

PLANNING COMMISSION

SUBDIVISIONS AND PLANS OF DEVELOPMENT

July 26, 2006

The submission deadline for this hearing date was June 9, 2006.

The agenda for this meeting will be posted closer to the meeting date. For questions about the agenda, contact Diana Carver, 501-4606.

ROLL CALL:

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leslie News

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Ted McGarry

FOR INFORMATIONAL PURPOSES ONLY

Subdivision: Fisher's Woods (July 2005 Plan)
Magisterial District: Varina
Original No. of Lots: 15
Remaining Lots: 15
Previous Extensions: 0
Year(s) Extended Recommended: 1 Year - 7/25/07

Subdivision: Trivett Woods (May 2002 Plan)
Magisterial District: Fairfield
Original No. of Lots: 8
Remaining Lots: 8
Previous Extensions: 3
Year(s) Extended Recommended: 1 Year - 7/25/07

Subdivision: Turner Forest (July 2004 Plan)
Magisterial District: Varina
Original No. of Lots: 62
Remaining Lots: 62
Previous Extensions: 1
Year(s) Extended Recommended: 1 Year - 7/25/07

TRANSFER OF APPROVAL

POD-41-05

Brook Run Shopping Center -Parcel 6 – 6020 Brook Road

David Durant for Unicorn Holdings LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Tetra Group Three LLC to Unicorn Holdings LLC. The 1.787-acre site is located on the west line of Brook Road approximately 1,700 feet north of Brook River Drive, in the Brook Run Shopping Center on parcel 784-748-8296. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Fairfield)**

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.

The subject site is under construction and no certificate of occupancy has been issued, therefore the new owner will be responsible for compliance with all conditions of the original approval to obtain a certificate of occupancy.

(Staff Report by Michael Kennedy)

(Applicant's Representative: David Durant)



ACTION: Approved

TRANSFER OF APPROVAL

POD-41-73

ARCO International Latino Market (Formerly M & J Convenience Store)
6111 Staples Mill Road

Armando Benitez for ARWB, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Ann Haskell Et Als to ARWB, LLC. The .406-acre site is located on the east line of Staples Mill Road (U.S. Route 33) 200 feet south of Penick Road at 6111 Staples Mill Road on parcel 773-747-8402. The zoning is B-1, Business District. County water and sewer. **(Brookland)**

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 in the amount of \$2,000 shall be posted to cover the site deficiencies as identified in the inspection report dated July 10, 2006 and such deficiencies shall be corrected by October 31, 2006.

The applicant has agreed to correct deficiencies including replacement of regulatory signs, restriping parking, providing wheel stops, replacing missing landscaping, enclosing the dumpster, removing debris, and obtaining permits for all signs.

(Staff Report by Michael Kennedy)

(Applicant's Representative: Eric Hepler)



ACTION: Approved

TRANSFER OF APPROVAL

POD-53-82

VHDA (Formerly Signet Technology Building)
4224 Cox Road

George Peterson for Susan F. Dewey and Virginia Housing Development Authority

(VHDA): Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from H.I.B., L.C. to Virginia Housing Development Authority (VHDA). The 4.35-acre site is located on the west line of Cox Road, approximately 950 feet north of Innslake Drive on parcel 749-763-1305. The zoning is O-3C, Office 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. The site deficiencies, as identified in the inspection report dated January 1, 2006, shall be corrected by October 21, 2006.

The deficiencies include replacement of dead landscaping and repainting the stop bar.

(Staff Report by Christina Goggin)

(Applicant's Representative: George Peterson)



ACTION: Approved

LANDSCAPE PLAN

LP/POD-24-05

Grayson Hill – Section Two Patterson Avenue

Studio 39: Request for approval of a landscape plan for section two, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 23.12-acre site is located along the east line of Gaskins Road, approximately 450 feet south of Patterson Avenue on part of parcels 745-740-7668. The zoning is RTHC, Residential Townhouse District (Conditional). **(Tuckahoe)**

As of the preparation date of the agenda, the staff has not completed its review of the revised plan. The staff recommendation will be made at the meeting. Should the Commission act on this request, the standard conditions for landscape plans are recommended.

(Staff Report by Jim Strauss)

(Applicant's Representative: Dan Dove)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-42-06

West Broad Village – W. Broad St./Three Chopt Road

Timmons Group for West Broad Village, LLS, West Broad Village II, LLC and Unicorp National Developments, Inc.: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct an urban mixed-use development consisting of 449,000 square feet of commercial floor area, 600,000 square feet of office floor area, 884 multi-family residential units (townhouses and condominiums), a 300-room hotel with a conference center, and a 130-room hotel. The 115.04-acre site is located along the south line of W. Broad Street (U. S. Route 250), the north line of Three Chopt Road, and the east line of the future John Rolfe Parkway on parcel 742-760-7866. The zoning is UMUC, Urban Mixed Use District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

As of the preparation date of the agenda, the staff was still reviewing the plans submitted for this development which encompasses most of the West Broad Village property, except for the two high-rise office buildings, the accompanying parking deck, and the free-standing hotel. Due to the size of this development, the applicant has agreed to consideration of a partial approval of the project by the Commission and to request deferral of the remaining portion to a later date.

The portion of the development to be considered currently includes a one-story, 60,000 sq. ft. grocery store, a one-story, 4,500 sq. ft. bank building, a one-story, 25,000 sq. ft. retail building, and a one-story 17,000 sq. ft. retail building. In addition, approval of the overall interior private road system, overall drainage plans including the BMPs, the overall utility plans, the overall grading plans including the erosion and sediment control measures, as well as landscaping along Three Chopt Road has been requested. A companion conditional subdivision plan for the 517 townhouse units has been submitted for approval as well.

The master plan has been updated for this site and it involves many changes from the original March 2006 plan included with the rezoning and provisional use permit approval by the Board of Supervisors. These changes include:

- the redesign and relocation of the stormwater management ponds,
- the relocation of the townhouses near proposed John Rolfe Parkway to the north and east,
- the elimination of an 8,000 sq. ft. commercial building
- the elimination of the two proposed high-rise condominium buildings,
- the elimination of garage liner residential units,
- the addition of two new residential over retail buildings (increasing the number of such units from 250 to 366),
- the addition of two new parking structures,
- the elimination of the day care facility,
- the redesign of the private street intersections at West Broad Street, and,
- additional changes more minor in nature.

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

24. The subdivision plat for West Broad Village shall be recorded before any building permits are issued for the townhouse units.
25. The right-of-way for widening of W. Broad Street, Three Chopt Road and John Rolfe Parkway as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall

be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

26. 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.

27. The limits and elevations of the 100-year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain must be labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.

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

29. 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.

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

31. Outside storage shall not be permitted.

32. The proffers approved as a part of zoning case C-12C-06 and the conditions approved as part of provisional use permit case P-2-06 shall be incorporated in this approval.

33. The developer shall install an adequate restaurant ventilating and exhaust system to minimize smoke, odors, and grease vapors. The plans and specifications shall be included with the building permit application for review and approval. If, in the opinion of the County, the type system provided is not effective, the Commission retains the rights to review and direct the type of system to be used.

34. The certification of building permits, occupancy permits and change of occupancy permits for individual units shall be based on the number of parking spaces required for the proposed uses and the amount of parking available according to approved plans.

35. 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.

36. 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.

37. The pavement shall be of an SM-2A type and shall be constructed in accordance with County standard and specifications. The developer shall post a defect bond for all pavement with the Department of Planning - the exact type, amount and implementation shall be determined by the Director of Planning, to protect the interest of the members of the Homeowners Association. The bond shall become effective as of the date that the Homeowners Association assumes responsibility for the common areas. 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.

38. In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-up teller facilities, the owner/occupant shall close the drive-up teller facilities until a solution can be designed to prevent traffic backup.

39. 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.

40. 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.

41. 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.
42. 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.
43. The unit house numbers shall be visible from the parking areas and drives.
44. 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 ordered from the County and installed prior to any occupancy permit approval.
45. Prior to issuance of a building permit, the developer must furnish a letter from Plantation Pipeline Gas stating that this proposed development does not conflict with their facilities.
46. A 5-ft. curvilinear sidewalk shall be constructed within the West Broad Street streetscape buffer with a corresponding pedestrian access easement granted to the County.
47. A 12-ft. curvilinear sidewalk shall be constructed within the Three Chopt Road streetscape buffer with a corresponding pedestrian access easement granted to the County.
48. A 5-ft standard County sidewalk shall be constructed by the applicant in the right-of-way along the east side of the future John Rolfe Parkway unless it is to be constructed by the County as part of the John Rolfe Parkway construction project.
49. Evidence of the vacation of the existing VDOT service road right-of-way along West Broad Street and its transfer to the applicant shall be provided prior to the approval of the construction plans for any portion of the development impacted by the said access road right-of-way.
50. This approval is contingent upon the abandonment of the Three Chopt Lane and Three Chopt Road right-of-ways and its transfer to the applicant in accordance with the letter from the County Manager to RJS and Associates, Inc., dated August 23, 2005.
51. A performance bond for all required improvements to West Broad Street (US Route 250), and I-64 shall be posted prior to the issuance of any building permit.
52. All improvements to West Broad Street (US Route 250), and I-64 shall be completed prior to the issuance of any Certificates of Occupancy unless an exception is approved by the Directors of Public Works and Planning.
53. The service alleys shall be improved in accordance with the proffered design guidelines with a decorative pavement entrance treatment that shall be submitted for review and approval by the Director of Planning prior to approval of final construction plans.
54. A traffic control plan shall be approved by the County Traffic Engineer, prior to the final approval of construction plans, for any restricted structured parking.
55. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing, construction trailer locations, and hours of construction shall be submitted for County review and prior to the approval of any final construction plans.
56. A Certificate of Occupancy for the Recreation Center and Pool shall be approved prior to the issuance of a Certificate of Occupancy for any Townhouse unit.
57. Complete elevations and floor plans along with colored elevations and material boards and/or material samples shall be submitted for review and approval for any commercial or mixed use buildings. Such elevations shall be consistent with the design sketch book as may be determined by the Director of Planning or his designee.
58. Typical elevations and floor plans along with options lists, colored elevations and material boards and/or material samples shall be submitted for review and approval for each type of townhouse building such elevations shall be consistent with the design sketch book as may be determined by the Director of Planning or his designee.

59. A recreational facilities plan shall be submitted for review and approval for all open common spaces including storm water management ponds consistent with the design sketch book as may be determined by the Director or Planning of his designee.

(Staff Report by Kevin Wilhite and Michael Kennedy)

(Applicant's Representative: Joseph R. Vilseck, III)



ACTION: Deferred to August 10, 2006 and September 27, 2006

SUBDIVISION

West Broad Village (July 2006 Plan)

W. Broad Street and Three Chopt Road

Timmons Group for West Broad Village, West Broad Village II, LLC and Unicorp National Developments, Inc.: The 35.72-acre site proposed for a subdivision of 517 single-family homes is located at the intersection of W. Broad Street (U.S. Route 250) and Brook River Drive on parcels 741-760-0679, 8628, 4232 (pt.); 742-760-1598, 7866; 742-761-5510; 743-759-3484; 743-760-5660, 9645; 744-759-2099 and 2228. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Three Chopt) 517 Lots**

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

12. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the maintenance of the common area by a homeowners association shall be submitted to the Department of Planning for review. Such covenants and restrictions shall be in form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.

13. Prior to requesting recordation, the developer must furnish a letter from the Plantation Pipeline stating that this proposed development does not conflict with its facilities.

14. Any necessary offsite drainage easements must be obtained prior to approval of the construction plan by the Department of Public Works.

15. The proffers approved as part of zoning cases C-12C-06 and P-2-06 shall be incorporated in this approval.

(Staff Report by Kevin Wilhite and Michael Kennedy)

(Applicant's Representative: Joseph R. Vilseck, III)



ACTION: Deferred to September 27, 2006

PLAN OF DEVELOPMENT

POD-36-06

Trinity Baptist Church – 3601 Dill Road (POD-98-98 Expired)

Balzer & Associates, Inc. for Trinity Baptist Church and Haley Builders: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story, 17,322 square foot sanctuary/multi-use church building. The 12.10-acre site is located at the southwest corner of Dill Road and Barrington Road on parcel

799-733-1982. The zoning is M-2, General Industrial District and R-4, One-Family Residence District and ASO (Airport Safety Overlay) District. County water and sewer. **(Fairfield)**

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

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture and specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
24. The right-of-way for widening of Dill Road as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
25. 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.
26. The limits and elevations of the 100-year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain must be labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.
27. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
28. A standard concrete sidewalk shall be provided along the south side of Dill Road.
29. Outside storage shall not be permitted.
30. 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.
31. 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.
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. The conceptual master plan, as submitted with this application, is for planning and information purposes only.
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. One hundred and sixty (160) feet of fence shall be installed adjacent to the stormwater management facility and in the front yard from the existing fence to Barrington Road. The final location and details for the additional fencing shall be determined with the landscape plan.
37. Construction activities shall be limited to the hours of 7:00 a.m. to 10:00 p.m., Monday through Saturday for exterior work, and for interior work which produces noise audible beyond

the property lines. No exterior work shall occur on Sunday. No interior construction work which is audible beyond the property lines shall occur on Sunday.

38. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

39. The existing gravel parking areas shall be paved before being used for parking for any church activities or with construction of future sanctuary facility.

(Staff Report by Christina Goggin)

(Applicant's Representative: Andrew Bowman)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-46-06

Wistar Commons – 8101 Staples Mill Road
(POD-132-87 Revised)

Balzer & Associates, Inc. for JCD Properties and Rasteh Construction: Request for approval of a revised plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct two, one-story, 9,600 square foot office warehouse buildings. The 2.12-acre site is located at 8101 Staples Mill Road on parcel 772-752-0526. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Brookland)**

There are two outstanding non-site specific issues. First, the owner of the Wistar Center must sign the application. Second, a transfer of approval request is required and has not been received. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

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

25. The proffers approved as a part of zoning case C-59C-87 shall be incorporated in this approval.

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. 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.

31. 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.

32. 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 Ted McGarry)

(Applicant's Representative: Andrew Bowman)



ACTION: Deferred to September 27, 2006

PLAN OF DEVELOPMENT & SPECIAL EXCEPTION

POD-44-06

Reflections of West Creek, Phase II – 12000 W. Broad St.

Timmons Group for Towne Center – West, LLC and The Breeden Company, Inc.: Request for approval of a plan of development and special exception as required by Chapter 24, Sections 24-2, 24-94(b) and 24-106 of the Henrico County Code, to construct seven, three-story apartment buildings containing 132 units and a club house. The special exception would authorize buildings exceeding 2½ stories in height. The 6.10-acre site is located at the eastern terminus of Blue Ocean Lane (private), approximately 1,200 feet east of N. Gayton Road and 1,000 feet north of W. Broad Street (U.S. Route 250) on part of parcel 735-764-6278. The zoning is R-6C, General Residence District (Conditional) and WBSO (West Broad Street Overlay) District. County water and sewer. **(Three Chopt)**

As of the preparation date of this agenda, the staff is still pending additional information concerning the proposed density of the project. Additionally, staff has requested that the applicant consider building a retaining wall along I-64 to retain the existing trees within the 25-foot proffered buffer which can be supplemented with additional landscaping. The applicant would like to grade the area and plant new landscaping which will not provide any buffer above VDOT's new sound wall. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

24. The unit house numbers shall be visible from the parking areas and drives.
25. 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 ordered from the County and installed prior to any occupancy permit approval.
26. 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.
27. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
28. Outside storage shall not be permitted.
29. The proffers approved as a part of zoning case C-49C-04 shall be incorporated in this approval.
30. 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.
31. 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.

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

34. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

35. A note in bold lettering shall be provided on the erosion control plan indicating that sediment basins or traps located within buildable areas or building pads shall be reclaimed with engineered fill. All materials shall be deposited and compacted in accordance with the applicable sections of the state building code and geotechnical guidelines established by the engineer. An engineer's report certifying the suitability of the fill materials and its compaction shall be submitted for review and approval by the Director of Planning and Director of Public Works and the Building Official prior to the issuance of any building permit(s) on the affected sites.

(Staff Report by Christina Goggin)

(Applicant's Representative: Roger Rodriguez)



ACTION: Approved

PLAN OF DEVELOPMENT & SPECIAL EXCEPTION

POD-43-06

Town Center West, Phase 2 – Hilton Hotel – Blue Ocean Lane

Timmons Group for Towne Center - West, LLC and Henley SPW, LLC: Request for approval of a plan of development and a special exception for a building exceeding three stories and 45 feet in height as required by Chapter 24, Sections 24-2, 24-94(b) and 24-106 of the Henrico County Code, to construct an eight-story, 248-room, 214,000 square foot hotel. The 5.22-acre site is located on the south line of Blue Ocean Lane (private), approximately 660 feet east of N. Gayton Road on part of parcel 735-764-6278. The zoning is B-2C, Business District (Conditional) and WBSO, West Broad Street Overlay. County water and sewer. **(Three Chopt)**

As of the preparation date of the agenda, staff has not received a revised site plan as requested. There are a number of issues that need to be addressed, including the width of the drive aisles around the building, the number of required parking spaces, the building setbacks from the western property line, and the required buffer between this site and the multi-family development to the north. In addition, revised architectural elevations have been requested showing the use of brick on the building façade as required by proffer. 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:

24. 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.

25. The developer shall provide fire hydrants as required by the Department of Public Utilities

and Division of Fire.

26. Outside storage shall not be permitted.

27. The proffers approved as a part of zoning case C-49C-04 shall be incorporated in this approval.

28. The developer shall install an adequate restaurant ventilating and exhaust system to minimize smoke, odors, and grease vapors. The plans and specifications shall be included with the building permit application for review and approval. If, in the opinion of the County, the type system provided is not effective, the Commission retains the rights to review and direct the type of system to be used.

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. 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.

32. 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.

33. A note in bold lettering shall be provided on the erosion control plan indicating that sediment basins or traps located within buildable areas or building pads shall be reclaimed with engineered fill. All materials shall be deposited and compacted in accordance with the applicable sections of the state building code and geotechnical guidelines established by the engineer. An engineer's report certifying the suitability of the fill materials and its compaction shall be submitted for review and approval by the Director of Planning and Director of Public Works and the Building Official prior to the issuance of any building permit(s) on the affected sites.

34. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.

(Staff Report by Kevin Wilhite)

(Applicant's Representative: Tamsin Hepner)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-50-06

St. Mary's Hospital Parking Addition – W. Franklin Street, Monument Avenue and Maple Avenue

Vanasse Hangen Brustlin, Inc. for Bon Secours St. Mary's Hospital: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct an additional parking area for 143 parking spaces. The 1.84-acre site is located on the southwest corner of the intersection of Monument Avenue and Maple Avenue north of W. Franklin Street on parcels 768-738-0646, 1142, 2447 and part parcel of 1260. The zoning is O-3C, Office District (Conditional). (County water and sewer N/A). **(Three Chopt)**

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

24. The right-of-way for widening of Maple Avenue and Monument Avenue as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

25. A standard concrete sidewalk shall be provided along the south line of Monument Avenue.

26. The proffers approved as a part of zoning case C-6C-06 and conditions of variance A-16-2006 shall be incorporated in this approval.

27. 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.

28. 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.

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.

31. The owners shall not begin clearing of the site until the following conditions have been met:

(a) The site engineer shall conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements shall be shown.

(b) After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner shall have the limits of clearing delineated with approved methods such as flagging, silt fencing or temporary fencing.

(c) The site engineer shall certify in writing to the owner that the limits of clearing have been staked in accordance with the approved plans. A copy of this letter shall be sent to the Department of Planning and the Department of Public Works.

(d) The owner shall be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details shall be included on the landscape plans for approval.

32. Complete construction details for the entrance gates shall be included in the revised construction plans and must meet all specifications of Division of Fire, Police, and the Traffic Engineer. The owner or owner's contractor shall contact the County Fire Marshall prior to completion of the fence installation to test and inspect the operations of the gates. Evidence of the Fire Marshall's approval shall be provided to the Department of Planning by the owner prior to use of the parking lot.

(Staff Report by Jim Strauss)

(Applicant's Representative: Crystal Hill)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-45-06

Bellingham – Hickory Park Drive and Nuckols Road

Youngblood, Tyler & Associates, P.C. for HHHunt Corporation: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 59, two-story age restricted condominiums units. The 15.66-acre site is located at the southeast corner of the intersection of Hickory Bend Drive and Hickory Park Drive on part of parcel 747-771-2430. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt)**

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

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture and specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
24. The unit house numbers shall be visible from the parking areas and drives.
25. 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 ordered from the County and installed prior to any occupancy permit approval.
26. 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.
27. The limits and elevations of the 100-year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain must be labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.
28. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
29. Prior to issuance of a certificate of occupancy for any building in this development, the engineer of record shall certify that the site has been graded in accordance with the approved grading plans.
30. The proffers approved as a part of zoning case C-72-05 shall be incorporated in this approval.
31. 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.
32. 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.
33. The pavement shall be of an SM-2A type and shall be constructed in accordance with County standard and specifications. The developer shall post a defect bond for all pavement with the Department of Planning - the exact type, amount and implementation shall be determined by the Director of Planning, to protect the interest of the members of the Homeowners Association. The bond shall become effective as of the date that the Homeowners Association assumes responsibility for the common areas. Prior to the issuance of the last Certificate of Occupancy, a

professional engineer must certify that the roads have been designed and constructed in accordance with County standards.

34. 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.

35. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.

36. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, 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.

37. A note in bold lettering shall be provided on the erosion control plan indicating that sediment basins or traps located within buildable areas or building pads shall be reclaimed with engineered fill. All materials shall be deposited and compacted in accordance with the applicable sections of the state building code and geotechnical guidelines established by the engineer. An engineer's report certifying the suitability of the fill materials and its compaction shall be submitted for review and approval by the Director of Planning and Director of Public Works and the Building Official prior to the issuance of any building permit(s) on the affected sites.

(Staff Report by Michael Kennedy)

(Applicant's Representative: John Cochran)



ACTION: Approved

RECONSIDERATION OF A PLAN OF DEVELOPMENT

POD-57-05

The Villas @ Grey Oaks Grey Oaks Park Drive

Youngblood, Tyler & Associates, P.C. for Shady Grove Company, Inc. and Loftis Real Estate & Development, Inc.: Request for reconsideration of a plan of development for approval to increase the number of condominium units from 84 to 85, as required by Chapter 24, Section 24-106 of the Henrico County Code. The original approval was for construction of 84, 3,000 square foot, two-story condominium units. The 24.22-acre site is located on the south side of Grey Oaks Park Drive, approximately 0.2 miles east of Pouncey Tract Road on parcel 738-772-9227. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt)**

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

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

11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture and specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.

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

25. 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 ordered from the County and installed prior to any occupancy permit approval.

26. 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.

27. The limits and elevations of the 100-year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain must be labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.

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

29. Prior to issuance of a certificate of occupancy for any building in this development, the engineer of record shall certify that the site has been graded in accordance with the approved grading plans.

30. The proffers approved as a part of zoning cases C-16C-03 and C-4C-05 shall be incorporated in this approval.

31. 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.

32. 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.

33. The pavement shall be of an SM-2A type and shall be constructed in accordance with County standard and specifications. The developer shall post a defect bond for all pavement with the Department of Planning - the exact type, amount and implementation shall be determined by the Director of Planning, to protect the interest of the members of the Homeowners Association. The bond shall become effective as of the date that the Homeowners Association assumes responsibility for the common areas. Prior to the issuance of the last Certificate of Occupancy, a professional engineer must certify that the roads have been designed and constructed in accordance with County standards.

34. 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.

35. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.

36. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, 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.

37. A note in bold lettering shall be provided on the erosion control plan indicating that sediment basins or traps located within buildable areas or building pads shall be reclaimed with engineered fill. All materials shall be deposited and compacted in accordance with the applicable sections of the state building code and geotechnical guidelines established by the engineer. An engineer's report certifying the suitability of the fill materials and its compaction shall be submitted for review and approval by the Director of Planning and Director of Public Works and the Building Official prior to the issuance of any building permit(s) on the affected sites.

(Staff Report by Michael Kennedy)

(Applicant's Representative: John Cochran)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-47-06

CVS – Willow Lawn Center – Willow Lawn and W. Broad Street (Formerly POD-77-77)

Kimley-Horn & Associates, Inc. for Rebkee Partners Powhatan, LLC: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a shopping center consisting of a one-story, 12,900 square foot pharmacy and a two-story, 35,800 square foot office/retail building. The 3.44-acre site is located at the northwest corner of the intersection of W. Broad Street (U. S. Route 250) and Willow Lawn Drive on parcel 773-737-3077. The zoning is B-2, Business District. County water and sewer. **(Brookland)**

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

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture and specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
24. Only retail business establishments permitted in a B-2 zone may be located in this center.
25. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
26. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).
27. The right-of-way for widening of Willow Lawn Drive as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
28. 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.
29. The entrances and drainage facilities on W. Broad Street (U.S. Route 250) shall be approved by the Virginia Department of Transportation and the County.
30. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.
31. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
32. Outside storage shall not be permitted.
33. 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.
34. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
35. In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-up facilities, the owner/occupant shall close the drive-up facilities

until a solution can be designed to prevent traffic backup.

36. 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.

37. 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.

38. 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.

39. 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.

40. 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 Michael Kennedy)

(Applicant's Representative: Philip Chang)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-48-06

Midview Child Center – Midview Road and New Market Road (POD-32-04 Expired)

Bay Design Group, P.C. for Reginald H. Webb and Midview Child Development Center, LLC: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 9,441 square foot day care facility with associated parking. The 1.67-acre site is located on the southeast corner of the intersection of New Market Road (State Route 5) and Midview Road on parcel 803-701-3978. The zoning is B-1C, Business District (Conditional). County water and sewer. **(Varina)**

As of the preparation date of the agenda, the staff has not received a revised plan, as requested. Staff has requested a revised plan that indicates the required amount of right-of-way, including a sidewalk and utility strip, to be dedicated along with the required turning lane. The applicant is in agreement with these comments and will complete all the required improvements; however staff is waiting for a revised plan that reflects this. Should the Commission act on this request, in addition to the standard condition for developments of this type, the following additional conditions are recommended:

24. 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.

25. The entrances and drainage facilities on New Market Road (State Route 5) shall be approved by the Virginia Department of Transportation and the County.

26. 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.

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

28. A standard concrete sidewalk shall be provided along the east side of New Market Road.

29. The proffers approved as a part of zoning case C-34C-03 shall be incorporated in this approval.

30. Prior to issuance of a building permit, the developer must furnish a letter from Dominion Virginia Power stating that this proposed development does not conflict with their facilities.

31. 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.

32. 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.

33. 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.

34. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Virginia Department of Transportation maintained right-of-way. The elevations will be set by the contractor and approved by the Virginia Department of Transportation.

35. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, 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 Tony Greulich)

(Applicant's Representative: Kenneth L. Barnes)



ACTION: Approved

SUBDIVISION

Ivy Hill (July 2006 Plan)

New Osbourne and Old Osbourne Turnpike

Bay Design Group, P.C. for Debra Y. Talley: The 5.316-acre site proposed for a subdivision of 14 single-family homes is located at Osborne Turnpike and Greenview Road on parcel 800-707-7870. The zoning is R-3, One-Family Residence District. County water and sewer. **(Varina)** 14 Lots

As of the preparation date of the agenda, the staff has not received a revised plan, as requested. Staff has requested a revised plan that addresses the Department of Public Works request for right-of-way dedication on New Osbourne Turnpike and Greenview Drive, the requirement for additional setbacks for a minor collector, and a recommendation from the Department of Recreation and Parks for additional landscaping to be provided as a buffer on the eastern property line with the adjacent Edge Hill House. In addition, there is a need to address the location and width of the private road along the southern boundary of the proposed subdivision with a planting

strip for no ingress or egress. 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. Each lot shall contain at least 11,000 square feet.

13. The detailed plant list and specifications for the landscaping to be provided within the 30-foot-wide planting strip easement along the private road along the southern boundary shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.

14. Any necessary offsite drainage easements must be obtained prior to approval of the construction plan by the Department of Public Works.

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

16. 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 Jim Strauss)

(Applicant's Representative: Daniel L. Caskie)



ACTION: Approved

SUBDIVISION

River Pointe Estates (July 2006 Plan)

Kingsland and Deep Bottom Roads

Bay Design Group, P.C. for Wilton Development Corporation: The 81-acre site proposed for a subdivision of 42 single-family homes is located on the east line of Deep Bottom Road approximately 650 feet south of Kingsland Road on parcels 827- 678-4054 and 827-678-6058. The zoning is A-1, Agricultural District. County water and sewer. **(Varina)** 42 Lots

A revised plan has been received and a copy included in the Commission's packet. There are outstanding issues relating to access. First, the owner of the parcel which provides access from this development to a public road has not signed the application.

Second, Traffic Engineering considers the intersection of Deep Bottom and Kingsland Roads to be a single point of access. There are 12 existing parcels along Deep Bottom Road. This development would create 42 lots for a total of 54 lots on a single point of access. But the access issue is greater than that. This subdivision provides two stub roads to the 190 acre parcel owned by John W. Roberts to the south. To the south of the Roberts parcel lies the James River. Four Mile Run, a wide tidal stream lies to the east. It is unclear how a future second point of access would be provided with these constraints. It appears the subject subdivision should provide a stub road to its north. This would require crossing Four Mile Run at a more narrow point, but would still cross wetlands. No northern stub road is provided.

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 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."
13. Each lot shall contain at least one (1) acre, exclusive of the flood plain areas.
14. Any known cemetery, burial ground, or graveyard shall be platted as a cemetery lot with either public street frontage or an access easement 16 feet in width.
15. The subject property is located within the core area of the 1st and 2nd Deep Bottom Civil War Battlefield. Any graves identified during construction activities shall be left undisturbed, unless reburial of the remains is approved in accordance with applicable laws.
16. Prior to construction plan approval, the developer agrees to meet with the Director of Recreation & Parks for the purpose of conveying floodplain areas to the County.
17. If Civil War Era earthworks are found on the site, the developer shall provide the Henrico Recreation & Parks Department the opportunity to document, photograph and the map the earthworks.
18. The development is limited to 38 lots until a second point of access to Kingsland Road is provided.

(Staff Report by Ted McGarry)

(Applicant's Representative: Daniel L. Caskie)



ACTION: Deferred to September 27, 2006

PLAN OF DEVELOPMENT, SPECIAL EXCEPTION & TRANSITIONAL BUFFER DEVIATION

POD-51-06

Bethlehem Road Office Building – Bethlehem Road and I-64

Engineering Design Associates for Wilton Real Estate & Development Company: Request for approval of a plan of development, special exception and a transitional buffer deviation as required by Chapter 24, Sections 24-106, 24-106.2 and 24-94(b) of the Henrico County Code, to construct a four-story, 13,192 square foot office building. The special exception would authorize a building exceeding three stories in height. The 2.47-acre site is located at 6500 Old Bethlehem Road on parcel 770-745-1768. The zoning is O-2C, Office District (Conditional) and C-1, Conservation District. County water and sewer. **(Brookland)**

As of the preparation date of the agenda, the staff has not received a revised plan, as requested. Staff has requested a revised plan that indicates that adequate drive-way width has been provided that the transitional buffer has been met or a dedication granted and that adequate parking spaces have been provided. Further, this plan of development includes a request for a special exception for a building exceeding three stories to allow construction of a four-story building. As is normal procedure, it is the applicant's responsibility to present evidence to the Commission to support the request. 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:

24. 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.
25. The limits and elevations of the 100-year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain must be labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.
26. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
27. The proffers approved as a part of zoning case C-36C-06 shall be incorporated in this approval.
28. All exterior lighting fixtures shall be designed and arranged so the source of light is not visible from the roadways or adjacent residential properties. The lighting shall be low intensity, residential in character, and the height or standards shall not exceed 15 feet.
29. 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.
30. 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.
31. 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.
32. 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.
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.
34. 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 Tony Greulich)

(Applicant's Representative: Courtney Fisher)



ACTION: Approved

PLAN OF DEVELOPMENT *(Deferred from the June 28, 2006 Meeting)*

POD-34-06

Gillies Creek Recycling – Office Area – Masonic Lane And I-64

Engineering Design Associates for Gillies Creek Industrial Recycling: 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, 6,000 square foot office/repair shop and two equipment sheds for an existing recycling center on the landfill property. The 3.57-acre site is located at 4200 Masonic Lane on parcel 806-719-8851. The zoning is M-2, General Industrial District. Individual well and septic tank/drainfield. **(Varina)**

The applicant has requested a deferral until the Planning Commission's meeting on September 27, 2006.

(Staff Report by Ted McGarry)

(Applicant's Representative: Courtney Fisher)



ACTION: Deferred to September 27, 2006

SUBDIVISION

Prosperity Estates (July 2006 Plan)

4951 Darbytown Road

Engineering Design Associates for Daphne S. Ratcliffe, and Robert T. & Armendam

Royster: The 28.54-acre site proposed for a subdivision of 19 single-family homes is located on the south line of Darbytown Road, approximately 200 feet east of Gill Dale Road on parcels 839-688-6677 and 839-688-5194. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield. **(Varina)** 19 Lots

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:

11. The detailed plant list and specifications for the landscaping to be provided within the 25-foot-wide planting strip easement along Darbytown Road shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.
12. A plan shall be submitted prior to recordation of the plat showing the buildable area for each lot to properly recognize the limitations for dwelling unit dimensions and setbacks. Buildable area is that area within which a dwelling unit may legally be located considering the front yard, side yard, and rear yard setback requirements of Chapter 24, of the Henrico County Code.
13. Any necessary offsite drainage easements must be obtained prior to approval of the construction plan by the Department of Public Works.
14. Any future building lot containing a BMP, sediment basin or trap and located within the buildable area for a principal structure or accessory structure, may be developed with engineered fill. All material shall be deposited and compacted in accordance with the Virginia Uniform Statewide Building Code and geotechnical guidelines established by a professional engineer. A detailed engineering report shall be submitted for the review and approval by the Building Official prior to the issuance of a building permit on the affected lot. A copy of the report and recommendations shall be furnished to the Directors of Planning and Public Works.
15. Documentation shall be provided from the Health Department approving the vacation of the existing drainfield easement shown on lots 14 and 15 prior to construction plan approval.

(Staff Report by Christina Goggin)

(Applicant's Representative: Courtney Fisher)



ACTION: Approved

SUBDIVISION

Morgan Run (July 2006 Plan)
3110 Church Road

Foster & Miller, P.C. for David E. & Roma W. Hudgins: The 1.725-acre site proposed for a subdivision of 3 single-family homes is located at the northwest corner of Church Road and Morgan Run Road on parcel 746-756-0664. The zoning is R-3AC, One-Family Residence District (Conditional). County water and sewer. **(Three Chopt)** 3 Lots

As of the preparation date of the agenda, the staff has not received a revised plan, as requested. A revised plan has been requested for addressing concerns expressed by the Department of Public Works regarding the need for additional right-of-way dedication on Church Road. 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 plan must be redesigned to provide at least the 80 foot minimum lot width required and as regulated by Chapter 24, of the Henrico County Code.
 13. The detailed plant list and specifications for the landscaping to be provided within the 20-foot-wide planting strip easement along Lot No. 2 on Cox Road shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.
 14. A plan shall be submitted prior to recordation of the plat showing the buildable area for each lot to properly recognize the limitations for dwelling unit dimensions and setbacks. Buildable area is that area within which a dwelling unit may legally be located considering the front yard, side yard, and rear yard setback requirements of Chapter 24, of the Henrico County Code.
 15. The proffers approved as part of zoning case C-12C-90 shall be incorporated in this approval.
- (Staff Report by Gregory Garrison)**
(Applicant's Representative: Chris Sims)



ACTION: Approved

RECONSIDERATION PLAN OF DEVELOPMENT & SPECIAL EXCEPTION POD-40-06

Towns @ Fair Oaks – N. Airport and E. Nine Mile Road (Formerly POD-15-72)

Site Improvement Associates, Inc. for Airport Drive Associates: Request for reconsideration of a plan of development and approval of a special exception, as required by Chapter 24, Sections 24-2, 24-94(b) and 24-106 of the Henrico County Code. The original plan authorized demolition of 100 existing apartment units and construction of 15, two-story, buildings containing 104 condominium units. The revised plan with the special exception would authorize buildings exceeding 2 ½ stories in height to allow three-story buildings. The 8.00-acre site is located on the south line of N. Airport Drive east of Nine Mile Road at 400 N. Airport Drive on parcel 825-721-8368. The zoning is R-5, General Residence District and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

The applicant has requested reconsideration of the Plan of Development originally approved by the Commission at their June 28, 2006 meeting. The applicant has submitted revised floor plans and has requested authorization to construct 3-story townhouse style condominiums. Staff recommends approval of the plans subject to original conditions number 24 through 39. In

addition, a special exception is required to permit construction of a building in excess of 2½ stories. Due to the proposed redevelopment of the property staff has no objection to the proposed exception request. It is the applicant's responsibility to present evidence to the Commission to support the request. Should the Planning Commission approve the Special Exception request, additional conditions Numbers 40 and 41 are recommended. Additional condition Number 40 requires the buildings to have fire sprinklers and Condition Number 41 requires the buildings to have high quality roof materials.

24. The right-of-way for widening of Airport Drive as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

25. 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.

26. The limits and elevations of the 100-year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain must be labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.

27. The entrances and drainage facilities on Airport Drive shall be approved by the Virginia Department of Transportation and the County.

28. 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.

29. The required building setback shall be measured from the proposed right-of-way line and the parking shall be located behind the proposed right-of-way line.

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

31. Prior to issuance of a certificate of occupancy for any building in this development, the engineer of record shall certify that the site has been graded in accordance with the approved grading plans.

32. A standard concrete sidewalk shall be provided along the south side of Airport Drive.

33. 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.

34. The pavement shall be of an SM-2A type and shall be constructed in accordance with County standard and specifications. The developer shall post a defect bond for all pavement with the Department of Planning - the exact type, amount and implementation shall be determined by the Director of Planning, to protect the interest of the members of the Homeowners Association. The bond shall become effective as of the date that the Homeowners Association assumes responsibility for the common areas. Prior to the issuance of the last Certificate of Occupancy, a professional engineer must certify that the roads have been designed and constructed in accordance with County standards.

35. 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.

36. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Virginia Department of Transportation maintained right-of-way. The elevations will be set by the contractor and approved by the Virginia Department of Transportation.

37. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

38. A note in bold lettering shall be provided on the erosion control plan indicating that sediment basins or traps located within buildable areas or building pads shall be reclaimed with engineered fill. All materials shall be deposited and compacted in accordance with the applicable sections of the state building code and geotechnical guidelines established by the engineer. An engineer's report certifying the suitability of the fill materials and its compaction shall be submitted for review and approval by the Director of Planning and Director of Public Works and the Building Official prior to the issuance of any building permit(s) on the affected sites.

39. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

40. All residential buildings shall have fire sprinkler systems in accordance with the requirements of the Fire Marshall.

41. All residential building roofs shall be finished with shingles having a 50-year and 110-MPH warranty.

(Staff Report by Michael Kennedy)

(Applicant's Representative: Claude Lym)



ACTION: Approved

APPROVAL OF THE 2007 CALENDAR: Planning Commission Meeting Calendars for Rezoning Meetings and Subdivision/Plans of Development Meetings



ACTION: Approved

APPROVAL OF MINUTES: Rezoning May 11, 2006 Minutes and POD/Subdivision June 28, 2006 Minutes



ACTION: Approved

ADJOURNed at 11:45 a.m.