin)**

(Applicant's Representative: Ann W. Tignor)



**ACTION: Deferred to January 24, 2007**

**SUBDIVISION** (*Deferred from the October 25, 2006 Meeting*)

**SUB-43-06**

**River Pointe Estates** (July 2006 Plan)

9051 Deep Bottom Road

**Bay Design Group, P.C. for John W. Roberts and Wilton Development Corporation:** The 81-acre site proposed for a subdivision of 43 single-family homes is located on the east line of Deep Bottom Road approximately 650 feet south of Kingsland Road on parcels 829- 676-2890 and 829-678-4054. The zoning is A-1, Agricultural District. County water and sewer. **(Varina)**  
43 Lots

As of the preparation date of the agenda, staff has not received a power of attorney or signature of John Roberts who owns the parcel where the primary road into the subdivision from Deep Bottom Road is located.

The applicant has requested a deferral to the February 28, 2007 meeting. Should the Commission act on this request, in addition to the standard conditions for subdivisions served by public utilities, the following additional conditions are recommended:

12. The limits and elevation of the 100-year frequency flood shall be conspicuously noted on the plat and construction plans and labeled "Limits of 100-year floodplain." Dedicate floodplain as a "Variable Width Drainage & Utilities Easement."

13. Each lot shall contain at least one (1) acre, exclusive of the flood plain areas.

14. Any known cemetery, burial ground, or graveyard shall be platted as a cemetery lot with either public street frontage or an access easement 16 feet in width.

15. The subject property is located within the core area of the 1st and 2nd Deep Bottom Civil War Battlefield. Any graves identified during construction activities shall be left undisturbed, unless reburial of the remains is approved in accordance with applicable laws.

16. Prior to construction plan approval, the developer agrees to meet with the Director of Recreation & Parks to discuss the possibility of conveying floodplain areas to the County.

17. If Civil War Era earthworks are found on the site, the developer shall provide the Henrico Recreation & Parks Department the opportunity to document, photograph and the map the earthworks.

18. The development is limited to 43 lots until a second point of access to Kingsland Road is provided.

19. 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 by Christina Goggin)**

(Applicant's Representative: Dan Caskie)



**ACTION: Deferred to February 28, 2007**

## **SUBDIVISION RECONSIDERATION**

### **SUB-38-06**

**Marion View** (June 2006 Plan)

**QMT Corporation for William W. Browning, Jr.:** The 8.68acre site proposed for a subdivision of two, single-family homes and an industrial lot is located at 706 McCoul Street and Old Osborne Turnpike on parcel 799-709-0564. The zoning is M-2, General Industrial District and R-3, One-Family Residence District. County water and sewer (1 industrial lot) and County water and individual septic/tank drainfield (2 residential lots). (3 Lots) (**Varina**)

The applicant requests reconsideration to permit residential lots 2 and 3 to be served by individual septic tank/drainfields in lieu of extending public sewer over 300 feet to serve the lots. Lot No. 1, the industrial lot developed under POD-54-06 shall continue to be served by public sewer.

Staff recommends approval subject to the original conditions approved with this subdivision, with the following revised condition:

14. Revised: Lots 2 and 3 shall be served by County water and sewer may be served by individual septic/tank drainfields if public sewer is not available within 300 feet. A detailed soil analysis shall be performed and other requirements of the Henrico Health Department shall be met prior to recordation of the plat. Any lot(s) not meeting Health Department approval shall be so noted conspicuously on the plat giving the date tested; or unsatisfactory areas shall be combined with adjacent approved lots; or, the Health Department shall certify to the Planning Department prior to recordation of the plat that any lot not meeting conventional private onsite sewage disposal regulations has been approved for installation of a private pre-engineered secondary treatment disposal system in accordance with current Virginia Department of Health "Sewage Handling and Disposal Regulations." Details of any approved system shall be included on the final construction plan prior to recordation of the plat.

**(Staff Report by Mike Kennedy)**

(Applicant's Representative: Tim Rohmoser)



**ACTION: Approved**

**DISCUSSION ITEM:** Request from the Planning Commission to Direct Staff to Prepare a Study for Consideration by the Commission, Evaluating the Current Zoning Regulations as they Relate to Farmers' Markets.



**ACTION: Approved**

**APPROVAL OF MINUTES:** November 15, 2006 Minutes



**ACTION: Approved**

**ADJOURNed** at 12:16 p.m.