

HENRICO COUNTY PLANNING DEPARTMENT

DIRECTOR'S AGENDA

FOR

SUBDIVISIONS AND PLANS OF DEVELOPMENT

October 2022

Post Action



DEVELOPMENT REVIEW AND DESIGN DIVISION

R. Joseph Emerson, Jr., AICP, Director of Planning
Jean M. Moore, Assistant Director of Planning
Leslie A. News, PLA, Assistant Director of Planning
Michael F. Kennedy, County Planner
Anthony R. Greulich, C.P.C., County Planner
Aimee B. Crady, AICP, County Planner
Christina Goggin, AICP, County Planner
Kate B. McMillion, County Planner
Spencer Norman, County Planner
Kristin Smith, County Planner
Salim Chishti, ASLA, County Planner
Lisa Blankinship, County Planner
R. Todd Rigler, County Planner
Phillip Bariteau, County Planner
Pamela Fisher, Senior Planning Technician
Mounika Reddy Sudini, GIS Specialist
Patricia Glenn, Office Assistant

PLAN OF DEVELOPMENT AND LIGHTING PLAN

[POD2022-00029](#)

6531 West Broad Street -
Phase 1 – 6531 West Broad
Street (U.S. Route 250)

**Approved by Director on
10/26/2022**

Sekiv Solutions for 6531 Broad, LLC.: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-2314 of the Henrico County Code, to demolish a portion and renovate an existing hotel to construct a 6-story, 78-unit apartment building on a portion of the overall site. The 4.16-acre portion of the 6.67-acre site is located on the west side of West Broad Street (U.S. Route 250), approximately 900 feet south of the intersection of West Broad Street and Forest Avenue on part of parcel 767-743-7902. The zoning is R-6C General Residential District. County water and sewer. **(Tuckahoe)**

The site was previously the location of two hotels connected by an interior walkway, a restaurant, and its associated parking. The original five-story hotel and restaurant was approved by the Planning Commission in 1973 and a six-story hotel addition with a covered drop-off was approved by the Planning Commission in 1978. The majority of the original hotel and restaurant has been demolished, leaving the tower portion of the six-story hotel addition remaining.

The applicant is proposing to remodel the remaining tower portion and convert it to a 78-unit apartment building. The site will also contain various amenities for the residents such as a swimming pool, fitness facilities, and open spaces.

Staff has been working with the developer and architect on the proposed elevations and the latest version as shown in the staff plan reflects those enhancements. The majority of the building will be constructed of white fiber cement panels, black fiber cement siding, and the existing black concrete block. The ground floor will have a dark stone veneer along with typical storefront fenestration. Some of the windows will be accented with vertical siding, wooden in appearance, to form a visual column from the roof to the first floor.

There will be two entrances onto the site including an entrance from West Broad Street (U.S. Route 250) and a gated emergency access connection to Betty Lane to the west.

The proposed lighting plan, including fixtures and pole heights, meets all Code requirements.

This is Phase One of a potential three phase development project as contemplated with zoning cases REZ2021-00013 and PUP2021-00004, approved by the Board of Supervisors in 2021. This proposed Phase One complies with the conditions and proffers of both cases.

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.
16. The unit house numbers shall be visible from the parking areas and drives.

17. 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.
18. All proffers and conditions approved as part of zoning case REZ2021-00013 and provisional use permit case PUP2021-00004 shall be incorporated in this approval
19. A plat for the widening of West Broad Street (U.S. Route 250) right of way as shown on the approved plan shall be submitted to the Real Property Division prior to approval of construction plans. The plat shall be submitted to VDOT following approval of the construction plans and recorded with appropriate conveyance instruments prior to requesting occupancy permits. The developer shall provide evidence of recordation to the Director of Public Works.
20. 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 Director of Public Works prior to any occupancy permits being issued.
21. The entrances and drainage facilities on West Broad Street (U.S. Route 250) shall be approved by the Virginia Department of Transportation and the County.
22. 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.
23. A concrete sidewalk meeting VDOT standards shall be provided along the west side of West Broad Street (U.S. Route 250).
24. Details for the gate and locking device at the emergency access on Betty Lane shall be submitted for review by the Traffic Engineer, Police and approved by the County Fire Marshal. The owner or owner's contractor shall contact the County Fire Marshal prior to completion of the fence installation to test and inspect the operations of the gates. Evidence of the Fire Marshal's approval shall be provided to the Department of Planning by the owner prior to issuance of occupancy permits.
25. 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.
26. The conceptual master plan, as submitted with this application, is for planning and information purposes only.
27. Outside storage shall not be permitted.

(Staff Report by Tony Greulich)

(Applicant's Representative: Stuart Little)

(Applicable Rezoning Cases and PUPS: REZ2021-00013 and PUP2021-00004)

PLAN OF DEVELOPMENT AND LIGHTING PLAN

[POD2022-00108](#)

Rocketts Landing-Block 24
–Old Ohio Street

Timmons Group for Central Virginia Investments/Rocketts Landing, LLC., and WVS /Rocketts Landing: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-2314 of the Henrico County Code, to construct 24 three and four-story townhome dwellings with a two-car garage per unit. The 1.51-acre site is located on the west line of Old Osborne Turnpike (State Route 5) and the south line of Old Ohio Street (private), on parcel 797-711-6015. The zoning is UMUC Urban Mixed-Use District (Conditional). City of Richmond Water and Sewer. **(Varina)**

The applicant has requested deferral to the November agenda.

(Staff Report by: Mike Kennedy)

(Applicant’s Representative: Greg Nelson)

(Applicable Rezoning Cases and PUPS: PUP2021-00005, C-55C-04, P-12-12, P-014-04, and P-004-05)

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2022-00305

Insurance Auto Auctions -
Portugee Road
– 1955 Portugee Rd

Bohler Engineering VA, LLC. for GRP 1780 Union Ave LLC ET AL, and Greenspring Realty Partners, LLC.: Request for approval of a plan of development and lighting plan as required by Chapter 24, Section 24-2314 of the Henrico County Code, to construct a one-story 9,750 square foot office building, a one-story 6,000 square foot storage building, a one-story 2,250 square foot storage building, and associated infrastructure improvements for a towing and wrecker service, and a salvage and junkyard. The 92.77-acre site is located on the south line of Portugee Road at its intersection with LaFrance Road, approximately 1,275 feet west of the intersection of Portugee Road and Memorial Drive, on parcels 837-703-5428 and 839-702-5177. The zoning is M-3 Heavy Industrial District and AS-O Airport Safety Overlay District. County water and on-site sewage disposal system. **(Varina)**

**Approved by Director on
10/26/2022**

The overall layout of the site is in conformance with exhibits of provisional use permit PUP2022-00007, approved April 12, 2022, and interior signage will be used on site to delineate areas for a towing and wrecker service from the areas for a salvage yard and junk yard. There is also extensive interior chain link fencing with barbed wire separating the various internal use areas. The provisions of Section 24-5409 regarding this type of heightened security fencing have been satisfied.

The proposed perimeter landscaping buffer, 25-feet in width to be landscaped to the standards of a 35-foot transitional buffer, and eight-foot high wooden fencing matches what was identified in the provisional use permit for perimeter screening. The applicant has agreed to extend this buffer further south along LaFrance Road until it terminates and crosses the railroad track into the County facility.

There will be three entrances into the site from Portugee Road. The drop zone and loading zone entrances are gated, while the middle entrance to the office portion is not gated. Knox boxes will be provided at the two gated entrances to allow emergency access to fire and police personnel.

The vast majority of the site and facility is not open to the public and all vehicular interactions between onsite staff and outside contractors coming to the site are only via appointments. Public access and mail and package deliveries are via the office component of the facility which is fenced from the rest of the site. This site is proposed to operate Monday through Friday, 8am to 5pm and serve the greater Richmond area. During a regional natural disaster, hours may be extended as permitted by the M-3 zoning of the site. Vehicles are delivered to the drop zone, inspected, and moved into the site for storage. Once sold, they are brought to the loading zone to be delivered to the buyer. Vehicles are transported to and from the site on car carrier trucks, reducing individual trips to the site.

A condition of the provisional use permit dictates that lighting only needs to be provided to the amount necessary for safety and security. As a result, the site lighting plan proposes lighting to serve the office building and its parking lot as the rest of the site is not open to the public. Within this area, the proposed lighting plan, including fixtures and poles, meets all Code requirements.

The office building will be a metal structure with a vestibule and awnings. It will also have a three-foot-high knee wall of masonry material surrounding the building. The side facing Portugee Road and the public portion of the facility, will have the required foundation plantings and other landscaping features to enhance the outward appearance of the structure. The other two structures are large three-sided metal sheds that are screened from Portugee Road by the required perimeter buffer and fencing.

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

- 2B. The owner shall enter into the necessary contracts with the Department of Public Utilities for connections to public water. The septic tank location shall be approved by the County Health Department before a Construction Plan is approved. Connection shall be made to the public sewer when available within 300 feet of the site/building.
- 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.
16. The conditions approved as part of provisional use permit case PUP2022-00007 shall be incorporated in this approval.
17. A plat for the widening of Portugee Road right-of-way, as shown on the approved plan, shall be submitted to the Real Property Division prior to approval of the construction plan, and shall be recorded prior to requesting occupancy permits. The developer shall provide evidence of recordation to the Director of Public Works.
18. A plat for the widening of LaFrance Road right-of-way, as shown on the approved plan, shall be submitted to the Real Property Division prior to approval of the construction plan, and shall be recorded prior to requesting occupancy permits. The developer shall provide evidence of recordation to the Director of Public Works.
19. 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.
20. Details for the multiple gates and locking devices at the entrances along Portugee Road shall be submitted for review by the Traffic Engineer, Police and approved by the County Fire Marshal. The owner or owner's contractor shall contact the County Fire Marshal prior to completion of the fence installation to test and inspect the operations of the gates. Evidence of the Fire Marshal's approval shall be provided to the Department of Planning by the owner prior to issuance of occupancy permits.
21. 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.
22. The owners shall not begin clearing of the site until the following conditions have been met:
 - 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.

- 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.
 - 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.
 - 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.
23. The applicant shall furnish proof to the Department of Planning that the conditions, satisfactory to the Health Department, have been met that ensure the proposed onsite sewage disposal drainfield system is suitable for this project prior to the issuance of a building permit.
24. Outside storage shall not be permitted except as shown on the approved plan.

(Staff Report by: Tony Greulich)

(Applicant's Representative: Brian Miller)

(Applicable Rezoning Cases and PUPS: _____ PUP2022-00007 _____)

PLAN OF DEVELOPMENT AND LIGHTING PLAN

[POD2022-00348](#)

Broadstone West Broad
– 4400 W Broad Street

**Approved as Amended
on 12/15/2022**

Timmons Group for 4400 West Broad, LLC., and Alliance Realty Partners, LLC.: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-2314 of the Henrico County Code, to construct two apartment buildings: a four-story 194,000 square foot building, with 210 units and amenities area; and a five-story 112,450 square foot building with 129 units and amenity area. The 4.98-acre portion of the 5.746-acre site is located 140 feet east of the north line of W. Broad Street (U.S. Route 250), approximately 745 feet east of Westmoreland Street, on parcels 776-735-8125 and 777-735-0170. The remaining 0.766-acre portion is in the City of Richmond fronting West Broad Street (U.S. Route 250). The zoning is M-1 Light Industrial District and WR-O Westwood Redevelopment Overlay District. County water and sewer. **(Brookland)**

This plan of development is for the construction of two apartment buildings with a parking garage and amenities on a site split between Henrico County and the City of Richmond. The developer obtained a Provisional Use Permit, PUP2022-00011, on June 14, 2022, to allow multifamily development, in accordance the Westwood Redevelopment Overlay District (WR-O) provisions.

Building 1 is four-stories, containing 210 one- and two-bedroom units, and includes a two and one-half-level parking garage. Building 1 will also have resident amenities such as an integrated club area with on-site leasing, a fitness center, coworking offices, package lockers, and additional spaces for residents to socialize. Building 2 is five-stories and contains 129 one- and two-bedroom units. An overall total of 339 units consisting of 277 one-bedroom and 62 two-bedroom units will be provided. A spacious pool deck with a grilling area for residents and a fenced dog park located north of Building 2 will be available to all units. The development will be served by County water and sewer

The primary building materials are fiber cement panels with board and batten, vertical and lap cementitious siding and brick veneer. The buildings have a flat roof with dark gray standing seam metal cornices and railings, with other metal accents. The building colors for the apartment buildings are white, light gray, dark gray, and natural wood tones, and red and dark gray brick. The building height is under the permitted 100-foot maximum allowed height, at approximately 52.5 feet for the highest portion of either building.

A lighting plan has been submitted providing parking lot lighting with concealed-source fixtures mounted at 25-foot height on poles with concrete bases . The site is zoned M-1 and permits fixture heights up to 35-feet.

Other improvements to the overall site include 10% tree canopy coverage, 10% open space, 5% internal parking lot tree canopy, and peripheral parking lot landscaping for the parking lot and drive aisles. A detailed landscape plan will be submitted for staff review and approval, and plantings installed prior to an issuance of the Certificate of Occupancy.

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

- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature.
- 16. The unit house numbers shall be visible from the parking areas and drives.
- 17. 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.
- 18. The conditions approved as part of provisional use permit case PUP2022-00011 shall be incorporated in this approval.
- 19. The entrances and drainage facilities on West Broad Street (U. S. Route 250) shall be approved by the Virginia Department of Transportation and the County.
- 20. 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 Director of Public Works prior to any occupancy permits being issued.
- 21. 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.
- 22. A concrete sidewalk meeting VDOT standards shall be provided along the north side of West Broad Street (U.S. Route 250).
- 23. 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.
- 24. 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.
- 25. Evidence that the City of Richmond has reviewed, and approved, construction plans for the portion of this site located within the City limits shall be provided prior to final approval of construction plans by Henrico County.
- 26. 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: Amelia Wehunt)

(Applicable Rezoning Cases and PUPS: PUP2022-00011)



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

December 15, 2022

R.J. Emerson, Jr., AICP
Director of Planning
(804) 501-4602

4400 West Broad, LLC.
Attn: Mark T. Motley
3600 Deepwater Terminal Road
Richmond, VA 23234

Alliance Realty Partners, LLC.
Attn: Donald Santos
200 Providence Road, Suite 250
Charlotte, NC 28207

RE: POD2022-00348
Broadstone West Broad

Sir/Madame:

The Director of Planning granted your request for approval of a Plan of Development (the "POD") and lighting plan as required by Chapter 24, Section 24-2314 of the Henrico County Code, to construct two apartment buildings: a four-story 194,000 square foot building, with 210 units and an amenities area, and a five-story 112,450 square foot building with 129 units and an amenity area (the "Project"). The 4.98-acre portion of the 5.746-acre site is located 140 feet east of the north line of W. Broad Street (U.S. Route 250), approximately 745 feet east of Westmoreland Street, on parcels 776-735-8125 and 777-735-0170; the remaining 0.766-acre portion is in the City of Richmond fronting West Broad Street (collectively, this 5.746-acre site is the "Property").

Please be advised that this approval is effective only upon your provision of evidence of approval of a plan of development for the City of Richmond portion of the Project site, as required by Condition 20 of your approved provisional use permit for the Property ("PUP2022-00011" or the "PUP"), the conditions of which are incorporated into this approval. It is my understanding that, as of December 9, 2022, the City of Richmond has denied your application and refused to grant approval of a plan of development for the portion of the Project in the City.

Finally, if you elect to connect the portion of the Project in Henrico County to public water and sewer utility services from the Henrico County Department of Public Utilities ("DPU"), you will need to apply for a new or amended plan of development showing those connections. The existing City connections are insufficient to serve the portion of the Project in Henrico County, and the necessary upgrades to the City water and sewer utility services proposed in POD2022-00348 are unavailable to serve the Henrico portion of the Project from the City. Upgraded utility services are needed to provide sanitary living conditions and life-saving fire protection measures to the hundreds of Henrico residents you propose will live in your Project. DPU is willing to provide water and sewer service and capacity for the Project.

Response to Letter Dated December 5, 2022

In your letter dated December 5, 2022, you suggest that approval of the POD is conditioned on your agreement to obtain and dedicate easements to the County to make new public water and sewer connections to the Project.

Your suggestion is false. No such condition is imposed. Rather, the Project cannot function without adequate water and sewer service, which the Property currently does not have and will not have without major upgrades.

Your proposal to obtain upgraded water and sewer service from the City appears to be—from a technical, engineering perspective—sufficient to serve the portion of the Project in the County. However, your proposal is not possible under longstanding agreements between the County and City for the provision of utility services between the two jurisdictions.

The agreements govern the provision of utilities to properties, like yours, that are mostly in the County and only partially in the City. Under the agreements, the County may elect to serve the portions of such properties within the County. You are not a party to the agreements or a third-party beneficiary of the agreements. The election to provide utility services within the County is entirely within the County's discretion and serves important public interests.

For instance, the agreements ensure that the future Henrico residents of your proposed 339-unit development have a voice with elected officials who can respond to public utility concerns at the Property, including service rates and quality. If those Henrico residents are served by City utilities, as you propose, these matters will be controlled by Council members who do not represent them. Thus, as is commonplace, it is entirely appropriate that public utility providers agree upon and respect each other's service boundaries.

To that end, the County has elected not to waive its rights under the agreements for the large and intense residential development you propose for the Property. Nevertheless, the County has gone above and beyond to assist you with designing a viable path to provide adequate public water and sewer utilities to the portion of the Project in the County, consistent with the purposes of the County's zoning ordinance under state law, including to "facilitate the provision of adequate . . . fire protection, . . . water, sewerage, . . . and other public requirements." Code of Virginia § 15.2-2283; Henrico Code § 24-1104.D. As with any private development in the County where Henrico utilities do not already exist at the property line, those connections would require you to obtain any necessary easements for the extension of utilities to the Property and to pay the costs of those extensions. You are responsible for those costs because they are for your private benefit and not for the benefit of existing ratepayers of the County utility system.

You suggest that the costs to connect to County utilities are greater than the costs to upgrade service with the City. Even if true, it is unclear how that overcomes the public interest served by the County's provision of water and sewer services to the portion of the Project in Henrico. Moreover, current rates for City water and sewer service are nearly double the rates for County service. Accordingly, connecting to County services could greatly benefit the cost of living for the hundreds of future County residents of the Project.

Finally, your contention that you have a "reasonable expectation" to utility service to the portion of the Project in Henrico by the City is unfounded. Even prior to your application for your PUP or POD for this Project, the County informed your engineer, in writing, that the Project should plan to connect to County water and sewer utilities. The County never changed its position during the PUP review and approval process. You had no reason to expect the County would change course during its review of the POD application. Thus, your expectation that the City would provide utility services to the portion of the Project in Henrico was plainly unreasonable.

You point to prior uses and plans of developments for the Property where the County approved the use of existing City water and sewer infrastructure. Those uses and plans were for modest commercial establishments that could be served by the existing utilities (e.g., a small office trailer for a vehicle rental lot and a hardware store with minimal plumbing needs). Those minor uses varied in both kind and degree from the intense residential use now proposed and did not require major upgrades to the existing utilities. Moreover, they did not implicate the same public concerns since they were not multifamily residential developments. It is important to remember that the Property is zoned M-1C, Industrial District, and residential developments were only recently allowed on the Property with the approval of the Westwood Redevelopment Overlay district.

Conditions

The Director of Planning granted this request, subject to the following conditions:

1. The Plan of Development shall be revised as annotated on the staff plan dated **October 26, 2022**, which shall be as much a part of this approval as if details were fully described herein. Revised plans, including the detailed drainage, erosion control and utility plans, shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, plans for signature shall be submitted to the Department of Planning for approval signatures. The approved plan shall be attached to the building permit application.
2. The owner shall enter into the necessary contracts for connections to public water and sewer.
3. The plan of development for construction of public water and sewer shall be approved prior to beginning any construction of these utilities. The owner must provide notice at least 48 hours prior to the start of any water or sewer construction.

4. Two copies of an Erosion and Sediment Control Agreement with required escrow shall be submitted to the Department of Public Works. Approval is required prior to construction plan approval and beginning construction. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
5. Traffic control signs shall be provided as required by the Department of Public Works and shall be maintained in good condition.
6. Easements for drainage and utilities shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
7. The owner shall have a set of plans approved by all appropriate authorities, including but not limited to the Director of Planning and Director of Public Works, available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County Inspectors.
8. The property shall be developed and maintained as shown on the plan filed with the case and no changes or additions to the layout shall be made without the approval of the Director of Planning.
9. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
10. The name of this development, as designated in this approval, shall be the name used for approval of future documents associated with this plan. A written request for a name change must be received and granted by the Department of Planning before such a change can be implemented.
11. 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.
12. The assigned property number(s) shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 804-501-4602. The Planning Department must assign all property addresses.
13. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the owner shall furnish a statement by the engineer, surveyor, or landscape architect who supervised construction, that all improvements have been installed in substantial conformance with the approved plans, specifications, and County requirements.
14. Plan of Development approval is granted to the owner/applicant to whom it is issued. Upon written notification to the Planning Director, the approval may be transferred to subsequent owners in accordance with Chapter 24, Section 24-2314.C.3.(c).(3).C of the county code.
15. 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 and in accordance with Section 24-5311 at the time of plan approval.

16. The unit house numbers shall be visible from the parking areas and drives.
17. 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.
18. The conditions approved as part of provisional use permit case PUP2022-00011 shall be incorporated in this approval.
19. The entrances and drainage facilities on West Broad Street (U. S. Route 250) shall be approved by the Virginia Department of Transportation and the City of Richmond.
20. 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 Director of Public Works prior to any occupancy permits being issued.
21. 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.
22. 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.
23. Evidence that the City of Richmond has reviewed, and approved, construction plans for the portion of this site located within the City limits shall be provided prior to final approval of construction plans by Henrico County.
24. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

There may be a requirement for a Wetlands Permit from the U.S. Army Corps of Engineers. Further information on such a requirement should be obtained by contacting the Corps at (804) 323-3781.

Also, you should be aware that a permit or permits may be required from the Virginia Department of Environmental Quality (DEQ). Please contact DEQ at (804) 527-5020 to determine the permit requirements of your proposed project.

Pursuant to Section 24-2314.C.5(c) of the Code of Henrico, this approval shall expire on **December 14, 2027**, unless building permits have been obtained for construction in accordance therewith; or a single one-year extension of approval has been granted by the Director of Planning as provided therein; or further extension of approval is otherwise provided by Section 15.2-2261 of the Code of Virginia.

The approval of this Plan of Development satisfies only the requirements of Chapter 24, Section 24-2314 of the Henrico County Code. The applicant shall be responsible for securing all necessary

4400 West Broad, LLC.

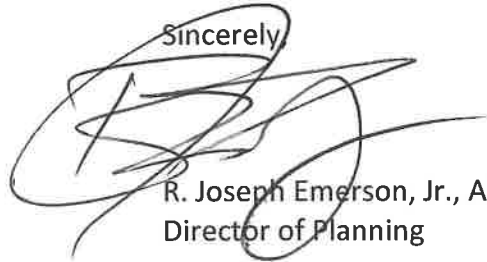
December 15, 2022

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permits as required by law. A copy of the plan approved by the Director of Planning is available upon request.

When applying for your building permit, please attach a complete electronic set of the approved, signed construction plans and refer to case **POD-2022-00348**.

Sincerely,

A handwritten signature in black ink, appearing to be "R. Joseph Emerson, Jr.", written over the word "Sincerely,".

R. Joseph Emerson, Jr., AICP
Director of Planning

pc: Deputy Zoning Conformance Officer
Building Official
Real Estate Assessment
Department of Public Utilities, Chief of Design
Department of Public Works
Division of Fire-Chief Fire Marshal
Timmons Group - Attn: Amelia Wehunt
Kevin Vonk, Director, City of Richmond Department of Planning & Development Review
April Bingham, Director, City of Richmond Department of Public Utilities

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2022-00440

Hampton Manor of Richmond
–9301 Patterson Avenue

Timmons Group for Investors Lands Holding of Richmond, LLC., and Hampton Manor Premier Assisted Living: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-2314 of the Henrico County Code, to construct a single story 80,405 square foot 96 unit assisted living and memory care facility and associated infrastructure and parking. The 6.12-acre site is located at the southeast intersection of Patterson Avenue (State Route 6) and Maybeury Drive, on parcel 748-741-8046. The zoning is R-6C General Residence District (Conditional). County water and sewer. **(Tuckahoe)**

**Approved by Director on
10/26/2022**

This plan of development and lighting plan is for a one-story, 80,405 square foot, 96 unit assisted living and memory care facility with associated infrastructure and parking.

Proffers approved on June 14, 2022, in cases REZ2022-00018 and PUP2022-00014, apply. Proffers include enhanced standards governing landscape buffers, road and sidewalk improvements, building materials, and construction activities.

The layout plan matches the proffered conceptual plan. A paved accessway provides emergency access around the entire building. Two site entrances are proposed, one from Maybeury Drive and another from the existing access to the Tuckahoe YMCA. Onsite parking is located near the Maybeury Drive entrance. Additionally, the developer will construct sidewalks along Maybeury Drive and Patterson Avenue for public use. The proffered six-foot tall, black aluminum fence is provided along the property line abutting Maybeury Elementary School.

A site lighting plan is included for external lighting within the site. In accordance with County lighting standards, each freestanding fixture is mounted at a height no greater than 15' feet. All proposed light fixtures are full cut off fixture types which will direct light downward. House side shields will be installed on light fixtures adjacent to Patterson Avenue to minimize glare. Lighting will also be provided for the crosswalk across Patterson Avenue at its intersection with Maybeury Drive.

The conceptual landscape plan is included with the staff plan for informational purposes to illustrate plantings provided for proffered buffers but is not part of this approval. Detailed landscape plans will be further evaluated after construction plan approval and land disturbance activities. Large and small evergreen trees and shrubs are proposed along Patterson Avenue to meet the planting requirements of a transitional buffer 25 within the 10' foot wide proffered buffer width. The large evergreen trees will be pyramidal shaped to avoid impacts from the overhead power lines located along the property line with Patterson Avenue. All other buffers are planted with landscape elements sufficient to meet both proffered and Code requirements. Terraced retaining walls supplemented with landscaping are provided at the eastern end of the site along Patterson Avenue to accommodate the elevation change between the road elevation and the site boundary.

The one story, approximately 16' foot tall building is largely composed of brick and cementitious siding and is representative of the style and design of the proffered elevation. A three-foot-high brick

knee wall will be incorporated into the face of each exterior elevation. Interior open air courtyards provide amenities to residents.

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

- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature.
16. All proffers and conditions approved as part of zoning cases 2022-00018 and provisional use permit cases PUP2022-00014 shall be incorporated in this approval.
17. 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.
18. A concrete sidewalk meeting County standards shall be provided along the eastern side of Maybeury Drive.
19. 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.
20. A concrete sidewalk meeting VDOT standards shall be provided along the southern side of Patterson Avenue (State Route 6).
21. 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.
22. Evidence of Virginia Department of Transportation approval for crosswalk and signal improvements to Patterson Avenue shall be provided prior to issuance of a certificate of occupancy.

(Staff Report by: Spencer Norman)

(Applicant's Representative: Brian Ditzler)

(Applicable Rezoning Cases and PUPS: REZ2022-00018 and PUP2022-00014)

PLAN OF DEVELOPMENT AND LIGHTING PLAN

[POD2022-00466](#)

Wawa at Drybridge Road and
Williamsburg Road
– 310 Clayman Road

Kimley-Horn and Associates for Godsey Properties, Inc. and Thalhimer: Request for approval of a plan of development and lighting plan as required by Chapter 24, Section 24-2314 of the Henrico County Code, to construct a one-story 6,049 square foot convenience store with fuel pumps with canopy and a future commercial building pad site. The 4.95-acre site is located at the northeast corner of the intersection of Williamsburg Road (US Route 60) and Dry Bridge Road, on parcel 836-713-7564 (part). The zoning is B-2C Business District (Conditional) and AS-O Airport Safety Overlay District. County water and sewer. **(Varina)**

The applicant has requested deferral to the November agenda.

(Staff Report by: Christina Goggin)

(Applicant's Representative: Ryan Perkins and Shelley Parekh)

(Applicable Rezoning Cases and PUPS: REZ2018-00028, REZ2020-00015, and PUP2018-00009)

PLAN OF DEVELOPMENT

POD2022-00471

Payne Storage at Portugee
Industrial Center
– 1600 Portugee Road

**Applicant Deferred to
January 2023**

Engineering Design Associates for 1600 Portugee Road, LLC. and Payne Storage: Request for approval of a plan of development, as required by Chapter 24, Section 24-2314 of the Henrico County Code, to construct a gravel lot for trailer storage. The 20.33-acre site is located on the northwest corner of the intersection of Portugee Road and LaFrance Road, on parcels 835-704-5646 and 835-704-8964. The zoning is M-2 General Industrial District and AS-O Airport Safety Overlay District. County water and on-site sewage disposal system. **(Varina)**

Payne Trucking is a hauling contractor that specializes in the transport of bulk commodities. It also leases 20- & 40-foot-long cargo box shipping containers, as well as 48- & 53-foot-long trailers to permit their customers to increase storage on their sites. The developer is requesting approval to establish a 20-acre gravel storage yard for empty cargo boxes and trailers. They have advised staff that no bulk material or loaded storage units would be maintained on site, no occupied building or trailer is proposed, no customer or employee parking would be provided, and no site lighting is proposed. Should any of these conditions change; a revised Site Plan would need to be submitted for review and approval by the Director of Planning.

Outdoor storage of contractor's equipment is permitted in the M-2 General Industrial District, provided it is screened with minimum 8-foot-high opaque wall or fence from adjoining streets and properties. No fence or wall detail has been provided. In addition to the wall/fence the developer is required to provide a 50-foot transitional buffer to A-1 Agricultural zoned properties to the north and across La France Road to the east. The buffer would be provided by existing trees. A dry storm water detention pond is proposed at the northeast corner of the property, it will be located outside the required transitional buffers. The pond will discharge into an existing wetland area along La France Road.

The developer has indicated that a 25-foot tree save area would be maintained along both Portugee Drive to the west and Portugee Road to the south. The tree save area would substitute for a tree protection survey for the 25-foot front-yard setbacks along both streets.

Planning staff has requested a revised plan, showing tree protection areas, as well as the location and details for the required fence or wall screening the outdoor storage area, and a layout for the storage yard: and internal access drives in accordance with Section 24-4330(c) of the Zoning Code.

Staff notes the cargo boxes are not permitted to be stacked, as they would then exceed the height of the screen fence. A condition to that effect is recommended below.

The Traffic Engineer requires the relocation of the proposed entrance drive, to increase its offset from the intersection of Portugee Place with Portugee Drive, and to provide vehicular staging in front of the gate. To address those concerns, the developer has indicated they would relocate the entrance drive to the cul-de-sac opposite Portugee Place extended.

The Developer indicated at the Staff/ Developer meeting they would submit revised plans to address the concerns identified by the Traffic Engineer and Planning Staff.

As of the preparation date of this agenda, the Staff has not received revised plans from the Developer as requested. A staff recommendation will be made once the additional information is provided.

Should the Director act on this request, in addition to the annotations on the plans and the standard conditions for development of this type, the following additional conditions are recommended:

- 16. A bold note will be provided on the Layout Plan indicating: “Cargo boxes will not be stacked, and outdoor storage will not exceed the height of the perimeter screen fences/walls.”
- 17. Prior to approval of a Construction Plan, the entrance drive will be relocated as required by the Traffic Engineer.
- 18. Prior to approval of a Construction Plan, a fence detail and layout plan and a tree protection plan shall be submitted for review and approval by the Director of Planning
- 22. Prior to approval of a Construction Plan a layout plan identifying interior storage areas and access drives shall be submitted for review and approval by the Director of Planning.

(Staff Report by: Mike Kennedy)

(Applicant’s Representative: Randy Hooker)

(Applicable Rezoning Cases and PUPS: N/A)

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2022-00473

Warehouse at Lot J
– 5900 Richmond Henrico
Turnpike

**Approved by Director on
10/26/2022**

Kimley-Horn & Associates for Richmond International Raceway, Inc., and Hillwood: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-2314 of the Henrico County Code, to construct a one-story 639,000 square foot warehouse distribution center, including 22,000 square feet of office space, and associated infrastructure. The 124.19-acre site is located on the north line of Richmond Henrico Turnpike, approximately 1,800 feet northeast of its intersection with Azalea Avenue, on parcel 796-747-9944. The zoning is M-2C General Industrial District (Conditional) and AS-O Airport Safety Overlay District. County water and sewer. **(Fairfield)**

This plan of development is for a 639,000 square foot, one-story warehouse distribution center, including 22,000 square feet of accessory office space. The plan includes parking spaces for trucks and personal vehicles, loading docks, and associated infrastructure.

Proffers of REZ2020-00032 and REZ2021-00035 apply. They include standards for increased setbacks, buffers and landscaping, and building materials, among others. The POD is compliant with proffered conditions.

A conceptual landscape plan is included which addresses required buffer areas. The required plantings will be provided outside of easements and stormwater management ponds. The plan proposes to preserve a natural undisturbed area over 100' in width between the adjacent residential property on parcel 795-745-9597 and the proposed limits of disturbance.

The one story, approximately 50' tall building is largely composed of tilt-up concrete wall panels with a textured coating in white or gray tones. Windows with dark gray reveals will be provided for the office storefronts. Faux windows and other architectural features are included to help soften the appearance of the building. The loading areas on either side of the southern end of the building will be screened with masonry walls 14-feet in height as shown on the building elevations.

Three site entrances will provide access to the site from Richmond-Henrico Turnpike. Each site entrance is consistent with the plans approved for the improvements to the turnpike that are currently under construction. The westernmost entrance will be signalized and is anticipated to serve most vehicular trips to the site. The other two entrances are designed as overflow access points to the site.

A site lighting plan is included for approval. Light fixtures adhere to the 35' foot maximum height limit and are full cut-off and zero tilt fixture types. The applicant has committed to providing additional lighting for the future public sidewalk currently under construction along the northern side of Richmond Henrico Turnpike with the subsequent lighting plan submission to accompany the construction plans.

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

- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature.
16. The proffers approved as a part of zoning cases REZ2020-00032 and REZ2021-00035 shall be incorporated in this approval.
17. The owners shall not begin clearing of the site until the following conditions have been met:
 - 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.
 - 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.
 - 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.
 - 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.
18. Prior to approval of construction plans, the developer must furnish a letter from Dominion Energy stating that this proposed development does not conflict with their facilities.
19. Outside storage shall not be permitted.

(Staff Report by: Spencer Norman)

(Applicant's Representative: Katy Bourke)

(Applicable Rezoning Cases and PUPS: REZ2020-00032 and REZ2021-00035)

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2022-00475

Parkside Townes
– 5401 Whiteside Rd

**Approved by Director on
10/26/2022**

Christopher Consultants for Young Men’s Christian Association of Greater Richmond and HHHunt Communities: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-2314 of the Henrico County Code, to construct 123 two and three-story residential townhouse dwellings. The 26.85-acre portion of the 30.756-acre site is located at the southeast corner of the intersection of E. Williamsburg Road (U.S. Route 60) and Whiteside Road, on parcels 834-713-4519 and 833-713-9819 (part). The zoning is RTHC Residential Townhouse District (Conditional) and AS-O Airport Safety Overlay District. County water and sewer. **(Varina)**

The proposed residential townhouse development was granted conditional approval to the preliminary subdivision plat with the June 2022 Director’s Agenda. This subsequent plan of development request is consistent with that approval and the applicable proffers and code requirements. The 123 townhomes will be a combination of two- and three-story units, which are proffered to contain at least 30-percent brick, stone, stone veneer, or other masonry product on the front building walls. The variety of units proposed is consistent with the proffered elevations in appearance and materials proposed.

Proffers require a central open space corridor with benches and amenities, such as the gazebo shown on the plan. Sidewalks are provided internal to the site and connect to the proposed sidewalk in Whiteside Road, as well as to the nature trails to be located east of the townhouse lots.

A lighting plan is included and propose site lighting in addition to the proffered lamp posts required in each front yard. Fixtures are residential and decorative in nature and will be installed at 14 feet in common areas for illumination of parking spaces, while lamp posts in front yards are designed for fixtures to be mounted at 7 feet in height.

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

- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature.
16. The unit house numbers shall be visible from the parking areas and drives.
17. 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.
18. The proffers approved as a part of zoning case REZ2022-00066 shall be incorporated in this approval.

19. The subdivision plat for Parkside Townes shall be recorded before any building permits are issued.
20. 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.
21. A concrete sidewalk meeting County standards shall be provided along the eastern side of Whiteside Road.
22. 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: Aimee Crady)

(Applicant's Representative: Steve Worthington)

(Applicable Rezoning Cases and PUPS: REZ2021-00066)

SITE PLAN AND LIGHTING PLAN

POD2022-00248

Sweetspire
-North Gayton Road

Approved by Director on
10/26/2022

Timmons Group for Eagle Construction of VA, LLC. and Christ Church Episcopal Church: Request for approval of a site plan and lighting plan, as required by Chapter 24, Section 24-2315 of the Henrico County Code, to construct 32 two-story residential condominium units with two-car garages. The 15.35-acre site is located on the northern line of North Gayton Road, approximately 900 feet west of its intersection with Pouncey Tract Road (State Route 271), on parcels 737-769-4569 and 738-769-3891(part). The zoning is RTHC Residential Townhouse District (Conditional) and A-1 Agricultural District. County water and sewer. **(Three Chopt)**

This proposed site plan is for 32 condominium units served by public roads and is consistent with the proffers of zoning case REZ2021-00050, approved by the Board of Supervisors on December 21, 2021.

The layout is in substantial conformance with the proffered layout. The development will connect to North Gayton Road via construction of a public road. In addition to internal public sidewalk, a public sidewalk will also be constructed along the entrance road to connect to the multi-use asphalt path along North Gayton Road. The proffered 45' foot building setbacks from the adjacent subdivisions are also provided as proffered.

The conceptual landscape plan demonstrates the ten-foot landscape buffer, planted to the level of a Transitional Buffer 25, as shown on the proffered conceptual layout. A lighting plan is also included which will illuminate the public sidewalks and mail kiosk area. The fixtures are mounted at a height no higher than 14 feet and are residential in character.

An amenity area with a mail kiosk will be in the center of the site. Proffered amenities will be detailed with the formal landscape plan submission.

All dwelling units shall be constructed with cementitious siding and brick or stone foundations. A minimum of twenty-five percent (25%) in the aggregate of the front building wall surfaces for all units will be brick or stone. All units are proffered to include a two-car garage and driveways of adequate width and depth to accommodate two additional parking spaces in front of each unit

The staff recommends approval subject to the annotations on the plans, the standard conditions for development 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.
16. The unit house numbers shall be visible from the parking areas and drives.
17. 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.

18. The proffers approved as a part of zoning case REZ2021-00050 shall be incorporated in this approval.
19. The subdivision plats for Sweetspire Section 1 and Sweetspire Section 2 shall be recorded before any building permits are issued.
20. 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.
21. A concrete sidewalk meeting County standards shall be provided along the public entrance road and on both sides of all internal public streets.
22. Parking to serve the cluster mail facility shall be provided pursuant to Article 5, Division 1 of the Henrico County Zoning Ordinance.
23. No utilities connection shall be made through the proffered buffer along the northern boundary of the subject parcel from the terminus of Belair Place.

(Staff Report by: Spencer Norman)

(Applicant's Representative: Brian Ditzler)

(Applicable Rezoning Cases and PUPS: _____ REZ2021-00050 _____)