

PLANNING COMMISSION

SUBDIVISIONS AND PLANS OF DEVELOPMENT

November 14, 2007

The submission deadline for this hearing date was September 28, 2007.

For questions about the agenda, contact Diana Carver, 501-4606.

ROLL CALL:

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leslie News

FOR INFORMATIONAL PURPOSES ONLY

Subdivision: Pemberton Grove, Sec. A (November 2005 Plan)

Original No. of Lots: 16

Remaining Lots: 16

Previous Extensions: 1

Magisterial District: Brookland

Recommended Extension: 11/19/08

Subdivision: River Mill Estates (October 2004 Plan)

Original No. of Lots: 12

Remaining Lots: 12

Previous Extensions: 2

Magisterial District: Brookland

Recommended Extension: 11/19/08

Subdivision: Rocketts Landing Townhouses (Nov. 2005 Plan)

Original No. of Lots: 42

Remaining Lots: 42

Previous Extensions: 1

Magisterial District: Varina

Recommended Extension: 11/19/08

Subdivision: Sweetbay Hills (October 2005 Plan)

Original No. of Lots: 144

Remaining Lots: 144

Previous Extensions: 1

Magisterial District: Fairfield

Recommended Extension: 11/19/08

Subdivision: Woodman Hills (November 2001 Plan)
Original No. of Lots: 34
Remaining Lots: 1
Previous Extensions: 2
Magisterial District: Fairfield
Recommended Extension: 11/19/08

TRANSFER OF APPROVAL (*Deferred from the October 24, 2007 meeting*)
POD-17-89

Southern Health Management Corporation (formerly Control Data Building) Chuck Richardson for Southern Health Management Corporation: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Rowe Development to Southern Health Management Corporation. The 2.699-acre site is located on the southwest corner of Mayland Drive and Mayland Court on parcel 752-757-8975. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Three Chopt)**

As of the preparation date of the agenda, staff has yet to work out a schedule with the applicant to correct the landscaping deficiencies onsite, as identified in the inspector's report of August 8, 2007. The staff recommendation will be made at the meeting.

(Staff Report by Kevin Wilhite)

(Applicant's Representative: Chuck Richardson)



ACTION: Deferred to December 12, 2007

TRANSFER OF APPROVAL (*Deferred from the October 24, 2007 Meeting*)

TOA

POD-52-03

Virginia Center Station – Kim Property – Brook Road

Jeffrey Meyer for Kim Won Kim and Boo Ok Kim (The Kims): Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Virginia Center Inc. and VC Silver, LLC to Kim Wan Kim and Boo Ok Kim. The 2.439-acre site contains Building B and is a portion of the overall 7.324 acre site. It is located at the northeast corner of Brook Road (U.S. Route 1) and Virginia Center Parkway on parcel 784-768-2228. The zoning is M-1, Light Industrial District. County water and sewer. **(Fairfield)**

To date, staff has not received a statement by the representative of the owner that addresses the deficient landscaping or the added dumpster. Therefore, in order to expedite this transfer staff is recommending approval with the following condition:

1. A bond in the amount of \$10,000 shall be posted to cover the site deficiencies as identified in the inspection reports dated June 13, 2007 and October 18, 2007, and such deficiencies shall be corrected by December 14, 2007.

(Staff Report by Greg Garrison)
(Applicant's Representative: Jeffrey Meyer)



ACTION: Approved

TRANSFER OF APPROVAL (*Deferred from the October 24, 2007 Meeting*)
POD-47-84

Landmark Office Center, Phase 2 – 8651 Staples Mill Road

Donald N. Blake: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Landmark Office Center, LLC to Donald Blake. The 0.98-acre site is located on the east line of Staples Mill Road approximately 525 feet south of E. Parham Road and 275 feet north of Janway Road on parcel 770-754-483. The zoning is O-2, Office District. County water and sewer. **(Brookland)**

The new owner has yet to respond to the staff's inspection dated, September 27, 2007. Therefore, staff cannot make a recommendation at this time. The staff recommendation will be made at the meeting.

The site deficiencies, as identified in the inspection report, and by subsequent staff observations, include missing landscaping including 6 Crape Myrtles, and 24 Red Robin Photinias.

(Staff Report by Lee Pambid)
(Applicant's Representative: Donald Blake)



ACTION: Deferred to December 12, 2007

LANDSCAPE & LIGHTING PLAN

LP/POD-64-04 and LP/POD-11-06

Settler's Ridge, Sections A&B – Laburnum Avenue and Burning Tree Drive

Balzer & Associates, Inc. for Settler's Ridge, LLC: Request for approval of a landscape plan for Section A and a landscape and lighting plan for Section B, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 34.595-aces site is located on the southwest corner of Burning Tree Road and S. Laburnum Avenue on parcels 806-693-2166, 805-692-9288, 806-697-0994 and 805-693-7145. The zoning is R-5AC, General Residence District (Conditional). **(Varina)**

On May 24, 2006 the Planning Commission approved the lighting plan (LP/POD-64-04) for Section One of the overall project known as Settler's Ridge. There are a total of three plans to be reviewed by the Planning Commission at this time. The landscape plan LP/POD-64-04 for Section One, and the landscape and lighting plans (LP/POD-11-06) for Section Two are on the November 14, 2007 agenda. Landscape and lighting plans for Section Three will be submitted at a later date.

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

(Staff Report by Tony Greulich)

(Applicant's Representative: Tammy Manor)



ACTION: Approved

PLAN OF DEVELOPMENT & MASTER PLAN

POD-68-07

The Shire @ Pump and Church – Church Road and Pump Road

Kimley Horn for Kevin McFadden: 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 four, one-story retail buildings totaling 35,810 square feet and a master plan for two future one-story retail buildings totaling 27,550 square feet. The 21-acre site is located at the southwest corner of the intersection of Pump and Church Roads on parcels 739-754-7156 and 739-753-1396. The zoning is B-2C, Business District (Conditional), C-1C, Conservation District, RTHC, Residential Townhouse District (Conditional) and R-3AC, One-Family Residence District (Conditional). County water and sewer. **(Tuckahoe)**

A revised plan has been requested to address the acquisition of property and realignment of Pump Road to accommodate the proposed plan.

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 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. Only retail business establishments permitted in a B-2, Business District may be located in this center.
25. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
26. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).
27. The right-of-way for widening and/or construction of John Rolfe Parkway, Church Road and Pump Road as shown on approved plans shall be dedicated to the County prior to approval of construction plans. 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 construction plan approval.
28. 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.

29. The required building setback shall be measured from the proposed right-of-way line and the parking shall be located behind the proposed right-of-way line.
30. A concrete sidewalk meeting County standards shall be provided along the south side of Church Road, the west side of Pump Road and the north side of John Rolfe Parkway.
31. The proffers approved as a part of zoning case C-27C-06 shall be incorporated in this approval.
32. 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.
33. 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.
34. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
35. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.
36. 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.
37. 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.
38. 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.
39. 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.
40. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
41. Any necessary off site drainage easements necessary to fully develop the property in accordance with the proffered site plan including required street improvements shall be recorded prior to the approval of final construction plans. The developer shall provide evidence that they have unencumbered right to redevelop the Keswick common area.
42. Any property necessary to fully develop the property in accordance with the proffered site plan shall be acquired by the developer prior to the approval of final construction plans.
43. Any vacation of existing ROW necessary to fully develop the property in accordance with the proffered site plan including both Glen Eagles Drive and Pump Road shall be approved prior to the approval of final construction plans.
44. A construction plan for the widening of Church Road, Pump Road and John Rolf Parkway from the future property line to the proposed centerlines of those roads where they abut the property including the SWM area and including the offsite turn lane along Church Road, shall be approved by the Department of Public Works and the Department of Planning prior to the approval of final construction plans. The Developer shall coordinate construction plan design with the County's design plans for those roads. The plan shall include sidewalks and curb and gutter improvement along each street frontage and any necessary off-site drainage improvements required to construct the proposed improvements. The construction plan shall include the relocation of Pump Road where it abuts the property unless previously constructed by the County

prior to plan approval.

45. All improvements shown on the construction plan in accordance with No. 44 above including any required off-site drainage shall be completed prior to the issuance of any Certificates of Occupancy unless an exception is approved by the Director of Public Works.

46. Buildings 1 and 2 shall be constructed together under a single building permit, in accordance with the proffered design plans, as determined by the Director of Planning. Final architectural plans, shall be submitted for review and approval by the Director of Planning prior to approval of final construction plans.

47. Building 8 shall be constructed, in accordance with the proffered design plans as determined by the Director of Planning. Final architectural plans shall be submitted for review and approval by the Director of Planning prior to approval of a building permit for that building.

48. A traffic control plan for existing and proposed signals and turn lane improvements along Church Road, Pump Road and John Rolf Parkway based upon the ultimate development of those roads as shown on the County's design plans shall be submitted for review and approval by the County Traffic Engineer, prior to the final approval of construction plans. The traffic control plan shall include a maintenance of traffic plan

49. All improvements shown on the traffic control plan in accordance with No. 48 above including any required off-site improvements shall be completed prior to the issuance of any Certificates of Occupancy, unless an exception is approved by the Director of Public Works.

50. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing and hours of construction shall be submitted for County review and prior to the approval of any final construction plans.

51. A revised pedestrian access plan in accordance with the proffered design shall be submitted for review and approval by the Director of Planning prior to approval of final construction plans.

52. Private streets proposed to provide access to the future residential development shall be designed in accordance with 24-30.2(a) multi-family development standards.

53. A tree protection plan for any future development area shall be submitted for review and approval by the Director of Planning prior to approval of final construction plans.

54. All underground utilities including: storm sewer, sanitary sewer, water, gas, electric, telephone and cable, as well as related appurtenances shall be located outside of the proffered buffers, in particular behind Buildings 1 and 2, unless otherwise approved by the Director of Planning

55. A comprehensive signage plan must be submitted for coordinated review prior to issuance of sign permits.

56. A declaration of covenants for the master community association shall be submitted for review and approval prior to issuance of a Certificate of Occupancy.

(Staff Report by Mike Kennedy)

(Applicant's Representative: Philip Chang)



ACTION: Deferred to December 12, 2007

PLAN OF DEVELOPMENT RECONSIDERATION

POD-62-06

Hindu Center of Virginia
6061 Springfield Road

Balzer & Associates for Hindu Center of Virginia: Request for approval of a reconsideration 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, 5,476 square foot dining hall, a one-story, 3028 square foot classroom building and a one-story, 12,474 square foot temple. The 15.00-acre site is located on the south line of Springfield Road, approximately 500 feet west of the intersection of Springfield Road (State Route 157) and Staples Mill Road (U.S. Route 33) at 6061 Springfield Road on parcel 760-769-9631. The zoning is A-1, Agricultural District. County water and sewer. **(Brookland)**

A revised plan which revises architectural details and increases the floor area of the proposed temple from 9,298 square feet to 12,479 square feet has been submitted for reconsideration.

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 Springfield Road 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 south side of Springfield Road.
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. The applicant shall furnish proof to the Department of Planning that conditions satisfactory to the Health Department have been met that insure the proposed septic tank drainfield system is suitable for this project prior to the issuance of a building permit.
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 Virginia Department of Transportation maintained right-of-way. The elevations will be set by the contractor and approved by the Virginia Department of Transportation.
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 Mike Kennedy)

(Applicant's Representative: Andrew Bowman)



ACTION: Approved

LANDSCAPE, LIGHTING PLAN & ALTERNATIVE FENCE HEIGHT (*Deferred from the October 24, 2007 Meeting*)

LP/POD-36-06

Trinity Baptist Church Addition - Dill Road and Barrington Road

Balzer & Associates, Inc. for Trinity Baptist Church: Request for approval of a landscape, lighting and alternative fence height plan, as required by Chapter 24, Sections 24-106, 24-106.2 and 24-95(1)7 of the Henrico County Code. The 12.10 acre site is located at the southwest corner of Dill Road and Barrington Road on parcel 799-733-1982. The zoning is M-2, General Industrial District and R-4, One-Family Residence District. **(Fairfield)**

An alternative fence height request has been submitted to allow an eight-foot-high, white vinyl fence with masonry columns to be constructed along the side property line of this development between the front of the church and Barrington Road. This fence would provide screening between the rear of proposed single family lots recently approved by the Commission and the church parking lot. The fence would be an extension of the fence previously approved with the plan of development along the remainder of the property line.

Additional information has been requested regarding the light levels proposed, and the relocation of poles which conflict with drainage structures.

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

6. No light pole shall be located directly over top of any utility line or drainage structure.

(Staff Report by Greg Garrison)

(Applicant's Representative: Andrew Bowman)



ACTION: Approved

SUBDIVISION

SUB-63-07

Chamberlayne Estates (November 2007 Plan)

O'Brian and Tamiani Avenues

Balzer & Associates, Inc. for JMG Joy, LLC: The 0.648-acre site proposed for a subdivision of 2 single-family homes is located at the southeast corner of Tamiani Avenue and O'Brian Road (unimproved) at 5321 Tamiani Avenue on parcel 790-746-7823. The zoning is R-4, Single-Family Residential District. County water and sewer. **(Fairfield)** 2 Lots

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

(Staff Report by Mike Kennedy)
(Applicant's Representative: Brandon Sovick)

 **ACTION: Approved**

SUBDIVISION (*Deferred from the October 24, 2007 Meeting*)
SUB-58-07

South Lake (October 2007 Plan)

Hawkes Lane and S. Lake Avenue Foster & Miller, P.C. for Roger B. Riggle, E. W. Riggle and David Riggle: The 1.100-acre site proposed for a subdivision of 3 single-family homes is located at 6115 Hawkes Lane on the southwest corner of Hawkes Lane and S. Lake Avenue on parcel 819-724-8059. The zoning is R-2A, One-Family Residence District. County water and sewer. **(Varina)** 3 Lots

The subdivision, as proposed, does not meet Code requirements. Lots 2 and 3 cannot meet required lot size because of the additional right-of-way dedication required along South Lake Avenue. The applicant could consider demolition of the existing home and garage to allow redesign and creation of three lots.

As of the preparation date of the agenda, the staff has not received a revised site 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 subdivisions served by public utilities, the following additional conditions are recommended:

12. Each lot shall contain at least 13,500 square feet.
13. The plan must be redesigned to provide at least the 80-foot minimum lot width required and as regulated by Chapter 24, of the Henrico County Code.

(Staff Report by Matt Ward)
(Applicant's Representative: Alexander Grinblat)

 **ACTION: Deferred to December 12, 2007**

SUBDIVISION (*Deferred from the October 24, 2007 Meeting*)
SUB-56-07

Morgan Estates (October 2007 Plan)
12520 Bacova Drive

E. D. Lewis & Associates, P.C. for Darrell H. Bowman: The 3.98-acre site proposed for a subdivision of 3 single-family homes is located on the northern line of Bacova Road, approximately one mile west of Pouncey Tract Road (State Route 271) on parcel 735-766-2261. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield. **(Three Chopt)** 3 Lots

As of the preparation date of the agenda, the Departments of Public Works and Planning cannot recommend approval of the plan as submitted because the alignment for North Gayton Road extended and the re-alignment of Bacova Road will affect this property. Both Departments recommend delaying this project until the alignment for North Gayton Road extended and the re-alignment of Bacova Road is defined to determine the amount of right-of way dedication necessary and the effect this major thoroughfare plan road project will have on the current subdivision layout.

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

(Staff Report by Christina Goggin)

(Applicant's Representative: Bryan Traynham)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-75-07

McCormick and Schmick's @ West Broad Village – W. Broad Street
(POD-42-06 Revised)

Timmons Group for West Broad Village LLC & West Broad Village II LLC and McCormick & Schmick's: 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, 8,090 square foot restaurant with outdoor dining. The 0.49-acre site is located at the southeast intersection of W. Broad Street (U.S. Route 250) and Whittall Way (private) on part of 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)**

The staff recommends approval 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. Outside storage shall not be permitted.
 27. The proffers approved as a part of zoning case C-12C-06 shall be incorporated in this approval.
 28. 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.
 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. 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: Joe Vilseck)



ACTION: Approved

PLAN OF DEVELOPMENT ARCHITECTURAL PLANS

POD-18-07

Westmark Two, Phase II – W. Broad Street and Dominion Boulevard

Vanasse Hangen Brustlin and Baskervill for RER/New Boston West Broad Street, LLC and First Capital Bank: Request for approval of the architectural plans for a previously approved plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 3,400 square foot bank with drive thru facilities. The .83-acre site is located at the southeast corner of the intersection of I-64 and W. Broad Street (U.S. Route 250) on part of parcel 746-760-8608. The zoning is O-3, Office District. County water and sewer. **(Three Chopt)**

The staff has reviewed the detailed architectural plans and can recommend approval. The condition of the previously approved plan of development are recommended.

(Staff Report by Jim Strauss)

(Applicant's Representative: Scott Chapman)



ACTION: Approved

PLAN OF DEVELOPMENT & MASTER PLAN

POD-76-07

Laburnum Station – 4201 Gay Avenue

Vanasse Hangen Brustlin for Retail South Development: 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 shopping center with three, one-story retail buildings totaling 48,940 square feet and two future one-story retail/office buildings totaling 15,000 square feet. The 10.19-acre site is located at the southern corner of the intersection of S. Laburnum and Gay Avenues on parcels 814-717-0480 and 813-717-7951 (part). The zoning is B-2C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. (**Varina**)

As of the preparation date of the agenda, the staff has not received a revised plan, as requested. Currently, Public Works Engineering, Environmental and Traffic Divisions cannot recommend approval of the submitted plan. Public Works Engineering Division needs water quality and 50/10 water quantity calculations to determine if the proposed BMP is adequate. The Environmental Division is requiring the BMP to be relocated out of the Resource Protection Area and the Traffic Division needs a plan that shows the required right-of-way and physical improvements for Laburnum and Gay Avenues.

Planning has asked the applicant to look at the possibility of adding an additional landscape island at the rear of the building to help screen the proposed loading area as seen from Gay Avenue.

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 right-of-way for widening of Laburnum Avenue and Gay Avenue as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
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. A concrete sidewalk meeting County standards shall be provided along east side Gay Avenue and the west side of Laburnum Avenue.
28. All repair work shall be conducted entirely within the enclosed building.
29. Outside storage shall not be permitted.
30. The proffers approved as a part of zoning case C-51C-06 shall be incorporated in this approval.
31. 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.
32. 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.
33. 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.

34. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
35. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.
36. 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.
37. 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.
38. 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.
39. The conceptual master plan, as submitted with this application, is for planning and information purposes only.
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 building mounted equipment shall be painted to match the building and 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. Only retail business establishments permitted in a B-2C, Business District (Conditional) may be located in this center.
42. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
43. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

(Staff Report Christina Goggin)

(Applicant's Representative: Mitch Mitchell)



ACTION: Deferred to December 12, 2007

PLAN OF DEVELOPMENT

POD-77-07

Ennis Paint Company – 4400 Vawter Avenue
(POD-83-00 Revised)

Engineering Design Associates for Ennis Paint, Inc.: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to improve and enlarge an outdoor storage area with related site improvements, for an existing paint manufacturing facility. The 9.7-acre site is located approximately 1450 feet north of E. Laburnum Avenue on the west line of Vawter Avenue at 4400 Vawter Avenue on parcel 799-739-2764. The zoning is M-2, General Industrial District and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield)**

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:

24. The right-of-way for widening of Vawter Avenue as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

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

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. 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 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 Department of Planning 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.

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

(Staff Report Lee Pambid)

(Applicant's Representative: Randy Hooker)



ACTION: Deferred to December 12, 2007

PLAN OF DEVELOPMENT

POD-73-07

Village @ Miller's Lane – Terminus of Miller Lane near I-64 W

Bay Design Group for Millers Lane, LLC and Community Development Partners, LLC:

Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 78, single-family attached townhouses. The 13.5-acre site is located on the south line of I-64 and the northern terminus of Millers Lane, approximately 1,200 feet north of the intersection of Millers Lane and Gay Avenue, on parcels 812-718-1638, 1655 and 3628. The zoning is RTHC, Residential Townhouse District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

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

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 right-of-way for widening of Millers Lane 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 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. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
28. The proffers approved as a part of zoning case C-68C-06 shall be incorporated in this approval.
29. 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.
30. 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.
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. 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 defect bond shall remain in effect for a period of three years from the date of the issuance of the final occupancy permit. 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.

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

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.

38. The portion of excess existing right-of-way for Millers Lane within the bounds of the development shall be vacated prior to recordation of the subdivision plat.

39. Prior to final subdivision approval, the applicant shall submit an application for C-1 zoning of the floodplain area.

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

41. 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 Jim Strauss)

(Applicant's Representative: Dan Caskie)



ACTION: Approved

SUBDIVISION (*Deferred from the October 24, 2007 Meeting*)

SUB-62-07

Village @ Olde Colony (November 2007 Plan)

(Formerly SUB-14-07, Village @ Olde Colony – February 2007 Plan)

Bay Design Group, P.C. for Shurm Construction, Inc. and Sydney and Sydney

Development, LLC: The 3.673-acre site proposed for a subdivision of 9 single-family homes is located along the south line of Harmony Avenue and the northern terminus of Woodside Street on parcel 803-696-9576. The zoning is R-3C, One-Family Residence District (Conditional). County water and sewer. **(Varina)** 9 Lots

This project was deferred previously to allow the applicant time to pursue a proffer amendment relating to the number of lots. The substituted plan incorporates a new layout and additional lots, in accordance with C-36C-07.

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. Each lot shall contain at least 11,000 square feet.

13. The proffers approved as a part of zoning cases C-78C-05 and C-36C-07 shall be incorporated

in this approval.

14. 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 Matt Ward)

(Applicant's Representative: Joe Faudale)



ACTION: Approved

PLAN OF DEVELOPMENT (*Deferred from the September 26, 2007 Meeting*)

POD-53-07

Home Depot @ Brookhollow Garden Center Expansion – W. Broad Street and I-64 (POD-51-97 Revised)

McKinney & Company for Home Depot USA Inc.: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 6,372 square feet of outdoor garden center display areas for an existing building. The 7.95-acre site is located at 11260 W. Broad Street on parcel 742-762-4307 in the Brookhollow Shopping Center. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Three Chopt)**

As of the preparation date of the agenda, the staff had not received a revised plan as discussed with the applicant. The Commission approved outdoor display areas at the September 26, 2007 meeting. The applicant proposes “staging areas” at the rear of the Home Depot Retail Store. Staff believes that these staging areas are outside storage. Previous conditions of this case do not allow for outside storage. Outside storage is only to occur in the Garden Center itself. Staff requested a revised plan to address this issue.

Should the Commission act on this request, in addition to the standard conditions for developments of this type, the original additional conditions for POD-51-97 and the following added condition is recommended:

37. There shall be no outdoor storage in moveable storage containers.

(Staff Report by Jim Strauss)

(Applicant's Representative: Stacey Burcin)



ACTION: Deferred to December 12, 2007

APPROVAL OF MINUTES: October 24, 2007 Minutes



ACTION: Approved

ADJOURNed at 9:42 a.m.