

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

**June 25, 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: TED STRONG/RICHMOND TIMES-DISPATCH**

**ROLL CALL: ALL MEMEBERS PRESENT**

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

**EXPEDITED AGENDA: Leslie News**

**SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Lee Pambid**

**FOR INFORMATIONAL PURPOSES ONLY**

<b>Subdivision</b>	<b>Original No. of Lots</b>	<b>Remaining Lots</b>	<b>Previous Extensions</b>	<b>Magisterial District</b>	<b>Recommended Extension</b>
<b>SUB2011-00042 The Townes at Oakley's Bluff (June 2011 Plan)</b>	<b>131</b>	<b>86</b>	<b>2</b>	<b>Varina</b>	<b>6/22/2015</b>

## TRANSFER OF APPROVAL

POD-84-07  
POD2013-00050  
Wells Fargo (Formerly  
Wachovia Bank) at The  
Shops at White Oak Village  
– 4489 S. Laburnum Avenue

**APPROVED/EXPEDITED**

**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 to Cole MT Richmond VA, LLC. The 1.0-acre site is located in an existing shopping center at the northeast corner of the intersection of S. Laburnum Avenue and Audubon Drive, on parcel 815-716-6961. 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 the original approval. All site deficiencies, as identified in the staff report dated June 21, 2013 have been addressed. The work included repainting a stop bar and directional arrows, and restriping the parking spaces. The staff recommends approval of this request.

**(Staff Report by Christina Goggin)**  
**(Applicant's Representative: Rachael Fives)**  
**(Applicable Rezoning Cases and PUPS: C-29C-06)**

## TRANSFER OF APPROVAL

POD-76-84  
POD2013-00186  
Burger King - 3720  
Mechanicsville Turnpike  
(U.S. Route 360)

**APPROVED/EXPEDITED**

**Daniel A. Gonzalez for Burger King Corporation:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Robert Prager to Burger King Corporation. The 0.82-acre site is located on the southwest corner of the intersection of Mechanicsville Turnpike (U.S. Route 360) and E. Laburnum Avenue, on parcel 802-735-7062. The zoning is B-2, Business District, and ASO, Airport Safety Overlay 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. All deficiencies, as identified in the inspection report dated June 6, 2013, have been addressed. The new owner repaved the parking lot and planted several missing trees and shrubs. The staff recommends approval of this transfer request.

**(Staff Report by Matt Ward)**  
**(Applicant's Representative: Daniel Gonzalez)**

## TRANSFER OF APPROVAL

POD-96-88

POD2013-00027

Nelsen Funeral Home

Reception Center – 4660 S.

Laburnum Avenue

**APPROVED/EXPEDITED**

**Jeffrey Frucht for SCI Virginia Funeral Services, Inc.:**

Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Nelwood, LC to SCI Virginia Funeral Services, Inc. The 1.75-acre site is located along the west line of Laburnum Avenue, approximately 625 feet north of Audubon Drive, on parcel 814-716-9454. The zoning is B-2C, 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 the original approval. All deficiencies, as identified in the inspection report dated April 17, 2013 have been addressed. The new owner repaved the parking, repainted light poles, and planted several trees and shrubs. Also, the recent provisional use permit (P-09-12) was transferred to the new owner for continued use for receptions. The staff recommends approval of this transfer request.

**(Staff Report by Matt Ward)**

**(Applicant's Representative: Jeffrey Frucht)**

**(Applicable Rezoning Cases and PUPS: C-62C-83; C-09C-12; P-09-12)**

## TRANSFER OF APPROVAL

POD-16-83

POD2013-00072

Nelsen Funeral Home – 4650

S. Laburnum Avenue

**APPROVED/EXPEDITED**

**Jeffrey Frucht for SCI Virginia Funeral Services, Inc.:**

Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Nelsen Funeral Home, Inc. to SCI Virginia Funeral Services, Inc. The 4.95-acre site is located along the west line of S. Laburnum Avenue, approximately 500 feet north of Audubon Drive, on parcel 814-716-7558. The zoning is O-2, Office 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, as identified in the inspection report dated April 17, 2013 have been addressed. The new owner repaired areas throughout the parking lot, repainted light poles and planted several trees and shrubs. The staff recommends approval of this transfer request.

**(Staff Report by Matt Ward)**

**(Applicant's Representative: Jeffrey Frucht)**

## TRANSFER OF APPROVAL

POD-58-05  
POD2014-00027  
9800 JEB Stuart Parkway  
(Formerly JEB Stuart Place)  
– 9800 JEB Stuart Parkway

**Roger Bowers for Schnabel Real Estate Holdings, LLC:**  
Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Winging It, LLC to Schnabel Real Estate Holdings, LLC. The 3.29-acre site is located at the northwest corner of the intersection of JEB Stuart Parkway and Technology Park Drive, on parcel 785-768-9646. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Fairfield)**

**APPROVED/EXPEDITED**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of original approval. Site deficiencies, as identified in the staff report dated February 24, 2014, have been corrected. The site deficiencies included parking lot striping and the removal of debris from the BMP. The staff recommends approval of this request.

**(Staff Report by Tony Greulich)**  
**(Applicant's Representative: Roger Bowers)**  
**(Applicable Rezoning Cases and PUPS: C-39C-05)**

## PLAN OF DEVELOPMENT (Deferred from the May 28, 2014 Meeting)

POD2014-00091  
GreenGate Phase I –  
Infrastructure and Master  
Plan - 12121 W. Broad Street  
(U.S. Route 250)

**Kimley-Horn and Associates, Inc. for ME Nuckols, LLC:**  
Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct the first phase of an urban mixed-use development consisting of two entrance roads, improvements to W. Broad Street (U.S. Route 250), and other infrastructure including utilities and storm sewer. The master plan proposes a total of 122,000 square-feet of retail and office space, along with 259 residential lots on a 68.68-acre site, including parcels 731-764-5533 and 731-764-4292. The 13.0-acre site for Phase I is located on the south line of W. Broad Street (U.S. Route 250), approximately 540 feet west of its intersection with N. Gayton Road, on part of parcel 731-764-5533. The zoning is UMUC, Urban Mixed Use District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

**DEFERRED BY THE  
APPLICANT TO 7/23/2014**

This plan represents the initial phase of commercial development for the GreenGate urban mixed use project. It consists of the construction of two streets off of W. Broad Street, which will ultimately be dedicated as public rights-of-way. In addition, improvements are to be made to the W. Broad Street frontage and medians. There is additional work related to public water and sanitary sewer utilities, and storm water infrastructure included in the first phase. A number of issues remain to be addressed. The applicant needs to work out the final location of the median break on W. Broad Street for the westernmost access road as the location shown does not meet the spacing requirements of the Virginia Department of Transportation. The median break may need to be relocated or eliminated and the westernmost street location adjusted accordingly. In addition, there are concerns related to sight distance and spacing of access points along the

easternmost access drive from W. Broad Street within this development. The adequacy of right-of-way widths also need to be confirmed.

The master plan is consistent with Scheme A of the GreenGate Master Plan Book made part of the rezoning case for this site. The total floor area anticipated in the commercial portion of the development is 88,000 square-feet of retail floor area and 40,000 square-feet of office floor area. This represents a permitted deviation from the original master plan, which shows 80,000 square-feet of retail space and 32,000 square-feet of office space. The only additional deviation is the addition of an alley to provide access to the rear of residential townhouse lots at the southeast corner of the commercial portion of the site. The master plan shows the balance of the site for the development of 259 dwelling units and open space. A total of 300 dwelling units were permitted in GreenGate under the approved proffers. An updated master plan has been requested. Plan of Development approval by the Planning Commission will be required in the future to implement the improvements on the master plan.

As of the preparation date of the agenda, staff has not received the revised master plan, as requested. 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. The subdivision plats for Main Street and Road A shall be recorded prior to or concurrent with the recordation of any subdivision plats for any residential dwelling units and before any occupancy permits are issued for commercial units.
30. The right-of-way for widening of W. Broad Street (U.S. Route 250) 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.
31. 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.
32. 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.
33. A concrete sidewalk meeting VDOT standards shall be provided along the south side of W. Broad Street (U.S. Route 250).
34. The proffers approved as a part of zoning cases REZ2014-00009 and PUP2014-00006 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. 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.
37. 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.
38. 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.

**(Staff Report by Kevin Wilhite and Christina Goggin)**  
**(Applicant’s Representative: David Ellington)**  
**(Applicable Rezoning Cases and PUPS: REZ2014-00009; PUP2014-00006)**

## **SUBDIVISION**

SUB2014-00026  
GreenGate  
(April 2014 Plan) - 12121  
W. Broad Street (U.S. Route  
250)

**DEFERRED BY THE  
APPLICANT TO 7/23/2014**

**Kimley-Horn and Associates, Inc. for ME Nuckols, LLC:** The 55.68-acre site proposed for 46 single-family dwellings and 213 residential townhouses for sale is located on the north line of Graham Meadows Drive, approximately 575 feet north of its intersection with N. Gayton Road, on part of parcels 731-764-5533 and 731-764-4292. The zoning is UMUC, Urban Mixed Use District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt) 259 Lots**

This submittal covers the entire residential component of the GreenGate urban mixed use development. There are 46 single family residential lots and 213 residential townhomes for sale proposed, which will be developed in multiple sections. The total number of residential dwellings permitted in GreenGate is limited to 300 units by proffer. There is a mix of both public and private streets shown on the plan. A number of issues are still under review as of the preparation date of the agenda. They include the extent of right-of-way dedication, street widths, the sight distance requirements at intersections and along curves, the radius of proposed streets, and the spacing of access points along the proposed streets. Also, additional information on lot layout and design has been requested. A Plan of Development will need to be filed for Planning Commission approval of the site plan and architectural plans for all future sections of this development.

The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for subdivisions served by public utilities and residential townhouses for sale, the following additional conditions are recommended:

15. 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."
16. The proffers approved as part of zoning cases REZ2014-00009 and PUP2014-00006 shall be incorporated in this approval.
17. 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 Kevin Wilhite and Christina Goggin)**  
**(Applicant’s Representative: David Ellington)**  
**(Applicable Rezoning Cases and PUPS: REZ2014-00009; PUP2014-00006)**

**PLAN OF DEVELOPMENT - ARCHITECTURAL PLANS (Deferred from the April 23, 2014 Meeting)**

POD2014-00159  
Westwood Center – 2231  
Westwood Trail

**APPROVED**

**RK&K, LLP for Brandywine Dabney, 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, to construct a one-story, 69,300 square-foot office warehouse. The 12.24-acre site is located at the terminus of Westwood Trail (private), approximately 800 feet east of Tomlynn Street, on parcel 779-736-7015. The zoning is M-1, Light Industrial District and M-2, General Industrial District. County water and sewer. **(Brookland)**

This plan proposes a one-story, 69,300 square-foot office/ warehouse building on one parcel located between the ACCA Railyard and Interstate 195.

The POD was approved by the Planning Commission on April 23, 2014, and the architectural plans including elevations and floor plans were deferred to June 25, 2014. Since the last hearing in April on this POD, new plans have been received that feature various changes to the elevations and floor plans. No changes to the footprints of either building are proposed.

Previous versions of the elevations featured grey pre-cast concrete panels for both buildings. The elevations now feature earth-tone pre-cast concrete panels with additional horizontal and vertical color bands.

Including parapets, Westwood Center is 38 feet in overall height. Final façades for each space are intended to be customized for each tenant.

Changes on the new floorplans include 12 loading bay doors along the front elevation, in lieu of six doors previously seen, and the number of tenant spaces remains the same at six.

Six outdoor recessed entrances along the front elevation facing east towards Interstate 195, with the potential for additional entrances, are also new. These recessed entrances are new features provided in lieu of canopies, which have been deleted.

Two loading bay doors, one each on the north and south elevations, are also new. These bay doors replace personnel doors under canopies, which have been deleted.

The number of personnel doors along the rear west elevation facing the Dominion Virginia Power substation has been reduced from 12 to six.

The staff recommendation will be made at the meeting. The approval of the architectural plans is subject to the terms and conditions previously approved for POD2014-00094 by the Planning Commission at their April 23, 2014 meeting.

**(Staff Report by Lee Pambid)**  
**(Applicant's Representative: Malachi Mills)**

**PLAN OF DEVELOPMENT - ARCHITECTURAL PLANS (Deferred from the April 23, 2014 Meeting)**

POD2014-00160  
Dabney XII and XIV – 2283  
Dabney Road

**APPROVED**

**RK&K, LLP for Brandywine Dabney, 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, to construct a one-story, 45,000 square-foot office warehouse (XII) and a one-story, 41,300 square-foot office warehouse (XIV). The 11.61-acre site is located on the east line of Dabney Road, at the intersection of Dabney Road and Par Street, on parcel 777-739-8812. The zoning is M-2, General Industrial District. County water and sewer. **(Brookland)**

This plan proposes two separate one-story office/ warehouse buildings on one parcel. Dabney XII is a 45,000 square-foot building fronting on Dabney Road at the intersection with Par Street, and Dabney XIV is a 41,300 square-foot building located between the existing Dabney VI building and the ACCA Railyard.

The POD was approved by the Planning Commission on April 23, 2014, and the architectural plans including elevations and floor plans were deferred to June 25, 2014. Since the last hearing in April on this POD, new plans have been received that feature various changes to the elevations and floor plans. No changes to the footprints of either building are proposed.

Previous versions of the elevations featured grey pre-cast concrete panels for both buildings. The elevations now feature earth-tone pre-cast concrete panels with additional horizontal and vertical color bands.

Including parapets, Dabney XII is 26 feet in overall height, and Dabney XIV is 28 feet in overall height. Final façades for each building and space are intended to be customized for each tenant.

Changes on the new floorplans to Dabney XII include 22 loading bay doors in lieu of 12 previously seen, five tenant spaces in lieu of 12 previously seen. Six outdoor recessed entrances along the front with the potential for additional entrances are also new. Recessed entrances are new features for both buildings.

Changes on the new floor plans to Dabney XIV include 17 loading bay doors in lieu of nine previously seen, and four tenant spaces in lieu of nine previously seen. Five outdoor recessed entrances along the front with the potential for additional entrances are also new.

The staff recommendation will be made at the meeting. The approval of the architectural plans is subject to the terms and conditions previously approved for POD2014-00096 by the Planning Commission at their April 23, 2014 meeting.

**(Staff Report by Lee Pambid)**  
**(Applicant's Representative: Malachi Mills)**

**SUBDIVISION (Deferred from the May 28, 2014 Meeting)**

SUB2014-00061  
Bell Tower  
(May 2014 Plan) – 11351  
Church Road

**APPROVED**  
**SEE ADDENDUM PG. 1**

**Bay Companies, Inc. for Mary Chase Eck Layman:** The 0.59-acre site proposed for a subdivision of one existing single-family home, and one proposed single-family home to be incorporated within the existing Bell Tower subdivision, is located at the southeast corner of the intersection of Bell Tower Lane and Bell Tower Court, on part of parcel 743-756-3353. The zoning is R-3C, One-Family Residential District (Conditional), and A-1, Agricultural District. County water and sewer. **(Three Chopt) 2 Lots**

At the applicant's request this subdivision was deferred to the June 25, 2014 Planning Commission meeting so the applicant could reconsider the lot design.

The proposed subdivision layout proposes two (2) lots for single-family development in accordance with the proffers of a rezoning case REZ2014-00014 approved on April 8, 2014.

The lot with the existing dwelling is zoned both A-1 and R-3C. The existing dwelling must meet the zoning requirements and building setbacks in accordance with the A-1 district. The proposed lot for the new single family dwelling to be included in the Bell Tower subdivision must satisfy the R-3C district zoning requirements and building setbacks.

Also, staff has requested a revised plan to show right-of-way dedication along Church Road as required by Department of Public Works and revised building setbacks and buildable areas to confirm that the newly created lots meet their respective zoning district requirements.

As of the preparation date of the agenda staff has not received any additional information.

The staff recommendation will be made at the meeting. Should the Commission act on this request, the standard conditions for subdivisions served by public utilities and the following additional conditions are recommended:

13. The residual lot with the existing home shall contain at least 43,560 square feet.
14. The proposed lot shall contain at least 11,000 square feet.
15. 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.
16. The proffers approved as part of zoning case REZ2014-00014 shall be incorporated in this approval.

**(Staff Report by Matt Ward)**

**(Applicant's Representative: Joseph Faudale)**

**(Applicable Rezoning Cases and PUPS: REZ2014-00014)**

## SUBDIVISION

SUB2014-00074  
Saunders Station Townes at  
Broad Hill Centre (June 2014  
Plan) – 12400 W. Broad  
Street (U.S. Route 250)

**Timmons Group for Attack WB Investors, LLC:** The 10.55-acre site proposed for 76 residential townhomes for sale is located on the north line of West Broad Street (U.S. Route 250), approximately 3,700 feet west of its intersection N. Gayton Road, on part of parcel 730-766-8896. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt) 76 Lots**

**APPROVED**  
**SEE ADDENDUM PG. 1**

This proposal is for the subdivision of 76 townhome lots on the RTHC zoned parcel at the Broad Hill Centre development. This subdivision, along with the companion case for the Saunders Station condominiums, is the next development within the Broad Hill Centre plan. Once these two approvals have been granted, two B-2C parcels will remain for future development.

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

Staff has recommended pedestrian connectivity over the stream crossing with the Saunders Station condominiums to the south, and thus, to the remainder of the Broad Hill Centre development. Provision of 10-foot common area strips between rows of units is required. Staff has also requested additional sidewalks at the heads of parking spaces.

This plan for 76 lots, as annotated, complies with ordinances and proffers. However, staff has yet revised to receive a 78 townhouse lot layout, matching the POD recently submitted for this site for a July Planning Commission hearing, now under staff review.

Staff recommends approval subject to the annotations on the plans, the standard conditions for residential townhouses for sale, and the following additional conditions:

15. The proffers approved as part of zoning case C-18C-12 shall be incorporated in this approval.
16. Any future building lot containing a BMP, sediment basin or trap and located within the buildable area for a principal structure or accessory structure, may be developed with engineered fill. All material shall be deposited and compacted in accordance with the Virginia Uniform Statewide Building Code and geotechnical guidelines established by a professional engineer. A detailed engineering report shall be submitted for the review and approval by the Building Official prior to the issuance of a building permit on the affected lot. A copy of the report and recommendations shall be furnished to the Directors of Planning and Public Works.

**(Staff Report by Lee Pambid)**  
**(Applicant's Representative: Roger Rodriguez)**  
**(Applicable Rezoning Cases and PUPS: C-18C-12)**

## PLAN OF DEVELOPMENT

POD2014-00181  
Saunders Station at Broad  
Hill Centre – 12400 W.  
Broad Street (U.S. Route  
250)

### APPROVED

**Timmons Group for Attack WB Investors, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 13 four-story buildings containing 166 residential condominium dwellings. The 18.0-acre site is located on the north line of West Broad Street (U.S. Route 250), approximately 3,700 feet west of its intersection N. Gayton Road, on part of parcels 730-765-7288, 730-766-7511, and 730-766-8896. The zoning is R-6C, General Residential District (Conditional), B-2C, Business District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

This proposal is for 166 condominium units in 13 buildings within the Broad Hill Centre development. This plan of development, along with the companion case for the Saunders Station Townes townhomes, is the next development within the Broad Hill Centre plan. Once these two approvals have been granted, two B-2C parcels will remain to be developed.

This approval includes both phases of construction for these townhomes. Phase I consists of 62 townhomes, and Phase II consists of 104 units.

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

The proposed condominiums front on the loop road opposite the Bon Secours BMP, parking lot, and Medical Pavilion 2. These units are generally four stories tall, are double stacked with the bottom units having the first two floors and the upper units having the top two floors, and have rear loaded garages. There is an option for a three-story unit. The units will be accessed through the garages and a shared access at the front door.

Staff has requested additional pedestrian connectivity to the remainder of the Broad Hill Centre development with crosswalks as well as sidewalk and trail connections to the adjacent 320-unit apartment complex, previously reviewed as West Broad Street Apartments and only recently named Avia Luxury Apartments.

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. 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-18C-12 shall be incorporated in this approval.
32. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing and hours of construction shall be submitted for County review and prior to the approval of any final construction plans.
33. A note in bold lettering shall be provided on the erosion control plan indicating that sediment basins or traps located within buildable areas or building pads shall be reclaimed with engineered fill. All materials shall be deposited and compacted in accordance with the applicable sections of the state building code and geotechnical

guidelines established by the engineer. An engineer's report certifying the suitability of the fill materials and its compaction shall be submitted for review and approval by the Director of Planning and Director of Public Works and the Building Official prior to the issuance of any building permit(s) on the affected sites.

34. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Department of Planning and approved prior to issuance of a certificate of occupancy for this development.
35. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, 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.
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.
38. 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.

**(Staff Report by Lee Pambid)**  
**(Applicant's Representative: Roger Rodriguez)**  
**(Applicable Rezoning Cases and PUPS: C-18C-12)**

## **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

POD2014-00152  
Dollar General at 202 E.  
Williamsburg Road – E.  
Williamsburg Road (U.S.  
Route 60)

**SEE ADDENDUM PG. 2**  
**DEFERRED BY P.C. TO**  
**7/23/2014**

**Highmark Engineering for Alan Strawderman and Par 3 Development, LLC:** Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 9,100 square-foot retail building. The 1.58-acre site is located on the north line of E. Williamsburg Road (U.S. Route 60), approximately 250 feet east of N. Raines Avenue, on parcel 828-715-5292. The zoning is B-1, Business District, and ASO, Airport Safety Overlay District. County water and sewer.  
**(Varina)**

As of the preparation date of this agenda, staff has not received confirmation that the proposed entrance location has been approved by the Virginia Department of Transportation. Therefore, Department of Public Works, Traffic Engineering has not recommended approval of the plan. Staff has also requested, but has not received revised architectural plans to demonstrate design elements compatible with the recommendations of the 2002 Sandston Commercial Area Study.

The proposed Dollar General building is primarily brick with an EIFS fascia parapet, brick pilasters, recessed brick panels, and a decorative cornice. Staff has recommended that the front building façade along the right of way incorporate some pedestrian scale design elements, such as an awning and additional windows or spandrel glass to provide faux windows. The 2002 study also addresses mass, height, and scale of buildings, as well as building setbacks that promote a “small town feel.” Residential and commercial buildings adjacent and in the vicinity of the proposed store vary in design, size, and setback.

The site layout shows parking in front and on one side of the building, with additional landscape area provided between Williamsburg Road and the building. Staff has recommended the addition of a sidewalk connection with street furniture in the front landscape area that would permit pedestrian access into the site. A truck turnaround area is included at the rear of the site, which also functions for emergency vehicle maneuvering. An eight-foot wooden fence is proposed along the rear property line to provide screening and enhance the ten-foot transitional buffer adjacent to the residential zone. A portion of natural area and wetlands will remain undisturbed within 75 feet of the unimproved section of N. Raines Avenue.

A lighting plan is also included for approval. Standard concealed source pole and wall pack fixtures are proposed. Staff has asked the applicant to consider decorative fixtures.

The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
- 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 E. Williamsburg Road (U.S. Route 60) 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 entrances and drainage facilities on E. Williamsburg Road (U.S. Route 60) shall be approved by the Virginia Department of Transportation and the County.
31. 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.
32. A concrete sidewalk meeting VDOT standards shall be provided along the north side of E. Williamsburg Road (U.S. Route 60).
33. Outside storage shall not be permitted.
34. 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.
35. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment

shall be painted to match the building, and all equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

**(Staff Report by Aimee Crady)**  
**(Applicant's Representative: D. Bryant Gammon)**

## **PLAN OF DEVELOPMENT**

POD2014-00165  
Dollar General at 2536 New  
Market Road – New Market  
Road (State Route 5)

**APPROVED**  
**SEE ADDENDUM PG. 3**

**Highmark Engineering, LLC for Bernard L. Mahone and Par 3 Development, 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 one-story, 9,100 square-foot retail store. The 1.88-acre site is located at the northwest corner of the intersection of New Market Road (State Route 5) and Gregg Road, on parcel 815-688-4303. The zoning is B-1C, Business District (Conditional), and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

As of the preparation date of this agenda, the staff has not received a revised plan as requested. The Henrico County Department of Public Works Traffic Division and Planning Department cannot recommend approval until right-of-way dedication, road centerlines and improvements are shown for both New Market Road (State Route 5) and Gregg Road. Also, the Division of Police requested additional information regarding security and safety at the store.

Staff suggests additional landscape islands and less paved areas in the parking lot. Currently, substantial excessive width is provided for the drive aisles to accommodate truck maneuvering. At this time the applicant has indicated that they are willing to install a landscape island in the center of the first parking row. Furthermore the sidewalk connection to the future Virginia Capital Trail would be relocated to the far western end of the parking lot. All other site plan and architectural elements comply with the recent zoning case, REZ2013-00022.

The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the annotations on plan and the standard conditions for developments of this type, the following additional conditions are recommended.

29. The right-of-way for widening of New Market Road (State Route 5) 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 entrances and drainage facilities on (State Route) shall be approved by the Virginia Department of Transportation and the County.
31. 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.
32. A multi-use path meeting VDOT requirements and specifications of the Capital Bike Trail shall be provided along the north side of New Market Road (State Route 5).
33. Outside storage shall not be permitted.

34. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
35. 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.
38. The proffers approved as a part of zoning case REZ2013-00022 shall be incorporated in this approval.

**(Staff Report by Matt Ward)**

**(Applicant's Representative: D. Bryant Gammon)**

**(Applicable Rezoning Cases and PUPS: REZ2013-00022)**

## **PLAN OF DEVELOPMENT**

POD2014-00157  
 Libbie Mill Phase 1D –  
 Staples Mill Road (U.S.  
 Route 33)

**APPROVED**  
**SEE ADDENDUM PG. 4**

**E.D. Lewis and Associates, P.C. for GGC Associates and Midtown Land Partners, 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 two-story mixed use building consisting of approximately 22,511 square-feet of retail and restaurant space, 24,878 square-feet of office space and 137 parking spaces, as well as related site improvements. The 2.37 acre site is located in the future block bounded by Libbie Mill East Boulevard, Roux Street, Bethlehem Road and Staples Mill Road (U.S. Route 33). The site is located along the west side of Staples Mill Road (U.S. Route 33), approximately 200 feet south of Bethlehem Road, on part of parcel 773-740-5043. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Brookland)**

This POD would revise the UMU land bay plan for Libbie Mill (formerly Staples Mill Centre) to authorize construction of Phase 1D which consists of a two-story mixed-use building having approximately 22,511 square-feet of retail/restaurant space on the first floor and 24,878 square-feet of office space on the second floor and along with approximately 137 surface parking spaces. The proposed Phase 1D building is generally consistent with Building B shown in the proffered UMU design manual and UMU master plan for Libbie Mill, which contemplated construction of a mixed use commercial/office building with surface parking at this location. HVAC and other mechanical equipment and features will be either located within the proposed building or located on the roof and screened from adjoining streets and properties at grade level.

The developer has submitted an amendment to the PUP for Libbie Mill for review and approval by the Board of Supervisors that would authorize both a parking plan and a comprehensive signage plan for the overall development. The parking plan would reduce parking requirements in the Libbie Mill Master Plan. Staff is currently reviewing the requested PUP amendment and it will be presented for formal review by the Planning Commission and approval by the Board of Supervisors at some time in the future. In the meantime, the developer has proposed providing parking within the development for the proposed commercial and office uses in accordance with standard UMU parking requirements.

Drainage and utilities for the site were submitted for review and approval with Libbie Mill Phase 1A plans previously approved by the Planning Commission in February of 2013.

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

29. The proffers and conditions approved as a part of zoning cases C-05C-07 and P-01-07 shall be incorporated in this approval.
30. 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.
31. 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.
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 certification of building permits, occupancy permits and change of occupancy permits for individual units shall be based on the number of parking spaces required for the proposed uses and the amount of parking available according to approved plans.
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 drainage, utility, parking, landscaping, lighting, street and streetscape improvements shown on the Libbie Mill Phase 1A, and Phase 1B plans necessary for the development of the property in accordance with UMU and zoning design standards and code requirements shall be provided in accordance with those plans, prior to approval of a Certificate of Occupancy, unless otherwise approved by the applicable county agency and a bond is posted for any uncompleted improvements.

**(Staff Report by Mike Kennedy)**  
**(Applicant's Representative: Monte Lewis)**  
**(Applicable Rezoning Cases and PUPS: C-45C-07; P-01-07)**

## **PLAN OF DEVELOPMENT**

POD2014-00167  
Libbie Mill Phase 1C –  
Staples Mill Road (U.S.  
Route 33)

**APPROVED**  
**SEE ADDENDUM PG. 5**

**E.D. Lewis and Associates, P.C. for GGC Associates and Midtown Land Partners, 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 five-story mixed-use building consisting of approximately 37,000 square-feet of retail and restaurant space, 4,455 square-feet of office space, 327 apartments, and a two-level parking garage with 216 parking spaces and a rooftop plaza, as well as related site improvements. The 3.01-acre site is located in the future block bounded by Libbie Mill East Boulevard, Roux Street, Seasons Mill Street and Libbie Lake East Street. The site is located approximately 250 feet west of Staples Mill Road (U.S. Route 33) and approximately 900 feet south of Bethlehem Road, on part of parcels 773-740-5043, 774-739-3999, 774-739-5750, and 773-739-8155. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Brookland)**

This POD would revise the UMU land bay plan for Libbie Mill (formerly Staples Mill Centre) to authorize construction of Phase 1C which consists of a five-story mixed-use building having approximately 37,400 square-feet of retail/restaurant space and 4,455 square-feet of office space on the first floor and a total of 327 apartments on the upper four-stories, surrounding a two-level parking garage. The proposed parking structure would have approximately 218 parking spaces and a roof-top plaza providing approximately 36,400 square-feet of private open space, including a pool and a landscaped courtyard. The proposed parking structure would not exceed the height of the proposed building's first floor and would be screened from adjoining streets and properties by the proposed building.

The proposed Phase 1C building is generally consistent with Building 3 shown on the proffered UMU design manual and UMU master plan for Libbie Mill, which contemplated construction of a mixed use apartment commercial building with structured parking at this location. At this time, the developer has submitted schematic floor and elevation plans for Planning Commission review and approval. Once the developer has completed structural design of the building, they have agreed to submit the final design plans to the Director of Planning for review and approval consistent with the intent of the Libbie Mill Design Manual. The final design plans would include details for screening of HVAC and other mechanical equipment and features.

The developer has submitted an amendment to the PUP for Libbie Mill for review and approval by the Board of Supervisors that would authorize both a parking plan and a comprehensive signage plan for the overall development. The parking plan would reduce parking requirements in the Libbie Mill Master Plan. Staff is currently reviewing the requested PUP amendment and it will be presented for formal review by the Planning Commission and approval by the Board of Supervisors at some time in the future. In the meantime the developer has proposed providing

parking that is generally consistent with the mixed use and joint use parking facilities provisions of the zoning ordinance as set forth in Section 24-96(2).

In addition the developer has agreed that Certificates of Occupancy will not be issued unless they can demonstrate that sufficient parking in accordance with zoning requirements then in effect are provided. Sufficient parking for the proposed apartment and office uses would be available in accordance with standard UMU parking requirements. Additional parking if required would limit tenant fit up of the retail and restaurant spaces unless adequate parking is then determined to be available. Given the developer's leasing schedule and future construction plans there will be sufficient time and ability to satisfy future parking requirements.

Drainage and utilities for the site were submitted for review and approval with Libbie Mill Phase 1A plans previously approved by the Planning Commission in February of 2013.

Given the developer's agreement to submit final construction plans for compliance review with UMU design standards and their agreement to limit Certificates of Occupancy, unless adequate parking is demonstrated, staff recommends approval of the proposed Plan of Development, subject to the annotations on the plans, the standard conditions for developments of this type and the following additional conditions:

29. 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.
30. The proffers and conditions approved as a part of zoning cases C-05C-07 and P-01-07 shall be incorporated in this approval.
31. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing and hours of construction shall be submitted for County review and prior to the approval of any final construction plans.
32. 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.
33. A note in bold lettering shall be provided on the erosion control plan indicating that sediment basins or traps located within buildable areas or building pads shall be reclaimed with engineered fill. All materials shall be deposited and compacted in accordance with the applicable sections of the state building code and geotechnical guidelines established by the engineer. An engineer's report certifying the suitability of the fill materials and its compaction shall be submitted for review and approval by the Director of Planning and Director of Public Works and the Building Official prior to the issuance of any building permit(s) on the affected sites.
34. The certification of building permits, occupancy permits and change of occupancy permits for individual units shall be based on the number of parking spaces required for the proposed uses and the amount of parking available according to approved plans.
35. 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.
36. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
  37. Final building construction plans shall be submitted for review and approval by the Director of Planning in accordance with UMU and zoning design standards and code requirements.
  38. The drainage, utility, parking, landscaping, lighting, street and streetscape improvements shown on the Libbie Mill Phase 1A, Phase 1B and Phase 1D plans necessary for the development of the property in accordance with UMU and zoning design standards and code requirements shall be provided in accordance with those plans, prior to approval of a Certificate of Occupancy, unless otherwise approved by the applicable county agency and a bond is posted for any uncompleted improvements.

**(Staff Report by Mike Kennedy)**

**(Applicant's Representative: Monte Lewis)**

**(Applicable Rezoning Cases and PUPS: C-45C-07; P-01-07)**

## **PLAN OF DEVELOPMENT**

POD2014-00175

Family Dollar at 1276 New Market Road - New Market Road (State Route 5)

**DEFERRED BY THE APPLICANT TO 7/23/2014**

**Balzer and Associates, Inc. for Felts & Kilpatrick Construction Company, Inc. and Twin Rivers Capital, 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 one-story, 8,320 square-foot retail store. The 2.50-acre site is located at the southeast corner of the intersection of New Market Road (State Route 5) and North James Estates Drive, on parcels 802-702-9916, 802-702-8535, 802-702-8929, and 803-702-1005. The zoning is B-1C, Business District Conditional). County water and sewer. **(Varina)**

As of the preparation date of the agenda staff has not received a revised plan as requested. Currently Public Works Traffic Division cannot recommend approval of the plan as submitted because right-of-way dedication to 52 feet from centerline is required for property frontage along New Market Road (State Route 5) and is not provided.

VDOT is requiring the developer to obtain a spacing waiver for the proposed entrance on New Market Road (State Route 5). Public Works Traffic Division has no objection to the entrance and supports the developer's waiver request.

Public Works Traffic Division has requested information from VDOT concerning the location of the Capitol Trail for this section of New Market Road. If it is planned on the same side of the road as the proposed store, additional improvements to accommodate the trail are required.

Planning has requested revised architectural elevations that incorporate additional windows along the front and sides of the building, lintels above the windows, and additional cornice detail on the façade's pediment reflecting the proffered building design. Staff's recommendation will be made at the meeting.

Should the commission act on this request, in addition to standard conditions for developments of this type, the following additional conditions are recommended:

29. The right-of-way for widening of New Market Road (State Route 5) 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 entrances and drainage facilities on New Market Road (State Route 5) shall be approved by the Virginia Department of Transportation and the County.
31. 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.
32. A concrete sidewalk meeting VDOT standards shall be provided along the east side of New Market Road (State Route 5).
33. The proffers approved as a part of zoning case C-22C-10 shall be incorporated in this approval.
34. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
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.

**(Staff Report by Christina Goggin)**  
**(Applicant's Representative: Christopher Shust)**  
**(Applicable Rezoning Cases and PUPS: C-22C-10)**

## **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

POD2014-00182  
Grocery Store at 5221 Brook  
Road – Brook Road (U.S.  
Route 1)

**APPROVED**  
**SEE ADDENDUM PG. 6**  
**ARCHITECTURALS**  
**DEFERRED BY THE P.C.**  
**TO THE 7/10/2014**  
**REZONING MEETING**

**Balzer and Associates, Inc. for Makan Investments, Inc. and MVG Development, LLC:** Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to demolish an existing motel, and construct a one-story, 41,839 square-foot grocery store with pharmacy drive-through facilities and a detached fueling center. The 5.617-acre site is located on the east line of Brook Road (U.S. Route 1), the south line of Wilmer Avenue, and the west line of W. Seminary Avenue, on part of parcel 785-745-9803. The zoning is B-3, Business District. County water and sewer. **(Fairfield)**

As of the preparation date of the agenda, the staff has not received a revised plan, as requested, addressing access management requirements from Virginia Department of Transportation and Department of Public Works Traffic Engineering. In addition, architectural plans do not include elevations facing West Seminary Avenue and the rear loading area. Fuel center kiosk floor plans and elevations were not provided by the applicant. A lighting plan was submitted for review and Planning Commission approval, but canopy lighting levels are not provided. Staff recommends that the applicant raise the lighting levels throughout the site. Additional clarification has been requested regarding building mounted light fixtures. A pallet storage area is identified on the plan but is not permitted. Enclosure details have not been provided. A proposed Dominion Virginia Power easement is indicated within the plans but would prevent planting within the required 10-foot landscape strip along West Seminary Avenue.

Screening and vehicular protection information has been requested adjacent to the rear recessed loading dock, which is proposed to face outward to Brook Road (U.S. Route 1). Staff has requested that the loading dock face W. Seminary Avenue, as oriented in the floor plan provided by the applicant. Currently, the building footprint on the site layout does not match the floor plan provided.

The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
- 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. Bulk storage of fuel shall be underground.
30. The right-of-way for widening of Brook Road (U.S. Route 1), Wilmer Avenue, and W. Seminary 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.
31. The entrances and drainage facilities on Brook Road (U.S. Route 1) shall be approved by the Virginia Department of Transportation and the County.
32. 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.
33. A concrete sidewalk meeting VDOT standards shall be provided along the east side of Brook Road (U.S. Route 1).
34. Outside storage shall not be permitted.
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 pharmacy facilities, the owner/occupant shall close the drive-up pharmacy facilities until a solution can be designed to prevent traffic backup.
36. 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.
37. 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.

38. 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.
39. 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: Aaron Breed)**

## **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

POD2014-00180  
Bedford Falls at Hickory  
Grove – 11123 Nuckols  
Road

**APPROVED**

**Bay Companies, Inc. for George Urban and Attack Properties, Inc.:** 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 37 townhouse units for sale. The 5.66-acre site is located on the west line of Nuckols Road, approximately 465 feet south of its intersection with Hickory Park Drive, on parcel 747-770-3395. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt)**

The applicant is requesting approval to construct 37 residential townhomes for sale and approval of a lighting plan. Conditional approval for this subdivision was granted at the May 28, 2014 Planning Commission meeting. The site plan and elevations submitted are consistent with the exhibits provided with REZ2014-00010.

Staff recommends approval subject to the annotations on the plans, 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. 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. A concrete sidewalk meeting County standards shall be provided along the west side of Nuckols Road.
31. The proffers approved as a part of zoning case REZ2014-00010 shall be incorporated in this approval.
32. The owners shall not begin clearing of the site until the following conditions have been met:

- (a) The site engineer shall conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements shall be shown.
  - (b) After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner shall have the limits of clearing delineated with approved methods such as flagging, silt fencing or temporary fencing.
  - (c) The site engineer shall certify in writing to the owner that the limits of clearing have been staked in accordance with the approved plans. A copy of this letter shall be sent to the Department of Planning and the Department of Public Works.
  - (d) The owner shall be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details shall be included on the landscape plans for approval.
33. 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.
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. The unit house numbers shall be visible from the parking areas and drives.
36. 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.
37. 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.

**(Staff Report by Greg Garrison)**

**(Applicant's Representative: Daniel Caskie)**

**(Applicable Rezoning Cases and PUPS: REZ2014-00010)**

**APPROVAL OF MINUTES: May 28, 2014 Minutes/APPROVED AS CORRECTED**

**ADJOURN @ 11:04 A.M.**

**PLANNING COMMISSION  
AGENDA FOR  
SUBDIVISIONS AND PLANS OF DEVELOPMENT  
June 25, 2014**

**ADDENDUM**

**PAGE 2**

**FOR PLANNING COMMISSION APPROVAL – SUBDIVISION WITHDRAWAL REQUEST**

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District
<b>SUB2008-00183 (SUB-01-01) Lafayette Park (Formerly Malvern Hill Manor) (January 2001 Plan)</b>	<b>121</b>	<b>80</b>	<b>9</b>	<b>Varina</b>

**SUBDIVISION WITHDRAWN**

**PAGE 15 – REVISED CAPTION, REVISED PLAN, AND DELETED CONDITION**

**SUBDIVISION (Deferred from the May 28, 2014 Meeting)**

SUB2014-00061  
Bell Tower  
(May 2014 Plan) – 11351  
Church Road

**APPROVED**

**Bay Companies, Inc. for Mary Chase Eck Layman:** The **0.764** ~~0.59~~-acre site proposed for a subdivision of ~~one existing single-family home, and~~ one proposed single-family home to be incorporated within the existing Bell Tower subdivision, is located at the southeast corner of the intersection of Bell Tower Lane and Bell Tower Court, on part of parcel 743-756-3353. The zoning is R-3C, One-Family Residential District (Conditional), and ~~A-1, Agricultural District~~. County water and sewer. **(Three Chopt) 1 Lot ~~2~~ Lots**

13. **DELETED** --~~The residual lot with the existing home shall contain at least 43,560 square feet.~~

**PAGE 17 – REVISED CAPTION, REVISED STAFF PLAN, AND REVISED RECOMMENDATION**

**SUBDIVISION**

SUB2014-00074  
Saunders Station Townes at  
Broad Hill Centre (June 2014  
Plan) – 12400 W. Broad  
Street (U.S. Route 250)

**Timmons Group for Atack WB Investors, LLC:** The 10.55-acre site proposed for **78** ~~76~~ residential townhomes for sale is located on the north line of West Broad Street (U.S. Route 250), approximately 3,700 feet west of its intersection N. Gayton Road, on part of parcel 730-766-8896. The zoning is RTHC,

**APPROVED**

Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt) 78 76 Lots**

Staff received a revised layout showing 78 townhouse lots on June 20, 2014, that matches the recently submitted POD currently under review.

In addition to the two lot increase, other changes have been made to the plan. All lots have been renumbered. The number of parking spaces has been reduced from 181 to 179. The minimum required is 176 spaces. The lengths of all driveways possess the minimum to be counted as parking spaces.

The longest row of buildings has been reduced from seven to 6 units, and the plan now shows 3 and 4 unit buildings where none were shown before.

Several 10-foot common area strips have been added between all rows of lots where required, and 10-foot setbacks have been verified between units and lot lines.

A five-foot sidewalk has been added that connects the townhouses with the remainder of the Broad Hill Centre development.

Comments on the revised layout from the Department of Public Works- Engineering are pending at the time of the addendum's printing.

The staff recommendation will be made at the meeting.

**PAGE 21 – REVISED ARCHITECTURALS AND REVISED RECOMMENDATION**

**PLAN OF DEVELOPMENT AND LIGHTING PLAN**

POD2014-00152  
Dollar General at 202 E.  
Williamsburg Road – E.  
Williamsburg Road (U.S.  
Route 60)

**DEFERRED TO 7/23/2014**

**Highmark Engineering for Alan Strawderman and Par 3 Development, LLC:** Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 9,100 square-foot retail building. The 1.58-acre site is located on the north line of E. Williamsburg Road (U.S. Route 60), approximately 250 feet east of N. Raines Avenue, on parcel 828-715-5292. The zoning is B-1, Business District, and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

Staff has received confirmation that the entrance location has been approved by the Virginia Department of Transportation. Department of Public Works Traffic Engineering now recommends approval. Revised architectural elevations have been received adding a canvas awning to the southeast corner portions of the building and the applicant has agreed to add spandrel glass faux windows as annotated on the revised plan. The applicant has also agreed to a sidewalk connection, as annotated, to provide a pedestrian entry from E. Williamsburg Road to the building entrance. Staff can now recommend approval subject to the annotations on the plans and the conditions listed in the agenda.

**PAGE 23 – REVISED PLAN, ADDED LIGHTING PLAN, ADDED CONDITIONS, AND REVISED RECOMMENDATION**

**PLAN OF DEVELOPMENT AND LIGHTING PLAN**

POD2014-00165  
Dollar General at 2536 New  
Market Road – New Market  
Road (State Route 5)

**APPROVED**

**Highmark Engineering, LLC for Bernard L. Mahone and Par 3 Development, LLC:** Request for approval of a plan of development **and lighting plan**, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 9,100 square-foot retail store. The 1.88-acre site is located at the northwest corner of the intersection of New Market Road (State Route 5) and Gregg Road, on parcel 815-688-4303. The zoning is B-1C, Business District (Conditional), and ASO, Airport Safety Overlay District. County water and sewer.  
**(Varina)**

A revised site plan has been received that provides two raised landscape islands in front of the eastern building to meet County standards for public parking lots. The revised plan also reflects the proper right-of-way dedication and road improvements as required by the County Traffic Engineer.

A lighting plan has been submitted that provides adequate light levels throughout the parking lot, under the canopy and along the front and sides of the building.

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

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
- 11B. **ADDED** - 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.

## PLAN OF DEVELOPMENT

POD2014-00157  
Libbie Mill Phase 1D –  
Staples Mill Road (U.S.  
Route 33)

**APPROVED**

**E.D. Lewis and Associates, P.C. for GGC Associates and Midtown Land Partners, 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 two-story mixed use building consisting of approximately 22,511 square-feet of retail and restaurant space, 24,878 square-feet of office space and 137 parking spaces, as well as related site improvements. The 2.37 acre site is located in the future block bounded by Libbie Mill East Boulevard, Roux Street, Bethlehem Road and Staples Mill Road (U.S. Route 33). The site is located along the west side of Staples Mill Road (U.S. Route 33), approximately 200 feet south of Bethlehem Road, on part of parcel 773-740-5043. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Brookland)**

The developer has requested some minor revisions to the original annotations on the plans and to additional conditions #30, #31, and #33 on the agenda to clarify staff's intent. The staff has no objections to the revised annotations on the plans or the revised conditions as detailed on the addendum.

Staff recommends approval, subject to the revised annotations on the plans, the standard conditions for developments of this type, additional conditions #29, #32 and #34 - #36 on the agenda and revised additional conditions #30, #31 and #33 on the addendum:

30. **REVISED** - A construction staging plan which includes details for traffic control, fire protection, stockpile locations, **and** construction fencing ~~and hours of construction~~ shall be submitted for County review and prior to the approval of any final construction plans.
31. **REVISED** -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.~~
33. **REVISED** -The certification of ~~building permits~~, occupancy permits and change of occupancy permits for individual units shall be based on the number of parking spaces required for the proposed uses and the amount of parking available according to approved plans. **An updated parking schedule reflecting adequate parking shall be provided with each request for a certificate of occupancy.**

## PLAN OF DEVELOPMENT

POD2014-00167  
Libbie Mill Phase 1C –  
Staples Mill Road (U.S.  
Route 33)

### APPROVED

**E.D. Lewis and Associates, P.C. for GGC Associates and Midtown Land Partners, 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 five-story mixed-use building consisting of approximately 37,000 square-feet of retail and restaurant space, 4,455 square-feet of office space, 327 apartments, and a two-level parking garage with 216 parking spaces and a rooftop plaza, as well as related site improvements. The 3.01-acre site is located in the future block bounded by Libbie Mill East Boulevard, Roux Street, Seasons Mill Street and Libbie Lake East Street. The site is located approximately 250 feet west of Staples Mill Road (U.S. Route 33) and approximately 900 feet south of Bethlehem Road, on part of parcels 773-740-5043, 774-739-3999, 774-739-5750, and 773-739-8155. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Brookland)**

The developer has requested some minor revisions to the original annotations on the plans and to additional conditions #30, #31 and #33 on the agenda to clarify staff's intent. The staff has no objections to the revised annotations on the plans or the revised conditions as detailed on the addendum.

Staff recommends approval, subject to the revised annotations on the plans, the standard conditions for developments of this type, the additional conditions #29, #30, #33 and #35 - #38 on the agenda and revised additional conditions #31, #32, and #34 on the addendum.

31. **REVISED** -A construction staging plan which includes details for traffic control, fire protection, stockpile locations, **and** construction fencing ~~and hours of construction~~ shall be submitted for County review and prior to the approval of any final construction plans.
32. **REVISED** -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. **REVISED** -The certification of ~~building permits~~, occupancy permits and change of occupancy permits for individual units shall be based on the number of parking spaces required for the proposed uses and the amount of parking available according to approved plans. **An updated parking schedule reflecting adequate parking shall be provided with each request for a certificate of occupancy.**

## PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2014-00182

Grocery Store at 5221 Brook  
Road – Brook Road (U.S.  
Route 1)

**APPROVED,  
ARCHITECTURALS  
DEFERRED TO 7/10/2014**

**Balzer and Associates, Inc. for Makan Investments, Inc. and MVG Development, LLC:** Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to demolish an existing motel, and construct a one-story, 41,839 square-foot grocery store with pharmacy drive-through facilities and a detached fueling center. The 5.617-acre site is located on the east line of Brook Road (U.S. Route 1), the south line of Wilmer Avenue, and the west line of W. Seminary Avenue, on part of parcel 785-745-9803. The zoning is B-3, Business District. County water and sewer. (**Fairfield**)