

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT

January 22, 2014

9:00 A.M.

ADDENDUM ATTACHED



PLANNING COMMISSION

Eric S. Leabough, C.P.C., Chairperson (Varina)
Robert H. Witte, Jr., Vice-Chairperson (Brookland)
C. W. Archer, C.P.C. (Fairfield)
Tommy Branin (Three Chopt)
Bonnie-Leigh Jones, C.P.C. (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, 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: BRENT SOLOMON FROM NBC 12

ROLL CALL: MR. BRANIN ABSENT

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leslie News

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Lee Pambid

FOR INFORMATIONAL PURPOSES ONLY

TRANSFER OF APPROVAL

POD-14-84
POD2013-00300
KFC (Formerly Kentucky
Fried Chicken) - 9000 W.
Broad Street (U.S. Route
250)

APPROVED

Scott Eucker for National Retail Properties, LP: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Kentucky Fried Chicken National Management Company to National Retail Properties, LP. The 0.84-acre site is located at the northwest corner of the intersection of W. Broad Street (U.S. Route 250) and West End Drive, on parcel 758-756-8843. The zoning B-2, Business District. County water and sewer. **(Brookland)**

The new owner accepts and agrees to be responsible for the continued compliance with the conditions of the original approval. The applicant recently completed an interior and exterior renovation on site. Deficiencies previously identified by staff included missing landscaping and presence of construction debris. All deficiencies have been corrected as of the preparation date of this agenda. The staff recommends approval of this transfer request.

(Staff Report by Aimee Crady)
(Applicant's Representative: Scott Eucker)

TRANSFER OF APPROVAL

POD-10-92
POD2013-00422
Hondo's Retail Shoppes at
Lakepointe – 4120 Cox Road

APPROVED

Michael Farmer for Attack/Hondos, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from RMA/Hunton, LC to Attack/Hondos, LLC. The 1.65-acre site is located on the west line of Cox Road, approximately 800 feet north of W. Broad Street (U.S. Route 250), on parcel 748-761-5133. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Three Chopt)**

The new owner accepts and agrees to be responsible for the continued compliance with the conditions of the original approval. The property received approval of an administrative plan of development revision and Transfer of Approval request in 2012, and completed exterior and interior renovations to convert a portion of the building from office to restaurant use. At the time of inspection for the current transfer request, no new deficiencies were identified. Staff recommends approval of this transfer request.

(Staff Report by Aimee Crady)
(Applicant's Representative: Michael Farmer)
(Applicable Rezoning Cases and PUPS: C-53C-79; C-76C-79; C-59C-90)

TRANSFER OF APPROVAL

POD-58-06 (Part)
POD2013-00056
The Shops at White Oak
Village – JC Penney - 4541
S. Laburnum Avenue

APPROVED

Forest City for Cole MT Richmond VA, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Laburnum Investment, LLC and Forest City Commercial Group, Inc. to Cole MT Richmond VA, LLC. The 8.60-acre site is located in an existing shopping center, on the east side of S. Laburnum Avenue, south of Interstate 64, and north of Audubon Drive, on parcel 815-718-5790. The zoning is B-3C, Business District (Conditional) 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 original approval. The site deficiencies as identified in the staff report dated August 29, 2013, which included removing cargo containers associated with interior renovations, have been addressed. The staff recommends approval of this request.

(Staff Report by Christian Goggin)
(Applicant's Representative: John Doran)
(Applicable Rezoning Cases and PUPS: C-29C-06)

TRANSFER OF APPROVAL

POD-12-08
POD2013-00051
Chick-Fil-A at The Shops at
White Oak Village - 4443 S.
Laburnum Avenue

APPROVED

Forest City for Cole MT Richmond VA, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Laburnum Investment, LLC Forest City Commercial Group, and Chick-Fil-A, Inc. to Cole MT Richmond VA LLC and Chick-Fil-A, Inc. The 1.19-acre site is located in an existing shopping center on the east line of S. Laburnum Avenue, approximately 2,100 feet north of Audubon Drive, on parcel 814-717-7468. The zoning is B-3C, Business District (Conditional) 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 original approval. The site deficiencies as identified in the staff report dated June 21, 2013, which included replacing a missing tree within a landscape island and restriping directional arrows leading out of the site to the shared access drive, have been corrected. The staff recommends approval of this request.

(Staff Report by Christian Goggin)
(Applicant's Representative: John Doran)
(Applicable Rezoning Cases and PUPS: C-29C-06)

TRANSFER OF APPROVAL

POD-27-08
POD2013-00052
McDonald's at The Shops at
White Oak Village - 4423 S.
Laburnum Avenue

APPROVED

Forest City for Cole MT Richmond VA, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Laburnum Investment, LLC, Laburnum Associates, LLC, and McDonalds USA, LLC to Cole MT Richmond VA, LLC and McDonalds USA, LLC. The 0.99-acre site is located in an existing shopping center on the east line of S. Laburnum Avenue, approximately 1,400 feet north of Audubon Drive, on parcel 814-718-3415. The zoning is B-3C, Business District (Conditional) 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 original approval. The site deficiencies as identified in the staff report dated June 21, 2013, which included two missing trees, have been corrected. Staff recommends approval of this request.

(Staff Report by Christian Goggin)
(Applicant's Representative: John Doran)
(Applicable Rezoning Cases and PUPS: C-29C-06)

LANDSCAPE AND LIGHTING PLAN

POD2013-00363; POD2013-00364

Faison Residences Revised - 5215 W. Broad Street (U.S. Route 250)

APPROVED

Higgins and Gerstenmaier Landscape Architects for 5215 W. Broad Street, LLC: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 2.31-acre site is located on the south line of W. Broad Street (U.S. Route 250), the east line of Bryd Avenue, and the north line Markel Road, approximately 800 feet west of Willow Lawn Drive, on parcel 772-738-8719. The zoning is R-6C, General Residential District (Conditional). County water and sewer. **(Brookland)**

This lighting and landscaping plan is pursuant to the POD for the 45-unit, four-story residential and commercial building currently under construction on W. Broad Street in the Willow Lawn vicinity. The proffers of C-013C-09 apply.

The landscape plan proposes a variety of deciduous trees along the street frontages of Markel Road, Byrd Avenue, and W. Broad Street. Planting beds are featured throughout. The entire site will be irrigated.

The lighting plan proposes flat lens LED pole mounted fixtures at a height of 18 feet throughout the parking areas, and several downlights are proposed under the commercial canopy fronting on West Broad Street. The lighting plan complies with the county's lighting policy.

Staff recommends approval subject to the annotations on the plan and the standard conditions for landscaping and lighting plans.

(Staff Report by Lee Pambid)

(Applicant's Representative: Keith Van Inwegen)

(Applicable Rezoning Cases and PUPS: P-08-09; C-13C-09)

LANDSCAPE AND LIGHTING PLAN

POD2013-00284; 00285

West End Islamic Center - Shady Grove, Phase 1 - 5000 Shady Grove Road

APPROVED

Balzer and Associates, Inc. for West End Islamic Center, Inc.: Request for approval of a landscape plan and a lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code. The 1.23-acre portion of the 3.67-acre site is located along the north line of Shady Grove Road, immediately west of its intersection with Twin Hickory Road, on part of parcel 741-770-9318. The zoning is A-1, Agricultural District. County water and sewer. **(Three Chopt)**

This plan includes the landscaping and lighting of 18 parking spaces along with an access point from Shady Grove Road that is currently under construction. The construction of these spaces is being done in order to satisfy requirements for the use of the existing dwelling on the site as a place of worship. Final site plans for the construction of the permanent place of worship approved by the Commission on July 25, 2012, have not been submitted for approval at this point. Landscaping and lighting plans for the balance of the site will be submitted for Commission approval when the rest of the site is developed.

The staff recommends approval subject to the annotations on the plans, and the standard conditions for landscape and lighting plans.

(Staff Report by Kevin Wilhite)
(Applicant's Representative: Stuart David Lisowski)

SUBDIVISION - DOUBLE FRONTAGE EXCEPTION (Deferred from the November 20, 2013 Meeting)

SUB2013-00131
Dumbarton
(September 2013 Plan) -
3030 Greenway Avenue

WITHDRAWN BY P.C.

Balzer and Associates, Inc. for Village Bank: The 3.07-acre site proposed for a subdivision of 4 single-family homes is located on the north line of Greenway Avenue, and the south line of Irisdale Avenue, approximately 195 feet east of Greendale Road, on parcels 775-745-9842, 776-745-1246, 775-745-8761, 775-745-9463, 776-745-0165, and 776-745-0968. The zoning is R-4, One-Family Residential District. County water and sewer.
(Brookland) 4 Lots

This case was deferred by Planning Commission on November 20, 2013 at the applicant's request till this meeting.

The current subdivision layout proposes 4-double frontage lots for single-family development facing both Irisdale and Greenway Avenues. A dedication of 2.5 feet is required for the property frontage along Greenway Avenue. In addition, road widening of 18 feet from centerline and construction of curb and gutter along Irisdale Avenue has been required by Public Works.

The Army Corp of Engineers has required the majority of the wetlands on the property to be preserved. They have authorized minimal impacts to provide buildable areas for 4 lots fronting on Irisdale Avenue. Effectively these are not double frontage lots because a majority of the rear yards will be occupied by wetlands to be preserved. As required a 10-foot no ingress and egress easement will be provided along Greenway Avenue. In addition a minimum of 150-foot of preserved wetlands separates the buildable area of each lot from Greenway Avenue.

When double frontage lots are proposed to have frontage on two minor streets an exception to Henrico Subdivision Ordinance, Section 19-135 is required in accordance with Section 19-4 of the Subdivision Ordinance. Staff has no objection to this request.

Previous conditional subdivision approval by the Planning Commission for 8 lots in February 2009 required a seven-foot fence to be constructed along the western property line as a visual barrier from the adjacent industrial property. That conditional approval expired February 2010. Staff has requested the applicant provide a fence along the western property line to separate the lots from the adjoining industrial property. The applicant is considering this request.

Should the Commission act on this request, staff recommends conditional approval subject to the annotations on the plans, the standard conditions for conditional subdivisions served by public utilities and the following additional conditions:

13. Each lot shall contain at least 8,000 square feet.

14. 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: Cameron Palmore)

PLAN OF DEVELOPMENT (Deferred from the December 11, 2013 Meeting)

POD2013-00279

Enviroscape Inc. Office and Service Building - Techpark Place

**APPROVED SEE
ADDENDUM PG. 1**

Draper Aden Associates for Atack ME Tech Park Partners, LLC and Enviroscape, 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, 10,000-square foot-office warehouse facility. The 4.07-acre site is located along the west line of Techpark Place, approximately 1,590 feet south of Technology Boulevard, on part of parcel 844-704-9230. The zoning is M-2C, General Industrial District (Conditional). County water and sewer. **(Varina)**

This case was deferred from the December 11, 2013 Planning Commission agenda to allow the applicant time to address building material details and the future road.

The architectural plans in the agenda contain annotations which indicate a 4-foot height brick base will surround the office portion of the building. Accent walls of either brick or decorative masonry are provided around the windows and doors. A split-face masonry base will be provided around the warehouse portion of the building, and the remaining elevations for the warehouse will be EIFS. Based on the recent revisions the building is in compliance with Proffer Number 9 of zoning case C-60C-97. The applicant has indicated agreement with the building material annotations.

The current plan shows a 60-foot right-of-way dedication for a future road along the northern property line. A meeting has been scheduled with Planning and Public Works' staff and the applicant to further clarify requirements for the future road.

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, annotations on the plans and 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.
29. All repair work shall be conducted entirely within the enclosed building.
30. Outside storage shall not be permitted between the front of the building and the front street boundary.
31. The proffers approved as a part of zoning cases C-60C-97 and REZ2013-00005 shall be incorporated in this approval.
32. The conceptual master plan, as submitted with this application, is for planning and information purposes only.
33. 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: Glenn Custis)

(Applicable Rezoning Cases and PUPS: C-60C-97; REZ2013-00005)

SUBDIVISION

SUB2013-00203

Cedar Grove (January 2014 Plan) - Cedar Grove Way

APPROVED

Draper Aden Associates for Cedar Grove 5, LLC: The 15.80-acre site proposed for a subdivision of 34 single-family homes is located along the east line of Cedar Grove Way, approximately 550 feet north of its intersection with Hungary Road, on parcels 778-760-5566 and 778-760-0791. The zoning is R-3C, One-Family Residential District (Conditional). County water and sewer. **(Fairfield) 34 Lots**

This conditional subdivision proposes a fifth section of 34 lots on approximately 15 acres as part of the existing 191-lot Cedar Grove subdivision.

The proffers of zoning case REZ2013-00020 apply. By proffer, the covenants and restrictions for the existing subdivision will apply to this section.

The right-of-way for Old Hungary Road is required by proffer to be vacated and designated as common area. This existing right-of-way serves only this property, on which one residence consisting of three structures exists, and which will be demolished to make way for the development.

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

13. Each lot shall contain at least 11,000 square feet, exclusive of the floodplain areas.
14. A County standard sidewalk shall be constructed along the north side of Hungary Road.
15. The proffers approved as part of zoning case REZ2013-00020 shall be incorporated in this approval.
16. 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.
17. The existing right-of-way for Old Hungary Road shall be vacated prior to recordation of any section of the subdivision impacted by this right-of-way.
18. 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."

19. 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.

(Staff Report by Lee Pambid)

(Applicant's Representative: Ed Hofmann, Jr.)

(Applicable Rezoning Cases and PUPS: REZ2013-00020)

SUBDIVISION - CHESAPEAKE BAY RESOURCE PROTECTION AREA EXCEPTION

SUB2013-00195

Kildare Annex Block D Lots
15-17 - 2518 Libbie Avenue

**APPROVED SEE
ADDENDUM PG. 1**

Werner Engineering for Big Green Mountain, LLC and Emerald Land Development, LLC: Request for approval of a Chesapeake Bay Resource Area Exception as required by Chapter 24, Sections 106.3(f) and 106.3(l) of the Henrico County Code. The 1.08-acre site is located on the north line of Libbie Avenue across the street from Regent Road, on parcels 773-742-5646, 773-742-6246, and 773-742-7046. The exception would allow a buildable area for a future single-family dwelling to encroach within the seaward 50-feet of the required 100-foot-wide Resource Protection Area, a component of a Chesapeake Bay Preservation Area, adjacent to Horsepen Branch that drains to Upham Brook in the Chickahominy River watershed. The zoning is R-3, One-Family Residential District. County water and sewer. **(Brookland) 1 Lot**

This request is for approval for an exception to the Henrico County Chesapeake Bay Preservation Ordinance to construct a single-family dwelling totaling 1,693 square feet, as well as related site improvements within the 100-foot RPA buffer adjacent to Horsepen Branch. The subject property was created with recordation of Kildare Annex in 1952, prior to the adoption of the provisions of the Henrico County Code regarding Chesapeake Bay Protection areas. According to the CBP ordinance, the purpose of Resource Protection Area buffer is to provide for the removal, reduction or assimilation of sediments, nutrients and potentially harmful or toxic substances in runoff entering the bay and its tributaries, and to minimize the adverse effects of human activities on state waters and aquatic resources. The ordinance limits allowable development in the RPA to water-dependent uses; redevelopment under special conditions; roads; driveways; utilities; and flood control/stormwater facilities. Since the request to allow the construction of this dwelling within the RPA is not one of these allowable uses, the developer must request an exception to the ordinance.

Currently, this project site, totaling approximately 1 acre, consists of a mature hardwood forest. Approximately three-quarters of this site (0.76 acre) is encumbered by the FEMA 100-year floodplain. Construction of a dwelling on this property cannot be accomplished without requesting of and being granted by FEMA a modification of the 100-year floodplain. This typically will involve additional land disturbance and grading outside of that normally associated with home construction. Due to this reason, the applicant also must prepare an Erosion and Sediment Control Plan to be approved by DPW. This plan will include a requirement that the disturbed areas outside of the building site be revegetated with woody species. Both the dwelling and the additional grading will occur within the lower 50-feet of the RPA buffer.

Based on our review of this RPA exception request, it appears the project meets the exception criteria found in the zoning ordinance. Specifically, a) granting the exception will not confer upon the applicant any special privilege denied to similarly situated property owners; b) the exception request is not based on conditions or circumstances that are self-created; c) the exception request is the minimum necessary to afford relief; d) and reasonable and appropriate conditions have been/will be incorporated to prevent degradation of water quality.

Upon review of the proposal and the provisions of 24-106.3(1)3 of the Zoning Ordinance, the Department of Public Works has determined 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.

(Staff Report by Christina Goggin and Jeff Perry)
(Applicant's Representative: Adam Werner)

PLAN OF DEVELOPMENT

POD2013-00424
Dominion Park at Wyndham
Phase 1

**APPROVED SEE
ADDENDUM PG. 2**

Youngblood, Tyler and Associates, P.C. for HHHunt Corporation: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 37 two-story detached residential condominium units for sale. The 9.89-acre site is located on the north line of Wyndham West Drive, approximately 1,350 feet north of its intersection with Pouncey Tract Road (State Route 271), on part of parcel 734-781-9430. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt)**

This project consisting of 82 free-standing condominium units is broken into two phases. Phase 1 (POD2013-00424) contains 37 units and Phase 2 (POD2013-00425) contains 45 units. These plans replace a four-phase, 93-unit development filed in 2009, but never placed on the Planning Commissions agenda.

The architectural plans submitted propose 7 different models, with numerous façade and floor plan variations. The proffers on this site require a minimum of 2,000 square-foot of finished floor area. Staff has requested additional information confirming that the minimum finished floor area of each model is met along with the range of total floor area for each model.

Staff has concern over the visibility of units backing up to Wyndham West Drive in Phase 1 and Ellington Woods Place in Phase 2. It is recommended that these units have increased architectural detailing on these facades and/or they have enhanced landscaping between the units and the adjacent single family lots.

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. 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. Outside storage shall not be permitted.
31. The proffers approved as a part of zoning case C-02C-08 shall be incorporated in this approval.
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. 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.
35. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
36. The unit house numbers shall be visible from the parking areas and drives.
37. The names of streets, drives, courts and parking areas 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.

(Staff Report by Kevin Wilhite)
(Applicant's Representative: Bonnie Beavers)
(Applicable Rezoning Cases and PUPS: C-02C-08)

PLAN OF DEVELOPMENT

POD2013-00425
Dominion Park at Wyndham
Phase 2

**APPROVED SEE
ADDENDUM PG. 2**

Youngblood, Tyler and Associates, P.C. for HHHunt Corporation: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 45 two-story detached residential condominium units for sale. The 14.08-acre site is located on the north line of Wyndham West Drive, approximately 1,350 feet north of its intersection with Pouncey Tract Road (State Route 271), on part of parcel 734-781-9430. The zoning is RTHC, Residential Townhouse District (Conditional), and R-3C, One-Family Residential District (Conditional). County water and sewer. **(Three Chopt)**

This project consisting of 82 free-standing condominium units is broken into two phases. Phase 1 (POD2013-00424) contains 37 units and Phase 2 (POD2013-00425) contains 45 units. These plans replace a four-phase, 93-unit development filed in 2009, but never placed on the Planning Commissions agenda.

The architectural plans submitted propose 7 different models, with numerous façade and floor plan variations. The proffers on this site require a minimum of 2,000 square-feet of finished floor area. Staff has requested additional information confirming that the minimum finished floor area of each model is met along with the range of total floor area for each model.

Staff has concern over the visibility of units backing up to Wyndham West Drive in Phase 1 and Ellington Woods Place in Phase 2. It is recommended that these units have increased architectural detailing on these facades and/or they have enhanced landscaping between the units and the adjacent single family lots.

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. 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. Outside storage shall not be permitted.
31. The proffers approved as a part of zoning case C-02C-08 shall be incorporated in this approval.
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. 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.
35. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
36. The unit house numbers shall be visible from the parking areas and drives.
37. The names of streets, drives, courts and parking areas 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.

(Staff Report by Kevin Wilhite)
(Applicant's Representative: Bonnie Beavers)
(Applicable Rezoning Cases and PUPS: C-02C-08)

PLAN OF DEVELOPMENT

POD2013-00423
The Towns at Ridgefield -
11135 Ridgefield Parkway

**APPROVED
LANDSCAPE AND
LIGHTING BACK TO
P.C. IN THE FUTURE**

Balzer and Associates, Inc. for The Towns at Ridgefield, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 23 three-story residential townhouses for sale. The 2.22-acre site is located at the southwest corner of the intersection of Ridgefield Parkway and Poplar Forest Drive, on parcel 733-751-1145. The zoning is R-5, General Residential District. County water and sewer. **(Tuckahoe)**

This proposed 23-lot residential townhouse development is consistent with the conditional subdivision plat for The Towns at Ridgefield approved by the Planning Commission at their meeting on October 23, 2013. The site has non-conditional zoning and the proposed layout and construction plans satisfy applicable code requirements regarding residential townhouse development.

Although the site is unproffered, the proposed architectural materials include stone veneer, shake siding and vertical and horizontal siding. Additional architectural details including decorative garage doors, standing seam metal roof porches and window shutters are proposed. In addition to the building materials, the applicant has agreed to provide an asphalt path between both parking lots for resident and visitor access.

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 subdivision plat for The Towns at Ridgefield 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. A 15-foot planting strip to preclude ingress or egress along the south side of Ridgefield Parkway shall be shown on the approved plans. The details shall be included with the required landscape plans for review and approval.
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. Before the construction plan is approved, the developer shall submit to the Department of Public Works and the Department of Planning a report prepared by a qualified professional engineer specifying the proposed treatment of mine shafts and scars.
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 Christina Goggin)

(Applicant's Representative: Cameron Palmore)

PLAN OF DEVELOPMENT

POD2013-00427
Popeyes at Parham One
Shopping Center - 8151
Brook Road (U.S. Route 1)

APPROVED

Balzer and Associates, Inc. for Parham Shopping Center, LLC and Richpop Parham One, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 2,695 square-foot restaurant with drive-through service. The 0.67-acre site is located in an existing shopping center on the east line of Brook Road (U.S. Route 1), approximately 350 south of E. Parham Road, on part of parcel 784-756-6908. The zoning is B-3, Business District. County water and sewer. **(Fairfield)**

The applicant proposes a fast food restaurant with drive-through facilities in an existing shopping center parking lot area. The site is located in front of the Big Lots retail store.

Architectural information demonstrates design and materials selection compatible with the adjacent shopping centers. The building will be primarily EIFS with a stone knee wall base. The color scheme will be similar to the recently opened Popeye's location on West Broad Street in the Fountain Square Shopping Center.

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

29. Only retail business establishments permitted in a B-3 zone may be located in this center.
30. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
31. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).
32. A concrete sidewalk meeting VDOT standards shall be provided along the east side of Brook Road (U.S. Route 1).
33. Outside storage shall not be permitted.
34. 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.
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. 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.
37. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

(Staff Report by Aimee Crady)
(Applicant's Representative: Christopher Shust)

PLAN OF DEVELOPMENT

POD2013-00388
Pioneer Baptist Church
Addition - 3122 & 3140
Darbytown Road

APPROVED/EXPEDITED

Silvercore for Pioneer Baptist Church: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, for construction of a two-story, 7,500-square-foot multi-purpose addition to an existing sanctuary. The 3.3-acre site is located on the northeast corner of the intersection of Darbytown Road and Monahan Road, on parcels 821-697-5146 and 821-697-3654. The zoning is A-1, Agricultural District, and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

This request is for a two-story, 7,500 square-foot multi-purpose addition to an existing church. The proposed addition includes restroom facilities, classrooms and a multi-purpose room for various church activities. Because this addition does not enlarge the existing sanctuary, no additional parking is required.

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 Monahan 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. 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. 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 Christina Goggin)
(Applicant's Representative: Jeff Staub)

PLAN OF DEVELOPMENT, LIGHTING PLAN, AND TRANSITIONAL BUFFER DEVIATION

POD2013-00322
West Broad Honda Car
Storage - 7108 Through 7112
Fountain Avenue, and 7100
W. Broad Street (U.S. Route
250)

**APPROVED SEE
ADDENDUM PG. 3**

E.D. Lewis and Associates, P.C. for J&L Associates: Request for approval of a plan of development, lighting plan, and transitional buffer deviation, as required by Chapter 24, Section 24-106 and Section 24-106.2 of the Henrico County Code, to expand the vehicle storage lot at an existing car dealership. The transitional buffer deviation reduces the width of the transitional buffer between the B-3C and R-4 zoning along the northeast property line. The 0.6-acre portion of the 7.546-acre site is located on the east line of W. Broad Street (U.S. Route 250), the south line of Deep Run Avenue, and the west line of Harrison Avenue, on parts of parcels 767-747-1497, 767-747-1593, 767-747-1789, 767-747-0666, 767-747-3785, 766-747-9561, and 767-747-2250. The zoning is B-3, Business District, and B-3C, Business District (Conditional). County water and sewer. **(Brookland)**

The applicant requests approval of a plan of development to expand the car sales storage lot operation adjacent to the existing operation. The request includes consideration of a transitional buffer deviation along the northeast property line, adjacent to an R-4 zone. A transitional buffer 35-feet wide is typically required along this perimeter, but a transitional buffer deviation may be granted by the Planning Commission. The applicant requests the buffer to be reduced to 10-feet wide with a 6-foot opaque fence and supplemental landscaping as shown on the conceptual landscape plan in the agenda. Existing portions of the perimeter fence on site are constructed of wood board. A transitional buffer deviation of the same character was granted by the Planning Commission in 2001 along the same border east and adjacent to the current request.

The majority of the newly proposed fence section will be constructed of a durable and low maintenance composite fence system. This includes the more visible sections along Deep Run Avenue and vacated portion of Fountain Avenue.

Portions of fence along existing borders will be refreshed and connected to other existing fence sections with wood board fencing where appropriate and compatible.

The plan also includes a lighting plan for the expanded lot areas. Newly proposed lighting will be LED and concealed source pole lighting mounted at 20 feet from grade. House side shields will be installed to provide additional glare protection adjacent to the site perimeter.

Staff has no objection to the transitional buffer deviation request. Should the Commission grant the transitional buffer deviation, the staff recommends approval, subject to the annotations on the plan, the standard conditions for developments of this type, and the following additional conditions:

- 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. The right-of-way for widening of Deep Run Avenue 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. The proffers approved as a part of zoning cases C-10C-01, C-38C-01, C-10C-08, and C-26C-94 shall be incorporated in this approval.

(Staff Report by Aimee Crady)

(Applicant's Representative: Monte Lewis)

(Applicable Rezoning Cases and PUPS: C-10C-01; C-38C-01; C-10C-08; C-26C-94)

PLAN OF DEVELOPMENT

POD2013-00421
West Broad Street
Apartments at 12400 W.
Broad Street - 12400 W.
Broad Street (U.S. Route
250)

APPROVED

McKinney and Company for Commonwealth Properties, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 15 one- to four-story buildings containing 320 dwelling units, a 3,660 square-foot community center, a 1,970 square-foot leasing center, a 1,020 square-foot maintenance building with a car wash, and a 1,745 square-foot seven-bay garage. The 20.53-acre site is located north of W. Broad Street (U.S. Route 250), and adjacent to Interstate 64, approximately 3,500 feet west of the intersection of W. Broad Street (U.S. Route 250) and N. Gayton Road, on part of parcel 730-765-7288. The zoning is R-6C, General Residential District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

The plan proposes eleven apartment buildings containing 320 dwelling units and four separate buildings for a leasing center, a community center, a seven-unit garage, and a maintenance building with car wash station.

This POD is the first plan submitted pursuant to the 12400 West Broad Street infrastructure plan approved by the Planning Commission on July 24, 2013. The infrastructure construction plans are currently under review by the county staff.

The proffers of zoning case C-18C-12 apply.

Various amenities are featured in the proposal. According to the developer, the community center is intended to serve other residential elements of the overall 12400 West Broad Street site. Two pools, a playground, and trails are also included.

Eight distinct residential building types are proposed with various footprints, layouts, heights, and massing. Eight of the eleven buildings are three or four stories tall, with the remaining three buildings featuring a carriage house design. This is a two-story design with residential units above and garages below.

Building materials and colors include man-made stone, hard coat stucco, cementitious panels and batten strips, and architectural shingles. A palette of earth tone and muted colors is proposed for all buildings.

Construction of the entrance road and the easternmost access road is required prior to issuance of a Certificate of Occupancy per proffers, as stated in Condition #38.

Staff has requested additional pedestrian connections throughout as shown on the site exhibit proffered in the zoning case, which shows trails connecting the various proposed developments within the overall 12400 West Broad Street site. Sidewalk connections have also been requested internally, specifically around the boulevard entrance and roundabout and near Buildings 10 and 14.

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 unit house numbers shall be visible from the parking areas and drives.
30. The names of streets, drives, courts and parking areas shall be approved by the Richmond Regional Planning District Commission and the Director of Planning, 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.
31. The subdivision plat for the right-of-way dedication for the public portion of the main loop road between West Broad Street and the first internal intersection shall be recorded before a Certificate of Occupancy is issued.
32. 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.
33. Outside storage shall not be permitted.
34. The proffers approved as a part of zoning case C-18C-12 shall be incorporated in this approval.
35. 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.
36. 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.
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. In accordance with Proffer #11 of zoning case C-18C-12, the entrance road and the eastern-most access road shall be constructed prior to the issuance of any Certificates of Occupancy for this site.
39. 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.
40. The limits and elevations of the **Special Flood Hazard Area** shall be conspicuously noted on the plan and labeled "**Limits of Special Flood Hazard Area.**" In addition, the delineated **Special Flood Hazard Area** must be labeled "Variable Width Drainage and

Utility Easement.” The easement shall be granted to the County prior to the issuance of any occupancy permits.

41. In order to maintain the effectiveness of the County’s public safety radio communications system within buildings, the owner will install radio equipment that will allow for adequate radio coverage within the building, unless waived by the Director of Planning. Compliance with the County’s emergency communication system shall be certified to the County by a communications consultant within ninety (90) days of obtaining a certificate of occupancy. The County will be permitted to perform communications testing in the building at anytime.

(Staff Report by Lee Pambid)
(Applicant’s Representative: Stuart Groseclose)
(Applicable Rezoning Cases and PUPS: C-18C-12)

PLAN OF DEVELOPMENT

POD2013-00320
Patel Plaza - 2600
Tuckernuck Drive

**APPROVED SEE
ADDENDUM PG. 3**

Sekiv Solutions for Shivenil, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a shopping center with a one-story, 14,800 square-foot grocery/retail building. The 2.92-acre site is located at the northern terminus of Tuckernuck Drive, approximately 850 feet north of W. Broad Street (U.S. Route 250), on parcel 758-757-2065. The zoning is B-2, Business District. County water and sewer. **(Brookland)**

This proposal is for a shopping center containing three tenant spaces with the flexibility for a fourth space. The plan currently shows 79 parking spaces.

A community meeting was held on January 6, 2014 to gather adjacent property owner input, during which four adjacent property owners indicated their three primary concerns were trespassing on the subject parcel, the condition of the existing on-site BMP, and screening between their properties and the proposed development.

The Department of Public Works has required that the BMP be cleaned and made functional as part of their approval.

A required 25-foot transitional buffer is proposed between the adjacent residences and the building, and the building itself is required to be set back at least 50-foot from the property lines. A 6-foot vinyl fence is also shown on the plan.

The building materials and colors include tan EIFS, red large brick, white PVC columns, and metal canopies. The applicant intends to revise the elevations.

As of the preparation date of the agenda, staff has not received revised plans showing new elevations, new floor plan and building materials and colors and the correct orientations of building facades as well as a plan for conceptual transitional buffer plantings.

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

(Staff Report by Lee Pambid)

(Applicant's Representative: Chris Thompson)

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2013-00412
Wawa at Creighton and
Laburnum - 3384 Creighton
Road

**APPROVED SEE
ADDENDUM PG. 4**

Kimley-Horn and Associates for Creighton & Laburnum, LLC and The Rebkee Company: 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 a one-story, 5,330 square-foot convenience store with fuel pumps. The 9.0-acre site is part of a 28-acre site, and is located at the northwest corner of the intersection of Creighton Road and N. Laburnum Avenue, on part of parcel 807-730-9116. The zoning is B-2C, Business District (Conditional), M-1C, Light Industrial District (Conditional), and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield)**

The applicant is requesting approval to construct a one-story 5,330 square foot convenience store with fuel pumps, and a lighting plan. Public Works has confirmed that sidewalks and road improvements for Laburnum Avenue and Creighton Road will be constructed with the Creighton and Laburnum Road project slated for 2017. However, the applicant is constructing a portion of the roadway infrastructure for the overall development and will be constructing a sidewalk and right turn lanes into their site north of the southernmost entrance from Laburnum Avenue. The applicant has provided a schematic landscape plan that shows provision of proffered landscaping out of the proposed right-of-way and future area of construction for both Laburnum Avenue and Creighton Road.

The architectural building elevations conform with the exhibits submitted with the Provisional Use Permit. Staff has requested the masonry around the base of the columns of the fuel pumps be raised in height to the top of the fuel pumps, and the applicant has agreed to this revision.

The applicant is requesting approval of a lighting plan with this application. As of the preparation date of this agenda, staff has not received information as requested for the light fixture details and a revised photometric plan that includes wall mounted lights around the building. The staff recommendation on the lighting plan will be made at the meeting.

The staff, however, can recommend approval of the site plan subject to the standard conditions for developments of this type, annotations on the plans and the following additional conditions:

- 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. The right-of-way for widening of Creighton Road and Laburnum Avenue 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. A concrete sidewalk meeting County standards shall be provided along the west side of Laburnum Avenue as shown on the staff plan.
31. Outside storage shall not be permitted.
32. The proffers approved as a part of zoning case C-29C-07, and conditions approved with Provisional Use Permit case PUP-2013-0004, shall be incorporated in this approval.
33. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development needed to implement this conceptual 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.
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. 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. 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.
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 Greg Garrison)

(Applicant's Representative: Ryan Perkins)

(Applicable Rezoning Cases and PUPS: C-29C-07; PUP2013-00004)

PLAN OF DEVELOPMENT, LIGHTING PLAN, AND TRANSITIONAL BUFFER DEVIATION

POD2013-00426
Sonic Drive-In at 5805 W.
Broad Street - 5805 W.
Broad Street (U.S. Route
250)

**APPROVED SEE
ADDENDUM PG. 4
LIGHTING BACK TO
P.C. IN FUTURE**

Bowman Consulting Group, Ltd. for Armentrout Thomas M. Estate and Platten Group: Request for approval of a plan of development, lighting plan, and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code, to construct a one-story, 1,452 square-foot outdoor restaurant with drive-through facilities and 2 canopies, totaling 3,075 square-feet. The deviation would reduce the 10-foot and 35-foot transitional buffers at the rear of the property to accommodate parking and a canopy. The 0.65-acre site is located on the south line of W. Broad Street (U.S. Route 250), approximately 120 feet west of its intersection with Libbie Avenue, on parcel 771-740-2505. The zoning is B-3, Business District. County water and sewer. **(Brookland)**

The applicant is requesting approval to construct a one-story, 1,452 square-foot restaurant with drive-through facilities, two canopies totaling 3,075 square-feet, and a lighting plan.

The site consists of a parcel containing the former Bill's Barbeque, which will be demolished, and an existing alley to the rear of the property. The applicant has requested vacation of the existing alley, which requires approval by the Board of Supervisors. The applicant intends to combine the alley parcel with this site to accommodate the proposed development. Condition # 34 would require completion of the vacation process prior to approval of the construction plans for this property.

A transitional buffer of 10 feet adjacent to the O-2 zoning, and a 35-foot buffer adjacent to the R-3 zoning, is required to the rear of the site. The applicant is requesting a transitional buffer deviation to reduce the 10-foot buffer to 5.68 feet, and the 35-foot buffer to 23 feet. The buffer deviation would be to accommodate parking and a canopy. There is an existing wall to the rear of the property on the adjacent property. There currently is existing paving up to the wall. The applicant proposes to install evergreen plant material with a height of 42-48 inches along the wall.

The applicant also requests approval of a lighting plan. However, staff has not received information, as requested, on the lighting plan that addresses details of the light fixtures, or a revised photometric plan to reduce the footcandles at the rear property line to .05 fc.

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 plan, the following additional conditions are recommended:

- 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. The entrances and drainage facilities on W. Broad Street (U.S. Route 250) shall be approved by the Virginia Department of Transportation and the County.

30. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.
31. A concrete sidewalk meeting VDOT standards shall be provided along the south side of W. Broad Street (U.S. Route 250).
32. Outside storage shall not be permitted.
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. Before the construction plan is approved, the applicant shall submit evidence that the alley has been vacated, and the vacated property has been consolidated with this parcel.
35. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Virginia Department of Transportation maintained right-of-way. The elevations will be set by the contractor and approved by the Virginia Department of Transportation.
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 Greg Garrison)

(Applicant's Representative: Ryan Ritterskamp)

APPROVAL OF MINUTES: December 11, 2013 Minutes APPROVED AS CORRECTED

ADJOURN @ 11:42 A.M.

**PLANNING COMMISSION AGENDA FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT
January 22, 2014**

ADDENDUM

PAGE 12 - REVISED CAPTION AND REVISED PLAN

PLAN OF DEVELOPMENT (Deferred from the December 11, 2013 Meeting)

POD2013-00279
Enviroscape Inc. Office and
Service Building - Techpark
Place

APPROVED

Draper Aden Associates for Atack ME Tech Park Partners, LLC and Enviroscape, 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, 10,000-square foot-office warehouse facility. The ~~3.59~~ ~~4.07~~-acre site is located along the west line of Techpark Place, approximately ~~1,650~~ ~~1,590~~ feet south of Technology Boulevard, on part of parcel 844-704-9230. The zoning is M-2C, General Industrial District (Conditional). County water and sewer. **(Varina)**

The revised plan removes the area shown for a future road from the limits of the plan of development. This road may be provided in the future, as determined with subsequent plans of development.

PAGE 16 - REVISED CAPTION

SUBDIVISION - CHESAPEAKE BAY RESOURCE PROTECTION AREA EXCEPTION

SUB2013-00195
Kildare Annex Block D Lots
15-17 - 2518 Libbie Avenue

APPROVED

Werner Engineering for Big Green Mountain, LLC and Emerald Land Development, LLC: Request for approval of a Chesapeake Bay Resource Area Exception as required by Chapter 24, Sections 106.3(f) and 106.3(l) of the Henrico County Code. The 1.08-acre site is located on the north line of Libbie Avenue across the street from Regent Road, on parcels ~~773-742-5646, 773-742-6246, and 773-742-7046~~. The exception would allow a buildable area for a future single-family dwelling to encroach within the seaward 50-feet of the required 100-foot-wide Resource Protection Area, a component of a Chesapeake Bay Preservation Area, adjacent to Horsepen Branch that drains to Upham Brook in the Chickahominy River watershed. The zoning is R-3, One-Family Residential District. County water and sewer. **(Brookland) 1 Lot**

The caption has been revised to reflect consolidation of the existing subdivision lots.

PAGE 18 - MODIFIED CONDITION

PLAN OF DEVELOPMENT

POD2013-00424
Dominion Park at Wyndham
Phase 1

APPROVED

Youngblood, Tyler and Associates, P.C. for HHHunt Corporation: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 37 two-story detached residential condominium units for sale. The 9.89-acre site is located on the north line of Wyndham West Drive, approximately 1,350 feet north of its intersection with Pouncey Tract Road (State Route 271), on part of parcel 734-781-9430. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt)**

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.

PAGE 20 - MODIFIED CONDITION

PLAN OF DEVELOPMENT

POD2013-00425
Dominion Park at Wyndham
Phase 2

APPROVED

Youngblood, Tyler and Associates, P.C. for HHHunt Corporation: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 45 two-story detached residential condominium units for sale. The 14.08-acre site is located on the north line of Wyndham West Drive, approximately 1,350 feet north of its intersection with Pouncey Tract Road (State Route 271), on part of parcel 734-781-9430. The zoning is RTHC, Residential Townhouse District (Conditional), and R-3C, One-Family Residential District (Conditional). County water and sewer. **(Three Chopt)**

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.

PAGE 27 - REVISED PLAN

PLAN OF DEVELOPMENT, LIGHTING PLAN, AND TRANSITIONAL BUFFER DEVIATION

POD2013-00322
West Broad Honda Car
Storage - 7108 Through 7112
Fountain Avenue, and 7100
W. Broad Street (U.S. Route
250)

APPROVED

E.D. Lewis and Associates, P.C. for J&L Associates: Request for approval of a plan of development, lighting plan, and transitional buffer deviation, as required by Chapter 24, Section 24-106 and Section 24-106.2 of the Henrico County Code, to expand the vehicle storage lot at an existing car dealership. The transitional buffer deviation reduces the width of the transitional buffer between the B-3C and R-4 zoning along the northeast property line. The 0.6-acre portion of the 7.546-acre site is located on the east line of W. Broad Street (U.S. Route 250), the south line of Deep Run Avenue, and the west line of Harrison Avenue, on parts of parcels 767-747-1497, 767-747-1593, 767-747-1789, 767-747-0666, 767-747-3785, 766-747-9561, and 767-747-2250. The zoning is B-3, Business District, and B-3C, Business District (Conditional). County water and sewer. **(Brookland)**

A revised plan has been received that revises the fence materials to stipulate that all new or relocated fence segments shall be constructed of the composite fence type as detailed in the staff plan. No new fence segments of wood construction will be placed as part of this plan.

Staff continues to recommend approval subject to the conditions in the agenda.

PAGE 32 - REVISED PLAN, REVISED ARCHITECTURALS, AND REVISED RECOMMENDATION

PLAN OF DEVELOPMENT

POD2013-00320
Patel Plaza - 2600
Tuckernuck Drive

APPROVED

Sekiv Solutions for Shivenil, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a shopping center with a one-story, 14,800 square-foot grocery/retail building. The 2.92-acre site is located at the northern terminus of Tuckernuck Drive, approximately 850 feet north of W. Broad Street (U.S. Route 250), on parcel 758-757-2065. The zoning is B-2, Business District. County water and sewer. **(Brookland)**

Staff has received revised architecturals with floor plans, elevations with correct orientations, and colors and materials information. The building materials and colors include off-white and almond EIFS, red large brick, off-white PVC columns, and green metal and fabric canopies.

An updated layout plan and separate conceptual plan illustrating proposed transitional buffer plantings were also received.

Staff recommends approval subject to the annotations on the plans, the standard conditions for developments of this type, and the additional conditions in the agenda.

PAGE 34 - REVISED LIGHTING PLAN AND REVISED RECOMMENDATION

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2013-00412
Wawa at Creighton and
Laburnum - 3384 Creighton
Road

APPROVED

Kimley-Horn and Associates for Creighton & Laburnum, LLC and The Rebkee Company: 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 a one-story, 5,330 square-foot convenience store with fuel pumps. The 9.0-acre site is part of a 28-acre site, and is located at the northwest corner of the intersection of Creighton Road and N. Laburnum Avenue, on part of parcel 807-730-9116. The zoning is B-2C, Business District (Conditional), M-1C, Light Industrial District (Conditional), and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield)**

A revised lighting plan has been submitted that provides light levels along the front and sides of the building. Staff recommends approval of the plan of development and lighting plan, subject to the standard conditions for developments of this type, the annotations on the plans, and the added conditions in the agenda.

PAGE 36 - REVISED PLAN AND ADDED CONDITION

PLAN OF DEVELOPMENT, LIGHTING PLAN, AND TRANSITIONAL BUFFER DEVIATION

POD2013-00426
Sonic Drive-In at 5805 W.
Broad Street - 5805 W.
Broad Street (U.S. Route
250)

APPROVED

Bowman Consulting Group, Ltd. for Armentrout Thomas M. Estate and Platten Group: Request for approval of a plan of development, lighting plan, and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code, to construct a one-story, 1,452 square-foot outdoor restaurant with drive-through facilities and 2 canopies, totaling 3,075 square-feet. The deviation would reduce the 10-foot and 35-foot transitional buffers at the rear of the property to accommodate parking and a canopy. The 0.65-acre site is located on the south line of W. Broad Street (U.S. Route 250), approximately 120 feet west of its intersection with Libbie Avenue, on parcel 771-740-2505. The zoning is B-3, Business District. County water and sewer. **(Brookland)**

The revised plan reflects revisions to the drive aisle and landscape strip widths to maximize the planting area in the rear of the property. A dimension of 7.85 feet in lieu of the previous 5.68 feet is now provided.

38. No outside public address, loudspeaker, paging or speaker system audible beyond the boundary lines of residentially zoned property shall be permitted.