

PLANNING COMMISSION

SUBDIVISION AND PLANS OF DEVELOPMENT

ACTIONS

October 22, 2003

The submission deadline for this hearing date was September 5, 2003.

ROLL CALL:

REQUEST FOR DEFERRALS AND WITHDRAWALS:

EXPEDITED AGENDA:

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL

FOR PLANNING COMMISSION APPROVAL

Subdivision: Magnolia Ridge Cluster Lot (Oct. 1994 Plan) (Formerly Stuarts Ridge)

Magisterial District: Fairfield

Original No. of Lots: 389

Remaining Lots: 21

Previous Extensions: 7

Year(s) Extended: 1 Year 10/27/04

FOR INFORMATIONAL PURPOSES ONLY

Subdivision: Old Williamsburg Rd.(A Ded. of a portion of Old Williamsburg Rd.) (October 1999 Plan)

Magisterial District: Varina

Original No. of Lots: 0

Remaining Lots: 0

Previous Extensions: 3

Year(s) Extended: 1 Year 10/27/04

TRANSFER OF APPROVAL

POD-160-85

Richmond Airport Hilton

Stephen Scarce, Esq. for PCM Richmond Hotel Company LLC: Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code from RIC Partners, LP to PCM Richmond Hotel Company LLC. The 5.138acre site is located at 5501

Eubank Road on parcel 819-711-7070. The zoning is M-1, Light Industrial 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. The staff recommends approval of this transfer request with the following condition:

1. The site improvements, as identified on the plan dated September 22, 2003, shall be completed by November 19, 2003.



ACTION: Approved

TRANSFER OF APPROVAL

POD-128-77

Newbridge Village Apartments

Newbridge Associates, LLC: Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code from Newbridge Village Ltd. Partnership to Newbridge Associates, LLC. The 12.03-acre site is located at the intersection of Newbridge Road and Hawkes Lane on parcels 818-724-0028 and 4934. The zoning is R-5, General Residence District. County water and sewer. (**Varina**)

As of the preparation date of the agenda, staff has not received the inspection report for this project. The staff recommendation will be made at the meeting.



ACTION: Approved

TRANSFER OF APPROVAL (*Deferred from the September 24, 2003, Meeting*)

POD-20-93

Service Merchandise @ Circuit City Plaza

Troutman Sanders, LLP for Sledd Properties LLC: Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code from J M Newco Glen Allen, LLC to Sledd properties, LLC. The 5.3-acre site is located at 9860 W. Broad Street (U.S. Route 250) on parcel 753-759-5245. The zoning is B-2C, Business 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 staff recommends approval of this transfer request with the following condition:

1. A bond shall be posted to cover the site deficiencies as identified in the inspection report, dated September 12, 2003, and such deficiencies shall be corrected by November 19, 2003.



ACTION: Approved

ALTERNATIVE FENCE HEIGHT PLAN (*Deferred from the September 24, 2003, Meeting*)
Central Gardens, Section A Subdivision
1804 Carneal Street

Eunice Hunter: Request for approval of an alternative fence height plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. Applicant requests a fence 48 inches in height in the front yard, whereas Section 24-95(7) permits 42 inches. The 9800 sq. ft. lot is located on the north line of Carneal Street between Beau Lane and Apollo Road at 1804 Carneal Street on parcel 799-727-8165. The zoning is R-4 One-Family Residence District, and ASO (Airport Safety Overlay District). **(Fairfield)**

This case was deferred from the September 24, 2003, meeting in order for the Planning Commission representative to meet with the applicant and adjacent property owner to reach a compromise agreement. Several meetings have taken place and it is believed a compromise has been negotiated. The staff's recommendation will be made at the meeting. Should the Commission act on this request, the annotations on the plan and the standard conditions for alternative fence heights are recommended.



ACTION: Approved

PLAN OF DEVELOPMENT (*Deferred from the September 24, 2003, Meeting*)
POD-54-03

Woodland Center Flex Condos – Eastpark Court

Resource International, Ltd. And Empire Development for Liberty Property Development Corporation and Mid-Atlantic Entry Systems, Inc.: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code to construct five, one-story, 6,000 square foot office/warehouse buildings. The 5.47-acre site is located on the south line of Eastpark Court approximately 600 feet west from Airport Drive on parcel 822-719-6631. The zoning is M-1, Light Industrial District and ASO (Airport Safety Overlay) District. County water and sewer. **(Varina)**

As of the preparation date of the agenda, the staff has not had an opportunity to complete its review of the revised plan. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

23. The easements for drainage and utilities as 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.
24. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
25. All repair work shall be conducted entirely within the enclosed building.
26. Outside storage shall not be permitted.
27. 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.

28. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
29. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
30. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
31. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.
32. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
33. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
34. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Planning Office 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.

 **ACTION: Approved**

PLAN OF DEVELOPMENT (*Deferred from the September 24, 2003, Meeting*)

POD-61-03

3005 Mechanicsville Turnpike – Parking Lot

Jeffrey S. Tyler for William Kemp: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 14-space, parking lot. The 1.54-acre site is located at 3005 Mechanicsville Turnpike, on the southeast corner of the intersection of Mechanicsville Turnpike and Oak Hill Lane on parcel 800-731-8336. The zoning is O-2, Office District and R-4, General, Residential District. **(Fairfield)**

As of the preparation date of the agenda, the staff has not had an opportunity to review the revised plan. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

23. The easements for drainage and utilities as 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.
24. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
25. Outside storage shall not be permitted.

26. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
27. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
28. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
29. 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.
30. 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.

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.



ACTION: Approved

PLAN OF DEVELOPMENT POD-51-03

Swift Transportation Trailer Parking Addition (POD-6-98 Revised) Miller Road

Balzer & Associates, Inc. for Swift Transportation Company, Inc.: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a proposed trailer parking lot and modification to an existing lot to add employee parking. The 26.26-acre site is located on the west line of Miller Road approximately 600 feet south of Charles City Road on parcels 817-707-1322 and 3268. The current zoning is M-2, General Industrial District (Proposed M-2C, General Industrial District Conditional). (**Varina**)

As of the preparation date of this agenda, the applicant request's to rezone this property to M-2C, General Industrial District (Conditional) has not been approved. Zoning Case C-35C-03 is scheduled to be heard by The Board of Supervisors on October 14, 2003. In addition, there is one outstanding issue. The Department of Public Works cannot recommend approval until the water quality calculations are revised, the BMP redesigned and a revised plan submitted.

As of the preparation date of the agenda, the staff has not received a revised plan, as requested. 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:

23. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.

24. The proffers approved as a part of zoning case C-35C-03 shall be incorporated in this approval.
25. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
26. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
27. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
28. 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.



ACTION: Approved

PLAN OF DEVELOPMENT

POD-63-03

Swift Transportation Office Addition
2841 Charles City Road

Balzer & Associates, Inc. for Swift Transportation Company, Inc.: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, 22,120 square foot building addition. The 5.00-acre site is located at 2841 Charles City Road on parcel 818-707-0077. The zoning is M-2, General Industrial District (Proposed M-2C, General Industrial District Conditional). County water and sewer. (**Varina**)

As of the preparation date of this agenda, the applicant request's to rezone this property to M-2C, General Industrial District (Conditional) has not been approved. Zoning Case C-35C-03 is scheduled to be heard by The Board of Supervisors on October 14, 2003.

Should the Commission act on this request, the staff recommends approval subject to the annotations on the plans, the standard conditions for developments of this type, and the following additional conditions:

23. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
24. The proffers approved as a part of zoning case C-35C-03 shall be incorporated in this approval.
25. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
26. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
27. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
28. 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.



ACTION: Approved

PLAN OF DEVELOPMENT & SPECIAL EXCEPTION

POD-64-03

Parham Park Place II – Parham Road

Balzer & Associates, Inc. for Elder Homes – Parham II Seniors Limited Partnership:

Request for approval of a plan of development and special exception for a three-story building as required by Chapter 24, Sections 24-94 and 24-106 of the Henrico County Code to construct a three-story, 57,930 square foot, 50-unit, independent living facility. The 2.57-acre site is located along the north line of E. Parham Road, approximately 550 feet west of Hungary Spring Road on parcel 766-754-1051 and part of parcel 766-754-1287. The zoning is R-6C, General Residence District (Conditional). County water and sewer. **(Brookland)**

As of the preparation date of this agenda, staff has not received a revised plan as requested showing the proposed building meeting required setbacks. In addition, evidence of the adjacent property owner authorizing the off-site improvements has not been provided. The architectural treatment of the building appears to be in substantial conformance with the proffered building elevations. Changes were made to the building footprint, brick color, and gable design, but they do not constitute substantial changes in the opinion of staff.

The applicant is requesting approval of a special exception to construct a building exceeding 2 ½ stories in height. The applicant is responsible for making this case for approval of a three-story building. Parham Park Place I received a special exception for a three-story building from the Commission on October 9, 1997.

The staff 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:

23. The easements for drainage and utilities as 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.
24. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
25. A standard concrete sidewalk shall be provided along the north side of E. Parham Road.
26. Outside storage shall not be permitted.
27. The proffers approved as a part of zoning case C-24C-97 shall be incorporated in this approval.
28. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
29. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works

30. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.

31. 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.

32. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Planning Office and approved prior to issuance of a certificate of occupancy for this development.

33. Any portion of the existing drainage and utility easement in conflict with the building footprint shall be vacated prior to the approval of the building permit by the Planning Office.



ACTION: Approved

SUBDIVISION

Brookland Gardens Additions (October 2003 Plan)

Landmark Fleet Surveyor, P.C. for Robbie Llewellyn: The 0.76-acre site proposed for a subdivision of three, single-family homes is located south of Parham Road and along the east side of Sedgemoore Drive on parcel 773-756-4615. The zoning is R-3, One-Family Residence District. County water and sewer. **(Brookland)** 3 Lots

As of the preparation date of the agenda, the staff has not had an opportunity to complete its review of the plan. 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 are recommended.



ACTION: Approved

SUBDIVISION

Dry Bridge (October 2003 Plan)

Foster & Miller, P.C. for 29564 Associates: The 35.726-acre site proposed for a subdivision of 21, single-family homes is located north of Williamsburg Road between Dry Bridge Road and I-295 on part of parcel 838-717-3044. The zoning is A-1, Agricultural District. Public water and septic tank/drainfield. **(Varina)** 21 Lots

The staff recommends conditional approval subject to the annotations on the plans, the standard conditions for subdivisions served by public water, and the following additional conditions:

5. **AMENDED** - A detailed soil analysis shall be performed and other requirements of the Health Department met before final plats are recorded. The developer shall have the center lines of all streets and lot corners staked to facilitate the examination of lots by the Health Department Sanitarians prior to filing for final approval and shall notify the Planning Office and Health Department in writing when the staking has been done.

12. The detailed plant list and specifications for the landscaping to be provided within the 25-foot-wide planting strip easement along I-295 shall be submitted to the Planning Office for review and approval prior to recordation of the plat.

 **ACTION: Approved**

SUBDIVISION

Kingsridge (October 2003 Plan)

Michael E. Doczi & Associates, PLLC for Kingsridge 200, LLC: The 6.34-acre site proposed for a subdivision of 164 townhouses for sale is located on the west line of South Laburnum Avenue between S. Laburnum Avenue and Dabbs House Road, approximately 1,100 feet north of the intersection of S. Laburnum and Nine Mile Road (State Route 33) on parcels 809-726-1917 and 809-725-8954. The zoning is R-5, General Residence District, R-2A, One-Family Residence District and ASO (Airport Safety Overlay) District. County water and sewer. **(Varina)** 164 Residential Townhouses Lots

Kingridge is a proposed townhouse community located along MTP Concept Road 140-2. Concept Road 140-2, which extends between Dabbs House Road and N. Laburnum Avenue would be constructed with this project. Fifty (50) townhouse units would be located on the north side of the concept road and 112 units would be located on the south side.

A revised layout has been requested to address the status of Grape Lane, an unimproved street in John Jasper Gardens subdivisions, which abuts the northern property line of the proposed subdivision. Unless vacated, Grape Lane would affect setbacks on adjoining lots.

As of the preparation date of the agenda, the staff has not received a revised plan, as requested. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard condition for subdivisions served by public utilities, the following additional condition is recommended:

11. The limits and elevation of the 100-year frequency flood shall be conspicuously noted on the plat and construction plans and labeled "Limits of 100 year floodplain." Dedicate floodplain as a "Variable Width Drainage & Utilities Easement."

 **ACTION: Deferred to November 19, 2003**

SUBDIVISION

Willow Run (September 2003 Plan)

Foster & Miller, P.C. for Attack/Eagle Thorncroft Investments, L.C.: The 9.732-acre site proposed for a subdivision of 22 single-family homes is located at the southeast intersection of Sadler Road and Thorncroft Drive on parcels 747-764-3839, 7729, 8739 and 9550. The zoning is A-1, Agricultural District (Proposed R-3C, One-Family Residence District Conditional). County water and sewer. **(Three Chopt)** 22 Lots

As of the preparation date of the agenda, the applicant's request to rezone this property from A-1, Agricultural District, to R-3C, One-Family Residence District has not been approved. Zoning case C-23C-03 is scheduled to be heard by the Board of Supervisors on October 14, 2003. In addition, the applicant has indicated his intent to submit a revised plan, which has yet to be received, placing the protected wetlands in common area. The issues related to street and lot design have not been resolved. 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, the following additional conditions are recommended:

12. The detailed plant list and specifications for the landscaping to be provided within the 25-foot-wide planting strip easement along Sadler Road shall be submitted to the Planning Office for review and approval prior to recordation of the plat.

13. The proffers approved as part of zoning case C-23C-03 shall be incorporated in this approval.

14. 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 Planning Office for review. Such covenants and restrictions shall be in form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.



ACTION: Approved

LANDSCAPE & LIGHTING PLAN

LP/POD-27-03

Chipotle Mexican Grill

Barnes & Grogan for Chipolte Mexican Restaurant: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 1.44-acre site is located along the south line of W. Broad Street (U.S. Route 250) approximately 850 feet east of Cox Road on parcel 749-759-5776. The zoning is B-2C, Business District (Conditional). **(Three Chopt)**

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



ACTION: Deferred to November 19, 2003

APPROVAL OF MINUTES: September 24, 2003 Minutes



ACTION: Deferred to November 19, 2003

**AMENDMENT TO THE MAJOR THOROUGHFARE PLAN OF THE
COMPREHENSIVE PLAN: MTP-1-03** – Concept Plan 140-3 Amend the Major Thoroughfare
Plan to remove concept road 140-3, proposed as a minor collector road from North Laburnum
Avenue to Cedar Fork Road. (Fairfield District)



ACTION: Approved

ADJOURNed at 10:20 a.m.