

PLANNING COMMISSION

SUBDIVISIONS AND PLANS OF DEVELOPMENT

ACTIONS

October 24, 2007

The submission deadline for this hearing date was September 7, 2007.

ROLL CALL:

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leslie News

FOR INFORMATIONAL PURPOSES ONLY

Subdivision: Crowder Farms (October 2004 Plan)

Original No. of Lots: 43

Remaining Lots: 43

Previous Extensions: 2

Magisterial District: Varina

Year(s) Extended Recommended: 10/22/08

Subdivision: Pocahontas Estates (October 2004 Plan)

Original No. of Lots: 16

Remaining Lots: 16

Previous Extensions: 2

Magisterial District: Varina

Year(s) Extended Recommended: 10/22/08

Subdivision: West Broad Village (July 2006 Plan)

Original No. of Lots: 545

Remaining Lots: 545

Previous Extensions: 0

Magisterial District: Three Chopt

Year(s) Extended Recommended: 10/22/08

TRANSFER OF APPROVAL (*Deferred from the September 26, 2007 Meeting*)

TOA

POD-52-03

Virginia Center Station – Kim Property – Brook Road

Jeffrey Meyer for Kim Won Kim and Boo Ok Kim (The Kims): Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Virginia Center Inc. and VC Silver, LLC to Kim Wan Kim and Boo Ok Kim. The 2.439-acre site contains Building B and is a portion of the overall 7.324 acre site. It is located at the northeast corner of Brook Road (U.S. Route 1) and Virginia Center Parkway on parcel 784-768-2228. The zoning is M-1, Light Industrial District. County water and sewer. **(Fairfield)**

To date, staff has not received an agreement by the representative of the owner to address the deficient landscaping or the added dumpster. Therefore, staff cannot make a recommendation at this time. The staff recommendation will be made at the meeting.

The site deficiencies, as identified in the inspection report, dated June 11, 2007, include missing and dead landscaping, and a dumpster enclosure.

(Staff Report by Greg Garrison)

(Applicant's Representative: Jeffrey Meyer)



ACTION: Deferred to November 14, 2007

TRANSFER OF APPROVAL (*Deferred from the September 26, 2007 meeting*)

POD-65-95 (part)

Julian's Restaurant – 11129 Church Road

Hirschler Fleischer for Clarendon Associates, L.L.C.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from DBD, LLC to Clarendon Associates, L.L.C. The 1.004-acre site is located on the southwestern line of Three Chopt Road, approximately 275 feet northwest of Church Road on parcel 746-757-5593. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Three Chopt)**

The site deficiencies, which included missing landscaping and restriping the parking lot have been corrected. The applicant however, has requested deferral to the January 23, 2008 meeting, to address a potential change in ownership.

(Staff Report by Christina Goggin)

(Applicant's Representative: Brenda Kalimerakis)



ACTION: Deferred to January 23, 2008

TRANSFER OF APPROVAL (*Deferred from the September 26, 2007 meeting*)

POD-17-89

Southern Health Management Corporation (formerly Control Data Building)

Chuck Richardson for Southern Health Management Corporation: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Rowe Development to Southern Health Management Corporation. The 2.699-acre site is located on the southwest corner of Mayland Drive and Mayland Court on parcel 752-757-8975. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Three Chopt)**

As of the preparation date of the agenda, staff has yet to work out a schedule with the applicant to correct the landscaping deficiencies onsite, as identified in the inspector's report of August 8, 2007. The applicant requests a deferral to the November 14, 2007 Planning Commission meeting.
(Staff Report by Kevin Wilhite)

(Applicant's Representative: Chuck Richardson)



ACTION: Deferred to November 14, 2007

TRANSFER OF APPROVAL

POD-116-88

Wella Manufacturing – 4650 Oakley's Lane

Wilson Stoyanoff for 4650 Oakley Lane, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Walla Manufacturing of Virginia, Inc. to 4650 Oakley's Lane, LLC. The 23.37-acre site is located at the intersection of Oakley's Lane and International Trade Drive on the east line of Oakley's Lane approximately 1,000 feet north of Audubon Drive on parcel 818-718-5133. The zoning is M-1C, Light Industrial District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

The site deficiencies, as identified in the inspection report August 20, 2007, include missing or overgrown landscaping, parking lot striping, and BMP maintenance.

As of the preparation date of the agenda, an agreement has not been completed to address the deficiencies. The staff recommendation will be made at the meeting.

(Staff Report by Lee Pambid)

(Applicant's Representative: Polly Smith)



ACTION: Approved

TRANSFER OF APPROVAL

POD-47-84

Landmark Office Center,
Phase 2 – 8651 Staples Mill Road

Donald N. Blake: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Landmark Office Center, LLC to Donald Blake. The 0.98-acre site is located on the east line of Staples Mill Road approximately 525 feet south of E. Parham Road and 275 feet north of Janway Road on parcel 770-754-483. The zoning is O-2, Office District. County water and sewer. **(Brookland)**

The new owner has yet to respond to the staff's inspection dated, September 27, 2007. Therefore, staff cannot make a recommendation at this time. The staff recommendation will be made at the meeting.

The site deficiencies, as identified in the inspection report, include missing landscaping.

(Staff Report by Lee Pambid)

(Applicant's Representative: Donald Blake)



ACTION: Deferred to November 14, 2007

TRANSFER OF APPROVAL

POD-71-78 (part)

Koger – Harrison Building – Branch Building & Trust Company – 8006 Discovery Drive

Debbie Willis for Branch Banking & Trust: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Kroger Properties, Inc. to Branch Banking & Trust Company. The 3.65-acre site is located on the north line of Discovery Drive, approximately 500 feet west of Forest Avenue on parcel 759-745-1413. The zoning is O-2, Office District. County water and sewer. **(Three Chopt)**

The new owner accepts and agrees to be responsible for the continued compliance with the conditions of the original approval. The staff recommends approval of this transfer request with the following condition:

1. Site deficiencies, as identified in the inspection report, dated October 1, 2007 shall be corrected by November 30, 2007.

Site deficiencies include missing landscaping.

(Staff Report by Aimee Berndt)

(Applicant's Representative: Debbie Willis)



ACTION: Approved

TRANSFER OF APPROVAL

POD-37-84

Windsor Office

(formerly Family Dentistry Young)

3000 Hungary Spring Road

Harini B. Reddy, DMD for Harini B. Reddy, DMD, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from M. Walter Young to H. Reddy LLC. The 0.332-acre site is located at the northwest quadrant of the intersection of Hungary Spring Road and Shrader Road on the west line of Hungary Spring Road approximately 980 feet north of W. Broad Street (U.S. Route 250) on parcel 765-752-3742. The zoning is O-1, Office District. County water and sewer. **(Brookland)**

The new owner has yet to respond to the staff's inspection dated, September 27, 2007. Therefore,

staff cannot make a recommendation at this time. The staff recommendation will be made at the meeting.

The site deficiencies, as identified in the inspection report, include missing or overgrown landscaping, and as well as cracked curb, gutter, and sidewalk.

(Staff Report by Lee Pambid)

(Applicant's Representative: Harini B. Reddy)



ACTION: Approved

TRANSFER OF APPROVAL

POD-15-97

Highwoods III – 5600, 5620, 5640 Cox Road

Brian Menditto for Highwoods Properties: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Innsbrook North Associates to FSP Innsbrook Corporation. The 26.013-acre site is located at the north terminus of Cox Road on parcel 753-770-9025. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Three Chopt)**

The new owner accepts and agrees to be responsible for the continued compliance with the conditions of the original approval. No site deficiencies were identified by staff. The staff recommends approval of this transfer request.

(Staff Report by Aimee Berndt)

(Applicant's Representative: Brian Menditto)



ACTION: Approved

TRANSFER OF APPROVAL

POD-134-88

Navy Federal Credit Union (formerly Signet Bank – Paragon Branch)

Glenside Road & W. Broad Street

Judy Harrison for Navy Federal Credit Union: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Shelmar Investments, LLC to Navy Federal Credit Union. The 1.19-acre site is located on the east quadrant of the intersection of Glenside Drive and W. Broad Street (U.S. Route 250) on parcel 767-746-6454. The zoning is B-3, Business District and B-2C, Business District (Conditional). 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. The site deficiencies, as identified in the inspection report, dated October 8, 2007, shall be corrected by March 15, 2008, or a bond shall be posted to cover the cost of the work.

The deficiencies include replacement of missing and dead trees and shrubs; repair of dumpster gates, repair of a stop bar, and repair or replacement of numerous accent lighting fixtures.

(Staff Report Lee Pambid)

(Applicant's Representative: Judy Harrison)



ACTION: Approved

TRANSFER OF APPROVAL

POD-5-06

St. Claire Ridge Townhomes

2807 – 2815 Mechanicsville Turnpike

Richard Kuhn for Style Craft Homes: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from J. H. and Russell R. Thompson, Jr., Joann Turner, and V. M. Little for Style Craft Homes. The 4.85-acre site is located on the east line of Mechanicsville Turnpike (U.S. Route 360) approximately 350 feet north of St. Claire Lane on parcels 800-730-7438, 3962 and 3223 .The zoning is R-5, General Residence District. County water and sewer. **(Fairfield)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. The staff recommends approval of this transfer request.

(Staff Report by Christina Goggin)

(Applicant's Representative: Richard Kuhn)



ACTION: Approved

SUBDIVISION LANDSCAPE PLAN (*Deferred from the September 26, 2007 meeting*)

SUB-15-06

Mason Park Subdivision

Shady Grove Road

Jeff McKay for Centex Homes: Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 29.32-acre site is located on the north side of Shady Grove Road approximately 1,600 feet west of Twin Hickory Road on parcel 740-770-0883 and 5728. The zoning is R-2AC, One-Family Residence District (Conditional). **(Three Chopt)**

The revised plan in the agenda addresses staff's concerns regarding the berm and drainage of lots 36, 37, and 38. Staff can recommend approval subject to the annotations on the plans, the standard conditions for landscape plans and the following additional condition:

5. The access easement shall be vacated and all required landscaping on Lot #36 shall be installed or bonded prior to issuance of a certificate of occupancy for Lot #36.

(Staff Report by Greg Garrison)

(Applicant's Representative: Jeff McKay)



ACTION: Approved

LANDSCAPE, LIGHTING PLAN & ALTERNATIVE FENCE HEIGHT LP/POD-36-06

Trinity Baptist Church Addition - Dill Road and Barrington Road

Balzer & Associates, Inc. for Trinity Baptist Church: Request for approval of a landscape, lighting and alternative fence height plan, as required by Chapter 24, Sections 24-106, 24-106.2 and 24-95(1)7 of the Henrico County Code. The 12.10 acres 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. **(Fairfield)**

An alternative fence height request has been submitted to allow an eight-foot-high, white vinyl fence with masonry columns to be constructed along the side property line of this development between the front of the church and Barrington Road. This fence would provide screening between the rear of proposed single family lots recently approved by the Commission and the church parking lot. The fence would be an extension of the fence previously approved with the plan of development along the remainder of the property line.

Additional information has been requested regarding the light levels proposed, and the relocation of poles which conflict with drainage structures.

The staff recommendation will be made at the meeting. Should the Commission act on this request in addition to the standard conditions for landscape, lighting and fence plans, the following additional condition is recommended:

6. No light pole shall be located directly over top of any utility line or drainage structure.

(Staff Report by Greg Garrison)

(Applicant's Representative: Andrew Bowman)



ACTION: Deferred to November 14, 2007

PLAN OF DEVELOPMENT *(Deferred from the September 26, 2007 Meeting)*

POD-41-07

Pouncey Place, Phase 1 – Twin Hickory Lake Drive and Pouncey Tract Road

(POD-57-86 Revised)

Bay Design Group, P.C. for Pouncey Place, LLC: Request for approval of a plan of development as required by Chapter 24, Section 24-107 of the Henrico County Code, to construct a shopping center with two one-story buildings for a total of 27,630 square feet. The 5.25-acre

site is part of a 10.10 acre parcel and is located on the southeast corner of Pouncey Tract Road (State Route 271) and Twin Hickory Lake Drive on part of parcel 740-765-2150. The zoning is B-2C, Business District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

As of preparation date of the agenda, staff has not received a site plan showing the existing parking conditions for current businesses or a master plan showing each phase. The master plan should be similar to the concept plan presented at time of rezoning. Also, issues related to access to this property through VDOT controlled property have not been resolved.

Additionally, the architectural plans are substantially different from what was proffered. The buildings are required to be generally consistent in quality and style with the architecture of Belgrade Shopping Center, as required by proffered conditions.

The applicant has requested a deferral to the December 12, 2007 meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type, and the annotations on the plan, the following additional conditions are recommended:

24. The right-of-way for widening of Twin Hickory Lake 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 entrances and drainage facilities on Pouncey Tract Road (State Route 271) shall be approved by the Virginia Department of Transportation and the County.

27. 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.

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

29. A concrete sidewalk meeting County standards shall be provided along the east line of Pouncey Tract Road and the south line of Twin Hickory Lake Drive.

30. Employees shall be required to use the parking spaces provided at the rear of the building(s) as shown on the approved plans.

31. Outside storage shall not be permitted.

32. The proffers approved as a part of zoning case C-027C-05 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. 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.

35. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.

36. 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.
37. The conceptual master plan, as submitted with this application, is for planning and information purposes only.
38. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
39. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).
40. The owner shall provide evidence before construction approval that access is allowed onto the Virginia Department of Transportation property.
41. No more than 20,000 square feet of leased area can be given a permanent certificate of occupancy until substantial completion (as determined by the Director of Public Works) of widening of Pouncey Tract Road.
42. 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.
43. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

(Staff Report by Matt Ward)

(Applicant's Representative: Kenneth Barnes)



ACTION: Deferred to December 12, 2007

SUBDIVISION (*Deferred from the April 25, 2007 Meeting*)

SUB-14-07

Village @ Olde Colony (February 2007 Plan) - Harmony Avenue

Bay Design Group, P.C. for Shurm Construction, Inc. and Sydney and Sydney

Development, LLC: The 3.673-acre site proposed for a subdivision of 6 single-family homes is located along the south line of Harmony Avenue and the northern terminus of Woodside Street on parcel 803-696-9576. The zoning is R-3C, One-Family Residence District (Conditional). County water and sewer. (**Varina**) 6 Lots

The applicant has requested deferral to the November 14, 2007 meeting.

(Staff Report by Matt Ward)

(Applicant's Representative: Kenneth Barnes)



ACTION: Deferred to November 14, 2007

PLAN OF DEVELOPMENT

POD-33-07

Unity of Faith Fellowship
Church – 298 Cedar Fork Road

Keith Engineering, Inc. for Unity of Faith Fellowship Church: 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, 12,000 square foot, 290-seat sanctuary. The 26.57-acre site is located on the west line of Cedar Fork Road approximately 350 feet north of E. Cedar Fork Road on parcels 812-727-4158 and 812-728-5601. The zoning is A-1, Agricultural District, 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, 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 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. 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.
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. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.
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 conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction plans needed to implement this conceptual plan shall be administratively reviewed by staff and approved by the Planning Commission and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review and approval.
34. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as

determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

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

(Staff Report by Lee Pambid)

(Applicant's Representative: Jeff Keith)



ACTION: Approved

PLAN OF DEVELOPMENT & MASTER PLAN

POD-51-07

Rocketts Landing, Phase II – Old Osborne Turnpike

(POD-25-05 and POD-79-05 Revised)

Timmons Group for Central VA Investments/Rocketts Landing LLC: Request for approval of a plan of development and master plan as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a community pool, convert an existing warehouse into a 2,336 square foot pool house, convert an existing warehouse into a one story 9,566 square foot “Village Hall” community center, and to approve an updated Master Plan for the Village of Rocketts Landing Land Bays 4B and 5, including the pool house, community center, a building pad for a future nine-story 100-foot-tall mixed use building (the Waterford Building), and ancillary improvements for a future marina area and the future Capital Trail. The 6.3-acre site is located on Old Osborne Turnpike on parcels 797-712-3780, 797-713-2150 and 797-711-2587. The zoning is UMUC, Urban Mixed Use District (Conditional). City of Richmond water and sewer. (**Varina**)

As of the preparation date of this agenda staff has not received a revised plan, as requested. Staff has requested a revised UMU master plan for both Phase 1 and Phase 2 to update the previous plan prepared by CMSS Architects. The UMU master plan must identify open space, recreational areas, building area, height, uses and parking. In addition, area and density calculations for multi-family and townhouse units, parking calculations, open space, and commercial development ratio calculations required by the UMU District must be provided. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

1. **AMENDED** - The owner shall enter into the necessary contracts with the City of Richmond Department of Public Utilities for connections to public water and sewer. The developer shall provide evidence that this requirement is satisfied for each building prior to the issuance of a certificate of occupancy for such building.
2. **AMENDED** – The City of Richmond Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The City of Richmond Department of Public Utilities shall be notified at least 24 hours prior to the start of any water or sewer construction. The developer shall coordinate plan review with the City of Richmond, and provide evidence that this requirement is satisfied, prior to the issuance of a building permit for each building.
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 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 entrances and drainage facilities on Old Osborne Turnpike (State Route 5) 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 City of Richmond Department of Public Utilities and Henrico 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. The proffers approved as a part of zoning case C-55C-04 and conditions of Provisional Use Permit cases P-14-04 and P-04-05 shall be incorporated in this approval.

33. Prior to issuance of a building permit, the developer must furnish a letter from C & P Railroad stating that this proposed development does not conflict with their facilities.

34. 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.

35. 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.

36. The pavement shall be of an SM-2A type and shall be constructed in accordance with County standard and specifications. The developer shall post a defect bond for all pavement with the Department of Planning - the exact type, amount and implementation shall be determined by the Director of Planning, to protect the interest of the members of the Homeowners Association. The defect bond shall remain in effect for a period of three years from the date of the issuance of the final occupancy permit. Prior to the issuance of the last Certificate of Occupancy, a professional engineer must certify that the roads have been designed and constructed in accordance with County standards.

37. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.

38. 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.

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 served by privately maintained streets.

42. The conceptual master plan submitted with this application is for planning and information purposes only. All subsequent detailed plans need to implement this conceptual plan for the construction of future buildings shall be reviewed and approved by the Planning Commission; all other buildings and structures shown on the plans may be administratively reviewed and approved and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review and approval.
43. 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.
44. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
45. The proposed utilities connected to the City of Richmond system shall be accepted by the City for maintenance prior to the issuance of any Certificates of Occupancy. The Developer shall coordinate plan review with the City of Richmond and provide evidence to the Director of Public Utilities that the City's requirements are satisfied.
46. The applicant shall dedicate all right of way and easements determined necessary by the Director of Public Works and the Virginia Department of Transportation (VDOT), for the widening of State Route 5 (Old Osborne Turnpike), in accordance with the proffers and the traffic impact study, prior to the approval of final construction plans for any adjoining portion of the property adjacent to State Route 5.
47. All offsite easements necessary for the proposed connections into the City of Richmond utility system shall be recorded prior to the approval of final construction plans.
48. A construction plan for the widening of State Route 5 (Old Osborne Turnpike) and streetscape improvements along the west side of State Route 5 (Old Osborne Turnpike) abutting Land Bays 4 & 5 in accordance with the proffers and the developer's traffic study, shall be approved by the Department of Public Works, the Department of Planning, and VDOT prior to the approval of final construction plans for any adjoining portion of the property adjacent to State Route 5 (Old Osborne Turnpike). The Developer shall coordinate plan review with VDOT, and provide evidence that their requirements are satisfied.
49. A performance bond for all required improvements to State Route 5 (Old Osborne Turnpike) including streetscape improvements along the west side of State Route 5 (Old Osborne Turnpike) abutting Land Bays 4 & 5 shall be posted prior to the issuance of any building permits for any adjoining portion of the property adjacent to State Route 5 (Old Osborne Turnpike).
50. All improvements to State Route 5 (Old Osborne Turnpike) including streetscape improvements along the west side of State Route 5 (Old Osborne Turnpike) abutting Land Bays 4 & 5 shall be completed prior to the issuance of any Certificates of Occupancy for any adjoining portion of the property adjacent to State Route 5 (Old Osborne Turnpike), unless an exception is approved by the Directors of Public Works and Planning.
51. A tentative subdivision plat for the dedication of Rocketts Way, Old Hudson Street and Old Delaware Street shall be submitted for Planning Commission review and approval prior to the approval of any final construction plans abutting any undedicated portion of those proposed streets.
52. A subdivision plat for the dedication of Rocketts Way, Old Hudson Street, and Old Delaware Street shall be recorded prior to the approval of any building permits for property abutting any undedicated portion of those proposed streets.
53. A subdivision plat for the townhouses shall be recorded prior to the approval of any building permits for any portion of the proposed townhouses.
54. The service alleys shall be improved, in accordance with the proffered design guidelines, with a decorative pavement treatment that shall be submitted for review and approval by the Director

of Planning prior to approval of final construction plans.

55. 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.

56. A CPTED plan shall be submitted to the Division of Police for review, prior to the approval of construction plans for any office building or multi-family residential building.

57. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing, and construction trailer locations, shall be submitted for County review and prior to the approval of any final construction plans.

58. The unfinished walls of the parking deck (Building No. 12G) shall be covered with a cityscape mural of such design as approved by the Director of Planning; within no more than two years from the date a Certificate of Occupancy is issued for the parking deck, However, this requirement may be waived at the discretion of the Director of Planning; if a POD is approved for the adjoining property within two years; or if a building permit is approved for an adjoining property within three years; or other cause.

59. A construction plan for the Capital Trail including streetscape improvements for Land Bays 4 & 5 shall be approved by the Department of Public Works, the Department of Planning, and VDOT prior to the approval of final construction plans for any adjoining portion of the property. The Developer shall coordinate plan review with VDOT, and provide evidence that their requirements are satisfied.

60. A performance bond for all required improvements to the Capital Trail including streetscape improvements abutting Land Bays 4 and 5 shall posted prior to the issuance of any building permits for any adjoining portion of the property.

61. All improvements to the Capital Trail including streetscape improvements abutting Land Bays 4 and 5 shall completed prior to the issuance of any Certificates of Occupancy for any adjoining portion of the property, unless an exception is approved by the Directors of Public Works and Planning.

62. A plat granting a public access easement for the Capital Trail shall be recorded prior to the approval of any Certificates of Occupancy for property abutting any undedicated portion.

(Staff Report by Michael Kennedy)

(Applicant's Representative: Andrew Gould)



ACTION: Approved

SUBDIVISION & EXCEPTION

SUB-55-07

Parham Estates (October 2007 Plan)

Minna Drive and Parham Road

E. D. Lewis & Associates, P.C. for Grandis & Gumenick and Harry & Carter Snipes: The 5.03-acre site proposed for a subdivision of 12 single-family homes is located at the intersection of Minna Drive and Starwood Drive and adjacent to I-64 East on parcel 755-752-4758. The zoning is R-3, One-Family Residence District. County water and sewer. **(Three Chopt)** 12 Lots

This property is located adjacent to I-64, a controlled access road. This classification requires an additional 35 foot- setback in addition to the required 40-foot-rear yard setback. The applicant has requested a waiver of this additional 35-foot setback. He has proposed providing a 15-foot planting strip easement and a 6-foot wood privacy fence along I-64 within the required 40-foot setback. A revised plan has been requested to adjust the plan so that the depth of the lots along I-

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

12. Each lot shall contain at least 11,000 square feet.

13. 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.

14. The detailed plant list and specifications for the landscaping to be provided within the 15-foot-wide planting strip easement along I-64 shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.

(Staff Report by Matt Ward)

(Applicant's Representative: Keith Rich)



ACTION: Approved

SUBDIVISION

SUB-56-07

Morgan Estates (October 2007 Plan)

12520 Bacova Drive

E. D. Lewis & Associates, P.C. for Darrell H. Bowman: The 3.98-acre site proposed for a subdivision of 3 single-family homes is located on the northern line of Bacova Road, approximately one mile west of Pouncey Tract Road (State Route 271) on parcel 735-766-2261. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield. **(Three Chopt) 3 Lots**

As of the preparation date of the agenda, the Departments of Public Works and Planning cannot recommend approval of the plan as submitted because the alignment for North Gayton Road extended and the re-alignment of Bacova Road will affect this property. Both Departments recommend delaying this project until the alignment for North Gayton Road extended and the re-alignment of Bacova Road is defined to determine the amount of right-of way dedication necessary and the effect this major thoroughfare plan road project will have on the current subdivision layout.

Should the Commission act on this request, in addition to the standard conditions for subdivisions not served by public utilities, the following additional conditions are recommended:

11. The detailed plant list and specifications for the landscaping to be provided within the 25-foot-wide planting strip easement along Bocova Drive shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.

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

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

(Staff Report by Christina Goggin)
(Applicant's Representative: Bryan Traynham)

 **ACTION: Deferred to November 17, 2007**

PLAN OF DEVELOPMENT & SPECIAL EXCEPTION
POD-57-07

Candlewood Suites – 5400 Audubon Drive

The Spectra Group for Raj Jain: Request for approval of a plan of development and special exception as required by Chapter 24, Sections 24-2, 24-67(d) and 24-106 of the Henrico County Code, to construct a four-story, 54,680 square foot, 100-room hotel with a height of 55 feet. The special exception would authorize a building exceeding a height of 45 feet. The 3.07-acre site is located on the north line of Audubon Drive, approximately 1,120 feet east of the intersection with Oakley's Lane on parcel 819-717-6812. The zoning is M-1C, Light Industrial District (Conditional) and ASO (Airport Safety Overlay) District. County water and sewer. (**Varina**)

The building elevations submitted are in accordance with the proffered architectural drawings that are part of case C-50C-07.

This plan of development includes a request for a special exception for height to allow construction of a building exceeding 45 feet in height.

As is normal procedure, staff makes no recommendation regarding the special exception. It is the applicant's responsibility to present evidence to the Commission to support this request. Should the Commission approve the applicant's request for the special exception, staff recommends approval of the plan of development 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 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-50C-07 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. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.

32. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.

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 Henrico County maintained right-of-way. The elevations will be set by Henrico County.

35. 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.

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

38. Federal Aviation Administration (FAA), Form 7460-1 shall be submitted to the FAA and proof of such approval shall be provided to the Planning Department prior to approval of any building permit application.

39. Evidence that an engineer has certified the height of the building shall be provided to the Director of Planning prior to the issuance of a Certificate of Occupancy.

(Staff Report by Lee Pambid)

(Applicant's Representative: Chris Taylor)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-64-07

BJ's Wholesale Club – 1320-1326 Starling Drive

Vanasse Hangen Brustlin for The Taubman Company and BJ's Wholesale Club, 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, 117,286 square foot wholesale/retail warehouse building with a six-pump fuel center. The 12.50-acre site is located on the west line of Starling Drive, approximately 600 feet south of Quioccasin Road on parcels 751-744-9528 and 752-744-2137. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Tuckahoe)**

As of the preparation of this agenda, Public Works Traffic Division cannot recommend approval pending completion of a Traffic Impact Study in accordance with Chapter 527 regulations which is acceptable to the Virginia Department of Transportation (VDOT). Two Traffic Impact Analysis submissions have been reviewed by VDOT but no recommendations have been made by VDOT because the analysis have been deemed incomplete.

Additionally, revised architectural elevations that provide additional architectural features around all sides of the building to break up the building mass, as requested by staff, have not been submitted.

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. A concrete sidewalk meeting County standards shall be provided along W. Starling Drive.
27. Outside storage shall not be permitted.
28. The proffers approved as a part of zoning case C-76C-86 shall be incorporated in this approval.
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. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
32. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.
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 Henrico County maintained right-of-way. The elevations will be set by Henrico County.

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

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

(Staff Report by Christina Goggin)

(Applicant's Representative: John Carty)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-66-07

Basilis Restaurant

3223 Skipwith Road

(POD-62-02 Revised)

Delta Engineers for Basilios Tsimbos: 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, 5,150 square foot restaurant with outside dining. The .94-acre site is located on the east line of Skipwith Road approximately 350 feet south of W. Broad Street (U.S. Route 250) on parcel 761-754-1383. The zoning is B-2C, Business 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:

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. A concrete sidewalk meeting County standards shall be provided along E. Skipwith Road.

27. The proffers approved as a part of zoning case C-23C-06 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. 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 Department of Planning and approved prior to issuance of a certificate of occupancy for this development.

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

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

(Staff Report Christina Goggin)

(Applicant's Representative: Michael Fotopoulos)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-67-07

S. B. Cox Recycling Center
5100 Williamsburg Avenue

Joyce Engineering, Inc. for S. B. Cox, 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, 12,000 square foot addition to an existing 45,000 square foot warehouse. The 9.486-acre site is located on the south line of Williamsburg Avenue at the intersection with Hatcher Street on parcel 799-712-1461. The zoning is M-2, General Industrial District. County water and sewer.
(Varina)

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 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. 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 25 feet.

27. 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.

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

(Staff Report Lee Pambid)

(Applicant's Representative: Jeffrey M. Fantell)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-69-07

Mimi's Café @ West Broad
Village

(POD-42-06 Revised)

Timmons Group for West Broad Village, LLC & West Broad Village II, LLC and Foremark, Ltd.: 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, 6,567 square foot restaurant with outdoor dining. The 0.63-acre site is located at the southeast intersection of W. Broad Street (U.S. Route 250) and Brownstone Boulevard, on part of 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 has not received revised architectural plans, 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 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-12C-06 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. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

(Staff Report by Kevin Wilhite)

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



ACTION: Approved

PLAN OF DEVELOPMENT & LIGHTING PLAN

POD-70-07

McDonald's @ 5106 Nine Mile Road – Nine Mile Road and Cedar Fork Road
(POD-117-78 and POD-36-80 Revised)

Carter Design for Franchise Realm Interstate Corporation and McDonald's USA, LLC:

Request for approval of a plan of development and lighting plan as required by Chapter 24, Section 24-106 of the Henrico County Code, to demolish an existing fast food restaurant and construct a one-story, 4,007 square foot fast food restaurant. The 1.11-acre site is located at on the north line of Nine Mile Road, approximately 150 feet east of Cedar Fork Road on parcel 812-724-2367 and part of parcel 812-725-3210. The zoning is B-2, Business District. County water and sewer. **(Fairfield)**

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

11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature.

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 Nine Mile Road (State Route 33) 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 concrete sidewalk meeting County standards shall be provided along north side of Nine Mile Road (State Route 33).

29. Outside storage shall not be permitted.

30. 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.

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

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

(Staff Report by Matt Ward)

(Applicant's Representative: Michelle Carter)



ACTION: Approved

PLAN OF DEVELOPMENT & SPECIAL EXCEPTION

POD-72-07

Hyatt Place (White Oak Village Shopping Center)
Laburnum Avenue and I-64

Kimley Horn & Associates for LTD Management Company, LLC: Request for approval of a plan of development and special exception as required by Chapter 24, Sections 24-2, 24-63(c), 24-67(d) and 24-106 of the Henrico County Code, to construct a seven-story, 90,174 square foot, 151 room hotel with a height of 71 feet. The special exception would authorize a building exceeding a height of 45 feet. The 3.21-acre site is located at the southeast corner of the intersection of S. Laburnum Avenue and I-64, on part of parcel 814-718-2788 in the White Oak Village Shopping Center. The zoning is B-3C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

The applicant has submitted additional information as requested regarding the building exterior finishes. As is normal procedure staff makes no recommendation regarding the special exception for height. It is the applicant's responsibility to present evidence to the Commission to support the request.

Should the Commission approve the special exception, 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 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 loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
26. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
27. Only retail business establishments permitted in a B-3 zone may be located in this center.
28. The conceptual master plan, as submitted with this application, is for planning and information purposes only.
29. Outside storage shall not be permitted.
30. The proffers approved as a part of zoning case C-29C-06 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. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.
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. 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. 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.
38. 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.
39. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
40. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).
41. In order to maintain the effectiveness of the County's public safety radio communications system within buildings, the owner will install radio equipment that will allow for adequate radio coverage within the building, unless waived by the Director of Planning. Compliance with the County's emergency communication system shall be certified to the County by a communications consultant within ninety (90) days of obtaining a certificate of occupancy. The County will be permitted to perform communications testing in the building at anytime.
42. Federal Aviation Administration (FAA), Form 7460-1 shall be submitted to the FAA and proof of such approval shall be provided to the Planning Department prior to approval of any building permit application.

43. Evidence that an engineer has certified the height of the building shall be provided to the Director of Planning prior to the issuance of a Certificate of Occupancy.

(Staff Report by Jim Strauss)

(Applicant's Representative: Matthew Schliske)



ACTION: Approved

PLAN OF DEVELOPMENT

POD-71-07

Elam Office Building – 5711 Staples Mill Road
(POD-7-80 and POD-51-81 Revised)

Balzer & Associates, Inc. for DBE Investments, 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 7,214 square foot, two-story, building addition to a 15,170 square foot existing three-story office. The 1.47-acre site is located on the east line of Staples Mill Road (U.S. Route 33) approximately 200 feet north of Northside Avenue on parcel 774-745-5455. The zoning is O-2, Office District. County water and sewer. **(Brookland)**

As of the preparation date of the agenda, the staff has not received any information regarding current or proposed medical uses in the existing office building. The amount of parking provided for the proposed building addition is not adequate for any medical offices within the development.

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 entrances and drainage facilities on (State Route) 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. Outside storage shall not be permitted.
29. 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.
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. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage plans.

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 Christina Goggin)

(Applicant's Representative: Simon Mueller)



ACTION: Approved

SUBDIVISION RECONSIDERATION

SUB-28-07

Parkwood Chase (April 2007 Plan)

Cedar Fork Road across from VEPCO station

Balzer & Associates, Inc. and Milestone Development Services for Tingley Construction Company and Emerald Land Development, LLC:

The 17.87-acre site proposed for a subdivision of 38 single-family homes is located at 212 Cedar Fork Road and 146 Cedar Fork Road on parcels 812-726-0522 and 811-725-7591. The zoning is R-4AC, One-Family Residence District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer.

(Fairfield) 38 Lots.

This plan was originally approved by the Planning Commission at their April 25, 2007 meeting. At that time, the Commission approved an exception to subdivision design standards to permit the three "through" lots with frontage on both Cedar Fork Road and Cedar Park Lane. The Commission's approval required all three lots to have a "no ingress/no egress planting strip easement" along Cedar Fork Road.

Since that time, the applicant has had the extent of the existing wetlands delineated in their property. The previously approved plan shows wetlands in the side yards of Lots 33 and 34. Although those lots satisfy minimum standards without the wetlands, DPW design standards would require those wetlands to be impacted. The applicant has revised the lot configuration to include the wetlands in Lot 30 instead. The revised layout would make Lot 30 an additional "through" lots with frontage on both Cedar Park Circle and Cedar Park Lane. The additional through lot would require specific approval by the Planning Commission, since both street frontages are classified as local roads. The wetlands on revised Lot 30 would have a minimum depth of 150 feet, where it abuts Cedar Park Lane, and all three affected lots would continue to

satisfy minimum standards. Staff offers no objection to the requested exception, provided, a “no ingress/no egress easement” is dedicated along Lot 30, where it abuts Cedar Fork Lane. Due to the extensive wetlands that would be maintained on Lot 30, no landscape easement is required and no activity would be permitted in the wetlands area that could impact Lots 33 and 34.

The staff recommends conditional approval subject to the annotations on the plan and the standard conditions for subdivisions served by public utilities and the original additional conditions approved by the Planning Commission at its April 25, 2007 meeting.

(Staff Report by Michael Kennedy)

(Applicant’s Representative: Taylor Goodman)



ACTION: Approved

SUBDIVISION

SUB-58-07

South Lake (October 2007 Plan)

south corner of Hawkes Lane and S. Lake Avenue

Foster & Miller, P.C. for Roger B. Riggle, E. W. Riggle and David Riggle: The 1.100-acre site proposed for a subdivision of 3 single-family homes is located at 6115 Hawkes Lane on the southwest corner of Hawkes Lane and S. Lake Avenue on parcel 819-724-8059. The zoning is R-2A, One-Family Residence District. County water and sewer. **(Varina)** 3 Lots

The subdivision, as proposed, does not meet Code requirements. Lots 2 and 3 cannot meet required lot size because of the additional right-of-way dedication required along South Lake Avenue. The applicant could consider demolition of the existing home and garage to allow redesign and creation of three lots.

As of the preparation date of the agenda, the staff has not received a revised site 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 subdivisions served by public utilities, the following additional conditions are recommended:

12. Each lot shall contain at least 13,500 square feet.

13. 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.

(Staff Report by Matt Ward)

(Applicant’s Representative: Alexander Brinblat)



ACTION: Deferred to November 14, 2007

BEGINNING AT 10:00 A.M.

PUBLIC HEARING:

[Amendment to the Zoning and Subdivision Ordinance provisions pertaining to the floodplain.](#) (Presentation by Tom Tokarz)



ACTION: Deferred to November 8, 2007 (For Decision Only)

[Amendment to the Urban Mixed Use District regulations of the Zoning Ordinance to permit residential uses within a floodplain.](#) (Presentation by Michael Kennedy)



ACTION: Deferred to November 8, 2007 (For Decision Only)

[Amendment to the Zoning Ordinance pertaining to signage in regional shopping centers.](#)
(Presentation by Paul Gidley)



ACTION: Deferred to November 8, 2007 (For Decision Only)

APPROVAL OF MINUTES: September 26, 2007 Minutes



ACTION: Approved

ADJOURNed at 2:35 p.m.