

HENRICO COUNTY
ADMINISTRATIVE AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT

October 2020

The Planning Director has acted on the cases on this agenda as noted within, as designated agent of the Board of Supervisors in accordance with Temporary Ordinance approved April 14, 2020 addressing approval of preliminary subdivision plats and plans of development during the COVID-19 Pandemic.



DEVELOPMENT REVIEW AND DESIGN DIVISION – DEPARTMENT OF PLANNING

R. Joseph Emerson, Jr., AICP, Director of Planning, Secretary
Jean M. Moore, Assistant Director of Planning
Leslie A. News, PLA, Senior Principal Planner
Michael F. Kennedy, County Planner
Anthony R. Greulich, C.P.C., County Planner
Christina Goggin, AICP, County Planner
Aimee B. Crady, AICP, County Planner
Kate B. McMillion, County Planner/Recording Secretary
Salim Chishti, County Planner
Spencer Norman, County Planner
Cherie Wyatt, County Planner
Phillip Bariteau, County Planner
Edith Golden, GIS Specialist

SUBDIVISION WITHDRAWAL REQUEST: Kate McMillion – ~~Withdrawn~~

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District
SUB2008-00154 (SUB-024-04) Bridleton Landing (September 2004 Plan)	158	106	7	Varina

TRANSFER OF APPROVAL

POD-13-99 and POD-18-89
POD2019-00546 and
POD2019-00548
VHDA (Formerly Banks
Brothers First Health II –
Innsbrook) and Atlantic
Union Bank (Formerly The
Computer Company at
Innsbrook) – 4240 and 4300
Cox Road

Williams Mullen for Lightfoot Road Hospitality, LLC and Thalhimer: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Banks Richmond LTD Partnership to Lightfoot Road Hospitality, LLC. The 7.881-acre site is located on the northwest line of Cox Road, approximately 500 feet south of Waterfront Place, on parcel 749-763-6459. The zoning is O-3C, Office District (Conditional), C-1, Conservation District, and IO, Innsbrook Overlay District. County water and sewer. **(Three Chopt)**

**APPROVED BY
DIRECTOR ON
10/28/2020**

The new owner accepts and agrees to be responsible for the continued compliance with the conditions of the original approval. The applicant has corrected all deficiencies identified in staff's inspection report dated January 8, 2020, including installation of landscaping.

The staff recommends approval of this transfer request.

(Staff Report by Aimee Crady)

(Applicant's Representative: Mary Katherine McGetrick, Esq.)

(Applicable Rezoning Cases and PUPS: C-53C-79)

TRANSFER OF APPROVAL

POD-35-76, POD-06-78, and
POD-47-08
POD2017-00528, POD2017-
00532, and POD2017-00594
Laurels at University Park –
2420 Pemberton Road

**APPROVED BY
DIRECTOR ON
10/28/2020**

Vikes Gupta for OHI Asset (VA) Richmond 2420 Pemberton Road, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from The Laurels of University Park, LLC to OHI Asset (VA) Richmond 2420 Pemberton Road, LLC. The 11.86-acre site is located on the east line of Pemberton Road (State Route 157), south of Interstate 64, on parcels 751-753-7264, 752-753-0071, and 752-753-4706. The zoning is R-6C, General Residence District (Conditional). County water and sewer. **(Three Chopt)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. The applicant has corrected all site deficiencies identified in the reinspection report dated March 20, 2020 including: restoration of a fire lane along the north side of the building, securing the fire lane to limit access to only emergency and service vehicles, repairing and resealing parking areas and drive aisles, resurfacing Regirer Place (formerly known as Fordson Road), repainting all stop bars, fire lane markings and parking space striping, and, replacing faded and missing regulatory signs including “Handicapped Parking” signs.

The staff recommends approval of this transfer request.

(Staff Report by Mike Kennedy)

(Applicant’s Representative: Vikes Gupta)

(Applicable Rezoning Cases and PUPS: C-42C-06, C-17C-11, and P-15-06)

PLAN OF DEVELOPMENT AND LIGHTING PLAN (Deferred from September 2020)

POD2020-00360
Virginia Family Dentistry at
The Professional Offices at
Crossridge - 10140 Staples
Mill Road (U.S. Route 33)

**APPROVED BY
DIRECTOR ON
10/28/2020**

Koontz Bryant Johnson Williams for CR WB Property, LC: 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, 9,973 square foot medical office building. The 1.49-acre site is located on the west line of Staples Mill Road (U.S. Route 33) at its intersection with Warren Road, on parcel 765-763-5878. The zoning is O-2C, Office District (Conditional). County water and sewer. **(Brookland)**

This project consists of construction of a one-story medical (dental) office building with associated parking on the last remaining outparcel at the Professional Offices at CrossRidge. This case was deferred from the September 2020 agenda at the applicant’s request. Since that time staff has received a revised plan. The revised plan addresses staff’s concerns regarding limited sight distance, with the elimination of one of the two previously proposed driveway entrances on the existing access drive. The access drive was previously widened after construction of the Financial Center to address traffic concerns due to the curve of the existing access drive. The revised plan also shows satisfaction of the minimum required side yard setback from the Wells Fargo-Financial Center at the Professional Offices at CrossRidge.

The subject property is not a party to the Professional Offices at CrossRidge condominium declaration of covenants, which provide the rights to use the shared access drive and any shared drainage and utility facilities, and defines the maintenance responsibilities for those facilities. The staff has requested the developer submit for review and approval a private access, drainage, and utility easement agreement for any required off-site facilities. The developer has agreed to provide the necessary easement documents prior to approval of the POD Construction Plan. A condition stating that requirement has been added to staff's recommendation.

The proposed building satisfies the applicable zoning code and proffered requirements.

The proffers require the building walls to be 90% brick except for architectural features. The building would be primarily brick, with EIFS cornice features forming a parapet above the roofline. The proposed wall design is similar to the wall design of the office condominium buildings. The proposed building will have a flat roof and parapet walls would screen any roof-mounted HVAC equipment. The roof design would be similar in appearance to the shopping center. Due to the size of the proposed building, a gabled roof similar to those provided on the condominium buildings would exceed the building height limit provided in the proffers. The material colors and design would be complementary to the both the adjoining shopping center and the adjoining office condominium buildings, sharing features from both sets of buildings. Staff believes the building design satisfies the design proffers applicable to the subject property.

The lighting plan proposes a combination of pole mounted fixtures at 28' height, and building mounted fixtures at 18' height. All pole and building mounted fixtures are low-profile rectangular flat lens LED fixtures. The lighting plan is designed to provide a minimum lighting level of one-foot-candle within the parking area and sidewalks on the site. The lighting plan complies with the County's lighting standards and there are no proffers regarding site lighting. Site lighting along the access drive from Staples Mill Road was approved with POD-074-01 the Professional Offices at CrossRidge. Site lighting for the access drive to the Financial Center at CrossRidge was approved with POD-088-04.

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. The entrances and drainage facilities on Staples Mill Road (U.S. Route 33) 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. The proffers approved as a part of zoning case C-17C-00 and C-44C-03 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. 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, 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. Prior to approval of the POD Construction Plan, the developer shall submit for staff review and approval a private cross-access, drainage, and utility easement agreement for any required off-site facilities, which shall provide the right to use those facilities and define the maintenance responsibilities for those facilities.

(Staff Report by Mike Kennedy)

(Applicant's Representative: Simon Mueller)

(Applicable Rezoning Cases and PUPS: C-17C-00 and C-44C-03)

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2020-00379

Taco Bell at Creighton &
Laburnum – 1330 N.
Laburnum Avenue

**APPROVED BY
DIRECTOR ON
10/28/2020**

Sekiv Solutions for Creighton & Laburnum, LLC and Burger Busters VIII, 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, 2,558 square foot restaurant with drive-through facilities. The 1.66-acre site is located on the west line of North Laburnum Avenue, approximately 600 feet north of its intersection with Creighton Road, on parcel 808-730-2950. 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)**

This proposed development, located on proffered B-2C and M-1C zoned property, will have two entrances off the existing private access road along the west and north sides of the parcel.

The proposed retail building façade is constructed with a combination of brown Nichia Canyon brick panels and light brown EIFS with purple accents, and parapet features. These finishes and features were chosen for compatibility with the surrounding buildings as proffered.

Site lighting is included with the plan of development to be provided primarily by LED area light fixtures not to exceed 20 feet in height as proffered.

A conceptual landscape plan is included for informational purposes.

Staff recommends approval subject to the annotations on the plans, the standard conditions, 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. A concrete sidewalk meeting County standards shall be provided along the east side of the private shared access drive.
- 30. The proffers approved as a part of zoning case C-29C-07 shall be incorporated in this approval.
- 31. In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-through facilities, the owner/occupant shall close the drive-through facilities until a solution can be designed to prevent traffic backup.
- 32. 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.
- 33. 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 Cherie Wyatt)
 (Applicant’s Representative: Stuart Little)
 (Applicable Rezoning Cases and PUPS: C-29C-07)**

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2020-00389
 Green Clean – Nine Mile
 Road – 4810 Nine Mile Road
 (State Route 33)

**APPROVED BY
 DIRECTOR ON
 10/28/2020**

Kimley-Horn and Associates for The Patrick Group, LC, Green Clean, and Rebkee: 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, 3,990 square foot automatic car wash with vacuum stations. The 1.08-acre site is located on the north line of Nine Mile Road (State Route 33), approximately 225 feet west of Kenway Avenue, on part of parcel 811-724-0422. The zoning is B-3, Business District and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield)**

This proposed 1.08-acre redevelopment site is located on unproffered B-3 zoned property on a part of a closed car dealership property consisting of 5.59 acres. Shared entrances are proposed for this development, from Kenway Avenue and Nine Mile Road (State Route 33), for the adjacent 7-Eleven (POD2020-00357) approved September 23, 2020 and the 2.87-acre residual parcel.

The site was zoned B-3 in 1960 and is located adjacent to an area that was zoned residential at the same time. An 8-foot fence is permitted by the zoning ordinance as an administrative transitional buffer deviation for the required 35-foot transitional buffer. The applicant is continuing the 8-foot stone/brickcrete fence, which will also be provided for the 7-Eleven, to reduce the buffer by 16 feet (two times the fence height) to a required 19-foot buffer. Currently, there is no buffer between the business and residential zoning.

The proposed building is constructed in two tones of fiber cement brick pattern panels, light gray with dark gray knee wall, and with fiber cement accent panels in a wood finish. Windows are proposed along both sides of the building with gray metal canopies above the windows on the rear elevation and above the customer entrance. The building's HVAC equipment will be located within the building.

The applicant has also included a lighting plan for review and approval. The plan proposes freestanding LED lighting fixtures mounted at twenty feet in height in addition to building mounted lights above the entrances to the buildings and on the front, side, and rear. The applicant has indicated their willingness to work with the Division of Police for crime prevention. Although 24 hour operation is permitted, the proposed hours are 8am to 8pm with 2 to 4 attendants on site at a time.

The 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. The entrances and drainage facilities on Nine Mile Road (State Route 33) 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 north side of Nine Mile Road (State Route 33).
32. 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.
33. The owner or manager on duty shall be responsible for temporarily closing the car wash facility when the on-site stacking space is inadequate to serve customer demand to prevent a backup of vehicles onto the public right-of-way. The owner shall arrange with the Traffic Engineer to provide standard traffic control signs to notify customers that stopping or standing on the public right-of-way shall not be permitted near the entrances to the car wash facility.
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. 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: Carter Baum)
(Applicable Rezoning Cases and PUPS: N/A)

SUBDIVISION

SUB2020-00094
Atkins Family Subdivision
(October 2020 Plan) – 8370
Strath Road

APPROVED BY
DIRECTOR ON
10/28/2020

Potts, Minter & Associates for Thomas Atkins and Jason Patterson: The 2.01-acre site proposed for two single-family dwellings is located on the west line of Strath Road, approximately 400 feet south of its intersection with Moss Court, on parcel 816-684-3517. The zoning is A-1, Agricultural District and ASO, Airport Safety Overlay District. Individual well and on-site sewage disposal system. **(Varina) 2 Lots**

This request is the second family subdivision application submitted under the process adopted by the Board of Supervisors in 2011, which requires the construction of an access driveway to serve a lot being created without public road frontage. The subject property being divided is an acreage parcel. The lot currently has dwelling that was constructed in 1961 where the applicant lives. He wishes to pass the new lot that would be created with this subdivision to his grandson and his family so they can build a house in proximity. The new lot will pass from the property owner to his grandson and it cannot be transferred outside the immediate family for a period of 5 years. The asphalt access drive from Strath Road will be located within an access easement located on the proposed lot 2, which has the existing house. A copy of an unrecorded access agreement signed by the applicant and his grandson has been submitted to the County. Construction plans for the access drive have been submitted and reviewed by staff. The access drive will need to be built and its construction certified prior to recordation of the plat.

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

12. Lots on the plan marked with an asterisk or asterisks must be identified on the recordation plat with an asterisk. Add the following note(s) conspicuously to the plat under the heading Notes:
 - (a) Buildable Area Statement: (*) "Lots marked with * (single asterisk) have limitations for dwelling shape, size and location. For details refer to construction plans on file in the Department of Planning." (An asterisk is required on all "reverse corner lots.")
 - (b) Wetlands Statement: (**) "Lots marked with ** (double asterisks) may contain water and/or wetlands as determined at the time of recordation of the plat. Disturbance outside of designated water and wetland impact areas will require approval from the U.S. Army Corps of Engineers and/or the Virginia Department of Environmental Quality. Additional requirements may be imposed on these lots prior to the issuance of building permit. See construction plans on file in the Department of Planning for additional details."
13. 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 Christina Goggin)
(Applicant's Representative: Keenan Cole)
(Applicable Rezoning Cases and PUPS: N/A)