

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

**November 14, 2012**

**9:00 A.M.**

**ADDENDUM ATTACHED**



**PLANNING COMMISSION**

Tommy Branin, Chairperson (Three Chopt)  
Bonnie-Leigh Jones, C.P.C. Vice-Chairperson (Tuckahoe)  
C. W. Archer, C.P.C. (Fairfield)  
Eric S. Leabough, C.P.C. (Varina)  
Robert H. Witte, Jr. (Brookland)  
Frank J. Thornton, 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 B. Crady, 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: Mr. Thornton - absent**

**REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News**

**EXPEDITED AGENDA: Leslie News**

**SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: There are no extensions of conditional subdivisions this month.**

**FOR PLANNING COMMISSION APPROVAL  
SUBDIVISION WITHDRAWAL REQUESTS**

<b>Subdivision</b>	<b>Original No. of Lots</b>	<b>Remaining Lots</b>	<b>Previous Extensions</b>	<b>Magisterial District</b>
<b>SUB2008-00167 (SUB-19-05) Pemberton Grove (November 2005 Plan)</b>	<b>16</b>	<b>16</b>	<b>4</b>	<b>Brookland</b>

## TRANSFER OF APPROVAL

POD-77-89  
POD2011-00246

Pho So 1 (Formerly Sino-American and Chi Chi's Restaurant) at TJ Maxx Shopping Center – 9135 W. Broad Street (U.S. Route 250)

**APPROVED/EXPEDITED**

**Hayes Law Firm, P.C. for Hong Mai Nguyen:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Brauvin High Yield Fund, Brauvin Capital Partners, and Saga, LLC to Hong Mai Nguyen. The 1.31-acre site is located at the TJ Maxx Shopping Center on the south line of W. Broad Street (U.S. Route 250), approximately 240 feet west of Tuckernuck Drive, on parcel 757-756-6567. The zoning is B-2, Business 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 site deficiencies, as identified in the inspection report, dated August 15, 2011, related to the building, parking lot, and signage have been corrected. The staff recommends approval of this transfer request with the following condition:

1. The site deficiencies, as identified in the inspection report, dated August 15, 2011, shall be corrected by November 30, 2012.

The remaining deficiencies include replacing a damaged light pole and completion of the additional missing landscaping to be planted around the rear and side of the building. Staff has been provided evidence of contracts to complete the work.

**(Staff Report by Matt Ward)**  
**(Applicant's Representative: Halford Hayes)**

## LANDSCAPE PLAN

LP/POD-33-11  
POD2012-00382  
Collegiate Upper School – Academic Commons – N. Mooreland Road

**APPROVED**

**Waterstreet Studio for Collegiate 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 4.0-acre portion of the 52.9-acre site is located at the southeast intersection of N. Mooreland Road and Tarrytown Drive, on part of parcels 748-736-1139 and 748-737-1411. The zoning is R-2, One Family Residential District. County water and sewer. **(Tuckahoe)**

A revised plan has been submitted to address several technical issues related to easement locations and other similar issues identified by staff. 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, the standard conditions for landscape plans are recommended.

**(Staff Report by Kevin Wilhite)**  
**(Applicant's Representative: Hunter McCardle)**

**SUBDIVISION (Deferred from the October 24, 2012 Meeting)**

SUB-09-11  
SUB2012-00134

Westin Estates (Formerly  
Westin) (October 2011 Plan)  
Reconsideration – Axe  
Handle Lane

**APPROVED**

**Youngblood, Tyler, and Associates for HHHunt Corporation:** The 49.911-acre site proposed for a subdivision of 40 single family homes is located at the northern terminus of Axe Handle Lane, approximately 280 feet north of Sawdust Drive, on parcel 732-774-7514. The zoning is A-1, Agricultural District. County water and individual on-site sewage disposal system. **(Three Chopt) 40 Lots**

The Planning Commission denied the applicant’s request for approval of the Westin (October 2011 Plan) conditional subdivision with 40 lots on March 28, 2012, due to the lack of a second point of access to serve the proposed development. Along with existing lots outside of the proposed development, there were more than 50 single-family lots on a single point of access, which did not conform to County policy. The applicant explored options regarding a second point of access to serve this development but was unsuccessful in its attempts.

Since the time the Commission acted on the request, there has been a change in the County’s policy concerning the provision of points of access in residential developments. The new language in the Department of Public Works Design Manual now states, “Any new subdivision with more than 50 single family lots shall have a minimum of two separate permanent points of access onto public roads”. The proposed subdivision is in compliance with this new standard because only 40 lots are proposed. The applicant has, therefore, requested reconsideration of the Westin (October 2011 Plan) conditional subdivision plan.

A subdivision plan for 34 lots on this parcel, the Westin (January 2005 Plan), received conditional approval by the Planning Commission on January 26, 2005, and is valid until July 1, 2017. The applicant is currently moving forward with development of this site under this plan and has received final subdivision approval of the first section containing 25 lots.

The staff recommends conditional approval subject to the annotations on the plans, the standard conditions for subdivisions served by public water and individual on-site sewage disposal, and the following additional conditions:

- 6A. A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Department of Planning and Health Department in writing when the staking has been done.
13. The developer shall provide signage, the wording and location as deemed appropriate by the Director of Public Works, which addresses the possible future extension of the stub street.
14. 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.

## PLAN OF DEVELOPMENT

POD2012-00391  
Townes at The Shire – 11901  
Church Road

### **APPROVED**

**Kimley Horn for Rebkee Partners Replacement, LLC and Eagle Construction of VA, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 45 three-story residential townhouses for sale. The 6.714-acre site is located on the south line of John Rolfe Parkway between Glen Eagles Drive and Pump Road, on part of parcel 739-754-7156. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. (**Tuckahoe**)

This proposed 45-lot residential townhouse development is consistent with the conditional subdivision plat for the Townes at the Shire approved by the Planning Commission at their meeting on October 24, 2012. The proposed layout and construction plans satisfy applicable code requirements regarding residential townhouse development and the proffers of Zoning Case C-27C-06. The proposed development has a pedestrian-friendly design and contains similar architectural and courtyard elements to nearby West Broad Village.

The proposed layout orients blocks of townhouses so that they primarily front on interior courtyards rather than John Rolfe Parkway. It is designed so that none of the proposed front yards face the proposed rear yards of other lots in the proposed development or rear yards of existing lots in the adjoining subdivision to the south. The proposed layout consolidates open space within the development to provide more usable open space for the future residents of the proposed development.

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

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. The subdivision plat for Townes at the Shire shall be recorded before any building permits are issued.
30. 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.
31. The proffers approved as a part of zoning case C-27C-06 shall be incorporated in this approval.
32. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing and hours of construction shall be submitted for County review and prior to the approval of any final construction plans.

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. 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.
36. 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.
37. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

**(Staff Report by Mike Kennedy)**

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

**(Applicable Rezoning Cases and PUPs: C-27C-06)**

## SUBDIVISION

SUB2012-00143

Ridgewood Park (November 2012 Plan) – 11041 Old Washington Highway

**DEFERRED TO 12/12/12**

**Engineering Design Associates for Ridgewood Park, LLC:**  
The 16.12-acre site proposed for a subdivision of 18 single-family homes is located along the east line of Old Washington Highway, approximately 100 feet west of Allen's Crossing Road, on parcels 771-769-9597 and 772-770-1548. The zoning is R-2A, One-Family Residential District. County water and sewer.  
**(Brookland) 18 Lots**

This proposed subdivision will replace Pemberton Grove, which was approved by the Planning Commission in November 2005 for 16 lots and has been requested to be withdrawn. The new subdivision will incorporate additional acreage and two additional lots.

The proposed entrance to the subdivision from Old Washington Highway has less than 150 feet of separation from the street named Allen's Crossing. The subdivision ordinance per Chapter 19, Article 1, Section 19-125 indicates that street jogs with centerline offsets of less than 150 feet are prohibited in a subdivision unless the Planning Commission specifically approves a lesser distance. Justification for approval of a lesser distance has been requested to be provided. To date, the Traffic Engineer cannot recommend approval without proper right-of-way dedication, road improvements, and proper access management (150 feet street separation) and alignment along Old Washington Highway, which is classified as a minor collector road.

Additionally, the existing structures shown on proposed Lot 3 must satisfy building setbacks.

The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the annotations on the plans and the standard conditions for 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. Each lot shall contain at least 13,500 square feet, exclusive of the floodplain areas.
15. The details for the landscaping to be provided within the 10-foot wide planting strip easement along Old Washington Highway shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.
16. Any necessary offsite drainage easements must be obtained prior to final approval of the construction plan by the Department of Public Works.

**(Staff Report by Matt Ward)**

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

**SUBDIVISION (Deferred from the October 24, 2012 Meeting)**

SUB2012-00115  
Townes at Pouncey Place  
(September 2012 Plan) –  
4521 Pouncey Tract Road

**APPROVED/EXPEDITED**

**Bay Companies, Inc. for Pouncey Tract Company of Virginia, LLC:** The 12.41-acre site proposed for a subdivision of 70 residential townhouses for sale is located east of Pouncey Tract Road, approximately 600 feet south of its intersection with Twin Hickory Lake Drive, and along the south side of Twin Hickory Lake Drive, approximately 750 feet east of its intersection with Pouncey Tract Road, on parcel 740-765-7333. The zoning is RTHC, Residential Townhouse District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt) 70 Lots**

This proposed 70-unit residential townhomes for sale subdivision is in substantial conformance with the recent zoning case C-11C-12, which granted approval to rezone the property from A-1 to RTHC. Proffers of the rezoning case limit the site density to a total of 70 units. Prior to issuance of the first certificate of occupancy, construction and dedication of Pouncey Place, a public road, will be complete, and all internal roadways and sidewalks will be constructed in accordance with approved plans. At such time that a vehicular connection is provided by the adjacent commercial property, previously-approved Pouncey Place Shopping Center, a driveway connection between the two properties will be constructed.

By proffer, the landscape buffers shall at a minimum meet the Transitional Buffer 25 standard either through preservation of existing vegetation and/or supplemental planting. Existing trees of six-inch caliper or greater shall be preserved and maintained. The width of these buffers shall be as follows:

1. A minimum 15-foot wide buffer shall be provided along Twin Hickory Subdivision
2. A minimum 10-foot wide buffer shall be provided along Twin Hickory Lake Drive.

A six-foot wooden privacy fence and 25-foot Transitional Buffer are required along the southwest property line adjacent to the B-3 commercial site. In addition to buffer requirements, a centrally located courtyard will be provided by the developer to function as a passive recreational pocket park consisting of benches, brick pavers, and landscaping amenities.

The staff recommends approval subject to the annotations on the plans, the standard conditions for residential townhome for sale (RTH) subdivisions, and the following additional conditions:

15. Any necessary offsite drainage easements must be obtained prior to final approval of the construction plan by the Department of Public Works.
16. The proffers approved as part of zoning case C-11C-12 shall be incorporated in this approval.
17. The developer shall provide signage, the wording, and location as deemed appropriate by the Director of Public Works, which addresses the possible future connections to the adjacent commercial properties.

**(Staff Report by Matt Ward)**  
**(Applicant's Representative: Daniel Caskie)**  
**(Applicable Rezoning Cases and PUPs: C-11C-12)**



**PLAN OF DEVELOPMENT AND LIGHTING PLAN (Deferred from the October 24, 2012 Meeting)**

POD2012-00312  
Townes at Pouncey Place –  
4521 Pouncey Tract Road  
(State Route 271)

**APPROVED/EXPEDITED**

**Bay Companies, Inc. for Pouncey Tract Company of Virginia, LLC:** Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 70 two-story residential townhouses for sale. The 12.41-acre site is located east of Pouncey Tract Road (State Route 271), approximately 600 feet south of its intersection with Twin Hickory Lake Drive, and along the south side of Twin Hickory Lake Drive, approximately 750 feet east of its intersection with Pouncey Tract Road, on parcel 740-765-7333. The zoning is RTHC, Residential Townhouse District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

The applicant proposes 70 two-story residential townhouse units for sale with single-car garages. The development and site lighting are in substantial conformance with the recent zoning case C-11C-12, which granted approval to rezone the property from A-1 to RTHC.

Architectural plans are included in the agenda. All visible portions of the front exterior building walls and the rear of Buildings Q and P facing Twin Hickory Lake Drive are required to be 100 percent brick elevations, which have been provided.

By proffer, street lighting shall be provided to not exceed 12 feet in height above grade level. In addition, lighting will be non-glare, decorative in style, and residential in character. This lighting plan proposes 52 residential-style street poles with 150-watt concealed-source light fixtures, 12 feet in height, which meet proffers and comply with lighting standards for light levels on the site.

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

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.
- 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. 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.
30. The proffers approved as a part of zoning case C-11C-12 shall be incorporated in this approval.
31. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing and hours of construction shall be submitted for County review and prior to the approval of any final construction plans.
32. 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.
33. 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.
  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. 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, 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.
  37. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
  38. The developer shall provide signage, the wording and location as deemed appropriate by the Director of Public works, which addresses the possible future extension of any stub street.
  39. The unit house numbers shall be visible from the parking areas and drives.
  40. The names of streets, drives, places, and courts shall be approved by the Richmond Regional Planning District Commission, and such names shall be included on the construction plans prior to their approval. The standard street name signs shall be installed prior to any occupancy permit approval.
  41. The subdivision plats for Townes at Pouncey Place, Section 1 and Pouncey Place shall be recorded before any building permits are issued.

**(Staff Report by Matt Ward)**  
**(Applicant's Representative: Daniel Caskie)**  
**(Applicable Rezoning Cases and PUPs: C-11C-12)**

## SUBDIVISION

SUB2012-00144  
Reserve at Pouncey  
(November 2012 Plan) –  
Pouncey Tract Road (State  
Route 271)  
**APPROVED/EXPEDITED**  
**SEE ADDENDUM PG. 1**

**Bay Companies, Inc. for 5111 Pouncey Tract, LLC:** The 7.08-acre site proposed for a subdivision of 16 detached dwellings for sale with zero lot lines is located on the northeast line of Pouncey Tract Road (State Route 271), approximately 800 feet north of Shady Grove Road, on parcels 738-771-2400, 4105, and 6301. The zoning is R-5AC, General Residential District (Conditional). County water and sewer. **(Three Chopt) 16 Lots**

As of the preparation of the agenda, staff has received a revised plan to address Planning staff's comments. The right-of-way dedication shown on the revised plan has not been verified as adequate by the Department of Public Works Traffic Division, as staff has not had an opportunity to complete its review at this time.

The applicant proposes a 16-lot, single-family zero-lot-line development subject to the proffers of zoning case C-49C-06. Lots will have no direct access to Pouncey Tract Road, but Lots 1-5 will be served by a private access drive. Sidewalk is to be provided by the developer for the entire frontage of the property at its ultimate location. A proffered 25-foot landscape buffer is shown to include a brick entrance sign wall and decorative wrought iron fence with brick finials. A conceptual landscape plan is included in the agenda for informational purposes only. Specific grading, design, and planting details will be finalized during construction and landscape plan reviews, and will include interior streetscape plantings as required by the proffers. Per the zero-lot-line approval requirements, the plan of development for this request will return to the Planning Commission for a subsequent review following conditional subdivision approval.

The staff recommendation will be made at the meeting. Should the Commission act upon this request, in addition to the standard conditions for zero lot line subdivisions, the following additional conditions are recommended:

13. 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.
14. The details for the landscaping to be provided within the 25-foot wide planting strip easement along Pouncey Tract Road (State Route 271) shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.
15. A VDOT standard sidewalk shall be constructed along the northeast side of Pouncey Tract Road (State Route 271).
16. The proffers approved as part of zoning case C-49C-06 shall be incorporated in this approval.

**(Staff Report by Aimee B. Crady)**  
**(Applicant's Representative: Daniel Caskie)**  
**(Applicable Rezoning Cases and PUPs: C-49C-06)**

## PLAN OF DEVELOPMENT

POD2012-00390  
CVS at Airport Drive –  
Partial Demolition of Screen  
Wall – 1301 E. Nine Mile  
Road (State Route 33)  
(POD-14-07 Rev.)

### **APPROVED/EXPEDITED**

**Willmark Engineering for SCP 2009-C32-078, LLC and OAP Nine Mile, LLC:** Request for approval of a plan of development, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code, to demolish approximately 124 feet of an existing screen wall. The 1.65-acre site is located on the southwest corner of the intersection of s. Airport Drive (State Route 156) and E. Nine Mile Road (State Route 33), on parcel 825-721-1316. The zoning is B-3, Business District and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

POD-14-07 was approved by the Planning Commission to allow a CVS Pharmacy building and a Dollar General retail building. The site is split by a zoning line, with the entire Dollar General site and a portion of the CVS site subject to zoning case C-46C-06, which proffered a brick panel wall. The original intent of the wall was to screen adjacent residential structures to the south from these two new commercial developments. The residential structures immediately adjacent to the CVS will be removed and replaced by proposed O'Reilly Auto Parts, as approved by the Planning Commission on September 26, 2012. The applicant's stated purpose for demolishing a portion of this wall is to increase visibility to the O'Reilly Auto Parts building.

The entire length of the wall is approximately 585.5 feet and crosses parcel and zoning lines. However, only approximately 356 feet is proffered. The zoning line between B-2C and B-3 also splits the CVS building.

This POD proposes the demolition of approximately 123 feet of an unproffered portion of the existing 585.5-foot screen wall. The proposed beginning of the wall will match the existing CVS store's setback from East Nine Mile Road. No changes in colors or materials are proposed to the remaining 461.5 feet, and no changes or removal of existing landscaping on the CVS site is proposed. CVS's landscaping must be maintained, and any damaged landscaping resulting from this partial wall demolition must be replaced. Additional landscaping will be required on the proposed O'Reilly Auto Parts site immediately to the south, therefore, continuing to provide a buffering effect. Furthermore, no grading changes are proposed.

Staff recommends approval of this POD subject to the original conditions for POD 14-07 approved by the Planning Commission on March 28, 2007.

**(Staff Report by Lee Pambid)**  
**(Applicant's Representative: Mark Williams)**  
**(Applicable Rezoning Cases and PUPs: C-46C-06)**

## PLAN OF DEVELOPMENT

POD2012-00389  
Bonnie M. Pradhan Addition  
– Modification – 9999 Brook  
Rd. (U.S. Route 1)  
(POD-26-05 Rev.)

**DEFERRED BY PC TO  
12/12/12  
SEE ADDENDUM PG. 1**

**Zannino Engineering for Bonnie M. Pradhan:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to complete construction of a two-story 6,026 square foot building addition to an existing convenience store with gas pumps, with a 1,512 square foot restaurant with drive-through facilities and a 2,099 square foot retail store on the first floor and a 2,413 square foot office on the second floor. The 1.316-acre site is located at the southeast corner of the intersection of Brook Rd. (U.S. Route 1) and J.E.B. Stuart Pkwy. on parcel 783-769-9052. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Fairfield)**

In 2005, the Planning Commission approved POD-026-05 to construct a two-story addition to an existing convenience store. The first floor was originally approved for retail or restaurant use, and the second floor was originally approved as a residence. In 2008, revised architectural plans were approved by the Planning Commission.

After construction began in 2009, the applicant changed the design and appearance of the addition without requesting approval from Henrico County. The applicant was instructed to cease any further construction with the exception of ensuring the structural integrity of the addition.

The proposed plan today is to complete construction of the two-story addition, with some changes to the proposed uses from the previous approval. The applicant is now committing to construct retail and restaurant on the first floor and an office on the second floor.

A revised plan has been requested to address several issues and comments. The Department of Fire has requested an additional fire hydrant be provided on the applicant's property based on ISO calculations. The existing hydrants within the required hose lay are not on the subject property and, therefore, cannot be taken into consideration.

Staff has also requested provision of dimensional information on all parking spaces, as some do not appear to meet the Code requirements for parking spaces, and provision of architectural features on the south facing wall. Additionally, clarification is needed for the drive-through circulation.

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, and the following condition:

29. Refuse containers or refuse storage facilities shall be serviced only between the hours of 6:00 a.m. and 6:00 p.m.
30. Outside storage shall not be permitted.
31. The proffers approved as a part of zoning case C-113C-88 shall be incorporated in this approval.
32. All exterior lighting fixtures shall be designed and arranged so the source of light is not visible from the roadways or adjacent residential properties. The lighting shall be low intensity, residential in character, and the height or standards shall not exceed 15 feet.

33. 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.
34. 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.
35. 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.
36. The owner or manager on duty shall be responsible for temporarily closing the car wash facility when the on-site stacking space is inadequate to serve customer demand to prevent a backup of vehicles onto the public right-of-way. The owner shall arrange with the Traffic Engineer to provide standard traffic control signs to notify customers that stopping or standing on the public right-of-way shall not be permitted near the entrances to the car wash facility.
37. 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.
38. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

**(Staff Report by Tony Greulich)**  
**(Applicant's Representative: Thomas Zannino)**  
**(Applicable Rezoning Cases and PUPs: C-113C-88)**

**APPROVAL OF MINUTES: October 24, 2012 Minutes/APPROVED**

**ADJOURN @ 10:11 a.m.**

**PLANNING COMMISSION AGENDA  
FOR  
SUBDIVISIONS AND PLANS OF DEVELOPMENT  
November 14, 2012**

**ADDENDUM**

**PAGE 16 – REVISED CAPTION, REVISED CONCEPTUAL LANDSCAPE PLAN,  
REVISED STAFF REPORT, AND REVISED RECOMMENDATION**

**SUBDIVISION**

SUB2012-00144  
Reserve at Pouncey  
(November 2012 Plan) –  
Pouncey Tract Road (State  
Route 271)

**APPROVED/EXPEDITED**

**Bay Companies, Inc. for 5111 Pouncey Tract, LLC???:** The 7.08-acre site proposed for a subdivision of 16 detached dwellings for sale with zero lot lines is located on the northeast line of Pouncey Tract Road (State Route 271), approximately 800 feet north of Shady Grove Road, on parcels 738-771-2400, 4105, and 6301. The zoning is R-5AC, General Residential District (Conditional). County water and sewer. **(Three Chopt) 16 Lots**

Staff has confirmed that the right-of-way dedication shown on the revised plan is adequate. Department of Public Works Traffic Division now recommends approval.

A revised conceptual landscape plan has been received, showing the general layout of the interior streetscape plantings in compliance with the proffers. The location and design of the brick entrance feature is not part of this approval. A new design and layout will be submitted with the subsequent POD plans for review and approval at that time.

Staff recommends approval subject to the annotations on the plans, the standard conditions for zero lot line subdivisions, and the additional conditions listed on the agenda.

**PAGE 19 – REVISED PLAN, REVISED STAFF REPORT, AND ADDED CONDITION**

**PLAN OF DEVELOPMENT**

POD2012-00389  
Bonnie M. Pradhan Addition  
– Modification – 9999 Brook  
Rd. (U.S. Route 1)  
(POD-26-05 Rev.)

**DEFERRED BY PC TO  
12/12/12**

**Zannino Engineering for Bonnie M. Pradhan:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to complete construction of a two-story 6,026 square foot building addition to an existing convenience store with gas pumps, with a 1,512 square foot restaurant with drive-through facilities and a 2,099 square foot retail store on the first floor and a 2,413 square foot office on the second floor. The 1.316-acre site is located at the southeast corner of the intersection of Brook Rd. (U.S. Route 1) and J.E.B. Stuart Pkwy. on parcel 783-769-9052. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Fairfield)**

Staff has received revised plans and architectural renderings addressing staff's concerns. Correct dimensional information for various parking spaces has been labeled to meet Code requirements. Additionally, the south elevation that internally faces the adjacent bank now includes additional architectural features. Staff has also received confirmation from the Department of Fire that they have received additional documentation from the applicant to satisfy their initial concern about accessing fire hydrants.

The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the annotations on the plans, the standard conditions for developments of this type, and the additional conditions as listed on the agenda, the following additional condition is recommended:

39. The traffic circulation around the carwash shall be resolved to the satisfaction of the Traffic Engineer prior to construction plan approval. This can be achieved by the removal of the carwash, the removal of the drive-through window and its associated drive-through lane, or by any other means deemed acceptable by the Traffic Engineer and the Department of Planning.