

PLANNING COMMISSION

SUBDIVISIONS AND PLANS OF DEVELOPMENT

January 23, 2008

The submission deadline for this hearing date was December 7, 2007.

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leslie News

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Christina Goggin

PLANNING COMMISSION APPROVAL

Subdivision: Lafayette Park (Formerly Malvern Hill Manor)(Jan. 2001 Plan)

Original No. of Lots: 121

Remaining Lots: 80

Previous Extensions: 6

Magisterial District: Varina

Recommended Extension: 01/21/09

FOR INFORMATIONAL PURPOSES ONLY

Subdivision: SUB-59-06 Dalton Park @ Greenbrooke, Sec. C (November 2006 Plan)

Original No. of Lots: 29

Remaining Lots: 21

Previous Extensions: 0

Magisterial District: Three Chopt

Recommended Extension: 01/21/09

Subdivision: Hoke Brady Farm (October 2005 Plan)

Original No. of Lots: 43

Remaining Lots: 43

Previous Extensions: 1

Magisterial District: Varina

Recommended Extension: 01/21/09

Subdivision: Shady Oak Farm (January 2006 Plan)

Original No. of Lots: 16

Remaining Lots: 16

Previous Extensions: 1

Magisterial District: Varina

Recommended Extension: 01/21/09

Subdivision: Westin (January 2005 Plan)
Original No. of Lots: 34
Remaining Lots: 34
Previous Extensions: 2
Magisterial District: Three Chopt
Recommended Extension: 01/21/09

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

POD-65-95 (part)

Grandpa Eddie's BBQ (Formerly Julian's Restaurant)

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 and Clarendon Associates, L.L.C. to Warren Chisholm Et Als. The 1.004-acre site is located on the southwestern line of Three Chopt Road, approximately 275 feet northwest of Church Road on parcel 746-757-5993 .The zoning is B-2C, Business District (Conditional). County water and sewer. **(Three Chopt)**

The site deficiencies, which included missing landscaping and restriping the parking lot have been corrected. The applicant however previously requested deferral to the January 23, 2008 meeting, to address a potential change in ownership and has not provided staff with any additional information as of the preparation date of this agenda. The staff recommendation will be made at the meeting.

(Staff Report by Christina Goggin)

(Applicant's Representative: Brenda Kalimerakis)



ACTION: Approved

TRANSFER OF APPROVAL

POD-95-79

Hartford Office Building – 7800 Carousel Lane

Catholic Diocese of Richmond: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Parham and Broad, A Virginia Partnership and HCC, LC to Catholic Diocese of Richmond. The 4.04-acre site is located on the southwest corner of the intersection of E. Parham Road and Shrader Road on parcel 763-754-6737. The zoning is O-3, Office District. County water and sewer. **(Brookland)**

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 applicant has corrected all deficiencies as identified in the inspection report dated November 1, 2007 with the exception of missing landscaping. A bond shall be posted to cover the remaining landscaping site deficiencies, and such deficiencies shall be corrected by May 15, 2008.

(Staff Report by Aimee Berndt)

(Applicant's Representative: John Murphy)



ACTION: Approved

TRANSFER OF APPROVAL

POD-29-07

Sam's Club @ The Shops at White Oak Village – 4571 S. Laburnum Avenue

Troutman Sanders, LLP for Sam's East, Inc.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Forest City Commercial Group and Laburnum Associates LLC to Sam's East, Inc., A Delaware Corporation. The 13.39-acre site is located at the northeast intersection of Audubon Drive and S. Laburnum Avenue on parcel 816-717-3498. The zoning is B-3C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

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

(Staff Report by Christina Goggin)

(Applicant's Representative: J. Thomas Miller)



ACTION: Approved

TRANSFER OF APPROVAL

POD-10-81

Beatley & Gravitt Office Building – 2219 Dabney Road

hd Dabney Road, LLC for J. Irvin Beatley Et Als: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from J. Irvin Beatley Et Als to hd Dabney Road, LLC. The 0.5-acre site is located on the east line of Dabney Road, approximately 750 feet north of Jacqu Street at 2219 Dabney Road on parcel 778-736-1875. The zoning is M-2, General Industrial District. County water and sewer. **(Brookland)**

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 Lee Pambid)

(Applicant's Representative: Gilbert DeShazo)



ACTION: Approved

TRANSFER OF APPROVAL

POD-67-85

Paragon Place I – 6800 Paragon Place

Brandywine Operating Partnership, LP for DRA CRT Paragon Place Center, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from DRA CRT Paragon Place Center, LLC to Brandywine Operating Partnership, L.P. The 8.1-acre site is located on the south line of Bethlehem Road, approximately 675 feet south of Glenside Drive at 6800 Paragon Place on parcel 768-746-6985. The zoning is B-2C, Business 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. The staff recommends approval of this transfer request with the following condition:

1. The site deficiencies, as identified in the inspection report dated January 4, 2008 shall be corrected by March 31, 2008.

The site deficiencies include missing shrubs.
(Staff Report by Lee Pambid)
(Applicant's Representative: Amanda Young)



ACTION: Approved

**TRANSFER OF APPROVAL
POD-13-82**

Willard Building – 2601 Willard Road

Williams Mullen for FC Richmond I, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from North Gayton Company to FC Richmond I, LLC. The 1.136-acre site is located on the south line of Willard Road between Waco Street and Grenoble Road on parcel 765-748-1932. The zoning is M-1, Light Industrial 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. No site deficiencies were identified by staff. The staff recommends approval of this transfer request.

(Staff Report by Aimee Berndt)
(Applicant's Representative: Ralph L. Axselle, Jr.)



ACTION: Approved

**TRANSFER OF APPROVAL
POD-93-84**

Forest Plaza I Building – 7201 Glen Forest Avenue

Williams Mullen for FC Richmond II, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Virginia Investment Corporation and Pruitt Properties, Inc. to FC Richmond II, LLC. The 2.798-acre site is located on the northwest corner of the

intersection of Forest Avenue and Glen Forest Drive on parcel 764-745-2062. The zoning is O-3C, Office 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. No site deficiencies were identified by staff. The staff recommends approval of this transfer request.

(Staff Report by Aimee Berndt)

(Applicant's Representative: Ralph L. Axselle, Jr.)



ACTION: Approved

TRANSFER OF APPROVAL

POD-95-96

Capstone Building – 7100 Forest Avenue

Williams Mullen for FC Richmond II, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from F. G. Pruitt, Inc. to FC Richmond II, LLC. The 2.78-acre site is located on the northeast corner of the intersection of Forest Avenue and Glen Forest Drive on parcel 764-745-7040. The zoning is O-3C, Office 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. No site deficiencies were identified by staff. The staff recommends approval of this transfer request.

(Staff Report by Aimee Berndt)

(Applicant's Representative: Ralph L. Axselle, Jr.)



ACTION: Approved

TRANSFER OF APPROVAL

POD-111-98 (Part)

Meridian Building – 1800 Bayberry Court

Williams Mullen for FC Richmond II, LLC and Hillcrest Investments, LLC: Request for transfer of approval of a portion of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code from Pruitt Properties, Inc. and Hillcrest Investments LLC to FC Richmond II, LLC. The 4.37-acre site is located on the west line of Bayberry Court, approximately 750 feet northwest of Forest Avenue on parcel 762-746-9310. The zoning is O-3C, Office District (Conditional) and R-6C, General Residence 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. No site deficiencies were identified by staff. The staff recommends approval of this transfer request.

(Staff Report by Aimee Berndt)

(Applicant's Representative: Ralph L. Axselle, Jr.)



ACTION: Approved

LANDSCAPE & LIGHTING PLAN

LP/POD-2-07

Panera Bread & Retail Shops

Vanasse Hangen Brustlin for Dynamic Commercial Real Estate and Scott Chapman: 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 1.63-acre site is located at the northwest corner of the intersection of Staples Mill and Parham Roads on parcels 769-755-9242 and 7449. The zoning is B-2C, Business District Conditional. **(Brookland)**

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

(Staff Report by Mike Kennedy)

(Applicant's Representative: Scott Chapman)



ACTION: Approved

ALTERNATIVE FENCE HEIGHT PLAN - RESIDENCE

TC-227

Rainer Residence – 2008 Fondulac Road

Norman Rainer: Request for approval of an alternative fence height plan, as required by Chapter 24, Sections 24-106 and 24-95(l) 7 of the Henrico County Code to allow a fence exceeding a height of 42 inches in a front yard. The .55-acre site is located on the west line of Fondulac Road, approximately 400 feet south of Anoka Road on parcel 758-748-2712. The zoning is R-2, One-Family Residence District. **(Three Chopt)**

An application has been submitted to the County requesting approval of a privacy fence exceeding the allowable height of 42 inches in the front yard for a distance of 33.5 feet along the south side property line adjacent to the neighboring residential property. The fence would be added to an existing 22-inch high brick wall with five-foot pillars at each end. The applicant requests to add a white vinyl board on board fence on top of the brick wall between the two pillars, making the fence uniformly 5 feet tall. This alternative fence height would constitute an 18 inch height deviation in excess of what is permitted by code for the portion of the fence which lies within the front yard setback area, a distance of 33.5 feet. The applicant proposes adding shrubs along the wall and fence. The applicant has already installed six shrubs along the existing wall.

County Code limits the maximum fence height in a residentially zoned front yard to three feet, six inches, unless an alternative fence height is approved by the Planning Commission.

As of the date of the preparation of this agenda, staff has not received any calls or correspondence in opposition to this request.

Customarily, staff makes no recommendation for approval or denial before the Planning Commission regarding requests for alternative fence height. It is the applicant's responsibility to present information to the Commission to support the request. Should the Commission act on this request staff recommends the standard conditions for landscape plans and the following additional conditions:

5. Landscaping, as identified on the plan, shall be installed no later than May 30, 2008.
6. The owner shall be responsible for the continued and proper maintenance of the fence.

(Staff Report by Aimee Berndt)

(Applicant's Representative: Norman Rainer)



ACTION: Deferred to February 27, 2008

SUBDIVISION

SUB-1-08

Parham Estates (January 2008 Plan)

E. D. Lewis & Associates, P.C. for Betty T. Bales, Harry Snipes and Carter Snipes: The 0.27-acre site proposed for a subdivision of 1 single-family home is located at the intersection of Minna Drive and Starwood Drive and adjacent to I-64 on parcels 755-752-4750 and 3881. The zoning is R-3, One-Family Residence District. County water and sewer. **(Three Chopt)** 1 Lot

The proposed lot will be created from the combination of two residual pieces of property from adjacent subdivisions. This property is located adjacent to I-64, a Controlled Access Road. This classification requires an additional 35 feet in addition to the required 40-foot rear yard setback. The applicant has requested a waiver of this additional 35-foot setback. He has proposed providing a 15-foot planting strip easement and a 6-foot white vinyl fence along I-64 within the required 40-foot setback. This request is consistent with the waiver approved with Parham Estates (October 2007 Plan).

Should the Commission approve the exception, 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 15-foot-wide planting strip easement along Interstate I-64 shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.
13. Any necessary offsite drainage easements must be obtained prior to approval of the construction plan by the Department of Public Works.

(Staff Report by Matt Ward)

(Applicant's Representative: Byron Traynham)



ACTION: Approved

**SUBDIVISION RECONSIDERATION
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

Staff received an application solely for the reconsideration of the existing requirement for sidewalks along the north line of Long Bridge Road (1081') and west line of Carters Mill Road (568'). The layout and number of lots remain the same from the Planning Commission's previous approval of this conditional subdivision on September 26, 2007.

Staff has not completed its review of this request. The staff recommendation will be made at the meeting.
(Staff Report by Lee Pambid)
(Applicant's Representative: Adam Werner)



ACTION: Approved

**SUBDIVISION
SUB-2-08**

New Market Landing (January 2008 Plan)

Potts, Minter & Associates, P.C. for Reginald H. and Sandra L. Webb: The 0.356-acre site proposed for a subdivision of 1 single-family home is located on the northeast corner of Osborne Turnpike (State Route 5) and Triple Oak Court on parcel 800-705-7654. The zoning is R-3, One-Family Residence District. County water and sewer. (**Varina**) 1 Lot

The proposed lot was originally used for storm water management purposes. A new plan was submitted to create a new building lot within the existing subdivision.

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

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

(Staff Report by Matt Ward)

(Applicant's Representative: Wayne K. Toy)



ACTION: Approved

PLAN OF DEVELOPMENT & SPECIAL EXCEPTION (*Deferred from the December 12, 2007 Meeting*)

POD-77-07

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

Engineering Design Associates for Ennis Paint, Inc.: Request for approval of a plan of development and special exception to permit the expansion of an existing paint manufacturing facility, as required by Chapter 24, Sections 24-106, 24-2 and 24-71.(b) of the Henrico County Code, to improve and enlarge an outdoor storage area with related site improvements for an existing paint manufacturing facility. The 9.7-acre site is located approximately 1450 feet north of E. Laburnum Avenue on the west line of Vawter Avenue at 4400 Vawter Avenue on parcel 799-739-2764. The zoning is M-2, General Industrial District and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield)**

This plan of development includes a request for a special exception to permit the expansion of an existing paint manufacturing facility. 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.

As of the preparation date of the agenda, the staff has not received a revised plan, as requested. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended.

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
24. The right-of-way for widening of Vawter Avenue as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
25. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
26. The limits and elevations of the 100-year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain must be labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.
27. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
28. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
29. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
30. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
31. Approval of the construction plans by the Department of Public Works does not establish the curb and

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

32. The owners shall not begin clearing of the site until the following conditions have been met:

(a) The site engineer shall conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements shall be shown.

(b) After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner shall have the limits of clearing delineated with approved methods such as flagging, silt fencing or temporary fencing.

(c) The site engineer shall certify in writing to the owner that the limits of clearing have been staked in accordance with the approved plans. A copy of this letter shall be sent to the Department of Planning and the Department of Public Works.

(d) The owner shall be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details shall be included on the landscape plans for approval.

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

34. The outdoor storage area shall have a treated surface that meets Department of Public works approval. Standard Henrico County curb and gutter for the expanded storage areas shall be provided.

35. A landscaping plan will be provided for staff review and Planning Commission approval. The outdoor storage area shall be screened from public view with evergreen plant material and a screen fence, or a combination of both. The landscape plan shall be submitted by Friday, February 1, 2008, unless otherwise approved by the Director of Planning.

36. A revised construction plan shall show removal of the encroachments in the RPA, and the applicant shall provide a schedule for the restoration of the RPA for Public Works review and approval prior to approval of the final construction plans.

(Staff Report by Lee Pambid)

(Applicant's Representative: Randy Hooker)



ACTION: Approved

SUBDIVISION RECONSIDERATION (*Deferred from the December 12, 2007 Meeting*)

SUB-28-06

Selph Ridge May 2006 Plan)

White Oak and Elko Roads

Engineering Design Associates for FJCB, LLC: The 9.997-acre site proposed for a subdivision of 8 single-family homes is located approximately 700 feet north of Chillie Lane and Scaffold Court on parcel 856-705-2677. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield.

(Varina) 8 Lots

A Major Throughfare Plan Concept Road (W-3) conflicts with the proposal for this property. The applicant is proposing an alternate location for the road. As of the preparation date of the agenda, the staff has not had an opportunity to complete its review of the relocated minor collector Concept Road W-3.

The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for subdivisions not served by public utilities, the following additional condition is recommended:

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

(Staff Report by Greg Garrison)

(Applicant's Representative: Randy Hooker)



ACTION: Deferred to February 27, 2008

PLAN OF DEVELOPMENT & MASTER PLAN (*Deferred from the December 12, 2007 Meeting*)
POD-68-07

The Shire @ Pump and Church – Church Road and Pump Road Kimley Horn for Kevin

McFadden and The Rebkee Company: Request for approval of a plan of development and master plan as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct five, one-story retail buildings (Buildings 1-5) totaling 50,480 square feet and a master plan for a future one-story retail building (Building 6) totaling 12,900 square feet. The 21-acre site is located at the southwest corner of the intersection of Pump and Church Roads on parcels 739-754-7156 and 739-753-1396. The zoning is B-2C, Business District (Conditional), C-1C, Conservation District, RTHC, Residential Townhouse District (Conditional) and R-3AC, One-Family Residence District (Conditional), B-3, Business District and R-5A, General Residence District. County water and sewer. (**Tuckahoe**)

A plan has been submitted which accommodates development of the property upon the construction of John Rolfe Parkway Phase 1, including the realignment of Pump Road, where it intersects Church Road. The plan contemplates a development agreement for John Rolfe Parkway. The terms of that agreement are being discussed by the developer and the County Administration.

As of the preparation date of this agenda, the details for the development agreement are still being worked out. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the annotations on the plans and the standard conditions for developments of this type, the conditions listed in the agenda as revised or deleted below, are recommended:

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.

11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture and specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.

24. Only retail business establishments permitted in a B-2, Business District may be located in this center.

25. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.

26. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

27. All right-of-way and easements required by Phase II of the John Rolfe Parkway Project as shown on the plans for the John Rolfe Parkway Project, and any additional right-of-way and easements required by alterations to the John Rolfe Parkway Project Plans, shall be dedicated to the County prior to the approval of construction plans. All documents required for the dedication of right-of-way and easements for Phase II of the John Rolfe Parkway Project and any additional right-of-way and easements required by

alterations to the John Rolfe Parkway Project plans shall be fully executed and submitted to the Real Property Department at least sixty (60) days prior to construction plan approval.

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

29. The required building setback shall be measured from the proposed right-of-way line and the parking shall be located behind the proposed right-of-way line.

30. A concrete sidewalk meeting County standards shall be provided along the south side of Church Road, the west side of Pump Road and the north side of John Rolfe Parkway.

31. The proffers approved as a part of zoning case C-27C-06 shall be incorporated in this approval.

32. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.

33. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.

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

35. Storm water retention shall be incorporated into the drainage plans.

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

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

38. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction plans needed to implement this conceptual plan may be administratively reviewed and approved and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/approval.

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

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

41. The property necessary to provide a right turn lane on Church Road into the property shall be acquired by the developer prior to the approval of final construction plans.

42. The developer shall obtain vacation or abandonment of existing right-of-way necessary to fully develop the property in accordance with the proffered site plan including both Glen Eagles Drive and Pump Road prior to the approval of final construction plans.

43. A construction plan for the widening of Church Road, Pump Road and John Rolfe Parkway from the future property line to the proposed centerlines of those roads where they abut the property including the SWM area and including the offsite turn lane along Church Road, shall be approved by the Department of Public Works and the Department of Planning prior to the approval of final construction plans. The Developer shall coordinate construction plan design to be consistent with and not conflict with the County's design plans for those roads. The plan shall include sidewalks and curb and gutter improvement along each street frontage and any necessary off-site drainage improvements required to construct the proposed improvements. The construction plan shall include the relocation of Pump Road where it abuts the property unless previously constructed by the County prior to plan approval.

44. All improvements shown on the construction plan in accordance with condition No. 43 above including any required off-site drainage shall be completed prior to the issuance of any Certificates of Occupancy unless an exception is approved by the Director of Public Works.

45. The tower element at the corner of Pump and Church Roads shall be constructed with Buildings 1 and

2 in accordance with the proffered design plans, as determined by the Director of Planning. Final architectural plans, shall be submitted for review and approval by the Director of Planning prior to approval of final construction plans.

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

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

48. All improvements shown on the traffic control plan in accordance with condition No. 47 above including any required off-site improvements shall be completed prior to the issuance of any Certificates of Occupancy, unless an exception is approved by the Director of Public Works.

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

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

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

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

53. All underground utilities serving the property including: storm sewer, sanitary sewer, water, gas, electric, telephone and cable, as well as related appurtenances shall be located to accommodate the landscaping in the buffers shown on the approved conceptual plan, in particular behind Buildings 1 and 2, unless otherwise approved by the Director of Planning.

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

(Staff Report by Mike Kennedy)

(Applicant's Representative: Philip Chang)



ACTION: Deferred to February 27, 2008

PLAN OF DEVELOPMENT (*Deferred from the December 12, 2007 Meeting*)

POD-79-07

Arco Iris Latino Mart – 6111 & 6115 Staples Mill Road (State Route 33)

Barthol Design Associates for Armando Benitez and Kings Construction: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story building with a 5,000 square foot restaurant on the first floor and 5,000 square feet of office on the second floor. The 1.72-acre site is located on the east line of Staples Mill Road (State Route 33) approximately 200 feet south of Penick Road on parcels 773-747-8814 and 773-747-8402. The zoning is B-1, Business District. County water and sewer. **(Brookland)**

As of the preparation date of this agenda, staff has not received revised architectural renderings, as requested, showing an increased number of windows along all elevations. Staff has also requested but has

not received color renderings to enhance staff's understanding of how this unique building style will visually alter the commercial development along the frontage of Staples Mill Road.

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

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
11. **AMENDED** - Prior to the 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.
24. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
25. The entrances and drainage facilities on Staples Mill Road (State Route 33) shall be approved by the Virginia Department of Transportation and the County.
26. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.
27. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
28. A concrete sidewalk meeting County standards shall be provided along the north side of Staples Mill Road (State Route 33).
29. All repair work shall be conducted entirely within the enclosed building.
30. Outside storage shall not be permitted.
31. The developer shall install an adequate restaurant ventilating and exhaust system to minimize smoke, odors, and grease vapors. The plans and specifications shall be included with the building permit application for review and approval. If, in the opinion of the County, the type system provided is not effective, the Commission retains the rights to review and direct the type of system to be used.
32. This business shall not remain in operation after midnight and no exterior signs shall remain lighted after 12:00 midnight.
33. 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.
34. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
35. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
36. 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.
37. 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.
38. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
39. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

40. No vehicles shall be sold on site.
41. No portable food service vehicles or trailers shall be operated on site.
(Staff Report by Christina Goggin)
(Applicant's Representative: Brian Mustain)



ACTION: Deferred to February 27, 2008

PLAN OF DEVELOPMENT POD-3-08

Third Presbyterian Church Addition

Rummel Klepper & Kahl, LLP for Trustees of Third Presbyterian Church: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two and a half story, 46,268 square foot addition to an existing church, a tot lot and parking area improvements. The 3.34-acre site is located at on the west line of Forest Avenue at its intersection with Silverspring Drive on parcels 756-737-8569, 7779, 7986 and 757-737-0393. The zoning is R-3, One-Family Residence District and R-2, One-Family Residence District. County water and sewer. **(Tuckahoe)**

As of the preparation date of the agenda, the staff has not had an opportunity to complete its review of the revised plan. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
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. All exterior lighting fixtures shall be designed and arranged so the source of light is not visible from the roadways or adjacent residential properties. The lighting shall be low intensity, residential in character, and the height or standards shall not exceed 15 feet.
27. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
28. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
29. 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. 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.
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.

(Staff Report by Jim Strauss)

(Applicant's Representative: Malachi Mills)



ACTION: Deferred to February 27, 2008

PLAN OF DEVELOPMENT (*Deferred from the December 12, 2007 Meeting*)

POD-86-07

Best Western – 8607 Telegraph and Brook Roads

Timmons Group for Bhupendra B. Patel: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a three-story, 11,860 square foot, 63-room hotel. The 1.89-acre site is located on the east line of Telegraph Road, approximately 80 feet east of the intersection of Brook Road (U.S. Route 1) and Telegraph Road on parcel 784-758-4424. The zoning is M-1, Light Industrial District and B-3, Business District. County water and sewer. **(Fairfield)**

This case was deferred from the December 12, 2007, meeting due to concerns regarding the drainage outfall for this site. The Planning Commission deferred the case to allow time for the engineer to meet with the adjoining property owners and the Department of Public Works regarding drainage issues. To date, staff has not received any additional information addressing the drainage issues. The revised plans previously submitted address the additional right-of-way dedication and sidewalk to be installed along Telegraph Road. Also, the architectural plans were revised to show more brick on the façade, shutters beside the windows, and replacement of asphalt shingles with architectural shingles, all of which meets staff's recommendations.

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

24. The right-of-way for widening of Telegraph Road as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
25. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
26. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
27. A concrete sidewalk meeting County standards shall be provided along the east side Telegraph Road.
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 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. 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.

(Staff Report by Matt Ward)

(Applicant's Representative: Christopher Thompson)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-2-08

Cracker Barrel @ The Shops at White Oak Village

Design & Engineering and Cracker Barrel Old Country Store, Inc. for Laburnum Investments, LLC and Forest City Commercial Group: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 10,101 square foot restaurant and gift shop in The Shops at White Oak Village Shopping Center. The 2.21-acre site is located on the east line of Laburnum Avenue, approximately 1,800 feet north of Audubon Drive on part of parcel 815-718-5710. The zoning is B-3C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

Staff has requested a revised plan to consider different locations for the proposed dumpster so the opening doesn't directly face South Laburnum Avenue.

The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the annotations on the plans, the standard conditions for 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. Outside storage shall not be permitted.

27. The proffers approved as a part of zoning case C-29C-06 shall be incorporated in this approval.

28. The developer shall install an adequate restaurant ventilating and exhaust system to minimize smoke, odors, and grease vapors. The plans and specifications shall be included with the building permit application for review and approval. If, in the opinion of the County, the type system provided is not effective, the Commission retains the rights to review and direct the type of system to be used.

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

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

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

35. 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.

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. Only retail business establishments permitted in a B-3C zone may be located in this center.

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).

(Staff Report by Christina Goggin)

(Applicant's Representative: James A. Craig)



ACTION: Approved

PLAN OF DEVELOPMENT ARCHITECTURAL PLANS (*Deferred from the December 12, 2007 Meeting*)

POD-83-07

7-11 Convenience Store @ The Shops at White Oak Village – S. Laburnum Avenue and Audubon Drive

Blakeway Corporation for Laburnum Associates, LLC and 7-Eleven Inc.: Request for approval of architectural plans for a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 3,186 square foot, convenience store with fuel pumps in The Shops at White Oak Village Shopping Center. The 1.06-acre site is located on the east line of Laburnum Avenue approximately 250 feet north of Audubon Drive on part of parcel 815-718-5710. The zoning is B-3C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

Revised architectural plans have been requested to address the building and fuel pump canopy designs. As of the preparation date of the agenda, the staff has not had an opportunity to complete its review of the revised plans. The staff recommendation will be made at the meeting. Should the Commission act on this request, the conditions of POD approval by the Planning Commission, dated December 12, 2007, continue to apply.

(Staff Report by Jim Strauss)

(Applicant's Representative: Douglas Yeates)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-4-08

Flagstop Carwash @ Parham Road – 9802 E. Parham Road

Balzer & Associates, Inc. for Royal Oldsmobile Company and Robert C. Schrum, Jr.: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 4,160 square foot carwash. The 2.17-acre site is located on the south line of E. Parham Road, approximately 550 feet east of W. Broad Street (U.S. Route 250) on parcels 762-754-6047 and part of 7326. The zoning is B-3, Business District and B-3C, Business District (Conditional). County water and sewer. **(Brookland)**

As of the preparation date of the agenda, the staff has not had an opportunity to complete its review of the plan. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

24. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
25. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
26. Outside storage shall not be permitted.
27. The proffers approved as a part of zoning case C-34C-86 shall be incorporated in this approval.
28. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
29. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
30. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
31. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
32. The owner or manager on duty shall be responsible for temporarily closing the car facility when the on-site stacking space is inadequate to serve customer demand to prevent a backup of vehicles onto the public right-of-way. The owner shall arrange with the Traffic Engineer to provide standard traffic control signs to notify customers that stopping or standing on the public right-of-way shall not be permitted near the entrances to the car wash facility.
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.
35. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
36. Prior to construction plan approval, proffers of Conditional Rezoning Case C-34C-86 shall be amended to allow the proposed use.

(Staff Report by Aimee Berndt)

(Applicant's Representative: Andrew Bowman)



ACTION: Deferred to February 27, 2008

PLAN OF DEVELOPMENT

POD-5-08

Bojangles @ 4901 Nine Mile Road

Balzer & Associates, Inc. for Ample Storage Laburnum Avenue, LLC and REDCO Properties, 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, 3,868 square foot restaurant with drive-thru facilities. The 1.4-acre site is located on the southeast corner of Nine Mile Road (State Route 33) and Laburnum Avenue on part of parcel 811-723-1052. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Fairfield)**

Revised architectural plans have been requested to provide additional information regarding the proposed building materials.

As of the preparation date of the agenda, the staff has not received the revised architectural plans, 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 plan, 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 entrances and drainage facilities on Nine Mile Road (State Route 33) shall be approved by the Virginia Department of Transportation and the County.
26. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.
27. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
28. Outside storage shall not be permitted.
29. A concrete sidewalk meeting standards shall be provided along the east side of Laburnum Avenue and the south side of Nine Mile Road.
30. The proffers approved as a part of zoning case C-64C-04 shall be incorporated in this approval.
31. The developer shall install an adequate restaurant ventilating and exhaust system to minimize smoke, odors, and grease vapors. The plans and specifications shall be included with the building permit application for review and approval. If, in the opinion of the County, the type system provided is not effective, the Commission retains the rights to review and direct the type of system to be used.
32. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
33. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
34. In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-up delivery facilities, the owner/occupant shall close the drive-up delivery facilities until a solution can be designed to prevent traffic backup.
35. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
36. 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.

37. 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.

38. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Department of Planning and approved prior to issuance of a certificate of occupancy for this development.

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

(Staff Report by Greg Garrison)

(Applicant's Representative: Simon Mueller)



ACTION: Approved

PLAN OF DEVELOPMENT (*Deferred from the November 14, 2007 Meeting*)

POD-53-07

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

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

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

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

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

(Staff Report by Jim Strauss)

(Applicant's Representative: Stacey Burcin)



ACTION: Approved

PLAN OF DEVELOPMENT – PROSPECT HOMES ARCHITECTURALS

POD-42-06

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

Timmons Group and Lessard Group, Inc. for Eagle Construction of Virginia and Unicorp National Developments, Inc.: Request for approval of Prospect Homes architectural plans, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 96 townhouses for sale (brownstones). The 12-acre portion of the 115.04-acre site is located along the south line of W. Broad Street (U. S. Route 250), the north line of Three Chopt Road, and the east line of the future John Rolfe Parkway on part of parcel 742-760-7866. The zoning is UMUC, Urban Mixed Use District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

This request is for approval of the townhouse architectural plans for one portion of the townhouses to be built on the West Broad Village site. The site plans were approved with the original plan of development.

As of the preparation date of the agenda, the staff has not had an opportunity to complete its review of the plan. The staff recommendation will be made at the meeting. Should the Commission act on this request, the plans and conditions previously approved for this plan of development by the Planning Commission at their April 25, 2007 meeting continues to apply.

(Staff Report by Mike Kennedy)

(Applicant's Representative: Joyce A. Wolfe)



ACTION: Deferred to February 27, 2008

APPROVAL OF MINUTES: December 12, 2007 Minutes



ACTION: Approved

ADJOURNed at 10:12 a.m.