

PLANNING COMMISSION AGENDA

FOR

SUBDIVISIONS AND PLANS OF DEVELOPMENT

December 17, 2008

9:00 A.M.

ADDENDUM ATTACHED



PLANNING COMMISSION

E Ray Jernigan, C P C , Chairperson (Varina)
Bonnie-Leigh Jones, Vice-Chairperson (Tuckahoe)
Tommy Branin (Three Chopt)
Ernest B Vanarsdall, C P C , (Brookland)
C W Archer, C P C , (Fairfield)
Richard W Glover, Board of Supervisors Representative
R Joseph Emerson, Jr , AICP, Director of Planning,
Secretary

**DEVELOPMENT REVIEW AND DESIGN
DIVISION – DEPARTMENT OF PLANNING**

David D O'Kelly, Jr , Assistant Director of Planning
Leslie A News, CLA, Principal Planner
Kevin D Wilhite, C P C , AICP, County Planner
Michael F Kennedy, County Planner
Christina Goggin, AICP, County Planner
Anthony R Greulich, C P C , County Planner
Matthew Ward, County Planner
Greg Garrison, County Planner
Lee Pambid, C P C , County Planner
Aimee Berndt, County Planner
Jonathan W Steele, G I S Manager
Holly L Zinn, Office Assistant/Recording Secretary

ROLL CALL:

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leshe News

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Lee Pambid

FOR INFORMATIONAL PURPOSES ONLY

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
Michael's Way (Oct. 2005 Plan)	18	18	2	Fairfield	12/16/09
Turner Woods, Sec. C (Dec. 2005 Plan)	5	5	2	Varina	12/16/09
SUB-63-06 Wilton Parkway (Dec. 2006 Plan)	0	0	1	Varina	12/16/09
SUB-60-07 Winfrey Meadows (Nov. 2007 Plan)	4	1	0	Brookland	12/16/09

TRANSFER OF APPROVAL (Deferred from the November 19, 2008 Meeting)

POD-98-73
Tyler Building -Koger Office
Center -
Santa Rosa Rd

John J. Hanky, Jr. for 900 East Marshall Street Associates, LP: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Tyler Investments, LLC to 900 East Marshall Street Associates, LP. The 2.02-acre site is located along the east line of Santa Rosa Road, approximately 200 feet south of Discovery Drive, on parcel 758-744-8860. The zoning is O-2, Office District. County water and sewer. **(Three Chopt)**

**DEFERRED BY P.C.
TO 2/25/09**

As of the preparation date of the agenda, the applicant has not corrected the site deficiencies identified in the inspector's report, dated July 24, 2008. The deficiencies relate to parking lot paving and striping. The staff recommendation will be made at the meeting.

**(Staff Report by Kevin Wilhite)
(Applicant's Representative: John J. Hanky, Jr.)**

TRANSFER OF APPROVAL

POD-95-74
Golden Goat (Formerly Pizza
Hut) -
5210 Chamberlayne Road

J. Sutera for Commonwealth Estate Acquisitions, Inc.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Pares D Patel to Commonwealth Estate Acquisitions, Inc. The 0.45-acre site is located on the west line of Chamberlayne Road (U.S. Route 301), approximately 250 feet north of the intersection with Azalea Avenue, on parcel 786-744-8366. The zoning is B-3, Business District. County water and sewer. **(Fairfield)**

APPROVED/EXPEDITED

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. The site deficiencies, as identified in the inspection report, dated November 13, 2008, have been corrected. The staff recommends approval of this transfer request.

The deficiencies included missing trees.

**(Staff Report by Lee Pambid)
(Applicant's Representative: J. Sutera)**

TRANSFER OF APPROVAL

POD-93-93
West Tower Cinemas
Parking Lot Addition –
2587 Homeview Dr

**APPROVED – SEE
ADDENDUM PG. 1**

Christopher Schultz for Virginia Home for Boys and Girls: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Village Green Associates and Coastal American Corporation to Virginia Home for Boys and Girls. The 5.34-acre site is located on the west and east lines of Homeview Drive, approximately 900 feet north of W Broad Street (U S Route 250), on parcel 759-757-9050. The zoning is R-6C, General Residence District (Conditional) County water and sewer **(Brookland)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. No site deficiencies were identified by staff. The staff recommends approval of this transfer request.

**(Staff Report by Aimee Berndt)
(Applicant’s Representative: Christopher Schultz)
(Applicable Rezoning Cases and PUPs: C-47C-79)**

TRANSFER OF APPROVAL

POD-83-98
Plaza Del Sol -
10442 Patterson Ave

DEFERRED TO 1/28/09

James D. Thorton for McAndrew Properties, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from DelSol Properties, LLC, Carlos E Sol, Patricia V Sol, Del Sol, Inc, and Norman M Morgan to McAndrew Properties LLC. The 0.07-acre site is located approximately 800 feet east of Pump Rd on Patterson Ave, on parcel 742-742-5224. The zoning is R-1, One Family Residence District and O-2, Office District. County water and sewer **(Tuckahoe)**

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 September 26, 2008 shall be corrected by January 31, 2009.

The site deficiencies include a missing dumpster enclosure.

**(Staff Report by Greg Garrison)
(Applicant’s Representative: James D. Thorton)**

ALTERNATIVE FENCE HEIGHT PLAN - RESIDENCE

V-288

Henley Residence – 1204
Bentbrook Drive

DENIED

Lee Brown for Ruth H. Henley: Request for approval of an alternative fence height plan, as required by Chapter 24, Sections 24-95(1)(7)b and 24-106.2 of the Henrico County Code, to allow fences exceeding a height of 42 inches in a front yard. The 0.4-acre site is located along the north line of Bentbrook Drive, approximately 325 feet west of Gilchrist Avenue, on parcel 803-706-1023. The zoning is R-3, One Family Residence District (**Varina**).

As of the preparation date of the agenda, the staff has not been able to contact the applicant to discuss the comments from the review of this plan. The applicant is requesting the approval of three existing wood fences in the front yard that exceed the 42 inch height limitation stated in the zoning ordinance. Staff recommends the fences be modified to lessen the potential negative impact on property values. This includes the creation of a scallop-top appearance, the use of decorative fence post tops, the limitation of fence post heights, and the use of a uniform color scheme. In addition, staff recommends the use of landscaping to enhance the visual impact on adjacent properties. The Traffic Engineer is reviewing the fence at the southwestern corner of the property to see if it creates a sight distance problem. The final staff recommendation will be made at the meeting.

(Staff Report by Kevin Wilhite)
(Applicant's Representative: Lee Brown)

PLAN OF DEVELOPMENT (Deferred from the September 24, 2008 Meeting)

POD-41-07

Pouncey Place Phase I –
Twin Hickory Lake Dr and
Pouncey Tract Rd
(POD-57-86 Rev)

DEFERRED TO 3/25/09

Bay Design Group, P.C. for Pouncey Place, 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 shopping center with two, one-story buildings for a total of 27,630 sq 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 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 this agenda, issues related to access to this property through VDOT controlled property have not been resolved. Also a revised plan has not been submitted to show 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. In addition, the Department of Public utilities cannot recommend approval until a water meter has been proposed for the existing building. Furthermore, the applicant is not in agreement with Staff's request for additional landscaping to separate the shopping center from the existing non-conforming businesses.

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, per the proffers.

The applicant has requested deferral to the March 25, 2009 meeting.

(Staff Report by Matthew Ward)
(Applicant's Representative: Kenneth Barnes)
(Applicable Rezoning Cases and PUPs: C-27C-05)

PLAN OF DEVELOPMENT AND TRANSITIONAL BUFFER DEVIATION (Deferred from the November 19, 2008 Meeting)

POD-56-08
Mayland Medical Center –
Mayland Ct

**APPROVED – SEE
ADDENDUM PG. 1**

Potts, Minter & Associates, P.C. for Commonwealth Foundation for Cancer Research and Tropoli, Inc.: Request for approval of a plan of development and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code, to construct two, one-story office buildings, and one, two-story office building, totaling 40,056 square feet. The transitional buffer deviation request is to reduce the width of the transitional buffer along the southeast and part of the northeast property lines. The 3.60-acre site is located along the east line of Mayland Ct., approximately 375 feet south of Mayland Dr. on parcel 752-757-8824. The zoning is M-1C, Light Industrial District (Conditional) County water and sewer. **(Three Chopt)**

A revised plan has been submitted which addresses staff's concerns. Since the November meeting, the applicant has met with the adjoining neighborhood. Should the Commission approve the transitional buffer deviation, staff recommends approval subject to the annotations on the plan, the standard conditions for developments of this type, and the following additional conditions:

- 9 **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
- 11 **AMENDED** - Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
- 29 Outside storage shall not be permitted.
- 30 The proffers approved as a part of zoning case C-7C-81 shall be incorporated in this approval.
- 31 The existing 20-foot permanent drainage easement in conflict with the northern building footprint shall be vacated prior to approval of the building permit for the said building.
- 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 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 Construction activity on the site shall be limited to the hours from 7:00 a.m. to 7:00 p.m., Monday through Friday. There shall be no construction on Sunday.
- 35 Trash pick-up on site shall be limited to the hours from 7:00 a.m. to 7:00 p.m., Monday through Friday. There shall be no trash pick-up on Sunday.

(Staff Report by Kevin Wilhite)
(Applicant's Representative: Chris Mulligan)
(Applicable Rezoning Cases and PUPs: C-7C-81)

PLAN OF DEVELOPMENT AND SPECIAL EXCEPTION (Deferred from the November 19, 2008 Meeting)

POD-64-08
 Cambria Suites at Short
 Pump Town Center – W
 Broad St

APPROVED

Timmons Group for Short Pump Town Center, LLC and Nick Patel: Request for approval of architectural plans and a special exception for buildings exceeding 45 feet in height, as required by Chapter 24, Sections 24-106 and 24-94 (b) of the Henrico County Code, to construct a six-story, 100-room hotel, with a proposed height of 74.5 feet. The 1.72-acre site is located approximately 650 feet north of W Broad St (US Route 250) and approximately 1,500 feet west of Lauderdale Dr, on parcel 736-764-3817. The zoning is B-3C, Business District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

Since the site plan was approved at the November POD Planning Commission meeting, the staff has met with the applicant to try to work out the remaining architectural design issue. Staff has requested that more brick be provided on the eastern and western facades. As of the preparation date of the agenda, this issue has yet to be resolved.

The applicant is requesting a special exception be granted to allow for the construction of a taller building. The zoning ordinance permits buildings up to 110 feet in height by special exception in this zoning district. In this case, the requested height of 74.5 feet is measured from the average grade level at the base of the building facing the western connector road to the top of the building tower.

The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the conditions approved on November 18, 2008, the following additional conditions are recommended:

- 31 Evidence that an engineer has certified the height of the building shall be provided to the Director of Planning prior to the issuance of a Certificate of Occupancy.
- 32 The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

(Staff Report by Kevin Wilhite)
(Applicant's Representative: Christopher Thompson)
(Applicable Rezoning Cases and PUPs: C-29C-98)

PLAN OF DEVELOPMENT

POD-74-08
Roma Henrico Retail Center
– 245 E Williamsburg Road

Timmons Group for Mannino, 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 7,467 square foot retail building. The 0.94-acre site is located on the south line of E Williamsburg Road (U.S. Route 60), approximately 500 feet east of Rames Avenue on parcel 828-715-6950. The zoning is B-1, Business District and ASO, Airport Safety Overlay District. County water and sewer.
(Varina)

APPROVED/EXPEDITED

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

- 29 The right-of-way for widening of Williamsburg Road (U.S. Route 60) 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.
- 30 The entrances and drainage facilities on Williamsburg Road (U.S. Route 60) shall be approved by the Virginia Department of Transportation and the County.
- 31 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.
- 32 A concrete sidewalk meeting VDOT standards shall be provided along the south side of Williamsburg Road (U.S. Route 60).
- 33 Outside storage shall not be permitted.
- 34 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.

- 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, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. 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.

(Staff Report by Aimee Berndt)
(Applicant's Representative: Kathleen Halpaus)

PLAN OF DEVELOPMENT AND SPECIAL EXCEPTION

POD-73-08
 Comfort Suites at Laburnum Station – S Laburnum and Gay Avenues
 (POD-76-07 Rev)

**APPROVED – SEE
 ADDENDUM PG. 2**

VHB for Laburnum Station, LLC: Request for approval of a plan of development and special exception for a building exceeding 45 feet in height, as required by Chapter 24, Sections 24-2, 24-94(b), and 24-106 of the Henrico County Code, to construct a four-story hotel with 83 rooms with a proposed height of 56 feet in an existing shopping center. The 10.19-acre site is located at the southwest corner of the intersection of S Laburnum Avenue and Gay Avenue on part of parcel 813-717-7951. 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 had an opportunity to complete its review of the plan. This proposal is for a revision to a previously approved POD for a shopping center with 51,900 square feet of retail space to add a four-story 83 room hotel.

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

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

- 29 There shall be no outdoor storage in moveable storage containers including, but not limited to, cargo containers and portable on demand storage containers.
- 30 Federal Aviation Administration (FAA), Form 7460-1 shall be submitted to the FAA and proof of such approval shall be provided to the Planning Department prior to approval of any building permit application.
- 31 In order to maintain the effectiveness of the County's public safety radio communications system within buildings, the owner will install radio equipment that will allow for adequate radio coverage within the building, unless waived by the Director of Planning. Compliance with the County's emergency communication system shall be certified to the

- County by a communications consultant within ninety (90) days of obtaining a certificate of occupancy. The County will be permitted to perform communications testing in the building at anytime.
- 32 Evidence that an engineer has certified the height of the building shall be provided to the Director of Planning prior to the issuance of a Certificate of Occupancy.
- 33 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.
- 34 The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

(Staff Report by Christina Goggin)
(Applicant's Representative: John Carty)
(Applicable Rezoning Cases and PUPs: C-51C-06)

SUBDIVISION

SUB-14-04
 Ketterley at Grey Oaks –
 Reconsideration of Lot 14,
 Block A

**APPROVED – SEE
 ADDENDUM PG. 2**

Roger R. Zurasky for Royal Dominion Homes, Inc.: Request for reconsideration of the conditional approval of Ketterley at Grey Oaks Lot 14, Block A, to authorize an exception to the major thoroughfare increased setback. The lot is located at the southwest corner of Nuckols Road and Grey Oaks Park Road at 12138 Grey Oaks Park Road on parcel 739-774-4995. The zoning is R-2AC, One Family Residence District (Conditional) County water and sewer. **(Three Chopt) 1 Lot**

The subject lot contains 19,723 square feet and is located at the Nuckols Road entrance to the Ketterley at Grey Oaks subdivision. The applicant has requested Planning Commission approval of an exception as permitted by Chapter 24, Section 24-94(aa) and Chapter 19 Section 19-4(a) to authorize a reduction of the additional major thoroughfare setback from Nuckols Road, in order to construct a 5,678 square foot custom-designed dwelling with a two-car garage. A 35-foot minor arterial setback is required in addition to the standard 12-foot side yard setback. The request would reduce the additional setback to 23 feet. The total side yard setback would be reduced from 47 feet to 35 feet. In addition to the previously proposed landscaping within the setback, which satisfies the 35-foot transitional buffer standards, the developer proposes to provide seven additional 8-10 foot high Cryptomeria evergreen trees to screen the proposed single-family dwelling from the adjoining major road. The entrance to the subdivision has a three foot high entrance wall, and the area is irrigated in accordance with the proffers.

It is the applicant's responsibility to present evidence to the Commission to support the request. Should the Commission approve the request, the conditions approved by the Commission on January 28, 2004 continue to apply.

(Staff Report by Mike Kennedy)
(Applicant's Representative: Roger R. Zurasky)

SUBDIVISION

SUB-29-08
Dumbarton
(December 2008 Plan)
Irisdale and Greenway
Avenues

**DEFERRED TO 1/28/09 –
SEE ADDENDUM PG. 3**

M-Squared Engineering, LLC for Tetra Assoc., LLC: The 3 309-acre site proposed for a subdivision of 9 new single-family homes is located between Irisdale and Greenway Avenues, approximately 200 feet east of Greendale Road on parcels 775-745-8761, 9463, 9842, 776-745-0165, 0968, 2271, and 1246. The zoning is R-4, One Family Residence District County water and sewer **(Brookland) 9 Lots**

As of the preparation date of the agenda, the staff has requested a revised plan depicting buildable areas outside of the wetland areas to remain. 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 condition is recommended:

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

**(Staff Report by Matt Ward)
(Applicant's Representative: Michael Morgan, II)**

DISCUSSION ITEM: RESOLUTION - To amend the County Subdivision and Zoning Ordinances to comply with recent changes enacted by the General Assembly. / MOTION PASSED WITH REVISED WORDING

APPROVAL OF MINUTES: November 19, 2008 Minutes / APPROVED

ADJOURN @ 10:26

RESOLUTION—Henrico County Planning Commission

Intent to Amend the County Subdivision and Zoning Ordinances to Comply With Recent Changes Enacted by the General Assembly

WHEREAS the Code of Virginia authorizes **requires** the County to amend the subdivision ordinance from time to time, and to amend the zoning ordinance when the public necessity, convenience, general welfare or good zoning practice require, and

WHEREAS the General Assembly has amended the controlling statutes regarding dam inundation zones, immediate family members, subdivision approval procedures, expiration of approvals, and nonconforming uses, and

WHEREAS it would be in the public interest for the Board of Supervisors to amend the County Code to reflect the statutory change

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Planning Commission directs the Director of Planning to draft amendments to Chapters 19 and 24 of the Henrico County Code to comply with recent changes enacted by the general assembly

Motion by Bonnie-Leigh Jones

Seconded by C W Archer

To

Votes aye 5

nay 0

The motion passes

fails

**PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT
December 17, 2008**

ADDENDUM

PAGE 5 – REVISED CASE NAME AND ADDED CASE REFERENCE

TRANSFER OF APPROVAL

POD-93-93 Virginia Home for Boys and Girls Parking Lot – (Formerly West Tower Cinemas Parking Lot Addition) – 2587 Homeview Dr	Christopher Schultz for Virginia Home for Boys and Girls: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Village Green Associates and Coastal American Corporation to Virginia Home for Boys and Girls The 5 34-acre site is located on the west and east lines of Homeview Drive, approximately 900 feet north of W Broad Street (U S. Route 250), on parcel 759-757-9050 The zoning is R-6C, General Residence District (Conditional) County water and sewer (Brookland)
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APPROVED

(Applicable Rezoning Cases and PUPs: C-47C-79 and C-26C-80)

PAGE 10 – REVISED CONDITIONS

**PLAN OF DEVELOPMENT AND TRANSITIONAL BUFFER DEVIATION (Deferred
from the November 19, 2008 Meeting)**

POD-56-08 Mayland Medical Center – Mayland Ct	Potts, Minter & Associates, P.C. for Commonwealth Foundation for Cancer Research and Tropoli, Inc.: Request for approval of a plan of development and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24- 106 2 of the Henrico County Code, to construct two, one-story office buildings, and one, two-story office building, totaling 40,056 square feet The transitional buffer deviation request is to reduce the width of the transitional buffer along the southeast and part of the northeast property lines The 3 60-acre site is located along the east line of Mayland Ct , approximately 375 feet south of Mayland Dr on parcel 752-757-8824 The zoning is M-1C, Light Industrial District (Conditional) County water and sewer (Three Chopt)
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APPROVED

- 34 Construction activity on the site shall be limited to the hours from 7 00 a m to 7 00 p m ,
Monday through ~~Friday~~ **Saturday** There shall be no construction on Sunday
- 35 Trash pick-up on site shall be limited to the hours from 7 00 a m to 7 00 p m , Monday
through ~~Friday~~ **Saturday** There shall be no trash pick-up on Sunday

PLAN OF DEVELOPMENT AND SPECIAL EXCEPTION

POD-73-08
Comfort Suites at Laburnum
Station – S Laburnum and
Gay Avenues
(POD-76-07 Rev)

VHB for Laburnum Station, LLC: Request for approval of a plan of development and special exception for a building exceeding 45 feet in height, as required by Chapter 24, Sections 24-2, 24-94(b), and 24-106 of the Henrico County Code. to construct a four-story hotel with 83 rooms with a proposed height of 56 feet in an existing shopping center The 10 19-acre site is located at the southwest corner of the intersection of S Laburnum Avenue and Gay Avenue on part of parcel 813-717-7951 The zoning is B-2C, Business District (Conditional) and ASO, Airport Safety Overlay District County water and sewer **(Varina)**

APPROVED

- 35 Construction activities shall be limited to the hours of 7 00 a m to 7 00 p m Monday through Friday and 8 00 a m to 7 00 p m on Saturday for exterior work and for interior work which produces noise audible beyond the property lines No exterior work shall occur on Sunday No interior construction work which is audible beyond the property lines shall occur on Sunday

PAGE 16 – ADDITIONAL EXHIBIT

SUBDIVISION

SUB-14-04
Ketterley at Grey Oaks –
Reconsideration of Lot 14,
Block A

Roger R. Zurasky for Royal Dominion Homes, Inc.: Request for reconsideration of the conditional approval of Ketterley at Grey Oaks Lot 14, Block A. to authorize an exception to the major thoroughfare increased setback The lot is located at the southwest corner of Nuckols Road and Grey Oaks Park Road at 12138 Grey Oaks Park Road on parcel 739-774-4995 The zoning is R-2AC, One Family Residence District (Conditional) County water and sewer **(Three Chopt) 1 Lot**

APPROVED

The applicant has submitted a letter to the Planning Commission regarding this request The letter has been included in the addendum

SUBDIVISION

SUB-29-08
Dumbarton
(December 2008 Plan)
Irisdale and Greenway
Avenues

DEFERRED TO 1/28/09

M-Squared Engineering, LLC for Tetra Assoc., LLC: The 3.309-acre site proposed for a subdivision of 9 new single-family homes is located between Irisdale and Greenway Avenues, approximately 200 feet east of Greendale Road on parcels 775-745-8761, 9463, 9842, 776-745-0165, 0968, 2271, and 1246. The zoning is R-4, One Family Residence District. County water and sewer. **(Brookland) 9 Lots**

Page 5 – Added Condition

Transfer of Approval

POD-93-93 Virginia Home for Boys and Girls Parking Lot

1) The deficiency, which includes repainting of all entrance posts, shall be corrected by January 30, 2009

Royal 
Dominion
Homes

Henrico County Planning Commission
P O Box 27032
Richmond, VA 23273-7032

Board Members,

I'm writing you to request an exception to a side yard setback on lot A-14, Ketterley at Grey Oaks (12138 Grey Oaks Park Drive) This particular corner lot is the first lot in the subdivision, and it borders both Grey Oaks Park Road and Nuckols Road

Currently, the house is plotted at 35 3', and my plan submission was rejected by Planning & Zoning, citing Henrico County Code Chapter 24, Article XXI Section 24-94

(aa) where the front, side, or rear yard is adjacent to a major arterial minor arterial or controlled access roadway identified on the major thoroughfare plan and having a projected right of way of 60 feet or greater, the setback shall be increased by 35 feet The increased setback may be reduced only if approved by the planning commission as an exception under section 19-4(a)

I am requesting that the side setback be reduced to 35' (see plot plan provided) The current zoning regulations greatly reduce the buildable area of the lot, thus practically making the lot only accommodate a very small house I don't think this is what anyone wants, especially on this high profile corner of Nuckols road If we could move the house away from Nuckols Road more, we would But it's impossible to do with the proposed buildable area If granted, then the proposed house can be built, thus creating a visually better streetscape along the corridor I trust that this is very important

5231-C Hickory Park Drive
Glen Allen VA 23059
Email Royaldominionhomes@comcast net

Office (804) 647-1270
Fax (804) 290-0968

I've spoken with, and have received permission from the developer (Dominion Land and Development – Gibson Wright) as well as his field representative, Philip Parker to request this exception. In prior correspondence with Mr. Branin, we have agreed to add additional tree plantings alongside Nuckol's Road to further buffer the lots. It was asked of us to add 6ea Cryptomeria. We actually added 7ea, in order to properly shield the house buildable area (as indicated in the revised landscaping plan).

I am including

- The current setback (please see the greatly decreased buildable area, which angles in the middle – making it virtually impossible to site a house)
- Revised plot plan
- Revised Landscaping Plan
- House plans which show the look and elevation of the house to be built
- Copy of initial letter to Mr. Branin

Thank you very much for your time and cooperation. I look forward to your response.



Roger R. Zurasky
Owner
Royal Dominion Homes

Royal 
Dominion
Homes

Tommy M Branin
Planning Commissioner
Henrico County Planning Department
P O Box 27032
Richmond, VA 23273-7032
(804) 501-4602
(804) 501-43798

Mr Branin,

I m writing you to request an exception to a side yard setback on lot A-14, Ketterley at Grey Oaks (12138 Grey Oaks Park Drive) This particular corner lot is the first lot in the subdivision, and it borders both Grey Oaks Park Road and Nuckols Road

Currently, the house is plotted at 35 3', and my plan submission was rejected by Planning & Zoning, citing Henrico County Code Chapter 24, Article XXI, Section 24-94

(aa) where the front, side, or rear yard is adjacent to a major arterial, minor arterial or controlled access roadway identified on the major thoroughfare plan and having a projected right of way of 60 feet or greater, the setback shall be increased by 35 feet The increased setback may be reduced only if approved by the planning commission as an exception under section 19-4(a)

I am requesting that the side setback be reduced to 35' (see plot plan provided) The current zoning regulations greatly reduce the buildable area of the lot, thus practically making the lot only accommodate a very small house I don t think this is what anyone wants, especially on this high profile corner of Nuckols road If we could move the house away from Nuckols Road more, we would But it's impossible to do with the proposed buildable area If granted, then the proposed house can be built, thus creating a visually better streetscape along the corridor I trust that this is very important

5231-C Hickory Park Drive
Glen Allen, VA 23059
Email Royaldommonhomes@comcast.net

Office (804) 647-1270
Fax (804) 290-0968

I've spoken with, and have received permission from the developer (Dominion Land and Development – Gibson Wright) as well as his field representative, Philip Parker to request this exception. The both feel that this will benefit the community as a whole and enhance the entry to the community. Additionally, I've addressed this with Mike Kennedy, and he directed me to send my request to your attention. They all remember the history of this area, as they previously attempted to rezone section "A" of the community. I believe that they actually added additional street plantings along the entry on Nuckols Road to further buffer the lots.

I am including the current setback (please see the greatly decreased buildable area, which angles in the middle – making it virtually impossible to site a house), my proposed plot plan and the house elevation plans. If you need anything else, please let me know.

I'm open to any ideas that you may have, including meeting with you to discuss.

Thank you very much for your time and cooperation. I look forward to your response.

Roger R. Zurasky
Owner
Royal Dominion Homes