

**PLANNING COMMISSION AGENDA**  
**FOR**  
**SUBDIVISIONS AND PLANS OF DEVELOPMENT**

**July 22, 2009**

**9:00 A.M.**

**ADDENDUM ATTACHED**



**PLANNING COMMISSION**

Bonnie-Leigh Jones, Chairperson (Tuckahoe)  
Ernest B. Vanarsdall, C.P.C., Vice-Chairperson  
(Brookland)  
Tommy Branin (Three Chopt)  
E. Ray Jernigan, C.P.C. (Varina)  
C. W. Archer, C.P.C., (Fairfield)  
James B. Donati, Jr., 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: Leslie News**

**SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Lee Pambid**

**FOR INFORMATIONAL PURPOSES ONLY**

<b>Subdivision</b>	<b>Original No. of Lots</b>	<b>Remaining Lots</b>	<b>Previous Extensions</b>	<b>Magisterial District</b>	<b>Recommended Extension</b>
<b>SUB2008-00025 (SUB-17-08) Ellington at Wyndham (July 2008 Plan)</b>	<b>91</b>	<b>62</b>	<b>0</b>	<b>Three Chopt</b>	<b>07/28/10</b>
<b>SUB2008-00056 (SUB-39-07) Hanover-Meadow (June 2007 Plan)</b>	<b>11</b>	<b>11</b>	<b>1</b>	<b>Varina</b>	<b>07/28/10</b>

## SUBDIVISION (Deferred from the June 24, 2009 Meeting)

SUB-06-09  
Hampshire  
(April 2009 Plan)  
Hames Lane/Peavey Street

**Bay Design Group, P.C. for Boushra and Edna Hanna, Donald M. and S. B. Whitehorn and Hanna Properties, LLC:**  
The 7.13-acre site proposed for a subdivision of 12 single-family homes is located at the southeast terminus of Peavey Street, on part of parcels 742-773-4344 and 5604. The zoning is R-2AC, One Family Residence District (Conditional). County water and sewer. **(Three Chopt) 12 Lots**

### **APPROVED**

This project was deferred by the Planning Commission from the June 24, 2009 meeting to address drainage concerns from adjacent residents. Since that time, staff has met to discuss options for the applicant to consider. Condition # 21 has been added to the staff recommendation to address foundation drainage on the property.

As of the preparation of this agenda, staff has not received confirmation that owners of the real property adjoining the proposed subdivision have been notified in writing by registered or certified mail as required by proffered condition. The staff recommendation will be made at the meeting. Should the Commission act on this request, staff recommends approval subject to the standard conditions for development of this type, the annotations on the plan, and the following additional conditions:

13. Each lot shall contain at least 13,500 square feet.
14. The plat shall contain a statement that the common area is dedicated to the common use and enjoyment of the homeowners of Hampshire and is not dedicated for use by the general public. This statement shall refer to the applicable article in the covenants recorded with the plat.
15. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the maintenance of the common area by a homeowners association shall be submitted to the Department of Planning for review. Such covenants and restrictions shall be in a form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.
16. The proffers approved as part of zoning case C-40C-07 shall be incorporated in this approval.
17. Any future building lot containing a BMP, sediment basin or trap and located within the buildable area for a principal structure or accessory structure, may be developed with engineered fill. All material shall be deposited and compacted in accordance with the Virginia Uniform Statewide Building Code and geotechnical guidelines established by a professional engineer. A detailed engineering report shall be submitted for the review and approval by the Building Official prior to the issuance of a building permit on the affected lot. A copy of the report and recommendations shall be furnished to the Directors of Planning and Public Works.
18. The final plat for recordation shall contain information showing The Chesapeake Bay Preservation areas, if any, in accordance with Chapter 19, Section 19-72 (18), of the Henrico County Code, as determined by the Director of Public Works.
19. The owner 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 on 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.
20. Prior to issuance of a certificate of occupancy for any building in this development, the engineer of record shall certify that the site has been graded in accordance with the approved grading plans.
21. A geotechnical engineering analysis shall be provided for the bearing capacity and expansive properties of the soils on each lot. This soils analysis shall be included with the building permit application that is submitted to the Building Official to construct the single family dwelling or accessory structure on the lot. A foundation drainage system shall also be provided for each dwelling unless evidence is submitted with the building permit application to demonstrate that groundwater will not infiltrate the crawlspace. The design and installation of the foundation drainage system shall be subject to approval by the Building Official in accordance with the Virginia Uniform Statewide Building Code.

**(Staff Report by Greg Garrison)**

**(Applicant's Representative: Daniel Caskie)**

**(Applicable Rezoning Cases and PUPs: C-40C-07)**

## **REZONING CASE (Deferred from the July 9, 2009 Meeting)**

### **Three Chopt**

**C-8C-09 James W. Theobald for CP Other Realty, LLC:** Request to conditionally rezone from B-2C Business District (Conditional) to B-3C Business District (Conditional), part of Parcel 735-763-7898, containing approximately 1.680 acres, located on the north line of West Broad Street (U. S. Route 250) approximately 1,650 feet east of N. Gayton Road. The applicant proposes a car wash. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Mixed Use. The site is in the West Broad Street Overlay District. **Staff – Jamie Sherry**

**APPROVAL RECOMMENDED TO THE BOARD/ WAIVE TIME LIMITS - APPROVED**

## TRANSFER OF APPROVAL

POD-68-84  
Parham East Medical Center  
(Formerly Parham East  
Medical Village) -2201-2222  
E. Parham Road

**APPROVED/EXPEDITED**

**Scott Douglas Corp for 4421 Dale, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Parham-Woodman Medical Association and A Wing And A Prayer, LLC to 4421 Dale, LLC. The 3.6-acre site is located on the southern line of E. Parham Road, approximately 240 feet east of Woodman Road, on parcel 775-758-5019. The zoning is [R-6C], General Residence District (Conditional). County water and sewer. **(Fairfield)**

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

1. The missing trees along Parham Road, as identified in the inspection report, dated March 9, 2009 shall be corrected by October 15, 2009.

Site deficiencies that have been corrected include top coating and striping part of the parking lot, repairing the dumpster screen, and replacement of missing landscaping around the building. There are 13 street trees left to be replaced.

**(Staff Report by Christina Goggin)**

**(Applicant's Representative: John McIntyre)**

**(Applicable Rezoning Cases and PUPs: C-67C-80)**

## TRANSFER OF APPROVAL

POD-14-01  
Brookstone Building  
(Formerly World Access  
Building) – 2805 N. Parham  
Road

**APPROVED/EXPEDITED**

**CB Richard Ellis for Imperial Health Services, LP:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Mayland Investors, LC to Imperial Health Services, LP. The 11.73-acre site is located approximately 60 feet from the northeast corner of the intersection of N. Parham Road and Mayland Drive and fronting 211 feet on Parham Road and 1,234 feet on Mayland Drive, on parcel 758-752-8262. The zoning is O-2, Office 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. All deficiencies from the inspection report dated May 19, 2009 have been addressed; these included repainting parking lot directional arrows, removal of a dumpster and replacement of missing replacing 3 missing trees. Staff recommends approval of this transfer request.

**(Staff Report by Christina Goggin)**

**(Applicant's Representative: David Barrow)**

## LANDSCAPE AND LIGHTING PLAN

LP/POD-62-01  
Trinity United Methodist  
Church – Parking Expansion  
– 7910 Rock Creek Road

**APPROVED**  
**SEE ADDENDUM PG. 1**

**McKinney and Company for Trinity United Methodist Church:** 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 2.38-acre site is located on the north line of Rock Creek Road, approximately 350 feet east of Forest Avenue, on parcels 758-739-3229, 2233, 1436, 757-739-8840 and 9939. The zoning is R-3, One Family Residential District. County water and sewer. **(Tuckahoe)**

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, the standard conditions for landscape and lighting plans are recommended.

**(Staff Report by Greg Garrison)**

**(Applicant's Representative: Stacey Burcin)**

## PLAN OF DEVELOPMENT (Deferred from the June 24, 2009 Meeting)

POD-14-09  
IBEW – Multi-Purpose  
Building – 1400 E. Nine  
Mile Road  
(POD-72-01 Rev.)

**DEFERRED TO 8/13/09**  
**REZONING MEETING**

**Engineering Design Associates for IBEW Building Corp.:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 10,790 square foot, one-story, multi-purpose meeting and training building on the site of an existing office building. The 12.811-acre site is located on the east line of E. Nine Mile Road (State Route 33), approximately 500 feet south of N. Airport Drive, on parcel 825-720-7093. The zoning is B-3, Business District, B-3C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

As of the preparation date of the agenda, the staff has not received a revised plan, as requested to address the required number of parking spaces based on multiple uses and the provision of additional right-of-way for sidewalk along a Major Thoroughfare Plan road. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for development of this type, the following additional conditions are recommended:

29. The right-of-way for widening of E. Nine Mile Road (State Route 33) 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. A concrete sidewalk meeting VDOT standards shall be provided along the east side of E. Nine Mile Road (State Route 33).
31. Outside storage shall not be permitted.
32. 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.

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. The proffers approved as a part of zoning case C-86C-87 shall be incorporated in this approval.

**(Staff Report by Matt Ward)**

**(Applicant's Representative: Randy Hooker)**

**(Applicable Rezoning Cases and PUPs: C-86C-87)**

## **PLAN OF DEVELOPMENT, LIGHTING PLAN, AND TRANSITIONAL BUFFER DEVIATION**

POD-15-09  
Chick-fil-A at Ridge  
Shopping Center  
(POD-68-82 Rev.)

**APPROVED**

**Horton and Dodd, P.C. for Chick-fil-A and LCL Company:**  
Request for approval of a plan of development, lighting plan, and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code, to construct a one-story 4,287 square foot restaurant with drive-through facilities to replace an existing restaurant in an existing shopping center. The transitional buffer deviation is to permit a retaining wall with an opaque fence within the required 25 foot transitional buffer adjacent to Ridgehaven subdivision. The 0.97-acre site is located on the east line of Parham Road, approximately 850 feet south of Fargo Road, on parcel 754-745-0612 and part of parcels 753-745-9332 and 754-745-3707. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Three Chopt)**

As of the preparation date of this agenda, the staff has not received a revised plan as requested providing adequate right-of-way dedication from the center line of Parham Road as required by the Department of Public Work's Traffic Engineer.

The applicant is requesting a 10' deviation from the required 25' transitional buffer. The encroachment is for a retaining wall and 6 foot opaque fence. An opaque fence was proffered with C-45C-80. A 6-foot wall of brick or architectural block is permitted by the zoning ordinance as an administrative transitional buffer alternative.

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:

- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature.
29. The right-of-way for widening of Parham 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.

30. A concrete sidewalk meeting County standards shall be provided along the east side of Parham Road.
31. The proffers approved as a part of zoning case C-45C-80 shall be incorporated in this approval.
32. 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.
33. In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-up facilities, the owner/occupant shall close the drive-up facilities until a solution can be designed to prevent traffic backup.
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. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
38. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

**(Staff Report by Christina Goggin)**

**(Applicant's Representative: Gregory Dodd, P.E.)**

**(Applicable Rezoning Cases and PUPs: UP-29-69; C-45C-80)**

## **PLAN OF DEVELOPMENT**

POD-17-09  
 Quaker Steak and Lube –  
 Redevelopment of 8000 West  
 Broad Street  
 (POD-12-83 Rev.)

**DEFERRED BY P.C. TO  
 9/10/09 REZONING  
 MEETING**

**Willmark Engineering, PLC for Virginia Lube Partners at Broad Street, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to redevelop an existing one story 6,400 square foot restaurant building and construct a patio area addition and pick-up window for drive-through facilities. The 1.56-acre site is located on the north line of W. Broad Street (U.S. Route 250) at the northeast corner of the intersection of Colyer Street and W. Broad Street (U.S. Route 250), on parcel 764-752-2945. The zoning is M-1, Light Industrial District. County water and sewer. **(Brookland)**

The plan calls for the rehabilitation of an existing site and vacant building, formerly a Bennigan's restaurant.

The site as proposed for redevelopment will feature a small addition of approximately 280 square feet for walk-in freezers and refrigerators. A dumpster enclosure matching proposed colors and materials as the main building would nonetheless feature a safety yellow metal door. Also



included is a new pick-up lane and window for orders made ahead of time. This is different from a drive-through lane in which orders are placed and picked up on site. A patio made to accommodate an outdoor dining area and bar delineated by safety yellow guard rail facing inward is also proposed. A forest green canvas awning approximately 15' by 22' will cover the bar area.

As this property fronts on West Broad Street, a designated Major Thoroughfare Plan road, a standard 5' wide VDOT sidewalk is required. A 10' by 25' loading space is also required. This may slightly alter the internal circulation and result in the loss of two to four parking spaces. Staff has requested a revised plan to show how this will be accomplished.

As proposed, the current beige stucco will be replaced with white EIFS, and safety yellow, white, and green bands of form casted brick block will outline the base of the building. The cornice will feature bands of neon green lights in front of a green channel and a safety yellow cap around the entire perimeter of the roof.

Signage is another issue that affects the appearance of the building and site. Signage is not part of this approval, but several components of the proposed sign package will potentially affect the architectural elevations. Code prohibits the display of signage above the roofline, which is considered the deck of the roof. The sign on the parapet does not meet this criterion. A large yellow arrow sign bearing the word "EAT" in capital letters is part of the proposal.

Staff has made suggestions to the applicant for different architectural features, materials, and colors. For instance, the color of building should be changed to a more natural beige or tan, in contrast to the proposed stark white. There is an opportunity for brick on the false columns and along the base and cornice. Guard rail along the patio could be rusticated brown to simulate guardrail appearing throughout Henrico County.

Buildings in other localities have accommodated variations while appearing to preserve their corporate theme, including other Quaker Steak and Lube locations. Staff has requested that revised architectural plans be submitted.

Should the Planning Commission act on this proposal, staff recommends approval be subject to the annotations on the plans, the standard conditions for developments of this type, and the following additional conditions:

29. A concrete sidewalk meeting VDOT standards shall be provided along the north side of W. Broad Street (U.S. Route 250).
30. Outside storage shall not be permitted.
31. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
32. In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-up facilities, the owner/occupant shall close the drive-up facilities until a solution can be designed to prevent traffic backup.
33. 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 Lee Pambid)**

**(Applicant's Representative: Mark Williams)**

## PLAN OF DEVELOPMENT

POD-20-09  
Meadow Springs Run –  
Meadow Road

**APPROVED**  
**SEE ADDENDUM PG. 1**

**Willmark Engineering, PLC for Meadow Road Development, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 50 detached dwellings for sale with zero lot lines. The 29.91-acre site is located between the north line of I-64 and the south line of Meadow Road at its intersection with Chartwood Drive, on parcel 833-718-6524. The zoning is R-5AC, General Residential District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer.  
**(Varina)**

As of the preparation date of the agenda, the staff has not received information regarding the type of amenities to be provided in the pocket park, as requested. Lots 25 and 29 need to be revised to meet the minimum cul-de-sac requirements. Additionally, the applicant has requested that the architectural elevations be approved separately; therefore, the elevations will be submitted for review and approval in the future. 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:

29. The subdivision plat for Meadow Springs Run shall be recorded before any building permits are issued.
30. A concrete sidewalk meeting County standards shall be provided along the south side of Meadow Road.
31. Details for the gate and locking device at the entrance road shall be submitted for review by the Traffic Engineer, Police and approved by the County Fire Marshall. The owner or owner's contractor shall contact the County Fire Marshall prior to completion of the fence installation to test and inspect the operations of the gates. Evidence of the Fire Marshall's approval shall be provided to the Department of Planning by the owner prior to issuance of occupancy permits.
32. The proffers approved as a part of zoning case C-49C-07 shall be incorporated in this approval.
33. A note in bold lettering shall be provided on the erosion control plan indicating that sediment basins or traps located within buildable areas or building pads shall be reclaimed with engineered fill. All materials shall be deposited and compacted in accordance with the applicable sections of the state building code and geotechnical guidelines established by the engineer. An engineer's report certifying the suitability of the fill materials and its compaction shall be submitted for review and approval by the Director of Planning and Director of Public Works and the Building Official prior to the issuance of any building permit(s) on the affected sites.
34. The pavement shall be of an SM-2A type and shall be constructed in accordance with County standard and specifications. The developer shall post a defect bond for all pavement with the Department of Planning - the exact type, amount and implementation shall be determined by the Director of Planning, to protect the interest of the members of the Homeowners Association. The defect bond shall remain in effect for a period of three years from the date of the issuance of the final occupancy permit. Prior to the issuance of the last Certificate of Occupancy, a professional engineer must certify that the roads have been designed and constructed in accordance with County standards.
35. 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.
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. Roof edge ornamental features that extend over the zero lot line, and which are permitted by Section 24-95(i)(1), must be authorized in the covenants.
38. Eight-foot easements for construction, drainage, and maintenance access for abutting lots shall be provided and shown on the POD plans.
39. Building permit request for individual dwellings shall each include two (2) copies of a layout plan sheet as approved with the plan of development. The developer may utilize alternate building types providing that each may be located within the building footprint shown on the approved plan. Any deviation in building footprint or infrastructure shall require submission and approval of an administrative site plan.
40. Windows on the zero lot line side of the dwelling can only be approved with an exception granted by the Building Official and the Director of Planning during the building permit application process.

**(Staff Report by Greg Garrison)**

**(Applicant's Representative: Mark Williams)**

**(Applicable Rezoning Cases and PUPs: C-49C-07)**

## **PLAN OF DEVELOPMENT**

POD-18-09

Steak 'N Shake at White Oak Village Shopping Center

**APPROVED/EXPEDITED**

**Timmons Group for Laburnum Investment, 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 3,200 square foot restaurant with drive-through facilities in an existing shopping center. The 1.06-acre site is located approximately 400 feet east of S. Laburnum Avenue at its intersection with Gay Avenue, on part of parcel 815-718-5710. The zoning is B-3C, Business District (Conditional) and ASO, Airport Safety Overly District. County water and sewer.  
**(Varina)**

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

29. The proffers approved as a part of zoning case C-29C-06 shall be incorporated in this approval.
30. 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.
31. 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.
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.
33. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
34. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

**(Staff Report by Christina Goggin)**

**(Applicant's Representative: Mitch Mitchell)**

**(Applicable Rezoning Cases and PUPs: C-29C-06; P-9-09)**

## **PLAN OF DEVELOPMENT**

POD-21-09  
Healthsouth Richmond  
Rehabilitation Hospital  
Addition – 5700 Fitzhugh  
Avenue  
(POD-36-91 Rev.)

**APPROVED**  
**SEE ADDENDUM PG. 2**

**Timmons Group for Healthsouth Corporation:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct one-story 3,700 square foot addition with 9 private bedrooms and one support room to an existing healthcare facility. The 5.74-acre site is located on the southeast corner at the intersection of Libbie and Fitzhugh Avenues, on parcel 770-738-7063. The zoning is R-5, General Residence District. County water and sewer. **(Brookland)**

The applicant proposes the addition of 9 private bedrooms and a support room, as well as an emergency generator to an existing 40 bedroom rehabilitation hospital. The 3,700 square foot expansion will increase the rehabilitation center's capacity to improve the level of service and meet demand at this facility. In addition to providing an all brick façade to match the existing building, the applicant has committed to providing a brick generator enclosure, and will limit the potential generator testing to Monday through Friday between the hours of 9 a.m. and 4 p.m. In compliance with conditions of the previous approval for this development, POD-36-91, the applicant contacted the presiding officer of the Monumental Floral Gardens Civic Association 30 days prior to filing this request. As of the preparation of this agenda, staff has not received any inquiries or calls from citizens in opposition to this request.

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

29. Outside storage shall not be permitted.
30. 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: Mitch Mitchell)**

## PLAN OF DEVELOPMENT

POD-19-09  
Glen Allen Baptist Church  
Additions – 3028 Mountain  
Road

**APPROVED/WAIVE  
TIME LIMITS –  
APPROVED  
SEE ADDENDUM PG. 2**

**Hulcher and Associates, Inc. for Glen Allen Baptist 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-story 3,473 square foot addition to an existing church with offices, elevator and classrooms. The 10.50-acre site is located on the north line of Mountain Road, approximately 280 feet east of Warren Road, on parcels 769-768-6414, 8344 and 770-768-1630. The zoning is R-2A, One Family Residential District. County water and sewer. **(Brookland)**

As of the preparation date of the agenda, the staff has not received a revised plan as requested to show required parking and adequate drive aisles.

In addition, staff recommends an all brick northern façade to match the existing building in place of the EIFS wall.

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

**(Staff Report by Matt Ward)**

**(Applicant's Representative: Charles Hankins)**

## SUBDIVISION

SUB-13-09  
Forest Ridge  
(June 2009 Plan) –  
Resubdivision of Lot 5,  
Block G – 8609 Seldondale  
Lane

**APPROVED**

**Vanasse Hangen Brustlin, Inc. and McGuire Woods, LLP for Richmond Montessori School:** The 0.326-acre site proposed for a subdivision of 1 single-family home is located along the south line of Seldondale Lane, approximately 200 feet west of its intersection with Ridgeley Lane, on parcel 752-737-3498. The zoning is R-3, One Family Residence District. County water and sewer. **(Tuckahoe) 1 Lot**

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

13. Each lot shall contain at least 11,000 square feet.
14. The final plat for recordation shall contain information showing The Chesapeake Bay Preservation areas, if any, in accordance with Chapter 19, Section 19-72 (18), of the Henrico County Code, as determined by the Director of Public Works.

**(Staff Report by Tony Greulich)**

**(Applicant's Representative: David Pugh)**

## **PLAN OF DEVELOPMENT**

POD-75-05

Oakleys Center Phase II –  
Reconsideration of  
Architecturals – 4190  
Oakleys Court

**APPROVED**

**Bradley Gardner for Oakley Center, LLC and Lampe Management Company:** Request for approval of architectural plans, as required by Chapter 24, Section 24-106 of the Henrico County Code, to reconsider a condition relating to building materials. The 15.076-acre site is located at the southwest corner of Oakley's Lane and Oakley's Place, on part of parcel 816-721-1410. The zoning is M-2C, General Industrial District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield)**

The applicant wishes to amend Condition #31 of POD 75-05 to not require brick on the east elevation of Building 2 only. The original POD called for brick on several façades throughout the development. The buildings constructed to date have brick on all the appropriate façades with the exception of one elevation.

The substitute color and material for the east elevation of Building 2 is dark red ("Rustic Red") panel rib metal sheeting with 3 painted tan bands simulating the 3 tan soldier courses found on the north elevation. The developer has also proposed increased landscaping along Oakleys Place and behind Building 2.

Staff recommends that Condition #31 be amended as follows:

31. The building exteriors shall be provided with brick on the following elevations:
  - a. Buildings 1 and 4 east and north elevations
  - b. Buildings 5 through 11 all sides except rear
  - c. Building 2 north elevation

All other conditions will remain as approved originally.

**(Staff Report by Lee Pambid)**

**(Applicant's Representative: Bradley Gardner)**

**(Applicable Rezoning Cases and PUPs: C-2C-92 )**

**WORK SESSION: Amend the zoning and subdivision ordinances regarding street frontage requirements. DISCUSSION ITEM TO BE HELD AT 8/13/09 REZONING MEETING**

**APPROVAL OF 2010 PLANNING COMMISSION CALENDAR/APPROVED**

**APPROVAL OF MINUTES: June 24, 2009 Minutes/APPROVED**

**ADJOURN @ 12:41**

**PLANNING COMMISSION AGENDA  
FOR  
SUBDIVISIONS AND PLANS OF DEVELOPMENT  
July 22, 2009**

**ADDENDUM**

**PAGE 8 – REVISED PLAN AND REVISED RECOMMENDATION**

**LANDSCAPE AND LIGHTING PLAN**

LP/POD-62-01  
Trinity United Methodist  
Church – Parking Expansion  
– 7910 Rock Creek Road

**APPROVED**

**McKinney and Company for Trinity United Methodist Church:** 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 2.38-acre site is located on the north line of Rock Creek Road, approximately 350 feet east of Forest Avenue, on parcels 758-739-3229, 2233, 1436, 757-739-8840 and 9939. The zoning is R-3, One Family Residential District. County water and sewer. **(Tuckahoe)**

Staff has received a revised plan that addresses relocated light poles out of the parking islands and a photometric plan that includes existing lights.

Staff can recommend approval subject to the annotations on the plan and the standard conditions for landscape and lighting plans.

**PAGE 15 – REVISED PLAN AND ADDED CONDITION**

**PLAN OF DEVELOPMENT**

POD-20-09  
Meadow Springs Run –  
Meadow Road

**APPROVED**

**Willmark Engineering, PLC for Meadow Road Development, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 50 detached dwellings for sale with zero lot lines. The 29.91-acre site is located between the north line of I-64 and the south line of Meadow Road at its intersection with Chartwood Drive, on parcel 833-718-6524. The zoning is R-5AC, General Residential District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

Staff has received details of the amenities to be provided in the pocket park as requested. However, staff still has concerns that the patio provided is not adequate and has requested a cover or roof to be provided. The applicant is reluctant to agree to this and will present his case to the Commission.



Should the Commission act on this request, the conditions listed in the agenda are recommended with the addition of the following condition:

41. **ADDED** - Architectural plans shall be submitted and approved by the Planning Commission prior to construction plan approval.

## **PAGE 19 – ADDED CONDITION**

### **PLAN OF DEVELOPMENT**

POD-21-09  
Healthsouth Richmond  
Rehabilitation Hospital  
Addition – 5700 Fitzhugh  
Avenue  
(POD-36-91 Rev.)

**APPROVED**

**Timmons Group for Healthsouth Corporation:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct one-story 3,700 square foot addition with 9 private bedrooms and one support room to an existing healthcare facility. The 5.74-acre site is located on the southeast corner at the intersection of Libbie and Fitzhugh Avenues, on parcel 770-738-7063. The zoning is R-5, General Residence District. County water and sewer. **(Brookland)**

31. **ADDED** - The hours of testing for the emergency generator shall be restricted to Monday through Friday between the hours of 9 a.m. and 4 p.m.

## **PAGE 20 – REVISED PLAN, REVISED RECOMMENDATION AND ADDED CONDITIONS**

### **PLAN OF DEVELOPMENT**

POD-19-09  
Glen Allen Baptist Church  
Additions – 3028 Mountain  
Road

**APPROVED/WAIVE  
TIME LIMITS -  
APPROVED**

**Hulcher and Associates, Inc. for Glen Allen Baptist 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-story 3,473 square foot addition to an existing church with offices, elevator and classrooms. The 10.50-acre site is located on the north line of Mountain Road, approximately 280 feet east of Warren Road, on parcels 769-768-6414, 8344 and 770-768-1630. The zoning is R-2A, One Family Residential District. County water and sewer. **(Brookland)**

Staff has received a revised plan showing the required parking and adequate drive aisles. Staff recommends approval. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

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