

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT

September 22, 2010

9:00 A.M.

ADDENDUM ATTACHED



PLANNING COMMISSION

Ernest B. Vanarsdall, C.P.C., Chairperson
(Brookland)
C. W. Archer, C.P.C., Vice-Chairperson (Fairfield)
Tommy Branin (Three Chopt)
E. Ray Jernigan, C.P.C. (Varina)
Bonnie-Leigh Jones (Tuckahoe)
David A. Kaechele, 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, AICP, County Planner
Robert Peterman, GIS Technician
Holly Zinn, Office Assistant/Recording Secretary

WELCOME:

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA: NONE PRESENT

ROLL CALL: ALL PRESENT

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leslie News

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Lee Pambid

FOR INFORMATIONAL PURPOSES ONLY – SUBDIVISION EXTENSIONS

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2008-00159 (SUB-70-05) Techpark (September 2005 Plan)	0	0	2	Varina	7/1/2014

TRANSFER OF APPROVAL

POD-04-80
POD2010-00217
Third Presbyterian Church
Offices (Formerly
Chesapeake Capital Corp.) –
500 Forest Avenue

APPROVED/EXPEDITED

Bruce A. Kay for Third Presbyterian Church: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Capital Savings & Loan Association, The Heritage Company, LC, and C & L, LLC to Third Presbyterian Church. The 1.01-acre site is located on the northwest corner of the intersection of Forest Avenue and Ridge Road, on parcel 756-737-7123. The zoning is R-6C, General Residence 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 deficiencies, as identified in staff's letter dated June 22, 2010, have been corrected by the applicant with the exception of landscaping deficiencies. The deficiencies corrected included dumpster screening repairs, missing stop signs, and painted stop bars. The staff recommends approval of this transfer request subject to the following condition:

1. All missing foundation plantings shall be replaced no later than November 1, 2010.

(Staff Report by Aimee Berndt)
(Applicant's Representative: Bruce Kay)
(Applicable Rezoning Cases and PUPs: C-54C-79)

TRANSFER OF APPROVAL

POD-14-70
POD2010-00154
Three Chopt West
Apartments – 8802 Three
Chopt Road

APPROVED/EXPEDITED

Greg Southern for Simmons, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Stein Realty Corp., Richmond Apartment Association, NHP Three Chopt West, and GC Three Chopt West Assoc., LP to Simmons, LLC. The 7.4-acre site is located on the south side of Shannon Hill Road and east of Ridge Elementary School on Three Chopt Road, on parcel 755-745-8212. The zoning is R-5, General Residential District. County water and sewer. **(Three Chopt)**

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

All site deficiencies have been corrected which included fixing broken sidewalk and curb and gutter, resealing the parking lot, restriping parking spaces and stop bars, and installation of new stop signs.

(Staff Report by Christina Goggin)
(Applicant's Representative: Greg Southern)

TRANSFER OF APPROVAL

POD-92-97
POD2010-00187; POD2010-00188; POD2010-00189
East Shore I (120 Eastshore Drive); East Shore II (140 Eastshore Drive); and East Shore III (100 Eastshore Drive)

APPROVED/EXPEDITED

George Wilson for Lexington Lion Richmond, LP: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Loch Levon Land, LP, C & T East Shore III, LLC, Highwoods Realty, LP, and Well Operating Partnership, LP to Lexington Lion Richmond, LP. The 18.8-acre site is located on the east line of Nuckols Road and the north line of Wyndham Forest Drive, on parcels 746-774-4854, 9296, and 747-774-0162. The zoning is O/SC, Office Service District (Conditional), and B-2C, Business District (Conditional). County water and sewer. **(Three Chopt)**

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

1. The missing landscaping, as identified the inspection report dated June 28, 2010, shall be replaced by September 30, 2010.

The applicant has provided staff a signed contract to replace 11 trees and 170 Shrubs.

(Staff Report by Christina Goggin)

(Applicant's Representative: George Wilson)

(Applicable Rezoning Cases and PUPs: C-30C-89; C-73C-95)

TRANSFER OF APPROVAL

POD-130-77
POD2010-00052
Dale Building at Forest
Office Park (Formerly Koger
Executive Center) – 1504
Santa Rosa Road

APPROVED

Eileen Matthews for Dale Building, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Koger Properties, The Koger Partnership, Ltd., Koala Rich Realty Holding, and Forest Park Assoc, LLC to Dale Building, LLC. The 2.69-acre site is located on the west side of Santa Rosa Road at its intersection with Franklin Farms Drive, on parcel 758-744-3427. The zoning is O-2, Office District. County water and sewer. **(Three Chopt)**

The previous owner of the property and office park management installed dumpsters on the site for general office park use. The previous owner removed 2 raised landscape islands because the refuse trucks would back over the islands due to lack of adequate maneuvering space required to empty the dumpsters.

Mr. Jim Barden, the new owner, has worked with the County to improve the condition of the missing islands and to accommodate the needed service access by agreeing to patch, reseal, and stripe the missing landscape islands in lieu of replacing the raised curb and gutter. He is also replacing all of the missing trees on the site and providing foundation plantings where they are missing.

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

1. The missing landscaping shall be replaced, and the pavement repairs shall be completed, as identified in the staff report dated March 22, 2010, by October 31, 2010.

The applicant has provided staff a signed contract to replace 18 trees and building foundation plantings, in addition to repaving and striping the location of the missing landscape islands.

(Staff Report by Christina Goggin)
(Applicant's Representative: Jim Barden)

TRANSFER OF APPROVAL

POD-98-73
POD2010-00116, POD2010-00126
Lee Building (8004 Franklin Farms Drive) and Ratcliffe Building (1602 Rolling Hills Drive) at Forest Office Park (Formerly Koger Executive Center)

APPROVED/EXPEDITED

Triple Net Properties Realty, Inc. for NNN Forest Office Park, LLC, et al.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Koger Properties, Inc., The Koger Partnership Ltd., Koala Richmond Realty Holding Co., Inc., and Forest Park Associates, LLC to NNN Forest Office Park, LLC. The 4.52-acre site is located at the northwestern corner of the intersection of Franklin Farms Drive and Rolling Hills Drive, on parcels 758-744-8530 and 759-744-1150. 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 original approval. The staff recommends approval of this transfer request.

All site deficiencies have been corrected, which included fixing broken curb and gutter, grinding stumps, and restriping stop bars.

(Staff Report by Christina Goggin)
(Applicant's Representative: Michael Waddell)

TRANSFER OF APPROVAL

POD-93-87
POD2010-00161
Westerre I – 3951 Westerre
Parkway

APPROVED/EXPEDITED

CB Richard Ellis for F.I.G. Holding Company: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Henricus Associates to F.I.G. Holding Company. The 5.8-acre site is located on the east line of Westerre Parkway, approximately 450 feet south of its intersection with W. Broad Street (U.S. Route 250), on parcel 750-759-4330. 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.

The site deficiencies, as identified in staff's letter dated June 28, 2010, will be corrected according to the signed contracts. The deficiencies to be addressed include repair and sealing of cracked pavement, painting of stop bars, restriping of parking spaces, and installing new dumpster enclosure gates and missing landscaping. The new landscaping will include 6 Willow Oak trees and 3 Cherry trees along Westerre Parkway and 4 Crapemyrtles in 2 parking islands.

The staff recommends approval of this transfer request subject to the following conditions:

1. All parking lot deficiencies shall be corrected, and new dumpster enclosure gates shall be installed, as identified in the inspection report, dated June 28, 2010, by September 30, 2010.
2. All landscaping deficiencies, as identified in the inspection report dated June 28, 2010, shall be corrected by October 31, 2010.

(Staff Report by Matt Ward)

(Applicant's Representative: Ryan Rilee)

TRANSFER OF APPROVAL

POD-02-70
POD2010-00130
Coventry Gardens
Apartments – 206 Newbridge
Circle

APPROVED

Kevin Orth for Coventry Gardens Associates, LP: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Meadowgreen Associates to Coventry Gardens Associates, LP. The 12.49-acre site is located on the northeast corner at the intersection of Newbridge Road and Hawkes Lane, on parcel 818-725-8012. The zoning is R-5, General Residence District and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

The new owner accepts and agrees to be responsible for the continued compliance with the conditions of the original approval. The deficiencies identified by staff are addressed in the administrative site plan for the community building addition, dated June 3, 2010. This administrative plan was reviewed and approved as part of the VHDA Tax Credit Application filed with the County's Department of Community Revitalization on April 6, 2009, which ultimately allocated 2009 Low Income Housing Tax Credits for much needed improvements to this development. Deficiencies include dumpster screening, sidewalk and curb and gutter repair, as well as supplemental landscaping and lighting. The staff recommends approval of this transfer request subject to the following condition:

1. All site improvements shall be completed and deficiencies corrected prior to the issuance of a permanent certificate of occupancy for the community building and leasing office authorized by staff's approval, dated June 3, 2010.

(Staff Report by Aimee Berndt)
(Applicant's Representative: Kevin Orth)

ALTERNATIVE FENCE HEIGHT PLAN

LP/POD-02-70
POD2010-00265
Coventry Gardens
Apartments – 206 Newbridge
Circle

APPROVED

Townes Site Engineering for Coventry Gardens Associates, LP: Request for approval of an alternative fence height plan, as required by Chapter 24, Sections 24-95(1)(6) and 24-106.2 of the Henrico County Code, to allow a fence exceeding a height of 42 inches in a front yard. The 12.49-acre site is located on the northeast corner at the intersection of Newbridge Road and Hawkes Lane, on parcel 818-725-8012. The zoning is R-5, General Residence District and ASO, Airport Safety Overlay District. (**Varina**)

An application has been submitted to the County requesting approval of a security fence exceeding the allowable height of 42 inches in the front yard for a distance of 475 feet along the south side property line adjacent to Hawkes Lane and 35 feet along the eastern property line contained within the front yard. The proposed fence would be a 6-foot ornamental fence with black polyester powder-coated steel pickets bordering the Newbridge Road and Hawkes Lane frontages and transitioning to a 7-foot black vinyl-coated chain link fence at the corner and continuing northward along the eastern property line. The fence would be installed with openings at each drive aisle, as no gates are proposed. This alternative fence height would constitute a two and one-half and three and one-half foot height deviation, respectively, in excess of what is permitted by Code for the portion of the fence which lies within the front yard along Hawkes Lane.

The applicant has provided a landscape plan to supplement the existing landscaping on site. The landscape plan provides an additional 101 deciduous trees including maples, elms, crape myrtles, and plum trees. In addition, an existing wall located along the northern property line will be supplemented with an evergreen border of wintergreen barberry shrubs. Foundation plantings will be added to all units.

The property, originally constructed in 1970, is currently undergoing a major interior and exterior renovation of the existing multifamily units, with conversion of some standard units to accessible units, as well as the addition of a new leasing office and community building with improved laundry facilities. New landscaping and lighting will be installed on site prior to the issuance of the final certificate of occupancy.

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. The Planning Commission, pursuant to the review and approval of a landscaping plan, shall permit an alternative height not exceeding seven feet in the front yard or along the front lot line, provided the design does not adversely affect:

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. Adequate sight distance

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. Staff has no objection to this request. Should the Commission act on this request staff recommends the standard conditions for landscape and fence plans.

(Staff Report by Aimee Berndt)
(Applicant's Representative: Jason Wilkins)

LANDSCAPE & LIGHTING PLAN

LP/POD-02-06 POD2010-00238, POD2010-00239 Collegiate School – Upper School Parking Lots – 103 N. Mooreland Road APPROVED	Higgins and Gerstenmaier for Collegiate School: 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 20.59-acre site is located along the east line of Mooreland Drive, approximately 250 feet north of River Road, on parcels 747-735-6082, 748-736-1139, and 748-737-1411. The zoning is R-1, One Family Residential District and R-2, One Family Residential District. County water and sewer. (Tuckahoe)
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The applicant is requesting approval of this landscape and lighting plan for the new upper parking lots to address peripheral and internal parking lot landscape and lighting requirements. The staff recommends approval subject to the standard conditions for landscape and lighting plans and the annotations on the plans.

(Staff Report by Greg Garrison)
(Applicant's Representative: Randy Biltz)

LANDSCAPE PLAN

LP/POD-65-08 POD2010-00259 The Steward School Athletic Fields – 11600 Gayton Road APPROVED SEE ADDENDUM PG. 1	Higgins and Gerstenmaier for The Steward School: Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 9.29-acre site is located at the northwest corner of Gayton Road and Ryandale Road, on parcels 736-747-8260 and 0678, and 736-748-4535. The zoning is A-1, Agricultural District. County water and sewer. (Tuckahoe)
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The applicant is requesting approval of this landscape plan to address landscape requirements for the new athletic fields and the BMP adjacent to Gayton Road. The staff recommends approval subject to the standard conditions for landscape plans and the annotations on the plans.

(Staff Report by Greg Garrison)
(Applicant's Representative: Keith Van Inwegen)

SUBDIVISION – CHESAPEAKE BAY RESOURCE PROTECTION AREA EXCEPTION

SUB-08-10
SUB2010-00091; SUB2010-00117
Lawndale Farms
(July 2010 Plan)
Chesapeake Bay Resource
Protection Area Exception

APPROVED

Werner Engineering, LLC for Regal Investment Company, Inc.: Request for approval of a conditional subdivision and a Chesapeake Bay Resource Protection Area Exception as required by Chapter 24, Sections 106.3(L) and 106.3(F) of the Henrico County Code. The 2.12-acre site proposed for a subdivision of one single family home is located at the southern terminus of Jan Road, approximately 700 feet south of Audubon Drive, on parcel 813-715-9654. The exception would allow the buildable area for a future single-family dwelling to encroach within the seaward 50-feet of the required 100-foot wide Resource Protection Area (RPA), a component of a Chesapeake Bay Preservation Area, adjacent to an unnamed tributary of the James River in the Gillies Creek South Watershed. The zoning is R-4, Single-Family Residential District and ASO, Airport Safety Overlay District. County water and sewer. **(Varina) 1 Lot**

This request is for approval of a conditional subdivision to authorize a single lot to be platted from a residual parcel in Lawndale Farms, Section 4. The conditional approval would also permit an existing temporary turnaround easement shown on that plat to be recorded as permanent right-of-way which would provide frontage for the lot. The subject property was created with recordation of Lawndale Farms, Section 4 in 1978, prior to the adoption of the provisions of the Henrico County Code regarding Chesapeake Bay Protection Areas. As the parcel currently exists, there is no area for development outside of the Resource Protection Area (RPA). The entire proposed buildable area is located in the RPA; therefore, an exception to encroach into the RPA is required to provide adequate buildable area for the proposed lot. The applicant is proposing to reforest all existing areas within the RPA buffer on the lot that will not be used to construct the dwelling.

The Henrico County Code provides for the establishment of Resource Protection Area (RPA) adjacent to perennial streams and related water resources to provide for the removal and/or reduction of sediments, nutrients, and other unnatural substances in runoff entering the Chesapeake Bay or its tributaries. An RPA is a vegetated buffer 100 feet in width located adjacent to and landward of a designated tributary. The Code permits the Director of Public Works to review and approve certain exceptions within the landward 50 feet of a required RPA buffer, subject to several specific conditions. However, where a proposed encroachment into the RPA would exceed 50 feet, the Code requires that these encroachments be reviewed and may be granted by the Planning Commission if they find: a) The exception would not confer a special privilege denied to a similarly situated property owner; b) The exception is not based on conditions that are self created; c) The exception is the minimum necessary to afford relief; d) The exception is in keeping with the intent of the Code and is not of substantial detriment to water quality; and e) That the Planning Commission has imposed reasonable conditions to the exception which will prevent degradation of water quality.

Upon review of the proposal and provisions of 24-106.3(l)3 of the Zoning Ordinance, the Department of Public Works has determined that the proposed subdivision satisfies the conditions outlined above and would permit reasonable beneficial development of the property. The Department of Public Works recommends the Planning Commission approve the proposed

encroachment into the RPA, provided that all appropriate non-forested areas on the site are reforested as part of the proposed development. A condition to that effect is provided below as Condition #16. The condition provides that these areas will be identified during the subdivision construction plan review process.

Should the Commission approve the Chesapeake Bay Resource Protection Area Exception, staff recommends approval of the conditional subdivision subject to the annotations on the plans, the standard conditions for subdivisions served by public utilities, and the following additional conditions:

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. Each lot shall contain at least 8,000 square feet exclusive of the floodplain areas.
15. 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.
16. The applicant shall include a reforestation plan as a component of the subdivision construction plan for administrative approval.

(Staff Report by Jeff Perry/Matt Ward)

(Applicant's Representative: Adam Werner)

SUBDIVISION

SUB-10-10
SUB2010-00086
Wilton View
(July 2010 Plan)
7801 Wilton Road

APPROVED

Engineering Design Associates for Michael P. McQuade: The 60.7-acre site proposed for a subdivision of 24 single-family homes is located on the east line of Wilton Road, approximately 1,650 feet from its intersection with Warwick Park Road, on the northern and southern lines of I-895 (Pocahontas Parkway) and the west line of Osborne Turnpike, on parcels 801-688-3193, 801-689-9597, and 802-689-4664. The zoning is A-1, Agricultural District. County water and individual well and individual on-site sewage disposal system. **(Varina) 24 Lots**

The lots along Wilton Road will be served by County water and on-site sewage disposal systems. The remainder of the lots will be served by on-site wells and on-site sewage disposal systems. Ten-foot planting strip easements are required along both sides of I-895 (Pocahontas Parkway) and along the west line of Osborne Turnpike.

VDOT has recommended approval of the plan, which shows an access road in close proximity to the south end of the Osborne Turnpike/ I-895 overpass. A gravel drive is shown in the floodplain. The Department of Public Works staff state that the gravel drive must be constructed so that the maximum water coverage in a 100-year storm event does not exceed 6 inches in depth.

The staff recommends conditional approval subject to the annotations on the plans, the standard conditions for subdivisions served by public utilities and subdivisions not served by public utilities, and the following additional conditions:

13. Each lot shall contain at least 43,560 square feet.
14. The details for the landscaping to be provided within the 10-foot wide planting strip easements along I-895 and Osborne Turnpike 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: Randy Hooker)

PLAN OF DEVELOPMENT AND MASTER PLAN

POD-07-10
POD2010-00018
Metromont Corporation Site
Improvements – 1640
Darbytown Road
(POD-47-80 Rev.)

Engineering Design Associates for Metromont Corporation:
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 a 3,547 square foot office building, a 1,167 square foot break-room building, and a 667 square foot restroom building and to approve a master plan to demolish several buildings, to establish additional outdoor storage and material processing areas, and to authorize future production facilities at an existing precast concrete manufacturing plant. The 65.23-acre site is located on the north line of Darbytown Road, approximately 750 feet east of Oregon Avenue, on parcel 806-710-8061 and 807-710-5764. The zoning is M-2, General Industrial District, M-2C, General Industrial District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. (**Varina**)

APPROVED

The subject property consists of two parcels: a 17-acre parcel zoned M-2 that contains an existing precast concrete plant that was established in 1948; and an adjoining previously-undeveloped accessory parcel containing approximately 8 acres, which was acquired by Metromont Corporation and zoned M-2C in 2008. The proposed POD and master plan would permit conversion of temporary office, restroom, and break-room facilities, previously authorized by a temporary use permit on the accessory parcel, into permanent structures. The master plan would authorize existing, proposed, and future improvements to the production facilities and would define outdoor storage areas on the main parcel. In addition, the plan would permit the demolition of some outdated facilities that encroach into the right-of-way along Darbytown Road.

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

29. The right-of-way for widening of Darbytown 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. Outside storage shall not be permitted except as shown on the approved plan.
31. The proffers approved as a part of zoning case C-37C-08 shall be incorporated in this 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.
33. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction 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.
34. 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.

35. A transitional buffer 50 shall be established along Darbytown Road where any existing structures are demolished or where any new production facilities are constructed. If a wall is constructed to satisfy this requirement, a minimum 15-foot landscaped setback to the wall shall be provided from the ultimate right-of-way (including any turn lanes required by the County Traffic Engineer) for Darbytown Road.
36. Any future administrative Plans of Development to construct additional production facilities shall include road widening improvements along Darbytown Road as determined necessary by the County Traffic Engineer.

(Staff Report by Mike Kennedy)

(Applicant's Representative: Randy Hooker)

(Applicable Rezoning Cases and PUPs: C-37C-08)

PLAN OF DEVELOPMENT

POD-17-10
POD2010-00211
CVS Pharmacy at Dominion
Village Shopping Center –
1205 N. Laburnum Avenue

APPROVED/EXPEDITED

Kimley-Horn and Associates, Inc. for EJD Associates, 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 13,225 square foot pharmacy and retail building with drive-through facilities in an existing shopping center. The 1.80-acre site is located on the southeast corner of the intersection of N. Laburnum Avenue and Creighton Road, on parcel 809-729-1581. The zoning is B-3C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield)**

The applicant proposes to construct a one-story pharmacy and retail building in the existing Dominion Village Shopping Center. The subject site is the last remaining vacant outparcel in the overall Dominion Village development. The Commission previously approved POD-08-08, Rite Aid, on this site, but that approval has since expired.

All buildings in the shopping center are primarily brick with EIFS accents and steep pitched roofs. The CVS building, as proposed, will be compatible with the materials and design of the existing buildings. Proffer number 3 of C-9C-03 states that no building in the shopping center shall exceed 30 feet in height above grade to the top of the proposed structure unless otherwise requested by the owner and approved at time of plan of development. The applicant proposes the building to be constructed at 32 feet and 10 inches. Adjacent outparcel buildings on site have been approved and constructed at heights as great as 38 feet. The added height to the proposed CVS building would maintain consistent roof design and quality among all buildings in the shopping center. Staff has no objection to this request.

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

29. The right-of-way for widening of Creighton 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. Outside storage shall not be permitted.
31. The proffers approved as a part of zoning case C-9C-03 shall be incorporated in this approval.
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. 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.
34. 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.
35. 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.

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

(Applicant's Representative: David Ellington)

(Applicable Rezoning Cases and PUPs: C-9C-03)

PLAN OF DEVELOPMENT AND MASTER PLAN

POD-19-10
POD2010-00214
Willow Lawn
Redevelopment – Phase II –
1601 Willow Lawn Drive
(POD-08-05 Rev.)

APPROVED
SEE ADDENDUM PG. 1

Vanasse Hangen Brustlin, Inc. for Federal Realty Investment Trust: Request for approval of a revised plan of development and master plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to redevelop an existing shopping center and an existing retail strip center. Redevelopment of the shopping center includes demolition of a 59,700 square foot enclosed food court and its replacement with an open courtyard containing parking and drive aisles; façade improvements for the sections of the remaining buildings facing the courtyard; a future one-story, 3,323 square foot addition to the shopping center; a future addition of a one-story, 7,500 square foot retail building on an outparcel; and a 323 square foot patio enclosure for outdoor dining at an existing outparcel. The sum total of all buildings in the shopping center would be 446,796 square feet, for a net reduction of 10,420 square feet from the previously-authorized master plan. The master plan includes 2 previously-authorized future one-story additions to the retail strip center, totaling 19,550 square feet. The sum total of all buildings in the retail strip center would be 49,550 square feet. The 37.25-acre site is located at the southeast corner of W. Broad Street (U.S. Route 250) and Willow Lawn Drive, on parcels 773-736-2198 and 6272. The zoning is B-2 Business District. County water and sewer. **(Brookland)**

Staff has requested a revised layout plan for the proposed courtyard which would provide a pedestrian-oriented plaza with landscaping and site amenities such as a vertical feature like a clock tower. In addition, staff has requested revisions to the proposed vehicular circulation within the courtyard area to reduce conflict points between pedestrians and vehicles. Staff has been working with the developer and their consultant, and they have agreed to incorporate the recommended revisions in the plan. The developer intends to submit a revised plan prior to the deadline for the addendum to the agenda for consideration by the Planning Commission.

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.
11. **AMENDED** - Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
29. All subsequent detailed plans of development needed to implement this conceptual master plan shall be submitted for staff review and Planning Commission approval, and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/approval.

continue

Continued

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.
31. Only retail business establishments permitted in a B-2 zone may be located in this center.
32. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
33. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

(Staff Report by Mike Kennedy)

(Applicant's Representative: Meaghan O'Brien)

SUBDIVISION – REQUEST FOR WITHDRAWAL (Deferred from the July 28, 2010 Meeting)

SUB-60-07
SUB2008-00070
Winfrey Meadows
(November 2007 Plan)
Reconsideration – Request
for Withdrawal – 10885 Old
Greenwood Road

David Jinnett for Madeline, LLC: Request for withdrawal of conditional subdivision approval. The 6.39-acre site is located on the northeast side of Old Greenwood Road at its intersection with Greenwood Road, on parcel 777-770-3917. The zoning is A-1, Agricultural District. County water and sewer.

(Brookland) 1 Lot

DEFERRED TO 10/27/10

The applicant has requested withdrawal of a section of Winfrey Meadows (November 2007 Plan). In December 2007, the applicant received conditional approval to create 4 lots and 2 areas reserved for future development and to provide right-of-way dedication for the future realignment of Woodman Road. Since that time, Winfrey Meadows, Section 1, containing 3 lots, 1.9 acres reserved for future development, and right-of-way dedication has been recorded. Development plans for 1 lot, 5.4 acres reserved for future development, and additional right-of-way dedication have not been submitted. The conditional approval was recently extended to 2014.

The applicant has indicated his intent to harvest the timber from the unrecorded section of Winfrey Meadows. Tree removal and land disturbance on property proposed for development is regulated by state erosion and sediment control laws instead of forestry regulations and would require the applicant to submit a construction plan for County approval to timber the property. Because the applicant does not wish to pursue development of the remaining portion of the subdivision, rescinding previous approvals by the locality allows the timbering activity to shift from Virginia Department of Conservation and Recreation regulations to Virginia Department of Forestry regulations. The applicant is therefore requesting withdrawal of the subdivision.

**(Staff Report by Christina Goggin)
(Applicant’s Representative: David Jinnett)**

APPROVAL OF MINUTES: July 28, 2010 Minutes/APPROVED

WORK SESSION: Discuss permitted automobile repair uses in B Districts and potential Code amendments.

ADJOURN @ 12:06

**PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT
September 22, 2010**

ADDENDUM

PAGE 13 – REVISED PLAN

LANDSCAPE PLAN

LP/POD-65-08
POD2010-00259
The Steward School Athletic
Fields – 11600 Gayton Road

APPROVED

Higgins and Gerstenmaier for The Steward School: Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 9.29-acre site is located at the northwest corner of Gayton Road and Ryandale Road, on parcels 736-747-8260 and 0678, and 736-748-4535. The zoning is A-1, Agricultural District. County water and sewer. **(Tuckahoe)**

PAGE 21 – REVISED PLAN

PLAN OF DEVELOPMENT AND MASTER PLAN

POD-19-10
POD2010-00214
Willow Lawn
Redevelopment – Phase II –
1601 Willow Lawn Drive
(POD-08-05 Rev.)

APPROVED

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