

**PLANNING COMMISSION**

**SUBDIVISIONS AND PLANS OF DEVELOPMENT**

**February 27, 2008**

The submission deadline for this hearing date was January 11, 2008.

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**REQUEST FOR DEFERRALS AND WITHDRAWALS:** Leslie News

**EXPEDITED AGENDA:** Leslie News

**SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL:** Christina Goggin

**Subdivision:** Castleton (February 2005 Plan)

**Original No. of Lots:** 494

**Remaining Lots:** 178

**Previous Extensions:** 2

**Magisterial District:** Varina

**Recommended Extension:** 02/25/09

**Subdivision:** Kain's Quarter (February 2005 Plan)

**Original No. of Lots:** 6

**Remaining Lots:** 6

**Previous Extensions:** 2

**Magisterial District:** Three Chopt

**Recommended Extension:** 02/25/09

**Subdivision:** Kensington Meadows (Formerly Weatherfield Farms)(February 2004 Plan)

**Original No. of Lots:** 168

**Remaining Lots:** 118

**Previous Extensions:** 3

**Magisterial District:** Fairfield

**Recommended Extension:** 02/25/09

**Subdivision:** Stony Run Estates (February 2003 Plan)

**Original No. of Lots:** 33

**Remaining Lots:** 6

**Previous Extensions:** 3

**Magisterial District:** Varina

**Recommended Extension:** 02/25/09

**Subdivision:** Westridge East (January 2005 Plan)

**Original No. of Lots:** 7

**Remaining Lots:** 7

**Previous Extensions:** 2  
**Magisterial District:** Three Chopt  
**Recommended Extension:** 02/25/09

**TRANSFER OF APPROVAL  
POD-66-83**

Utica Building (formerly Utica Mutual Insurance) 2701 Emerywood Parkway

**Williams Mullen for FC Richmond II, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from North Gayton Company and Pruitt Associates LLC to FC Richmond II, LLC. The 3.17-acre site is located on the southwest line of Emerywood Parkway, approximately 400 feet south of Capehart Road on parcel 764-747-6909. The zoning is M-1, Light Industrial District. 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 December 28, 2007 shall be corrected by May 1, 2008 or a bond shall be posted to cover the remaining deficiencies.

The deficiencies include replacement of missing landscaping and repaving of the parking lot.

**(Staff Report by Aimee Berndt)**

(Applicant's Representative: Ralph L. Axselle, Jr.)



**ACTION: Approved**

**TRANSFER OF APPROVAL  
POD-134-85**

Forest Plaza II – 7275 Glen Forest Avenue

**Williams Mullen for FC Richmond II, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Virginia Investment Corporation and Pruitt Associates LLC to FC Richmond II, LLC. The 2.488-acre site is located on the northeast corner of the intersection of Forest Avenue and Bayberry Court, and the south line of Glen Forest Drive on parcel 763-745-8463. 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 December 28, 2007 shall be corrected by May 1, 2008 or a bond shall be posted to cover the remaining deficiencies.

The deficiencies include missing landscaping.

**(Staff Report by Aimee Berndt)**

(Applicant's Representative: Ralph L. Axselle, Jr.)

(Applicable Rezoning Cases and PUPs: C-42C-81)



**ACTION: Approved**

**TRANSFER OF APPROVAL**

**POD-79-87**

Bayberry Building (Xerox) (formerly Pruitt Associates Office Building) 1700 Bayberry Drive

**Williams Mullen for FC Richmond II, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Pruitt Associates, LLC to FC Richmond II, LLC. The 3.167-acre site is located on the northwest corner of Forest Avenue and Bayberry Court on parcel 763-745-4368. The zoning is R-6C, General Residence District (Conditional) and 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 December 28, 2007 shall be corrected by May 1, 2008 or a bond shall be posted to cover the remaining deficiencies.

The deficiencies include missing landscaping and general maintenance.

**(Staff Report by Aimee Berndt)**

(Applicant's Representative: Ralph L. Axselle, Jr.)

(Applicable Rezoning Cases and PUPs: C-94C-85)



**ACTION: Approved**

**TRANSFER OF APPROVAL**

**POD-04-89**

Highlands I Building (formerly Glen Forest South – Pruitt Office Building) 7231 Forest Avenue

**Williams Mullen for FC Richmond II, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Pruitt Associates, LLC to FC Richmond II, LLC. The 3.203-acre site is located on the south line of Forest Avenue at the intersection of Bayberry Court on parcel 763-745-5117. The zoning is O-2C, Office District (Conditional) and R-6C, General Residence District (Conditional). County water and sewer. **(Three Chopt)**

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

1. The site deficiencies, as identified in the inspection report, dated December 28, 2007 shall be corrected by May 1, 2008 or a bond shall be posted to cover the remaining deficiencies.

The deficiencies include missing landscaping and general maintenance.

**(Staff Report by Aimee Berndt)**

(Applicant's Representative: Ralph L. Axselle, Jr.)

(Applicable Rezoning Cases and PUPs: C-30C-80, C-43C-81, C-93C-85 and C-19C-86)



**ACTION: Approved**

### **TRANSFER OF APPROVAL**

#### **POD-15-72**

Fair Oaks Apartments – Airport Drive and Airport Court

**Jeffrey B. Hammaker for The Village of Fair Oaks, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Airport Drive Associates, LP to The Village of Fair Oaks, LLC. The 8.00-acre site is located on the south line of N. Airport Drive east of Nine Mile Road at 400 N. Airport Court on parcel 826-722-4717. The zoning is R-5, General Residence District and ASO (Airport Safety Overlay) District. County water and sewer. (**Varina**)

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

1. The applicant shall submit a revised and updated lighting, landscaping and fence plan for staff review and approval prior to the issuance of any new certificates of occupancy.

2. The applicant shall install or bond the related landscape, lighting and fence improvements prior to the issuance of a certificate of occupancy for each building.

3. All landscape, lighting and fence improvements shall be installed prior to September 25, 2008.

**(Staff Report by Mike Kennedy)**

(Applicant's Representative: Philip Pilevsky)



**ACTION: Approved**

### **TRANSFER OF APPROVAL**

#### **POD-26-92 (POD-9-86 Revised)**

Republic Plaza – 4501 Williamsburg Road

**Nabil Hafez for Republic Plaza LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Mask Investments LLC to Republic Plaza LLC. The 2.658-acre site is located on the south line of Williamsburg Road, approximately 800 feet from the intersection with Laburnum Avenue on parcel 815-713-6182. The zoning is M-1, Light Industrial District. County water and sewer. (**Varina**)

As of the preparation date of the agenda, staff has yet to receive a proposed alternate landscape plan and work out a schedule with the applicant to correct the landscaping deficiencies on site as identified in the inspection report of December 17, 2007. The staff recommendation will be made at the meeting.

The site deficiencies include missing trees.

**(Staff Report by Lee Pambid)**

(Applicant's Representative: Nabil Hafez)



**ACTION: Deferred to March 26, 2008**

**TRANSFER OF APPROVAL**

**POD-66-00**

Jiffy Lube –5710 W. Broad Street

**David Pryzwansky for ITAC 244, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Third Generation, L.P., Lucor, Inc. and Navigator Real Estate Holdings to ITAC 244, LLC. The .585-acre site is located on the northeast corner at the intersection of W. Broad Street (U.S. Route 250) and Libbie Avenue on parcel 771-739-7295. The zoning is B-3, 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. The site deficiencies, as identified in the inspection report, dated November 1, 2007 shall be corrected by April 15, 2008 or a bond shall be posted to cover the remaining deficiencies.

The deficiencies include missing trees and shrubs.

**(Staff Report by Aimee Berndt)**

(Applicant's Representative: David Pryzwansky)



**ACTION: Approved**

**TRANSFER OF APPROVAL**

**POD-64-07**

BJ's Wholesale Club – Starling Drive

**Hirschler Fleischer for Natick VA Richmond Realty Corporation:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from The Taubman Company to Natick VA Richmond Realty Corporation. The 12.5-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)**

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: Penny Koch)

(Applicable Rezoning Cases and PUPs: C-76C-86)



**ACTION: Approved**

## **TRANSFER OF APPROVAL**

### **POD-36-96**

Highwoods Center – Lewis Road

**C. B. Richard Ellis of Virginia, Inc. for Fawn Industrial, LLC and 1881 Industrial, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Highwoods/Forsyth, L.P. to Fawn Industrial, LLC and 1881 Industrial, LLC. The 17.7-acre site is located on the east line of Lewis Road, approximately 400 feet north of Eubank Road on parcel 819-712-7580. The zoning is M-1, Light Industrial District. County water and sewer. **(Varina)**

As of the preparation date of the agenda, staff has not worked out a schedule with the applicant for the correction of site deficiencies, as identified in the inspector's report. The staff recommendation will be made at the meeting.

The deficiencies include missing landscaping and required pavement repairs.

**(Staff Report by Kevin Wilhite)**

(Applicant's Representative: Robin Chamberlin)



**ACTION: Deferred to March 26, 2008**

## **ALTERNATIVE FENCE HEIGHT PLAN – RESIDENCE** *(Deferred from the January 23, 2008 Meeting)*

### **TC-227**

**Rainer Residence** – 2008 Fondulac Road

**Norman Rainer:** Request for approval of an alternative fence height plan, as required by Chapter 24, Sections 24-106 and 24-95(1) 7 of the Henrico County Code to allow a fence exceeding a height of 42 inches in a front yard. The .55-acre site is located on the west line of Fondulac Road, approximately 400 feet south of Anoka Road on parcel 758-748-2712. The zoning is R-2, One-Family Residence District. **(Three Chopt)**

An application has been submitted to the County requesting approval of a privacy fence exceeding the allowable height of 42 inches in the front yard for a distance of 33.5 feet along the south side property line adjacent to the neighboring residential property. The fence would be added to an existing 22-inch high brick wall with five-foot pillars at each end. The applicant requests to add a white vinyl board on board fence on top of the brick wall between the two pillars, making the fence portion four feet, 10 inches tall. This alternative fence height would constitute a 16-inch height deviation in excess of what is permitted by code for the portion of the fence which lies within the front yard setback area, a distance of 33.5 feet. The landscaping proposed with this fence plan has already been installed along the existing wall.

County Code limits the maximum fence height in a residentially zoned front yard to three feet, six inches, unless an alternative fence height is approved by the Planning Commission.

As of the date of the preparation of this agenda, staff has not received any calls or correspondence in opposition to this request. Staff has no objections to the fence as proposed.

Customarily, staff makes no recommendation for approval or denial before the Planning Commission regarding requests for alternative fence height. Should the Commission act on this request staff recommends the following additional condition:

1. The owner shall be responsible for the continued and proper maintenance of the fence.

**(Staff Report by Aimee Berndt)**

(Applicant's Representative: Norman Rainer)



**ACTION: Denied**

## **LANDSCAPE & LIGHTING PLAN**

### **LP/POD-04-06**

Southall @CrossRidge – CrossRidge Glen Way

**Joyce Wolfe for Eagle Construction of Virginia, LLC:** Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 20.057-acre site is located at the western terminus of CrossRidge Glen Way at 4000 CrossRidge Glen Way on parcel 762-764-7055. The zoning is R-6C, General Residence District (Conditional).

**(Brookland)**

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

**(Staff Report by Michael Kennedy)**

(Applicant's Representative: Joyce Wolfe)

(Applicable Rezoning Cases and PUPs: C-27C-00 and C-51C-05)



**ACTION: Approved**

## **SUBDIVISION**

### **SUB-06-08**

Staples Mill Centre (February 2008 Plan)

**E. D. Lewis & Associates, P.C. for Staples Mill Centre, LLC:** The 0.69-acre site proposed for a subdivision of 12 residential townhomes is located on the south line of Bethlehem Road, 800 feet west of the west line of Staples Mill Road (U.S. Route 33) on part of parcel 773-741-5414, 6011, 6808, 7505 and 8102. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer.

**(Brookland) 12 Lots**

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

15. A County standard sidewalk shall be constructed along the south side of Bethlehem Road.

16. The proffers approved as part of zoning case C-15C-07 shall be incorporated in this approval.

17. The applicant shall obtain vacation of any lots in Westbourne Subdivision which are within the limits of this subdivision prior to final approval of the plat.

**(Staff Report by Michael Kennedy)**

(Applicant's Representative: Monte Lewis)

(Applicable Rezoning Cases and PUPs: C-15C-07)



**ACTION: Approved**

## **SUBDIVISION**

### **SUB-04-08**

Hechler Ridge (February 2008 Plan)

**Balzer & Associates, Inc. for Big Green Mountain, LLC:** The 2.93-acre site proposed for a subdivision of 7 single-family home is located along the west line of Oakley's Lane, approximately 150 feet north of Antigo Road on parcel 814-723-9520. The zoning is R-3, One-Family Residence District and ASO (Airport Safety Overlay) District. County water and sewer. **(Fairfield)** 7 Lots

As of the preparation date of the agenda, the staff has not received a revised plan. The subdivision must be redesigned to meet all necessary setbacks associated with environmental constraints and dedication of right-of-way along Oakley's Avenue. As a result, the revised plan may show one or two lots eliminated from the original concept.

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:

13. The limits and elevation of the Special Flood Hazard Area shall be conspicuously noted on the plat and construction plans and labeled "Limits of Special Flood Hazard Area." Dedicate the Special Flood Hazard Area as a "Variable Width Drainage & Utilities Easement."

14. Each lot shall contain at least 11,000 square feet exclusive of the floodplain areas.

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

**(Staff Report by Matt Ward)**

(Applicant's Representative: Brandon Sovick)



**ACTION: Approved**

## **SUBDIVISION**

### **SUB-05-08**

Foxhill Crossing (February 2008 Plan)



**Balzer & Associates, Inc. for Big Green Mountain, LLC:** The 14.66-acre site proposed for a subdivision of 7, single-family home is located on the south line of E. Foxhill Road at the intersection with Meadowspring Road on parcels 810-719-9594 and 810-719-7884. The zoning is R-3, One-Family Residence District and C-1, Conservation District and ASO (Airport Safety Overlay) District and MPBO (Microwave Path Buffer Overlay) District. County water and sewer. (**Varina**) 7 Lots

Staff has requested that the developer consider providing sidewalk and curb and gutter to provide pedestrian connectivity between existing multi-family development and Jacob Adams Elementary School. The subdivision is located on an existing street.

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:

13. The limits and elevation of the Special Flood Hazard Area shall be conspicuously noted on the plat and construction plans and labeled "Limits of Special Flood Hazard Area." Dedicate the Special Flood Hazard Area as a "Variable Width Drainage & Utilities Easement."

14. Prior to requesting recordation, the developer must furnish a letter from Dominion Virginia Power, stating that this proposed development does not conflict with its facilities.

**(Staff Report by Lee Pambid)**

(Applicant's Representative: Brandon Sovick)



**ACTION: Approved**

**PLAN OF DEVELOPMENT** (*Deferred from the January 23, 2008 Meeting*)

**POD-4-08**

Flagstop Carwash @ Parham Road – 9802 E. Parham Road

**Balzer & Associates, Inc. for Royal Oldsmobile Company and Robert C. Schrum, Jr.:** 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, 4,160 square foot carwash. The 2.17-acre site is located on the south line of E. Parham Road, approximately 550 feet east of W. Broad Street (U.S. Route 250) on parcels 762-754-6047 and part of 7326. The zoning is B-3, Business District and B-3C, Business District (Conditional). County water and sewer. (**Brookland**)

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

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

30. Outside storage shall not be permitted.

31. The proffers approved as a part of zoning cases C-34C-86 and C-6C-08 shall be incorporated in this approval.

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 owner or manager on duty shall be responsible for temporarily closing the car wash facility when the on-site stacking space is inadequate to serve customer demand to prevent a backup of vehicles onto the public right-of-way. The owner shall arrange with the Traffic Engineer to provide standard traffic control signs to notify customers that stopping or standing on the public right-of-way shall not be permitted near the entrances to the car wash facility.

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

35. 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. All building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

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 Aimee Berndt)**

(Applicant's Representative: Andrew Bowman)

(Applicable Rezoning Cases and PUPs: C-34C-86 and C-6C-08)



**ACTION: Approved**

**PLAN OF DEVELOPMENT**

**POD-85-07**

Park Central Daycare – Park Central Drive and E. Parham Road

**Balzer & Associates, Inc. for BTR TLE III, 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 one-story, 12,000 square foot child daycare building and a one-story, 9,000 square foot office building. The 7.52-acre site is located on the north line of E. Parham Road at the northwest corner of the intersection of E. Parham Road and Park Central Drive on parcel 789-759-2105. The zoning is O-2C, Office District (Conditional). County water and sewer. **(Fairfield)**

As of the preparation date of this agenda, the staff has not received a revised plan addressing the relocation of the proposed dumpster pad, as requested. The staff recommendation will be made at the meeting. Should the commission act on this request, in addition to annotations on the plan and standard conditions for developments of this type, the following additional conditions are recommended:

29. A concrete sidewalk meeting County standards shall be provided along the north side of E. Parham Road

30. The building shall be constructed of red brick and the brick shall not be painted at any time.

31. Outside storage shall not be permitted.

32. The proffers approved as a part of zoning case C-7C-95 shall be incorporated in this approval.

33. 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.

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. 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 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 building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

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

39. A traffic impact study shall be submitted as required by the County's Traffic Engineer. The applicant shall incorporate into the construction plans for signature any comments generated by the County's Traffic Engineer from his review of the Traffic Impact Study for this development.

**(Staff Report by Aimee Berndt)**

(Applicant's Representative: Andrew Bowman)

(Applicable Rezoning Cases and PUPs: C-7C-95)



**ACTION: Approved**

**PLAN OF DEVELOPMENT ARCHITECTURALS** (*Deferred from the January 23, 2008 Meeting*)  
**POD-79-07**

Arco Iris Latino Mart – 6111 & 6115 Staples Mill Road (State Route 33)

**Barthol Design Associates for Armando Benitez and Kings Construction:** Request for approval of architectural plans for a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story building with a 5,000 square foot restaurant on the first floor and 5,000 square feet of office on the second floor. The 1.72-acre site is located on the east line of Staples Mill Road (State Route 33) approximately 200 feet south of Penick Road on parcels 773-747-8814 and 773-747-8402. The zoning is B-1, Business District. County water and sewer. **(Brookland)**

Revised architectural plans have been requested to address the building design and courtyard area. The applicant has been reviewing options with staff, but has not submitted a final revised architectural plan. The staff recommendation will be made at the meeting. Should the Commission act on this request the conditions of POD approval by the Planning Commission dated January 23, 2008 continue to apply and the following additional condition is recommended:

43. No portion of the exterior of the building shall be painted as a mural.

**(Staff Report by Christina Goggin)**  
(Applicant's Representative: Brian Mustain)



**ACTION: Approved**

**PLAN OF DEVELOPMENT** (*Deferred from the January 23, 2008 Meeting*)  
**POD-3-08**

Third Presbyterian Church Addition

**Rummel Klepper & Kahl, LLP for Trustees of Third Presbyterian 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 two and a half story, 46,268 square foot addition to an existing church, a tot lot and parking area improvements. The 3.34-acre site is located at on the west line of Forest Avenue at its intersection with Silverspring Drive on parcels 756-737-8569, 7779, 7986 and 757-737-0393. The zoning is R-3, One-Family Residence District and R-2, One-Family Residence District. County water and sewer. **(Tuckahoe)**

As of the preparation date of the agenda, the staff has not received a revised plan which will address concerns regarding the drainage design for the church addition. 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:

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.

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. 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 Jim Strauss)**

(Applicant's Representative: Malachi Mills)



**ACTION: Deferred to April 10, 2008**

**SUBDIVISION RECONSIDERATION** (*Deferred from the January 23, 2008 Meeting*)

**SUB-28-06**

Selph Ridge (May 2006 Plan) White Oak and Elko Roads

**Engineering Design Associates for FJCB, LLC:** The 9.997-acre site proposed for a subdivision of 8 single-family homes is located approximately 700 feet north of Chillie Lane and Scaffold Court on parcel 856-705-2677. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield.

**(Varina)** 8 Lots

The applicant requests deferral to the March 26, 2008 meeting.

**(Staff Report by Greg Garrison)**

(Applicant's Representative: Randy Hooker)



**ACTION: Deferred to May 28, 2008**

**PLAN OF DEVELOPMENT**

**POD-6-08**

Eubank Center – 4200 Eubank Road

**Engineering Design Associates for Eubank 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 three, one-story office/warehouse buildings at 48,387 square feet, 18,900 square feet and 23,100 square feet. The 6.63-acre site is located on the north line of Eubank Road, approximately 880 feet east of Klockner Drive on parcels 814-713-1013 and 3622. The zoning is M-1, Light Industrial District and ASO, Airport Safety Overlay 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:

29. The right-of-way for widening of November 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.
30. 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.
31. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
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 building mounted equipment shall be painted to match the building and all equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
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 Lee Pambid)**

(Applicant's Representative: Randy Hooker)



**ACTION: Approved**

**PLAN OF DEVELOPMENT – PROSPECT HOMES ARCHITECTURALS** (*Deferred from the January 23, 2008 Meeting*)

**POD-42-06**

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

**Timmons Group and Lessard Group, Inc. for Prospect Homes of Virginia and Unicorp National Developments, Inc.:** Request for approval of Prospect Homes architectural plans, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 96 townhouses for sale (brownstones). The 12-acre portion of 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 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)**

This request is for approval of the townhouse architectural plans for one portion of the townhouses to be built on the West Broad Village site. The site plans were approved with the original plan of development.

As of the preparation date of the agenda, the staff has not received a revised plan, as requested. Staff has requested a revised plan providing additional detailing and brick finish on building side walls facing streets. The staff recommendation will be made at the meeting. Should the Commission act on this request, the conditions previously approved for this plan of development by the Planning Commission at their April 25, 2007 meeting continue to apply.

**(Staff Report by Mike Kennedy)**

(Applicant's Representative: Glen Johnson)

(Applicable Rezoning Cases and PUPs: C-12C-06 and P-2-06)



**ACTION: Deferred to March 26, 2008**

**PLAN OF DEVELOPMENT & MASTER PLAN**

**POD-08-08** (POD-53-03 Revised)

Rite Aid – Dominion Village Shopping Center – 1209 E. Laburnum Avenue

**Bohler Engineering for Skip Gelletly:** 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, 14,564 square foot pharmacy/retail building in a shopping center. The 1.80-acre site is located on the southeast corner of the intersection of N. Laburnum Avenue and Creighton Road on parcel 809-729-1581. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Fairfield)**

As of the preparation date of this agenda, staff has not received a revised plan addressing additional right-of-way dedication required for realignment of the intersection of Creighton Road and N. Laburnum Avenue, as requested. The proffers for this shopping center require that the majority of the buildings have a sloped or gabled roof design or other compatible roof design approved by the Planning Commission at the time of Plan of Development. The applicant is requesting approval of a non-gabled roof design.

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 and annotations on the plans, the following additional conditions are recommended:

29. The right-of-way for widening of Creighton 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.
30. 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.
31. Outside storage shall not be permitted.
32. The proffers approved as a part of zoning case C-9C-03 shall be incorporated in this approval.
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 pharmacy, the owner/occupant shall close the drive-up pharmacy until a solution can be designed to prevent traffic backup.
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. 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.

36. The conceptual master plan, as submitted with this application, is for planning and information purposes only.

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 building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

**(Staff Report by Aimee Berndt)**

(Applicant's Representative: David Nemelek)

(Applicable Rezoning Cases and PUPs: C-9C-03)



**ACTION: Approved**

**PLAN OF DEVELOPMENT & MASTER PLAN** (*Deferred from the January 23, 2008 Meeting*)  
**POD-68-07**

The Shire @ Pump and Church – Church Road and Pump Road

**Kimley Horn for Kevin McFadden and The Rebkee Company:** 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 five, one-story retail buildings (Buildings 1-5) totaling 50,480 square feet and a master plan for a future one-story retail building (Building 6) totaling 12,900 square feet. The 21-acre site is located at the southwest corner of the intersection of Pump and Church Roads on parcels 739-754-7156 and 739-753-1396. The zoning is B-2C, Business District (Conditional), C-1C, Conservation District, RTHC, Residential Townhouse District (Conditional) and R-3AC, One-Family Residence District (Conditional), B-3, Business District and R-5A, General Residence District. County water and sewer. **(Tuckahoe)**

A plan has been submitted which accommodates development of the property upon the construction of John Rolfe Parkway Phase 1, including the realignment of Pump Road, where it intersects Church Road. The plan contemplates a development agreement for John Rolfe Parkway. The terms of that agreement are being discussed by the developer and the County Administration.

As of the preparation date of this agenda, the details for the development agreement are still being worked out. The staff recommendation will be made at the meeting. Should the Commission act on this request, the annotations on the plans, the standard conditions for developments of this type, and the following additional conditions are recommended:

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.



29. Only retail business establishments permitted in a B-2, Business District may be located in this center.
30. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
31. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).
32. All right-of-way and easements required by Phase II of the John Rolfe Parkway Project as shown on the plans for the John Rolfe Parkway Project, and any additional right-of-way and easements required by alterations to the John Rolfe Parkway Project Plans, shall be dedicated to the County prior to the approval of construction plans. All documents required for the dedication of right-of-way and easements for Phase II of the John Rolfe Parkway Project and any additional right-of-way and easements required by alterations to the John Rolfe Parkway Project plans shall be fully executed and submitted to the Real Property Department at least sixty (60) days prior to construction plan approval.
33. 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.
34. A concrete sidewalk meeting County standards shall be provided along the south side of Church Road, the west side of Pump Road and the north side of John Rolfe Parkway.
35. The proffers approved as a part of zoning case C-27C-06 shall be incorporated in this approval.
36. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
37. Storm water retention shall be incorporated into the drainage plans.
38. 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.
39. 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 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/approval.
40. 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.
41. Except for junction boxes, meters, and existing overhead and/or relocated utility lines, and for technical or environmental reasons, all utility lines shall be underground.
42. The property necessary to provide a right turn lane on Church Road into the property shall be acquired by the developer prior to the approval of final construction plans.

43. The developer shall obtain vacation or abandonment of existing right-of-way necessary to fully develop the property in accordance with the proffered site plan including both Glen Eagles Drive and Pump Road prior to the approval of final construction plans.

44. A construction plan for the widening of Church Road, Pump Road and John Rolfe Parkway from the future property line to the proposed centerlines of those roads where they abut the property including the SWM area and including the offsite turn lane along Church Road, shall be approved by the Department of Public Works and the Department of Planning prior to the approval of final construction plans. The Developer shall coordinate construction plan design to be consistent with and not conflict with the County's design plans for those roads. The plan shall include sidewalks and curb and gutter improvement along each street frontage and any necessary off-site drainage improvements required to construct the proposed improvements. The construction plan shall include the relocation of Pump Road where it abuts the property unless previously constructed by the County prior to plan approval.

45. All improvements shown on the construction plan in accordance with condition No. 44 above including any required off-site drainage shall be completed prior to the issuance of any Certificates of Occupancy unless an exception is approved by the Director of Public Works.

46. The tower element at the corner of Pump and Church Roads shall be constructed with Buildings 1 and 2 in accordance with the proffered design plans, as determined by the Director of Planning. Final architectural plans, shall be submitted for review and approval by the Director of Planning prior to approval of final construction plans.

47. Building 8 shall be constructed in accordance with the proffered design plans as determined by the Director of Planning. Final architectural plans shall be submitted for review and approval by the Director of Planning prior to approval of a building permit for that building.

48. A traffic control plan for existing and proposed signals and turn lane improvements along Church Road, Pump Road and John Rolfe Parkway based upon the ultimate development of those roads as shown on the County's design plans shall be submitted for review and approval by the County Traffic Engineer, prior to the final approval of construction plans. The traffic control plan shall include a maintenance of traffic plan

49. All improvements shown on the traffic control plan in accordance with condition No. 48 above including any required off-site improvements shall be completed prior to the issuance of any Certificates of Occupancy, unless an exception is approved by the Director of Public Works.

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

51. A revised pedestrian access plan in accordance with the proffered design shall be submitted for review and approval by the Director of Planning prior to approval of final construction plans.

52. Private streets proposed to provide access to the future residential development shall be designed in accordance with 24-30.2(a) multi-family development standards.

53. A tree protection plan for any future development area shall be submitted for review and approval by the Director of Planning prior to approval of final construction plans.

54. All underground utilities serving the property including: storm sewer, sanitary sewer, water, gas, electric, telephone and cable, as well as related appurtenances shall be located to accommodate the landscaping in the buffers shown on the approved conceptual plan, in particular behind Buildings 1 and 2, unless otherwise approved by the Director of Planning.

55. A comprehensive signage plan must be submitted for coordinated review prior to issuance of sign permits.

**(Staff Report by Mike Kennedy)**

(Applicant's Representative: Philip Chang)

(Applicable Rezoning Cases and PUPs: C-27C-06)



**ACTION: Deferred to March 26, 2008**

**PLAN OF DEVELOPMENT** (*Deferred from the December 12, 2007 Meeting*)

**POD-41-07** (POD-57-86 Revised)

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

**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)**

The applicant has requested a deferral to the April 23, 2008 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:

29. 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.

30. The entrances and drainage facilities on Pouncey Tract Road (State Route 271) shall be approved by the Virginia Department of Transportation and the County.

31. 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.

32. 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.

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

34. Outside storage shall not be permitted.
35. The proffers approved as a part of zoning case C-27C-05 shall be incorporated in this approval.
36. 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.
37. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
38. 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.
39. The conceptual master plan, as submitted with this application, is for planning and information purposes only.
40. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
41. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).
42. The owner shall provide evidence before construction approval that access is allowed onto the Virginia Department of Transportation property.
43. 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.
44. 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)

(Applicable Rezoning Cases and PUPs: C-27C-05)



**ACTION: Deferred to April 23, 2008**

**PLAN OF DEVELOPMENT**

**POD-15-89**

Food Lion/Bloom Lauderdale Square Shopping Center

**Interplan, LLC and Omar Joyner for Food Lion Inc.:** Request for approval of a reconsideration of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to revise

elevations for an existing grocery store in a shopping center. The 2.9-acre site is located at the north east corner of Lauderdale Drive and Church Road on parcel 734-757-2001. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Three Chopt)**

The plan proposes façade renovations to the existing Food Lion grocery store to convert the store to a Bloom grocery store. The proposed architectural revision does not appear to comply with Section 24-101(e-f) of the Henrico County Code. In particular, the proposed revisions to the elevations do not appear coordinated and harmonious with the remainder of the shopping center, since the revised treatment is only proposed for the supermarket and not the entire shopping center. Staff is unable to recommend approval of the proposed revision to the elevations unless applied to the entire shopping center.

**(Staff Report by Mike Kennedy)**

(Applicant's Representative: David Boyce)

(Applicable Rezoning Cases and PUPs: C-55C-85)



**ACTION: Deferred to March 26, 2008**

**PLAN OF DEVELOPMENT**

**POD-81-99**

Food Lion/Bloom Twin Hickory Town Center

**Interplan, LLC, Twin Hickory, LLC and Edens & Avant and Omar Joyner for Food Lion Inc.:**

Request for approval of a reconsideration of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to revise elevations for an existing grocery store in a shopping center. The 7.04-acre site is located at the northwest corner of Nuckols Road and Twin Hickory Road on parcel 746-772-0397. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Three Chopt)**

The plan proposes façade renovations to the existing Food Lion grocery store to convert the store to a Bloom grocery store. The proposed architectural revision does not appear to comply with Section 24-101(e-f) of the Henrico County Code. In particular, the proposed revisions to the elevations do not appear coordinated and harmonious with the remainder of the shopping center, since the revised treatment is only proposed for the supermarket and not the entire shopping center. Additionally, proffered conditions of C-19C-94 require similar treatment on all building walls of each building. Staff is unable to recommend approval of the proposed revision to the elevations unless applied to the entire shopping center.

**(Staff Report by Mike Kennedy)**

(Applicant's Representative: David Boyce)

(Applicable Rezoning Cases and PUPs: C-49C-96, C-56C-94 and C-19C-94)



**ACTION: Deferred to March 26, 2008**

**APPROVAL OF MINUTES:** January 23, 2008 Minutes

 **ACTION: Approved**

**ADJOURNed at 10:22 a.m.**