

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

**June 24, 2009**

**9:00 A.M.**



**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>SUB2008-00152 Midview Farms (June 2005 Plan)</b>	<b>95</b>	<b>9</b>	<b>3</b>	<b>Varina</b>	<b>06/23/10</b>
<b>SUB2008-00151 (SUB-17-07) Nature's Way (June 2007 Plan)</b>	<b>8</b>	<b>8</b>	<b>1</b>	<b>Fairfield</b>	<b>06/23/10</b>
<b>SUB2008-00182 Tech Park (June 2005 Plan)</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>Varina</b>	<b>06/23/10</b>

**TRANSFER OF APPROVAL (Deferred from the May 27, 2009 Meeting)**

POD-07-90  
Ridgefield Medical Building  
(Formerly Ridgefield Office  
Park) – 2200 Pump Road

**Judy Guild for CPC Ridgefield, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Earl Thompson, Inc. to CPC Ridgefield, LLC. The 1.876-acre site is located at the northwest corner of Pump Road and Ridgefield Parkway, on parcel 741-751-5040. The zoning is O-2C, Office District (Conditional). County water and sewer. **(Tuckahoe)**

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

1. The site deficiencies, as identified in the inspector's reports, dated February 20, 2009, and May 15, 2009, shall be corrected by July 10, 2009.

The parking lot will be resealed and re-stripped by June 29, 2009, as per their signed contract with Richmond Striping. All other deficiencies from the inspection reports have already been addressed; these included the planting of nine trees and the replacement of the dumpster screening.

**(Staff Report by Tony Greulich)**  
**(Applicant's Representative: Judy Guild)**  
**(Applicable Rezoning Cases and PUPs: C-32C-89)**

## TRANSFER OF APPROVAL

POD-135-87  
The MCA Center – 8917  
Fargo Road

**David Schleider for RHMJ Enright Fargo Properties, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Fargo Road Office Associates to RHMJ Enright Fargo Properties, LLC. The 1.07-acre site is located on the south line of Fargo Road, approximately 450 feet west of N. Parham Road, on parcel 753-745-2291. The zoning is O-1, Office District. County water and sewer. **(Tuckahoe)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. All deficiencies from the inspection report have been addressed; these included resealing and striping the parking lot and replacement of missing foundation plantings. Staff recommends approval of this transfer request.

**(Staff Report by Christina Goggin)**  
**(Applicant's Representative: David Schleider)**

## TRANSFER OF APPROVAL

POD-131-87  
Culpeper Farms Apartments  
– 9505 W. Broad Street

**Sandra Becker for CAPREIT Culpeper Farms, LP:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Lokey Properties and John H. Streicker Trust to CAPREIT Culpeper Farms, LP. The 14.29-acre site is located south of W. Broad Street (U.S. Route 250) on both the north and south lines of Mayland Drive, approximately 850 feet east of Pemberton Road, on parcel 755-757-0805. The zoning is R-5C, General Residence District and R-6C, General Residence District. County water and sewer. **(Three Chopt)**

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

1. The site deficiencies, as identified in the inspection report, dated February 27, 2009, shall be corrected by June 30, 2009, or a bond shall be posted to cover the remaining deficiencies.

The deficiencies include missing dumpster enclosure gates and missing landscaping.

**(Staff Report by Aimee Berndt)**  
**(Applicant's Representative: Sandra Becker)**  
**(Applicable Rezoning Cases and PUPs: C-54C-84)**

## TRANSFER OF APPROVAL

POD-12-84  
S & K Headquarters– 11100  
W. Broad Street

**Mark Slusher for 11100 West Broad Street, LC and TGM Realty Investors:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from S & K Famous Brands, Inc. to 11100 West Broad Street, LC. The 8.5-acre site is located at the northwest corner of W. Broad Street (U.S. Route 250) and I-64, on parcel 744-761-3043. The zoning is M-1, Light Industrial District and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

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

1. The site deficiencies, as identified in the inspection report, dated April 24, 2009, shall be corrected by July 31, 2009, or a bond shall be posted to cover the remaining deficiencies.

The deficiencies include a missing dumpster gate and landscaping maintenance.

**(Staff Report by Aimee Berndt)**  
**(Applicant's Representative: Mark Slusher)**

## TRANSFER OF APPROVAL

POD-57-97 (Part)  
S & K Retail Store – 11102  
W. Broad Street

**Mark Slusher for 11100 West Broad Street, LC and TGM Realty Investors:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Brookhollow of Virginia and S & K Famous Brands, Inc. to 11100 West Broad Street, LC. The 1.36-acre site is located on the north line of W. Broad Street (U.S. Route 250), approximately 300 feet east of Brookriver Drive, on parcel 743-761-9431. The zoning is M-1, Light Industrial District and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

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

1. The site deficiencies, as identified in the inspection report, dated April 24, 2009, shall be corrected by July 31, 2009, or a bond shall be posted to cover the remaining deficiencies.

The deficiencies include missing landscaping and a portion of broken curb in the parking lot area.

**(Staff Report by Aimee Berndt)**  
**(Applicant's Representative: Mark Slusher)**  
**(Applicable Rezoning Cases and PUPs: C-30C-97; C-74C-94)**

## **LANDSCAPE & LIGHTING PLAN (Deferred from the May 27, 2009 Meeting)**

LP/POD-32-08

Wallace Gymnasium – 2206  
Westwood Avenue

**Engineering Design Associates for BCW 45<sup>th</sup>, LLC and Gordon Construction, Inc.:** Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 3.24-acre site is located on the north line of Westwood Avenue at its intersection with Westwood Trail on parcel 779-735-7361. The zoning is M-2, General Industrial District. County water and City sewer. **(Brookland)**

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.

Additional plantings and trees are needed between the guardrail and BMP to meet peripheral parking lot landscaping quantities, and, likewise, additional plantings and trees are needed to meet the same requirement for the parking along Westwood Trail.

A deciduous tree needs to be located within the landscape island on the north end of the parking lot adjacent to Westwood Trail.

Given the vicinity's history for homeless activity, particularly under and around the I-195 flyover, the Division of Police has recommended that lighting levels be at least 1.0 footcandle throughout the parking areas. It is staff's preference that this be accomplished with pole mounted lights versus additional building mounted lights.

**(Staff Report by Lee Pambid)**

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

## **PLAN OF DEVELOPMENT**

POD-14-09

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

**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-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:



The ordinance also permits the exterior display or storage of vehicles or boats, but it shall be separated from any existing or proposed street right-of-way by a landscape strip not less than ten feet in width of appropriate planting materials designed.

However, the fence has been erected on the property line, and the portion of the property that would normally contain the 10' landscape strip has been paved for quite some time.

It is the responsibility of the applicant to present his case to the Planning Commission. While staff customarily does not make recommendations on requests of this type, staff has no objection to the application, and no adverse effects were found pursuant to the following provisions stated in the ordinance:

1. The health, safety and/or welfare of persons residing on or working on the premises;
2. The visibility or value of abutting and/or adjacent properties;
3. The adequate supply of light and air to adjoining property;
4. Traffic or pedestrian safety; and
5. That adequate sight distance is maintained.

**(Staff Report by Lee Pambid)**

**(Applicant's Representative: Benjamin Gibson, Jr.)**

## **LANDSCAPE PLAN**

LP/POD-20-08

Steward School Building  
Addition – 11600 Gayton  
Road

**Koontz-Bryant, P.C. for Dixon Independent School Corp.:**

Request for approval of a landscape plan for building additions, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 35.73-acre site is located on the northwest corner of the intersection of Gayton and Ryandale Roads, on parcels 736-748-4535, 736-747-0678 and 8260. The zoning is A-1, Agricultural District. **(Tuckahoe)**

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

**(Staff Report by Greg Garrison)**

**(Applicant's Representative: Andrew Sisson)**

## **SUBDIVISION (Deferred from the May 27, 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**

This project was deferred by the Planning Commission from the April 22, 2009 meeting to address drainage concerns from adjacent residents. Since that time, staff has met on site 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)**

**PLAN OF DEVELOPMENT (Deferred from the March 25, 2009 Meeting)**

POD-41-07 Pouncey Place, Phase I – Pouncey Tract Rd. and Twin Hickory Lake Dr. (POD-57-86 Rev.)	<b>Bay Design Group, P.C. for Pouncey Place, LLC:</b> Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a shopping center with two, one-story buildings for a total of 27,630 sq. feet.. The 5.25-acre site is part of a 10.10 acre parcel and is located on the southeast corner of Pouncey Tract Road (State Route 271) and Twin Hickory Lake Drive on parcel 740-765-2150. The zoning is B-2C, Business District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. <b>(Three Chopt)</b>
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The applicant has requested a deferral to the September 23, 2009 meeting.

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

## SUBDIVISION

SUB-12-09  
Springfield  
(June 2009 Plan)  
Old Springfield Road

**Gene Watson and Associates, P.C. for Robert and Barbara Woodburn:** The 0.827-acre site proposed for a subdivision of 2 single-family homes is located on the north line of Old Springfield Road, approximately 580 feet west of Old Mountain Road, on parcel 762-771-3985. The zoning is R-4, One Family Residence District. County water and sewer. **(Brookland) 2 Lots**

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

13. Prior to final plat approval, the owner shall obtain any necessary building permits for accessory structures as required by the Building Official along with documentation that the accessory structures satisfy yard requirements.

**(Staff Report by Matt Ward)**  
**(Applicant's Representative: Chris Brock)**

## SUBDIVISION

SUB-10-09  
Oakleys Chase  
(June 2009 Plan)  
Thornhurst Street

**Balzer and Associates, Inc. for Edward E. Jr. and Steven N. West, EJD Associates, Inc., and Thornhurst Land Company, LLC:** The 107.31-acre site proposed for a subdivision of 146 single-family homes is located at the southeast intersection of S. Laburnum Avenue and Thornhurst Street and on the south line of Colwyck Drive, approximately 150 feet west of Gretna Court, on parcels 815-721-3551 and 813-720-2876 and part of parcel 813-721-9111. The zoning is R-3C, One Family Residence District (Conditional), C-1, Conservation District, M-1, Light Industrial District, and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield) 146 Lots**

The conditional plan originally submitted was for a 14-lot subdivision subject to the rezoning case C-9C-09. Subsequently, a plan that shows revisions to the adjacent 130-lot conditional subdivision on the West parcel, previously approved under SUB-27-08 Oakleys Chase (November 2008 Plan), in addition to the original 14 lots was submitted. This report considers a total of 107 acres and 146 lots.

The revision to the West parcel shows a different lot location and configuration, which staff believes should be redesigned to meet the purposes of visibility and security as discussed originally with SUB-27-08 on November 19, 2008. The revision also shows 132 lots, which is 2 more lots than what was previously approved and the maximum amount permitted by proffer in rezoning case C-58C-07.

A portion of the 46.5-acre Thornhurst parcel at the intersection of Laburnum Avenue and Thornhurst Street is zoned M-1. This is problematic because that portion of the property, which is also environmentally sensitive, is proposed to be common area. This should be rezoned to C-1 so that it can be properly dedicated as common area for a residential subdivision.

The balance of the Thornhurst parcel (11.97 acres of M-1 and 22.74 acres of C-1) is being designated as common area to offset the environmental fund contribution for the 132 lots on Oakleys Lane, and it will be dedicated as common area when future sections of Oakleys Chase are approved and constructed. This area, however, should have recreational components included so that the homeowners can derive some benefit from it. The developer has not shown any common area with the proposed first section of the subdivision.

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 subdivisions served by public utilities, the following additional conditions are recommended:

13. The limits and elevation of the Special Flood Hazard Area shall be conspicuously noted on the plat and construction plans and labeled "Limits of Special Flood Hazard Area." Dedicate the Special Flood Hazard Area as a "Variable Width Drainage & Utilities Easement."
14. The plan must be redesigned to provide at least the 80-foot minimum lot width required and as regulated by Chapter 24, of the Henrico County Code.
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. Prior to requesting recordation, the developer must furnish a letter from Dominion Virginia Power, stating that this proposed development does not conflict with its facilities.
17. The proffers approved as part of zoning cases C-58C-07 and C-9C-09 shall be incorporated in this approval.
18. A subdivision landscape plan shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.

**(Staff Report by Lee Pambid)**

**(Applicant's Representative: Cameron Palmore)**

**(Applicable Rezoning Cases and PUPs: C-9C-09; C-58C-07)**

**APPROVAL OF MINUTES: May 27, 2009 Minutes**

**ADJOURN**