

PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT

September 23, 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:

PUBLIC HEARING: Ordinance – To Amend and Reordain Section 24-9 of the Code of the County of Henrico Titled “Street frontage required” to Change Street Frontage Requirements

Staff Presentation: Ben Blankinship

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leslie News

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Lee Pambid

FOR INFORMATIONAL PURPOSES ONLY

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2008-00154 (SUB-024-04) Bridleton Landing (September 2004 Plan)	158	106	4	Varina	07/01/2014
SUB2008-00153 Britton Oaks, Section 1 (September 2004 Plan)	26	26	4	Varina	07/01/2014
SUB2008-00043 (SUB-25-07) Carters Green (April 2007 Plan)	41	41	1	Varina	07/01/2014
SUB2008-00115 (SUB-024-08) Concourse Boulevard Extended (September 2008 Plan)	0	0	0	Three Chopt	07/01/2014
SUB2008-00155 (SUB-008-04) Gill Dale Forest (September 2004 Plan)	34	34	4	Varina	07/01/2014
SUB2008-00156 (SUB-045-06) Greenwood Manor (September 2006 Plan)	8	8	2	Fairfield	07/01/2014
SUB2008-00157 Hidden Haven (September 2004 Plan)	50	50	4	Varina	07/01/2014
SUB2008-00116 (SUB-023-08) Holman Ridge Road Extended (September 2008 Plan)	0	0	0	Three Chopt	07/01/2014
SUB2008-00158 Newstead Landing (September 2002 Plan)	30	17	6	Varina	07/01/2014

LANDSCAPE AND LIGHTING PLAN

LP/POD-54-06
POD2008-00618
POD2008-00619
Almond Creek Office
Building (Formerly
Browning Office Warehouse)
– 5711 Old Osborne
Turnpike (State Route 5)
APPROVED/EXPEDITED

Ryan Browning for WWB, LLC: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 8.68-acre site is located at the northeast corner of McCoul Street and Old Osborne Turnpike (State Route 5), on parcel 799-709-0364. The zoning is M-2C, General Industrial District (Conditional), C-1, Conservation District, and R-2C, One Family Residence District (Conditional). County water and City sewer. **(Varina)**

Additional trees have been provided, as requested by staff, to satisfy transitional buffer requirements along adjacent residential property. The staff recommends approval subject to the annotations on the plans and the standard conditions for landscape and lighting plans.

(Staff Report by Mike Kennedy)
(Applicant's Representative: Ryan Browning)
(Applicable Rezoning Cases and PUPs: C-28C-06)

SUBDIVISION

SUB-15-09
Westview Manor
(September 2009 Plan)
Monument Avenue
APPROVED/EXPEDITED
SEE ADDENDUM PG. 1

Vanasse Hangen Brustlin, Inc. for St. Mary's Hospital of Richmond, Inc.: The 0.89-acre site proposed for a subdivision of 1 single-family home is located along the south line of Monument Avenue, approximately 270 feet west of Maple Avenue, on parcel 768-738-1260 and part of parcel 768-738-2447. The zoning is R-3, One Family Residence District and O-3C, Office District (Conditional). County water and sewer. **(Three Chopt) 1 Lot**

The existing dwelling on lot 132 shall remain. The remaining reserved property will be consolidated with the adjacent parcel for the construction of a parking lot as previously approved with POD 50-06 and zoning case C-6C-06.

As of the preparation date of the agenda, the staff has not received a revised plan, as requested, showing the correct limits of the proposed lot and overall subdivision boundary. 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. Prior to a transfer of ownership of the proposed lot, the current lot owner shall record a 15-foot private landscape easement along the eastern property line adjacent to parcel 768-738-2447, and an agreement to permanently maintain the landscaping within the said easement shall be made. Evidence of the recordation of the easement and maintenance agreement shall be provided to the Director of Planning at that time.
14. The proffers approved as part of zoning case C-6C-06 shall be incorporated in this approval.

(Staff Report by Greg Garrison)
(Applicant's Representative: David Pugh)
(Applicable Rezoning Cases and PUPs: C-6C-06)

SUBDIVISION

SUB-14-09
SUB2009-00121
Anderson Mill
(September 2009 Plan)
E. Williamsburg Road
APPROVED
SEE ADDENDUM PG. 1

Timmons Group for Virginia A. Sharpe, Lillian D. Pollard and Rogers-Chenault, Inc.: The 21.56-acre site proposed for a subdivision of 61 single-family homes is located south of E. Williamsburg Road (U.S. Route 60), approximately 75 feet from Hanover Avenue, on parcels 831-714-5604 and 832-713-0577. The zoning is R-3, One Family Residence District. County water and sewer. **(Varina) 61 Lots**

Access to adjacent property is currently provided via a private access easement through the subject parcel. This access will be quitclaimed and access will be provided via public right of way with the recordation of this subdivision.

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 plat shall contain a statement that the common area is dedicated to the common use and enjoyment of the homeowners of Anderson Mill 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. At least sixty days prior to recordation of the plat, a draft of the covenants and deed restrictions for the maintenance of the common area shall be submitted to the Department of Planning for review. Such covenants and restrictions shall be in form and substance, satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.
16. The developer shall provide evidence that the existing access easement to the adjoining property has been quitclaimed and new access has been provided prior to recordation of the subdivision plat. Access to the adjacent property shall be maintained throughout construction.
17. The details for the landscaping and amenities to be provided within the common area shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.
18. The frontage road must be vacated by VDOT prior to approval of construction plans. The subject road shall be constructed to County standards and dedicated to the County with the record plat.

(Staff Report by Matt Ward)
(Applicant's Representative: Jonathan Jackson)

PLAN OF DEVELOPMENT

POD-23-09
POD2009-00291
AutoZone – 9450 W. Broad
Street

**DEFERRED TO
10/28/2009**

Dewberry and Davis, Inc. for Woodhouse Family Limited Partnership and Autozone, Inc.: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story 7,147 square foot retail building in an existing shopping center. The 1.00-acre site is located on the north line of W. Broad Street (U.S. Route 250), approximately 600 feet east of Old Springfield Road, on parcel 756-757-2974. The zoning is B-2, Business District. County water and sewer. **(Brookland)**

The applicant proposes to demolish the existing 3,036 square foot retail building and to construct a 7,147 square foot retail building for the sale of automobile parts and accessories. The building is proposed to be constructed of integrated color split face block and EIFS consistent with the existing building materials in the surrounding shopping center.

At the time of preparation of this agenda, staff received additional information that there may be a private agreement among the shopping center property owner and the outparcel owner, limiting the size of any building on the outparcel property to 5,000 square feet. While staff does not typically enforce such private legal agreements or restrictive covenants among private property owners as part of the POD approval process, staff cannot make a recommendation at this time. The staff recommendation will be made at the meeting. Prior to receiving this additional information, staff was able to recommend approval to the plan as proposed.

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. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Department of Planning and approved prior to issuance of a certificate of occupancy for this development.
31. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, 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: Rebecca Cull)**

PLAN OF DEVELOPMENT

POD-24-09
POD2009-00290
Master Cho's Tae Kwon Do
and Martial Arts at
Downtown Short Pump –
4386 Pouncey Tract Road

Burgess and Niple, Inc. for Eileen A. Cho and Jong Hwi Cho: 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 ~~9,600~~ **9,882** square foot building for martial arts instruction **in an existing shopping center**. The 0.77-acre site is located on the west line of Pouncey Tract Road, approximately 1,500 feet north of West Broad Street (U.S. Route 250) on parcel 739-763-9452. The zoning is M-1C, Light Industrial District and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

APPROVED

The plan, as submitted, does not meet the requirements of the West Broad Street Overlay District streetscape buffer. A request for an exception to this requirement is currently under review.

The plan of development and proffered plan in zoning case C-8C-08 contemplate the vacation of the excess portion of VDOT right-of-way. A request from the developers to vacate right-of-way has been submitted to VDOT and is currently under review.

The excess VDOT right-of-way, if vacated, would provide the area required for the 35-foot West Broad Street Overlay buffer as well as the parking layout shown.

A large oak tree internal to the site is being saved per the proffers. The West Broad Street Overlay deviation request dovetails with the proffered tree save condition, allowing the building and related parking and drive aisles to remain out of the tree's drip line.

Staff has yet to receive comments from VDOT. 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. Outside storage shall not be permitted.
30. The proffers approved as a part of zoning case C-8C-08 shall be incorporated in this approval.
31. 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.

continue

Continued

- (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.
- 32. 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.
 - 33. Only retail business establishments permitted in an M-1 zone may be located in this center.
 - 34. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
 - 35. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

(Staff Report by Lee Pambid)

(Applicant's Representative: Alex Grinblat)

(Applicable Rezoning Cases and PUPs: C-8C-08)

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

POD-41-07

POD2007-00101

Pouncey Place, Phase I –

Pouncey Tract Rd. and Twin

Hickory Lake Dr.

(POD-57-86 Rev.)

Bay Design Group, P.C. for Pouncey Place, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a shopping center with two, one-story buildings for a total of 27,630 sq. feet. The 4.92-acre site is part of a 9.89 acre parcel and is located on the southeast corner of Pouncey Tract Road (State Route 271) and Twin Hickory Lake Drive on parcel 740-765-2150. The zoning is B-2C, Business District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

**DEFERRED TO
10/28/2009**

The applicant has requested a deferral to the October 28, 2009 meeting.

(Staff Report by Matt Ward)

(Applicant's Representative: Kenneth Barnes)

(Applicable Rezoning Cases and PUPs: C-27C-05)

APPROVAL OF MINUTES: July 22, 2009 Minutes APPROVED

ADJOURN @ 9:34

**PLANNING COMMISSION AGENDA
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September 23, 2009**

ADDENDUM

PAGE 5 – REVISED PLAN AND REVISED RECOMMENDATION

SUBDIVISION

SUB-15-09
Westview Manor
(September 2009 Plan)
Monument Avenue

Vanasse Hangen Brustlin, Inc. for St. Mary's Hospital of Richmond, Inc.: The 0.89-acre site proposed for a subdivision of 1 single-family home is located along the south line of Monument Avenue, approximately 270 feet west of Maple Avenue, on parcel 768-738-1260 and part of parcel 768-738-2447. The zoning is R-3, One Family Residence District and O-3C, Office District (Conditional). County water and sewer. **(Three Chopt) 1 Lot**

APPROVED/EXPEDITED

Staff has received a revised plan that addresses the required sideyard setback for the existing dwelling on lot 132; therefore, staff recommends approval subject to the standard conditions for subdivisions served by public utilities and additional conditions #13 and #14 listed in the agenda.

PAGE 6 – REVISED AND ADDED CONDITIONS

SUBDIVISION

SUB-14-09
SUB2009-00121
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E. Williamsburg Road

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APPROVED

18. **REVISED** – ~~The frontage road must be vacated by VDOT prior to approval of construction plans. The subject road shall be constructed to County standards and dedicated to the County with the record plat.~~
Prior to final approval of lots 1 through 9 and 39 through 47, the frontage road and Hanover Avenue extending to Williamsburg Road (U.S. Route 60) shall be constructed to meet County standards and accepted for County maintenance.
19. **ADDED** - All construction access shall be limited to Hanover Ave and the frontage road.
20. **ADDED** - The details for the landscaping to be provided within the 10-foot wide planting strip easement abutting the terminus of Piedmont Avenue shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.