

SUBDIVISION AND PLANS OF DEVELOPMENT

ACTIONS

SEPTEMBER 26, 2007

The submission deadline for this hearing date was August 3, 2007.

ROLL CALL:

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leslie News

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Christina Goggin

FOR PLANNING COMMISSION APPROVAL

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Year(s) Extended Recommended
Newstead Landing (Sept. 2002 Plan)	30	17	4	Varina	09/24/08
Trivett Woods	8	8	5	Fairfield	09/24/08

FOR INFORMATIONAL PURPOSES ONLY

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Year(s) Extended Recommended
Bridleton Landing (Sept. 2004 Plan)	158	106	2	Varina	09/24/08
Britton Oaks, Sec. 1 (Sept. 2004 Plan)	26	26	2	Varina	09/24/08
Gill Dale Forest (Sept. 2004 Plan)	34	34	2	Varina	09/24/08
Greenwood Manor (Sept. 2006 Plan)	8	8	0	Fairfield	09/24/08

Hidden Haven (Sept. 2004 Plan)	50	50	2	Varina	09/24/08
Techpark (Sept. 2005 Plan)	0	0	1	Varina	09/24/08
Woodman Terrace, Sec.R (Sept. 2006 Plan)	7	7	0	Fairfield	09/24/08

TRANSFER OF APPROVAL (*Deferred from the July 25, 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, staff cannot make a recommendation at this time.

Should the new owner accept and agree to be responsible for continued compliance with the conditions of the original approval and the added conditions, staff can recommend approval of this transfer request.

The site deficiencies, as identified in the inspection report, dated **June 11, 2007**, include missing and dead landscaping, and a dumpster enclosure.

(Staff Report by Greg Garrison)

(Applicant's Representative: Jeffrey Meyer)



ACTION: Deferred to October 24, 2007

TRANSFER OF APPROVAL

POD-65-95 (part)

Julian's Restaurant –
11129 Church Road

Hirschler Fleischer for Clarendon Associates, L.L.C.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from DBD, LLC to Clarendon Associates, L.L.C. The 1.004-acre site is located on the southwestern line of Three Chopt Road, approximately 275 feet northwest of Church Road on parcel 746-757-5593. The zoning is B-2C, Business 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 condition:

1. The site deficiencies, as identified in the inspection report, dated **April 30, 2007**, shall be corrected by **September 30, 2007**.

The deficiencies to be addressed include replacement of landscaping and restriping the parking lot.

(Staff Report by Christina Goggin)
(Applicant's Representative: Brenda Kalimerakis)



ACTION: Deferred to October 24, 2007

TRANSFER OF APPROVAL

POD-69-81

First Capital Building –
4222 Cox Road - Innsbrook

Hirschler Fleischer for Attack Properties, Inc.: Request for a transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from CUNA Mutual Life Insurance Company to KCA/FC, LLC. The 5.749-acre site is located along the west line of Cox road at the intersection with Innslake Drive, approximately 1,600 feet north of W. Broad Street (U.S. Route 250) on parcel 748-762-8360. The zoning is R-6C, General Residence District and C-1, Conservation District. 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. As the new owner has corrected all deficiencies identified, the staff recommends approval of this transfer request.

(Staff Report by Lee Pambid)
(Applicant's Representative: Brenda Kalimerakis)



ACTION: Approved

TRANSFER OF APPROVAL (Deferred from the July 25, 2007 Meeting)

POD-54-93

Outback Steakhouse –
7919 W. Broad Street

Jamie Butler for Private Restaurant Properties, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Young Walter H. III and Etal and Outback Steakhouse of Florida to Private Restaurant Properties, LLC. The 2.09-acre site is located on the south side of W. Broad Street (U.S. Route 250), approximately 640 feet west of Hungary Spring Road, on parcel 764-751-1479. The zoning is B-3, Business District. 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 condition:

1. The site deficiencies, as identified in the inspection report, dated **July 3, 2007**, shall be corrected by **December 1, 2007**.

The remaining deficiencies to be addressed include replacement of missing and dead landscaping.

(Staff Report by Greg Garrison)
(Applicant's Representative: Jamie Butler)



ACTION: Approved

TRANSFER OF APPROVAL

POD-74-86
Ginter Hall West –
12411 Gayton Road

Jordan Socaransky for Lynmoore One Real Estate, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Conotti Corporation to Lynmoore One Real Estate, LLC. The 5.022-acre site is located on the east line of Gayton Road, approximately 200 feet south of Ridgefield Parkway on parcel 732-751-7846. The zoning is R-5, General Residence District. County water and sewer. **(Tuckahoe)**

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

1. Site deficiencies, as identified in the inspection report, dated **July 12, 2007** shall be corrected by **October 31, 2007**.

Site deficiencies include missing landscaping. The applicant has also provided contracts for the replacement of all lighting fixtures to match the approved lighting plan and for the construction of dumpster screening.

(Staff Report by Aimee Berndt)
(Applicant's Representative: Jordan Socaransky)



ACTION: Approved

TRANSFER OF APPROVAL

POD-129-88
Brook Run Shopping Center

Sacks Law Group, P.C. for Cedar-Brook Run, LLC: Request for a partial transfer of approval as required by Chapter 24, Section 24-106

of the Henrico County Code from Brook Run Associates, LLC to Cedar-Brook Run, LLC. The 19.6-acre portion of the 20.114-acre site is located on the west line of Brook Road (U.S. Route 1) north of Brook Run Drive (private) at 5640 -5750 Brook Road on part of parcel 784-747-5128. The zoning is B-3C, Business District. County water and sewer. (**Fairfield**)

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 Mike Kennedy)
(Applicant's Representative: Annmarie Picone-DeLarco)

 **ACTION: Approved**

TRANSFER OF APPROVAL

POD-64-88
Sunoco – 4300 Nine Mile Road
(formerly Citgo Quick Mart)

Travis E. Booth for Richmond Venture I, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Triton, Inc. to Richmond Venture I, LLC. The 1.831-acre site is located on the north line of Nine Mile Road at the northwest corner of the intersection of Nine Mile Road (State Route 33) and E. Richmond Road on parcel 808-722-9767. The zoning is B-3, Business District. County water and sewer. (**Varina**)

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

1. Site deficiencies, as identified in the inspection report, dated **July 12, 2007** shall be corrected by **September 30, 2007**.

Site deficiencies include missing landscaping.

(Staff Report by Aimee Berndt)
(Applicant's Representative: Travis E. Booth)

 **ACTION: Approved**

TRANSFER OF APPROVAL

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)
(Applicant's Representative: Chuck Richardson)

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

LANDSCAPE & LIGHTING PLAN

LP/POD-15-07 **Carter Design for Franchise Realty Interstate Corporation:**
McDonald's @ Staples Mill Road and Bremner Boulevard Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 1.19-acre site is located at the southeast corner of the intersection of Staples Mill Road (U.S. Route 33) and Bremner Boulevard on parcel 772-750-9430. The zoning is B-2, Business District. **(Brookland)**

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

(Staff Report Jim Strauss)
(Applicant's Representative: Michele Carter)

 **ACTION: Approved**

LANDSCAPE & LIGHTING PLAN

LP/POD-31-06 **Higgins & Gerstenmaier for Short Pump Station, LLC:** Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 11.70-acre site is located at the southeast corner of W. Broad Street (U.S. Route 250) and John Rolfe Parkway (future) on parcel 741-761-3418. The zoning is B-2C, Business District (Conditional) and WBSO, West Broad Street Overlay District. **(Three Chopt)**

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

(Staff Report by Jim Strauss)
(Applicant's Representative: Randy Biltz)

 ACTION: Approved

SUBDIVISION LANDSCAPE PLAN

SUB-15-06
Mason Park Subdivision
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 29.32-acre site is located on the north side of Shady Grove Road approximately 1,600 feet west of Twin Hickory Road on parcel 740-770-0883 and 5728. The zoning is R-2AC, One-Family Residence District (Conditional). (**Three Chopt**)

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

(Staff Report by Greg Garrison)
(Applicant's Representative: Jeff McKay)

 ACTION: Deferred to October 24, 2007

LANDSCAPE PLAN

LP/POD-59-05
Brown Distributing Facility

William Barnes for Brown Distributing Company, Inc. Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 18.79-acre site is located along the western line of Villa Park Drive, approximately 2,500 feet southwest of the intersection of Villa Park Drive and Parham Road on parcels 781-754-0930 and 781-753-5583. The zoning is O/S-2C, Office District (Conditional). (**Fairfield**)

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

(Staff Report by Greg Garrison)
(Applicant's Representative: Bill Barnes)

 ACTION: Approved

LANDSCAPE & LIGHTING PLAN

LP/POD-47-06
CVS -Willow Lawn Center

Kimley Horn for The Rebkee Company: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 3.44-acre site is located at the northwest corner of the intersection of W. Broad Street (U. S. Route 250) and Willow Lawn Drive on parcel 773-737-3077. The zoning is B-2, Business District. **(Brookland)**

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

(Staff Report by Mike Kennedy)
(Applicant's Representative: Matt Erwin)



ACTION: Approved

PLAN OF DEVELOPMENT *(Deferred from the July 25, 2007 Meeting)*

POD-44-07
Mt. Vernon Baptist Church Phase 3A and 3B – Nuckols Road and Twin Hickory Road (POD-33-01 and POD-24-95 Revised)

Youngblood, Tyler & Associates, P.C. for Trustees of Mount Vernon Baptist Church: Request for approval of a special exception as required by Chapter 24, Section 24-95(a)(1) of the Henrico County Code, to construct a spire exceeding 100 feet in height. The special exception would authorize a spire to be placed on top of the sanctuary with an overall height of 185 feet. The 46.52-acre site is located on Nuckols Road, 390 feet south of Twin Hickory Road, on parcels 748-773-0602 and 748-772-1536. The zoning is A-1, Agricultural District. County water and sewer. **(Three Chopt)**

A special exception is required to construct a 185-foot spire on top of the sanctuary.

Staff researched heights of other spires throughout the County. Three churches were found which have received approval to exceed height limitations. Grove Avenue Baptist Church has a spire at 140 feet in an A-1 district. The zoning ordinance permits a height up to 100 feet. First Union Baptist Church has a 101-foot spire in an R-4 district, where the zoning ordinance permits a height up to 50 feet. Discovery United Methodist Church has a 98-foot spire in the RTH district and the zoning ordinance permits a height up to 50 feet.

Mt. Vernon Baptist Church held a neighborhood meeting on August 28, 2007 to discuss the current and future plans as well as the height of the spire. Dr. Donald Runion, Jr., pastor, presented the church's new proposal. Several neighbors attended the meeting and there was no opposition voiced to the proposed spire 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 act on this request, the following conditions approved by the Planning Commission for this project at its meeting on July 25, 2007 will continue to apply.

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. A concrete sidewalk meeting County standards shall be provided along the east side of Nuckols Road.
27. All modular units and the existing brick house must be removed 60 days after any certificate of occupancy permits are issued.
28. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
29. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
30. The conceptual master plan, as submitted with this application, is for planning and information purposes only.
31. 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.
32. Outside storage shall not be permitted.

(Staff Report by Matt Ward)

(Applicant's Representative: Anne W. Tignor)



ACTION: Approved

PLAN OF DEVELOPMENT & ALTERNATIVE FENCE PLAN

POD-38-07
John Rolfe Square -
11840 Church Road

Balzer & Associates, Inc. for Tascon-Pump, LLC: Request for approval of a plan of development and alternative fence height, as required by Chapter 24, Sections 24-106 and 24-95(I)6 of the Henrico County Code, to construct 40, semi detached single-family residential homes on zero lot lines and to allow a wall/fence exceeding 7 feet in height and rear and side yards. The 10.825-acre site is located at Church and Pump Roads on parcels 740-755-3511 and 739-755-9019. The zoning is R-5AC, General Residence District (Conditional). County water and sewer. **(Tuckahoe)**

The applicant has requested approval of an alternative fence height of 8 feet in the rear and side yards of this proposed subdivision. An 8-foot-tall brick wall is proposed along Pump Road and Church Road. This request also includes 8-foot-tall brick and wood fences between the individual lots and at the rear of the internal lots. As of the preparation of this agenda, staff has not received renderings of the proposed fences.

County code limits the maximum fence height in residentially zoned rear and side yards to 7 feet, unless an alternative fence height is approved by the Planning Commission. Should the Commission choose to act on this request, in addition to the standard conditions for developments of this type, and the annotations on the plan, the following 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. The subdivision plat for John Rolfe Square shall be recorded before any building permits are issued.
25. The right-of-way for widening of Church Road and Pump 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.
26. 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.
27. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
28. 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.
29. A concrete sidewalk meeting County standards shall be provided along the east side of S. Church Road.
30. The proffers approved as a part of zoning case C-50C-06 shall be incorporated in this approval.
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. 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.
33. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
34. 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.
35. Roof edge ornamental features that extend over the zero lot line, and which are permitted by Section 24-95(i)(1), must be authorized in the covenants.
36. Eight-foot easements for construction, drainage, and maintenance access for abutting lots shall be provided and shown on the POD plans.
37. Building permit request for individual dwellings shall each include two (2) copies of a layout plan

sheet as approved with the plan of development. The developer may utilize alternate building types providing that each may be located within the building footprint shown on the approved plan. Any deviation in building footprint or infrastructure shall require submission and approval of an administrative site plan.

38. Windows on the zero lot line side of the dwelling can only be approved with an exception granted by the Building Official and the Director of Planning during the building permit application process.

(Staff Report by Christina Goggin)
(Applicant's Representative: Justin Fournier)



ACTION: Approved

PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION

POD-61-07

Faison School of Autism –
1701 Byrd Avenue

Balzer & Associates, Inc. for 1701 Byrd Avenue, LLC: 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 renovate a three-story, 38,000 square foot existing office building for use as a private school for special needs children and to add parking and drive aisles. The 2.769-acre site is located at the southwest corner of the intersection of Byrd Avenue and Markel Road on parcel 772-737-4775. The zoning is B-2, Business District. County water and sewer. **(Brookland)**

As of the preparation date of the agenda, staff has not received a revised plan, as requested. Staff has requested a revised plan to address the traffic engineer's request that the proposed driveway along the front of the building on Byrd Avenue be a minimum of 18 feet wide. Staff has recommended that the engineer save trees along Byrd Avenue and Markel Road. The transitional buffer deviation is required to accommodate the driveway. The revised plan could maximize tree save by reconfiguring the layout and grades of the retaining wall along Markel Road and by realigning the driveway along Byrd Avenue.

The staff recommendation will be made at the meeting. Should the Planning Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

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. 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.

27. A concrete sidewalk meeting County standards shall be provided along Fitzhugh Avenue.

28. Outside storage shall not be permitted.

29. 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.

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

33. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.

34. The 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.

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 Lee Pambid)

(Applicant's Representative: Aaron Breed)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-62-07
Bonefish Grill @ Westpark
Shopping Center

Balzer & Associates, Inc. for McCormick Realty Limited and OSI Restaurant Partners: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 5,582 square foot restaurant in an existing shopping center. The 1.16-acre site is located on the south side of W. Broad Street (U.S. Route 250) approximately 600 feet east of Gaskins Road (State Route 157) in the Westpark Shopping Center on part of parcel 753-758-3069. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Three Chopt)**

As of the preparation date of the agenda, the staff has not received a revised master plan showing parking calculations for parcel C, nor revised elevations showing a “substantial use of red brick” per proffers, 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, and the annotations on the plans, the following additional conditions are recommended:

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 cases C-77C-89 and C-11C-93 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. 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.
30. 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.
31. 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.
32. Only retail business establishments permitted in a B-3 zone may be located in this center.
33. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
34. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

(Staff Report Greg Garrison)
(Applicant’s Representative: Simon Mueller)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-63-07
Varina Daycare – New Market
Road and Strath Road

Balzer & Associates, Inc. for Bradley Limited #40 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 one-story, 7,700 square foot daycare building. The 1.199-acre site is located on the north line of New Market Road (State Route 5) approximately 350 feet west of Strath Road on parcel 816-687-0470. The zoning is B-1, Business District. County water and sewer. **(Varina)**

As of the preparation date of the agenda, staff has not received revised architectural renderings, as requested. Staff has also requested, but has not received a revised site plan addressing right-of-way dedication and the provision of a standard concrete sidewalk along the north line of New Market Road (State Route 5) for the entire frontage of the property. 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, and annotations on the plans, the following additional conditions are recommended:

24. The right-of-way for widening of New Market Road (State Route 5) 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 entrances and drainage facilities on New Market Road (State Route 5) shall be approved by the Virginia Department of Transportation and the County.
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. A concrete sidewalk meeting County standards shall be provided along New Market Road (State Route 5).
30. Outside storage shall not be permitted.
31. The certification of building permits, occupancy permits and change of occupancy permits for individual units shall be based on the number of parking spaces required for the proposed uses and the amount of parking available according to approved plans.
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. 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 Virginia Department of Transportation maintained right-of-way. The elevations will be set by the contractor and approved by the Virginia Department of Transportation.
36. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
37. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

(Staff Report Aimee Berndt)

(Applicant's Representative: Simon Mueller)



ACTION: Approved

PLAN OF DEVELOPMENT (Deferred from the July 25, 2007 Meeting)

POD-41-07
Pouncey Place, Phase 1 –
Twin Hickory Lake Drive and
Pouncey Tract Road
(POD-57-86 Revised)

Bay Design Group, P.C. for Pouncey Place, LLC: Request for approval of a plan of development as required by Chapter 24, Section 24-107 of the Henrico County Code, to construct a shopping center with two one-story buildings for a total of 27,630 square feet. The 5.25-acre site is part of a 10.10 acre parcel and is located on the southeast corner of Pouncey Tract Road (State Route 271) and Twin Hickory Lake Drive on part of parcel 740-765-2150. The zoning is B-2C, Business District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

As of preparation date of the agenda, staff has not received a site plan showing the existing parking conditions for current businesses or a master plan showing each phase. The master plan should be similar to the concept plan presented at time of rezoning. Also, issues related to access to this property through VDOT controlled property have not been resolved.

Additionally, the architectural plans are substantially different from what was proffered. The buildings are required to be generally consistent in quality and style with the architecture of Belgrade Shopping Center, as required by proffered conditions.

The applicant has requested a deferral to the **October 24, 2007** meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type, and the annotations on the plan, the following additional conditions are recommended:

24. The right-of-way for widening of Twin Hickory Lake Drive 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 entrances and drainage facilities on Pouncey Tract Road (State Route 271) shall be approved by the Virginia Department of Transportation and the County.
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. A concrete sidewalk meeting County standards shall be provided along the east line of Pouncey Tract Road and the south line of Twin Hickory Lake Drive.
30. Employees shall be required to use the parking spaces provided at the rear of the building(s) as shown on the approved plans.
31. Outside storage shall not be permitted.
32. The proffers approved as a part of zoning case C-027C-05 shall be incorporated in this approval.
33. 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.

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. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
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.
38. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
39. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).
40. The owner shall provide evidence before construction approval that access is allowed onto the Virginia Department of Transportation property.
41. No more than 20,000 square feet of leased area can be given a permanent certificate of occupancy until substantial completion (as determined by the Director of Public Works) of widening of Pouncey Tract Road.
42. 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.
43. 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 Matt Ward)
(Applicant's Representative: Kenneth Barnes)



ACTION: Deferred to October 24, 2007

PLAN OF DEVELOPMENT

POD-54-07

New Market Village, Sections 1
 and 2 –
 Darbytown Road

Bay Design Group, P.C. for New Market Village Development

Company: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 28, two-story, detached dwellings for sale with zero-lot lines and 47, two-story, townhouse units for sale. The 23.11-acre site is located on the south line of Darbytown Road, approximately 1200 feet west of S. Laburnum Avenue, on part of parcel 812-701-5756. The zoning is R-5AC, General Residence District (Conditional) and RTHC, Residential Townhouse District (Conditional). County water and sewer.
(Varina)

As of the preparation date of the agenda, the staff has not received a revised site plan, as requested, addressing the removal of lot 5A and the full extent of right-of-way dedication along Darbytown Road. Also, additional architectural information is also needed. The staff recommendation will be made at the meeting. Should the Commission act on this request in addition to the standard condition for developments of this type, the following additional conditions are recommended:

24. The subdivision plat for New Market Village 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 developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
27. 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.
28. The proffers approved as a part of zoning case C-79C-05 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. 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.
32. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
33. 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. 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.
35. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
36. The unit house numbers shall be visible from the parking areas and drives.
37. 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.
38. Windows on the zero lot line side of the dwelling can only be approved with an exception granted by the Building Official and the Director of Planning during the building permit application process.
39. Roof edge ornamental features that extend over the zero lot line, and which are permitted by Section 24-95(i)(1), must be authorized in the covenants.
40. Eight-foot easements for construction, drainage, and maintenance access for abutting lots shall be provided and shown on the POD plans.
41. Building permit request for individual dwellings shall each include two (2) copies of a layout plan

sheet as approved with the plan of development. The developer may utilize alternate building types providing that each may be located within the building footprint shown on the approved plan. Any deviation in building footprint or infrastructure shall require submission and approval of an administrative site plan.

(Staff Report by Kevin Wilhite)
(Applicant's Representative: Daniel Caskie)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-58-07
Dillyn Place

Bay Design Group, P.C. for Edgar T. Hicks, III and Barrington Investment, Ltd.: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 54, zero lot line single-family residential homes. The 19.98-acre site is located on the west line of Barrington Road, approximately 450 feet south of the intersection of Dill Road and Barrington Road, on part of parcel 799-732-4991. The zoning is R-5AC, General Residence District (Conditional). County water and sewer. **(Fairfield)**

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

24. The subdivision plat for Dillyn Place 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. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
28. Outside storage shall not be permitted.
29. The proffers approved as a part of zoning case C-65C-06 shall be incorporated in this approval.
30. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
31. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
32. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.
33. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
34. 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.
35. 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.

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

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

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

39. Windows on the zero lot line side of the dwelling can only be approved with an exception granted by the Building Official and the Director of Planning during the building permit application process.

(Staff Report by Christina Goggin)

(Applicant's Representative: Joe Faudale)



ACTION: Approved

PLAN OF DEVELOPMENT

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 additional information as discussed with the applicant. The applicant proposes a change in the screen fence design at the rear of the Home Depot Retail Store. Staff disagrees with the screen fence location as shown on the staff plan.

The staff also requested that the five-foot-wide pedestrian area in the outdoor display area in the front of the store be shown on the plan.

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 conditions are recommended:

37. There shall be no outdoor storage in moveable storage containers.
38. If the County observes violations of limits of outdoor display areas or relocations of planters, staff will require that the applicant file a revised plan for approval by the Planning Commission.

(Staff Report by Jim Strauss)
(Applicant's Representative: Jeff Bragdon)



ACTION: Outdoor Display Area- Deferred to October 24, 2007



ACTION: Garden Center Storage - Approved

PLAN OF DEVELOPMENT & LIGHTING PLAN

POD-59-07 **Hulcher & Associates for E. G. Bowles, Jr.:** Request for approval of Dominion Fiber Technologies – a plan of development and lighting plan as required by Chapter 24, E. Laburnum Avenue and Vawter Avenue Section 24-106 of the Henrico County Code, to construct a one-story, 30,000 square foot manufacturing and warehouse building. The 5.966-acre site is part of the overall site of 34.6 acres located on the west line of Vawter Avenue approximately 2,000 feet north of Laburnum Avenue on part of parcel 799-741-3832. The zoning is M-2, General Industrial District. County water and sewer. **(Fairfield)**

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

24. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
25. The limits and elevations of the 100-year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain must be labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.
26. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
27. All repair work shall be conducted entirely within the enclosed building.
28. Outside storage shall not be permitted.
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 loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
32. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
33. Approval of the construction plans by the Department of Public Works does not establish the curb

and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.

34. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

(Staff Report by Matt Ward)

(Applicant's Representative: Charles Hankins)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-60-07

New Market Veterinary
Clinic – New Market Road
and Recreation Road

Engineering Design Associates for Susan C. Ware: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to convert an existing two-story, 2,091 square foot building for use as a veterinary clinic. The 1.89-acre site is located on the north line of New Market Road, approximately 200 feet east of the intersection of New Market Road and Mill Road on parcel 814-688-7044. The zoning is B-1C, Business District (Conditional). 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:

24. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

25. The limits and elevations of the 100-year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain must be labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.

26. The entrances and drainage facilities on New Market Road (State Route 5) shall be approved by the Virginia Department of Transportation and the County.

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. Outside storage shall not be permitted.

30. The proffers approved as a part of zoning case C-52C-06 shall be incorporated in this approval.

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. 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 certification of building permits, occupancy permits and change of occupancy permits for individual units shall be based on the number of parking spaces required for the proposed uses and the amount of parking available according to approved plans.
36. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
37. 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 Matt Ward)
(Applicant's Representative: Randy Hooker)



ACTION: Approved

PLAN OF DEVELOPMENT (Deferred from the May 23, 2007 Meeting)

<p>POD-34-06 Gillies Creek Recycling – Office Area – Masonic Lane and I-64 (POD-83-97 Revised)</p>	<p>Engineering Design Associates for Gillies Creek Industrial Recycling: 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, 6,000 square foot office/repair shop and two equipment sheds for an existing recycling center on the landfill property. The 3.57-acre site is located at 4200 Masonic Lane on parcel 806-719-8851. The zoning is M-2, General Industrial District. Individual well and septic tank/drainfield. (Varina)</p>
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The Department of Planning does not have any issues with the proposal. However, the applicant is still in discussion with the Department of Public Utilities regarding their fire protection comments. As of a result, the applicant has requested a deferral until the Planning Commission's meeting on **December 12, 2007**. In addition to the standard conditions for developments of this type, the following additional conditions are recommended:

- 1B. The septic tank location shall be approved by the County Health Department before a building permit is issued. Connection shall be made to the public sewer when available within 300 feet of the site.
24. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
25. The proffers approved as a part of zoning case UP-22-98 shall be incorporated in this approval.
26. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
27. 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. 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.

30. Proof of the DEQ discharge permit for the on-site sewage disposal system shall be provided prior to construction plan approval.

31. Health Department approval is required for the on-site sewage disposal system and shall be provided prior to construction plan approval.

**(Staff Report by Anthony Greulich)
(Applicant's Representative: Robbie Nelson)**



ACTION: Deferred to December 12, 2007

SUBDIVISION (Deferred from the July 25, 2007 Meeting)

SUB-25-07
Carters Green
(April 2007 Plan) –
Meadow Road

Austin Brockenbrough & Associates, L.L.P. for Rusty Acres: The 23.8-acre site proposed for a subdivision of 41 single-family zero lot line homes is located on the south line of Meadow Road, approximately 0.70 mile east of Hanover Road (Route 156), on parcels 832-719-2212 and 832-718-1235. The zoning is R-5AC, General Residence District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**
41 Lots

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

12. Each lot shall contain at least 5,625 square feet, exclusive of the flood plain areas.
13. 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."
14. The proffers approved as a part of zoning case C-62C-05 shall be incorporated in this approval.
15. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the maintenance of the common area by a homeowners association shall be submitted to the Department of Planning for review. Such covenants and restrictions shall be in a form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.
16. 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 Mike Kennedy)
(Applicant's Representative: Ashley Williams)**



ACTION: Approved

SUBDIVISION

SUB-46-07
Long Bridge Estates
(September 2007 Plan)
Long Bridge Road and Carter’s
Mill Road

Kestner-Werner, LLC for John W. Gibbs, Jr.: The 22.80-acre site proposed for a subdivision of 17 single-family homes is located on Long Bridge Road approximately 8050 feet southwest of the intersection with Carter’s Mill Road on parcel 842-683-7262. The zoning is A-1, Agricultural District and ASO (Airport Safety Overlay) District. Individual well and septic tank/drainfield. **(Varina) 17 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 (43,560 square feet).
- 12. Detailed construction plans shall be submitted to the Department of Planning before the final plats are submitted for final approval.
- 13. The detailed plant list and specifications for the landscaping to be provided within the 25-foot-wide planting strip easement along Carter’s Mill Road shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.
- 14. A County standard sidewalk shall be constructed along the north side of Long Bridge Road and west side of Carters Mill Road.
- 15. A plan shall be submitted prior to recordation of the plat showing the buildable area for each lot to properly recognize the limitations for dwelling unit dimensions and setbacks. Buildable area is that area within which a dwelling unit may legally be located considering the front yard, side yard, and rear yard setback requirements of Chapter 24, of the Henrico County Code.
- 16. Any necessary offsite drainage easements must be obtained prior to approval of the construction plan by the Department of Public Works.

(Staff Report by Lee Pambid)
(Applicant’s Representative: Adam Werner)



ACTION: Approved

SUBDIVISION

SUB-49-07
Mason Park
(September 2007 Plan)
Shady Grove Road

Centex Home for William D. and Betty C. Smart, Jr. and AES Consulting Engineers: The 6.927-acre site proposed for a subdivision of 11 single-family homes is located on the north line of Shady Grove Road approximately 700 feet east of Pouncey Tract Road (State Route 271) on parcels 739-770-9147, 7142 and 5439. The zoning is R-2AC, One-Family Residence District (Conditional). County water and sewer. **(Three Chopt) 11 Lots**

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

12. The detailed plant list and specifications for the landscaping to be provided within the 25-foot-wide planting strip easement along Shady Grove Road shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.
13. A County standard sidewalk shall be constructed along the north side of Shady Grove Road.
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 a part of zoning case C-18C-07 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 a 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.

(Staff Report by Aimee Berndt)
(Applicant's Representative: Steve Worthington)



ACTION: Approved

SUBDIVISION

SUB-54-07
Midview Manor
(September 2007 Plan)
Midview Road

Foster & Miller, P.C. for WWLP Development, LLC: The 3.660-acre site proposed for a subdivision of 5 single-family homes is located on the north line of Midview Road approximately 4,125 feet east of New Market Road on parcel 807-702-3149. The zoning is R-2AC, One-Family Residence District (Conditional). County water and sewer.
(Varina) 5 Lots

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

12. Each lot shall contain at least 13,500 square feet, exclusive of the flood plain areas.
13. The proffers approved as a part of zoning case C-27C-07 shall be incorporated in this approval.
14. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the maintenance of the common area by a homeowners association shall be submitted to the Department of Planning for review. Such covenants and restrictions shall be in a form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.
15. The detailed plant list and specifications for the landscaping to be provided within the 25-foot-wide planting strip easement along Midview Road shall be submitted to the Department of Planning for

review and approval prior to recordation of the plat.

16. 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: Alexander Brinblat)



ACTION: Approved

APPROVAL OF MINUTES: July 25, 2007 Minutes



ACTION: Approved

ADJOURNed at 10:15 a.m.