

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT

June 26, 2013

9:00 A.M.

ADDENDUM ATTACHED



PLANNING COMMISSION

Bonnie-Leigh Jones, C.P.C., Chairperson (Tuckahoe)
Eric S. Leabough, C.P.C., Vice-Chairperson (Varina)
C. W. Archer, C.P.C. (Fairfield)
Tommy Branin, Chairperson (Three Chopt)
Robert H. Witte, Jr. (Brookland)
Richard W. Glover, 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, PLA, 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
Greg Garrison, AICP, County Planner
Matthew Ward, County Planner
Lee Pambid, C.P.C., County Planner
Aimee B. Crady, AICP, County Planner
Robert Peterman, GIS Technician
Eric Dykstra, Office Assistant/Recording Secretary

WELCOME:

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA: NONE PRESENT

ROLL CALL: MRS. JONES ABSENT

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leslie News

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Lee Pambid

FOR INFORMATIONAL PURPOSES

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2011-00042 (SUB-05-11) The Townes at Oakley's Bluff (June 2011 Plan)	131	86	1	Varina	6/26/2014
SUB2011-00033 SUB-62-07 The Village at Olde Colony Reconsideration (November 2007 Plan)	9	3	1	Varina	7/1/2017

TRANSFER OF APPROVAL (Deferred from the May 22, 2013 Meeting)

POD-94-87, 109-89, and
POD-118-89
POD2011-00196; POD2011-
00197; POD2011-00194;
POD2011-00259
Westpark Shopping Center
Phases I and II – 9645 and
9669 W. Broad Street (U.S.
Route 250)

DEFERRED BY THE APPLICANT TO THE 9/25/2013 PC MEETING

Thalhimer for Westdale Westpark I, II, LP: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from SLN Broad Street Associates, and NP/I&G Westpark, LLC to Westdale Westpark, I, II, LP. Phase I is a 18.36-acre site located at the southwest corner of Pemberton Road (State Route 157) and W. Broad Street (U.S. Route 250), on part of parcels 753-758-7318, 754-758-2409 and 753-758-8965. Phase II is a 2.68-acre site located along the western line of Stillman Parkway, approximately 215 feet south of West Broad Street (U.S. Route 250) on part of parcel 753-758-7318. The zoning is B-2C Business District (Conditional). County water and sewer. **(Three Chopt)**

Staff has been working with project representatives to address site deficiencies identified in the inspection report dated June 15, 2011. Corrected deficiencies include construction of dumpster enclosures and removal of unauthorized metal cargo containers. Parking lot deficiencies such as patchwork, resealing and re-stripping pavement will be completed by December 31, 2013. Evidence of signed contracts addressing the outstanding parking lot deficiencies has been received.

The owner's representative has recently indicated his intention to submit a newly revised landscape plan to address landscaping deficiencies. As of the preparation date of the agenda, a revised plan has not been received. The staff recommendation will be made at the meeting.

(Staff Report by Matt Ward)
(Applicant's Representative: Sean Davis)
(Applicable Rezoning Cases and PUPS: C-77C-89)

TRANSFER OF APPROVAL

POD-24-72, 19-77, 92-79,
75-81, 81-87, and 38-00
POD2011-00335; POD2011-
00336; POD2011-00337;
POD2011-00338; POD2011-
00339; POD2011-00295
Byrd Center – 5625 S.
Laburnum Avenue

Mila Gant for The Byrd Center/Adler Realty Services: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Particeps Properties, LP to AF Byrd Center VA, LLC. The 31.21-acre site is located at the northeast corner of the intersection of Laburnum Avenue and Charles City Road, on parcel 816-710-8140. The zoning is M-1, Light Industrial District. County water and sewer. **(Varina)**

APPROVED

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. The site deficiencies identified in the staff report dated August 12, 2011 have been corrected. The site deficiencies included missing landscaping, fence repair, and parking lot restriping. The staff recommends approval of this transfer request.

(Staff Report by Greg Garrison)
(Applicant's Representative: Mila Gant)

TRANSFER OF APPROVAL

POD-01-87
POD2012-00364
Food Lion at Brookhill
Azalea (Formerly Wilmer
Avenue Shopping Center) –
5214 Chamberlayne Road
(U.S. Route 301)

APPROVED

Adam Santos for BSV Premier Brookhill, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Sigma Development to BSV Premier Brookhill, LLC. The 7.30-acre site is located on the west line of Chamberlayne Road (U.S. Route 301), approximately 550 feet south of the intersection of Chamberlayne Road and Wilmer Avenue, on part of parcel 786-744-4889. The zoning is B-2, Business District and B-3, Business District. County water and sewer. **(Fairfield)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. Deficiencies included cracked asphalt; unscreened dumpsters; faded handicap parking spaces; missing, damaged, or leaning signs; and missing or dying landscaping. Deficiencies have been addressed or evidence of signed contracts addressing deficiencies has been received.

The staff recommends approval of this transfer request with the following condition:

1. The site deficiencies, as identified in the inspection report dated October 24, 2012, shall be corrected by July 31, 2013.

(Staff Report by Lee Pambid)
(Applicant's Representative: Adam Santos)

TRANSFER OF APPROVAL

POD-117-73
POD2012-00435
Henrico Motor Group, LLC
(Formerly B & B Seafood) –
3319 Williamsburg Road
(U.S. Route 60)

**DEFERRED BY THE PC
TO THE 7/24/2013 PC
MEETING**

Mahmood Mohammad for Henrico Motor Group, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from B & B Seafood to Henrico Motor Group, LLC. The 0.36-acre site is located on the south line of Williamsburg Road (U.S. Route 60) at the intersection of Williamsburg Road and Millers Lane, on parcel 811-714-6323. The zoning is B-3, Business District and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. All deficiencies have been addressed, including the removal of a storage container, some minor repairs to the exterior of the building and the re-sealing and re-stripping of the parking lot. The staff recommends approval of this transfer request.

(Staff Report by Tony Greulich)
(Applicant's Representative: Mahmood Mohammad)

LANDSCAPE PLAN

POD2013-00132
Townes at Pouncey Place,
Section 1 - 4521 Pouncey
Tract Road (State Route 271)

APPROVED
SEE ADDENDUM PG. 1

Higgins and Gerstenmaier Landscape Architects for Pouncey Tract Company of Virginia, LLC: Request for approval of a landscape plan, as required by Chapter 24, Section 24-106 of the Henrico County Code. The 12.698-acre site is located southeast of the corner of the intersection of Pouncey Tract Road (State Route 271) and Twin Hickory Lake Drive, and at the terminus of Pouncey Place, on parcel 740-765-7333. The zoning is RTHC, Residential Townhouse District and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

This request for approval includes a landscape plan for Section One, consisting of 36 townhouses. A revised plan has been requested to address provision of a tree in each front yard to address proffer #22 from C-11C-12. Additionally, plant material has been requested to be added between the commercial site (Pryor) and the townhomes. As of the preparation date of the agenda, staff has not received a revised plan. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type and the annotations on the plans, the standard conditions for landscape plans are recommended.

(Staff Report by Greg Garrison)
(Applicant's Representative: Randy Biltz)
(Applicable Rezoning Cases and PUPS: C-11C-12)

PLAN OF DEVELOPMENT (Deferred from the May 22, 2013 Meeting)

POD2013-00103
West Broad Hyundai – Car
Storage Addition – 9001 W.
Broad Street (U.S. Route
250)
(POD-97-93 Rev.)

DEFERRED BY THE
APPLICANT TO THE
7/24/2013 MEETING

E.D. Lewis and Associates, P.C. for Page Broad Street, LC and Page Imports, LC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a car storage and display lot at an existing car dealership. The 5.5-acre site is located at the southwest corner of the intersection of W. Broad Street (U.S. Route 250), and Homeview Drive, on parcel 759-755-0982. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Three Chopt)**

The applicant is requesting approval of a car storage and display lot with 61 spaces located south of the existing car storage and display lot, and directly east of the existing building.

As of the preparation date of the agenda, the staff has not received a revised plan as requested, providing a sidewalk along the south side of West Broad Street and west side of Homeview Drive. 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-61C-86 shall be incorporated in this approval.

(Staff Report by Greg Garrison)
(Applicant's Representative: Monte Lewis)
(Applicable Rezoning Cases and PUPS: C-61C-86)

PLAN OF DEVELOPMENT - ARCHITECTURAL PLANS (Deferred from the May 22, 2013 Meeting)

POD2013-00178
University Park, Phase 2 -
Building 1A & Master Plan-
2422 Pemberton Road (State
Route 157)
(POD-47-08 Rev.)

APPROVED

Willmark Engineering for University Park RE Inv., LLC and Smith-Packett, LLC: Request for approval of architectural plans for a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, for Phase 2 of a life care facility consisting of Building 1A, a 156,217 square foot, 4-story building with a basement, containing 122 independent living units, and accessory community and limited retail space. The 25.45-acre site is located on the east line of Pemberton Road (State Route 157), and on the south line of Interstate 64, on parcel 753-754-0908. The zoning is R-6C, General Residential District. County water and sewer. **(Three Chopt)**

The POD layout and life care facility master plan for this project were reviewed and approved by the Planning Commission at their May 22, 2013 meeting. The architectural plans were deferred at that time at the applicant's request, to permit the applicant to address staff's concerns with architectural details. Staff was concerned that the previously submitted elevations were not sufficiently consistent with the architectural plans proffered with zoning case number C-42C-06.

Since that time, the applicant has re-submitted revised architectural plans to address staff's previous concerns.

The proffered plans originally showed the buildings now identified as Buildings 1A and 1B as a maximum of 5-stories in height. The applicant has eliminated the garage level in Buildings 1A and 1B. The proposed buildings are now 4-stories in height.

The proffered plans originally indicated the northwest side of the building facing Pemberton Road, and now identified as Building 1A, as primarily masonry construction. The previously submitted plans showed that face of the building as 37.5% brick and block. The revised plan now proposes that face of the building to be 65.6% masonry construction. In addition, the applicant has added back the "cantilevered tower elements" as previously shown on the proffered plans.

The applicant has now also proposed to split the roof line of Buildings 1A and 1B into sections and has substituted hardiplank with distinct colors for different faces of the building, instead of the previously proposed common roof line and mono-chromatic EIFS finish. The proposed additional articulation of the building and the proposed variety of hardiplank colors are intended to break up the extended façade of the Buildings 1A and 1B and provide the appearance of several buildings.

In addition, the applicant has proposed to make the main building entrance more prominent by increasing the amount of brick on that elevation from 51.5% to 78.6% masonry, and has proposed that gable element above the main building entrance have a brick finish.

Staff is satisfied that the revised elevation plans are consistent with the schematic elevation plans proffered with Zoning Case Number C-42C-06. Staff recommends approval of the proposed architectural plans subject to the terms and conditions previously approved for POD2013-00109 by the Planning Commission at their May 22, 2013 meeting.

(Staff Report by Mike Kennedy)

(Applicant's Representative: Mark Williams)

(Applicable Rezoning Cases and PUPS: C-042C-06; P-015-06; C-017C-11)

PLAN OF DEVELOPMENT – RECONSIDERATION OF A CONDITION (Deferred from the May 22, 2013 Meeting)

POD2013-00068

(POD-71-02 Rev.)

Tom Leonard's at

Brookhollow – Seasonal Tent
– 4150 Brookriver Drive

APPROVED

Timmons Group for G3 Investments and Tom Leonard:

Request for approval of a reconsideration of a condition for a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to locate a 2,400 square foot tent in the seasonal sales area of an existing grocery store. The 6.290-acre site is located along the north line of Brookriver Drive and along the south line of Interstate 64, approximately 650 feet north of W. Broad Street (U.S. Route 250), on parcel 743-762-6518. The zoning is M-1C, Light Industrial District (Conditional) and WBSO, West Broad Overlay District. County water and sewer. **(Three Chopt)**

This is the fifth request for a seasonal sales tent at this location. The last approval by the Planning Commission was on February 23, 2011, with the following condition added to the original approval:

35. The temporary tent, to be located in the seasonal sales area as shown on the revised plan, shall be removed from the site no later than February 28, 2013. An additional one-year extension may be granted by the Director of Planning if plans for a permanent structure to replace the tent are submitted for County approval prior to the aforementioned deadline.

The tent has remained on the site past the scheduled date for its removal. The applicant has not submitted plans for a permanent structure to date and, thus, was not able to obtain the one-year extension from the Director of Planning. Instead, the applicant has submitted a request for the tent to remain for an additional three year period.

The existing tent may be approved on a permanent basis if the Commission approves the use of alternative building materials as specified in Proffer #5 of zoning case C-31C-97 which govern this site. The existing structure is of wood frame construction with a fabric roof. If that is not desired, the alternative would be to modify the existing condition by substituting a new removal date for the tent.

The staff recommends the following condition:

35. The temporary tent, to be located in the seasonal sales area as shown on the revised plan, shall be removed from the site no later than May 31, 2014. An additional one-year extension may be granted by the Director of Planning if plans for a permanent structure

to replace the tent are submitted for County approval prior to the aforementioned deadline. In no case shall the temporary tent remain on site past May 31, 2015, even if a permanent structure has not been constructed.

The other conditions of the Planning Commission approval of this site, dated September 25, 2002, would remain unchanged.

(Staff Report by Kevin Wilhite)
(Applicant's Representative: Joseph Vilseck)

PLAN OF DEVELOPMENT

POD2013-00161
7-Eleven - Pemberton and
West Broad Street - 9525 W.
Broad Street (U.S. Route
250)
(POD-55-86 Rev.)

APPROVED
SEE ADDENDUM PG. 1

Balzer and Associates, Inc. for Tideneck, LLC and Morgan Property Group: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to replace an existing convenience store and fuel center with a 2,940 square foot convenience store and fuel center. The 0.84-acre site is located on the southeast corner of the intersection of W. Broad Street (U.S. Route 250) and Pemberton Road (State Route 157), on parcel 754-758-9300. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Three Chopt)**

This request is to replace an existing 1,100 square foot Exxon Mobil convenience store with a 3,190 square foot 7-Eleven convenience store and fuel center with 4 pump islands. As of the preparation date of the agenda, staff has not received a revised plan as requested showing the relocated dumpster, a sidewalk along West Broad Street and Pemberton, and additional architectural features on the building. 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 annotations on the plans, the following additional conditions are recommended:

29. A concrete sidewalk meeting VDOT standards shall be provided along the south side of W. Broad Street (U.S. Route 250) and the east side of Pemberton Road (State Route 157).
30. Outside storage shall not be permitted.
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 Greg Garrison)
(Applicant's Representative: Christopher Shust)

PLAN OF DEVELOPMENT

POD2013-00162
Simply Storage Building #2
Expansion - 4475 Pouncey
Tract Road (State Route 271)
(POD-74-99 Rev.)

**DEFERRED BY THE
APPLICANT TO THE
7/24/2013 PC MEETING**

Balzer and Associates, Inc. for Short Pump Simply Storage:
Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a second story, 39,013 square foot addition to an existing one-story, 37,100 square foot storage building. The 5.603-acre site is located on the east line of Pouncey Tract Road (State Route 271) and the north line of Interstate 64, approximately 1,360 feet south of Twin Hickory Lake Drive, on parcel 741-764-0116. The zoning is M-1C, Light Industrial District (Conditional), and WBSO, West Broad Street Overlay District. County water and individual on-site sewage disposal system. **(Three Chopt)**

This proposal is a revision to a previously approved plan of development (POD-74-99) which includes constructing a second story addition to an existing one-story building.

The building addition is proposed to be constructed with insulated architectural metal panel with EIFS texture. The existing buildings are constructed of split face masonry units. Staff has recommended that the addition be constructed of split face block to comply with the proffers of zoning case C-20C-93 that states the exterior wall surfaces (front, rear, and sides) of each individual building shall be similar in architectural treatment and materials. Additionally the Henrico County Fire Department has requested the stairwell be re-situated so that emergency vehicles will have adequate travel way in the drive aisle. The Department of Public Works has requested the required information to determine water quality.

As of the preparation date of the agenda, the staff has not received a revised plan which shows all four building elevations, provides split face block as requested, and addresses Fire and Public Works comments.

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:

- 1A. **MODIFIED** - The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The applicant shall furnish proof to the Planning Department that conditions satisfactory to the Health Department have been met that insure the septic tank drainfield system is suitable for this project prior to the issuance of a building permit.
29. Outside storage shall not be permitted.
30. The proffers approved as a part of zoning case C-20C-93 shall be incorporated into this approval.
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 Matt Ward)

(Applicant's Representative: Christopher Shust)

(Applicable Rezoning Cases and PUPS: C-20C-93; P-01-98; P-10-93)

DISCUSSION ITEM: WORK SESSION - Schedule Work Session to discuss Amendment to the Zoning Ordinance to implement actions of the 2013 General Assembly.

DISCUSSION ITEM: ORDINANCE - Schedule Hearing Date to consider Amendment to the Zoning Ordinance to implement actions of the 2013 General Assembly. PUBLIC HEARING DATE SET FOR THE JULY 11, 2013 PC MEETING AT 7:00 P.M.

APPROVAL OF MINUTES: May 22, 2013 Minutes APPROVED

ADJOURN @ 9:41 A.M.

**PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT
June 26, 2013**

ADDENDUM

PAGE 7 - REVISED PLAN

LANDSCAPE PLAN

POD2013-00132
Townes at Pouncey Place,
Section 1 - 4521 Pouncey
Tract Road (State Route 271)

APPROVED

Higgins and Gerstenmaier Landscape Architects for Pouncey Tract Company of Virginia, LLC: Request for approval of a landscape plan, as required by Chapter 24, Section 24-106 of the Henrico County Code. The 12.698-acre site is located southeast of the corner of the intersection of Pouncey Tract Road (State Route 271) and Twin Hickory Lake Drive, and at the terminus of Pouncey Place, on parcel 740-765-7333. The zoning is RTHC, Residential Townhouse District and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

Staff recommends approval of the revised plan, subject to the standard conditions for landscape plans.

PAGE 13 - REVISED PLAN, REVISED ELEVATIONS, ADDED CONDITION, AND CORRECTED CAPTION

PLAN OF DEVELOPMENT

POD2013-00161
7-Eleven - Pemberton and
West Broad Street - 9525 W.
Broad Street (U.S. Route
250)
(POD-55-86 Rev.)

APPROVED

Balzer and Associates, Inc. for Tideneck, LLC and Morgan Property Group: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to replace an existing convenience store and fuel center with a 2,940 square foot convenience store and fuel center. The 0.84-acre site is located on the southeast corner of the intersection of W. Broad Street (U.S. Route 250) and Pemberton Road (State Route 157), on parcel 754-758-9300. The zoning is **B-3, Business District and B-3C, Business District (Conditional)**. County water and sewer. **(Three Chopt)**

Staff has received a revised plan that addresses staff's comment regarding the provision of a sidewalk along Pemberton Road (State Route 157) and West Broad Street (U.S. Route 250), and shifting the dumpster enclosure back so it is not in line with the front of the building. Revised architectural plans providing additional architectural detail have also been received. Staff recommends approval subject to the annotations on the plans, the standard conditions for developments of this type, additional conditions 29-31 in the agenda, and the following additional condition:

32. The right-of-way for widening of Pemberton Road (State Route 157) 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.