

PLANNING COMMISSION AGENDA

FOR

SUBDIVISIONS AND PLANS OF DEVELOPMENT

MARCH 26, 2008

9:00 A.M.

ADDENDUM ATTACHED



PLANNING COMMISSION

E Ray Jernigan, C P C , Chairperson (Varina)
Bonnie-Leigh Jones, Vice-Chairperson (Tuckahoe)
Tommy Branin (Three Chopt)
Ernest B Vanarsdall, C P C , (Brookland)
C W Archer, C P C , (Fairfield)
Richard W Glover, Board of Supervisors Representative
R Joseph Emerson, Jr , AICP, Director of Planning,
Secretary (Absent)

DEVELOPMENT REVIEW AND DESIGN DIVISION – DEPARTMENT OF PLANNING

David D O'Kelly, Jr , Assistant Director of Planning
Leslie A News, CLA, Principal Planner
James P Strauss, CLA, County Planner
Kevin D Wilhite, C P C , AICP, County Planner/Abs
Michael F Kennedy, County Planner
Christina Goggin, AICP, County Planner
Anthony R Greulich, C P C , County Planner
Mathew Ward, County Planner
Greg Garrison, County Planner
Lee Pambid, C P C , County Planner
Aimee Berndt, County Planner
Jonathan W Steele, G I S Manager
Diana B Carver, Office Assistant

ROLL CALL:

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leslie News

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Christina Goggin

PLANNING COMMISSION APPROVAL

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
Effinger Drive (A Ded of a Portion of Effinger Drive)	0	0	8	Fairfield	03/25/2009
Trivett Woods EXPIRED (May 2002 Plan)	8	8	6	Fairfield	03/25/2009

FOR INFORMATIONAL PURPOSES ONLY

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
Mansfield Wood (March 2006 Plan)	105	41	1	Varina	03/25/2009

TRANSFER OF APPROVAL (Deferred from the February 27, 2008 Meeting)

POD-36-96
Highwoods Center –
Lewis Road

APPROVED
SEE ADDENDUM
PAGE 1

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, LP 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, the applicant was still in the process of trying to correct the site deficiencies, as identified in the inspector's report, prior to the public hearing 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)

TRANSFER OF APPROVAL

POD-20-04
Independence Park Medical
Offices – Independence
Park Drive

APPROVED

Brian Jenkins for IP Lot #4 Virginia LLC: Request for a partial transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from GMH Virginia, LLC to IP Lot #4 Virginia LLC The 3.67-acre site is located at the southern terminus of Independence Park Drive and the northeast intersection of Gaskins Road and Interstate 64 on parcel 751-756-7896 The zoning is M-2C, Light Industrial 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

(Staff Report by Kevin Wilhite)
(Applicant's Representative: Brian Jenkins)
(Applicable Rezoning Cases and PUPs: C-8C-84)

TRANSFER OF APPROVAL (Deferred from the February 27, 2008 Meeting)

POD-26-92
(POD-9-86 Revised)
Republic Plaza –
4501 Williamsburg Road

APPROVED

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**).

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 additional condition:

1. The site deficiencies, as identified in the inspection report, dated **December 17, 2007** shall be corrected by **April 15, 2008**.

The site deficiencies include missing trees along the interior landscaping islands and street trees.

(Staff Report by Lee Pambid)
(Applicant's Representative: Nabil Hafez)

TRANSFER OF APPROVAL

POD-116-87
Paragon Place II –
6802 Paragon Place

APPROVED

Brandywine Operating Partnership, LP for TPP Corporation: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from TPP Corporation to Brandywine Operating Partnership, LP. The 7.527-acre site is located on the south line of Bethlehem Road, approximately 730 feet south of Glenside Drive at 6802 Paragon Place on parcel 769-746-2635. The zoning is B-2C 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 additional condition:

1. The site deficiencies, as identified in the inspection report, dated **March 12, 2008** shall be corrected by **March 31, 2008**.

The site deficiencies include missing or unhealthy landscaping.

(Staff Report by Lee Pambid)
(Applicant's Representative: Amanda Young)
(Applicable Rezoning Cases and PUPs: C-80C-84)

TRANSFER OF APPROVAL (Deferred from the December 12, 2007 Meeting)

POD-47-84
Landmark Office Center,
Phase 2 – 8651 Staples Mill
Road **APPROVED**
SEE ADDENDUM
PAGE 2

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)**

Staff has identified landscape deficiencies, including trees and shrubs on the site, as noted in the staff's inspection report dated **September 27, 2007**, as well as by subsequent observation. As of the preparation date of the agenda, an agreement regarding replacement of landscaping has not been reached.

Therefore, staff can not make a recommendation at this time. The recommendation will be made at the meeting.

The site deficiencies include missing landscaping and street trees.

(Staff Report by Lee Pambid)
(Applicant's Representative: Donald Blake)

TRANSFER OF APPROVAL

POD-52-93
Child Care Service (formerly
Brook Hair Designs)
7511 Brook Road

APPROVED

Winston DeVisser: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Maria DeShazo to Winston DeVisser. The 3.64-acre site is located on the east line of Brook Road (U.S. Route 1) approximately 200 feet north of Ridge Road on parcel 784-753-7511. The zoning is B-1, Business District. County water and sewer. **(Fairfield)**

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. The site deficiencies as identified in the inspection report, dated **February 11, 2008** shall be corrected by **April 15, 2008**.

The remaining deficiencies include missing landscaping, fence repair and parking lot resealing and striping.

(Staff Report by Aimee Berndt)
(Applicant's Representative: Winston DeVisser)

TRANSFER OF APPROVAL

POD-04-98 and POD-96-73
BB&T (Formerly
Metropolitan National Bank
and First Union Bank)
Staples Mill Road and E
Parham Road

**APPROVED
SEE ADDENDUM
PAGE 2**

Mark Stephens for BB&T & First States Investors, 6000C:
Request for transfer of approval as required by Chapter 24,
Section 24-106 of the Henrico County Code from Metropolitan
National Bank and Dominion Bank of Richmond to First States
Investors, 6000C The 998-acre site is located on the southeast
corner of Staples Mill Road (U S Route 33) and E Parham
Road on parcel 770-755-3230 The zoning is O-2, Office
District County water and sewer (**Brookland**)

As of the preparation date of this agenda, staff has not received information regarding the repaving of the access drive as identified in the deficiency report dated **February 29, 2008** The staff recommendation will be made at the meeting

**(Staff Report by Aimee Berndt)
(Applicant’s Representative: Mark Stephens)**

TRANSFER OF APPROVAL

PODs-03-71, 36-71, 108-73,
47-75, 121-83 and 78-91
Glen Lea Shopping Center –
Laburnum Avenue and
Mechanicsville Turnpike

**DEFERRED BY
APPLICANT TO
APRIL 23, 2008**

**Luke Pucinelli for Macquarie Countrywide-Regency
Centers:** Request for transfer of approval as required by Chapter
24. Section 24-106 of the Henrico County Code from Glen Lea
Shopping Center, Inc , F Earl Frith and Donald G Sink, and Old
Dominion Realty Trust to Macquarie Countrywide- Regency
Centers The 9 211-acre site is located on the northwest corner
of E Laburnum Avenue and Mechanicsville Turnpike (U S
Route 360) on parcel 802-736-8028 The zoning is B-2, Business
District County water and sewer (**Fairfield**)

The new owner accepts and agrees to be responsible for the continued compliance with the conditions of the original approval The site deficiencies identified in the inspection report dated **October 10, 2007** included missing landscaping, dumpster enclosures, and the repaving of Adams Road All deficiencies identified have been corrected by the applicant with the exception of screening for recycling containers The staff recommends approval of this transfer request with the following condition

- 1 The remaining recycling containers shall be removed or a bond shall be posted for the screening of remaining recycling containers by **April 15, 2008**

**(Staff Report by Aimee Berndt)
(Applicant’s Representative: Luke Puccinelli)**

LANDSCAPE & LIGHTING PLAN

LP/POD-14-06
Faith Community Baptist
Church – Cool Lane and
Mechanicsville Turnpike

APPROVED

Hulcher & Associates for Faith Community Baptist Church:
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 3.10-acre site is located on the south
line of Cool Lane, approximately 400 feet east of Mechanicsville
Turnpike (U.S. Route 360) on parcel 798-726-9359. The zoning
is B-1, Business District and B-3, Business District (**Fairfield**).

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

(Staff Report by Greg Garrison)
(Applicant's Representative: Charles Hankins)

**LANDSCAPE & LIGHTING PLAN and TRANSITIONAL BUFFER DEVIATION
(APPROVED)**

LP/POD-46-06
Wistar Commons –
8101 Staples Mill Road

APPROVED

Balzer & Associates, Inc. for Jed Properties & Rasteh Construction: Request for approval of a landscape and lighting plan and a transitional buffer deviation to reduce the 50-foot transitional buffer to 30 feet and eliminate the 10-foot-high screen wall along the north and south property line as approved with POD-46-06, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 2.12-acre site is located at 8101 Staples Mill Road, north of the intersection of Staples Mill Road and Wistar Road on parcel 772-752-0526. The zoning is M-1C, Light Industrial District (Conditional) **(Brookland)**

The Wistar Commons Plan of Development was approved with a transitional buffer alternative allowing a reduced buffer width with the provision of a 10' masonry wall and 30 foot buffer. The applicant is requesting a transitional buffer deviation to reduce the 50 foot buffer on the north and south property line to 30 feet and eliminate the 10 foot screen wall. The subject property borders R-3 zoning for approximately 80' to the north and borders R-3 zoning approximately 165' to the south. The adjacent property to the north contains Rocky Branch Creek, a perennial stream and wooded Resource Protection Area (RPA), therefore, development on this adjacent R-3 zoning will be restricted. The Korean United Methodist church owns the adjacent property to the south. The applicant has indicated that the church has no objection to eliminating the screen wall, staff has requested additional documentation. Although the transitional buffer adjacent to the church could be reduced, staff recommends that plant quantity meet or exceed transitional buffer 50 requirements in this area. Should the Commission approve the applicant's request for the transitional buffer deviation staff recommends approval of LP/POD 46-06 subject to the annotations on the plan, the standard conditions for landscape and lighting plans and the following additional condition:

- 6 Plant quantity in the transitional buffer along the southern property line, adjacent to the R-3 property, shall be planted to meet or exceed transitional buffer 50 requirements.

(Staff Report by Greg Garrison)
(Applicant's Representative: Andrew Bowman)
(Applicable Rezoning Cases and PUPs: C-59C-08)

LANDSCAPE & LIGHTING PLAN

LP/POD-45-06
Bellingham-Hickory Park
Drive and Hickory Bend
Drive

APPROVED

Laura Gadsby for HHHunt: 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 15.66-acre site is located at the southeast corner of the intersection of Hickory Bend Drive and Hickory Park Drive on parcel 746-770-2731. The zoning is RTHC, Residential Townhouse District (Conditional) **(Three Chopt)**

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

(Staff Report by Mike Kennedy)
(Applicant's Representative: Laura Gadsby)

LANDSCAPE & LIGHTING PLAN

LP/POD-61-06
Wingate Inn – North Gayton
Road

APPROVED

Bay Design Group, P.C. for Gayton Road Properties, 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 1.547-acre site is located on the east line of N Gayton Road, approximately 540 feet north of W Broad Street (U.S. Route 250) on parcel 734-765-4705. The zoning is B-3C, Business District (Conditional) and WBSO (West Broad Street Overlay) District **(Three Chopt)**

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

(Staff Report by Mike Kennedy)
(Applicant's Representative: Dan Caskie)

POD-14-08
Townes @ Stonewall Manor
– Sanctuary and Shurm
Drives

APPROVED

Bay Design Group, PC for Community Development Partners, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 10, two-story buildings containing 45 residential condominiums. The 3.939-acre site is located on the south line of Sanctuary Drive, approximately 1,000 feet from the east intersection of E Parham Road and Sanctuary Drive between Skirmish Run Drive and Honor Drive on parcel 781-756-5920 and part of parcel 781-756-5960. The zoning is R-5C, General Residence District (Conditional). County water and sewer (**Fairfield**)

This development is intended to become part of the overall existing Stonewall Manor condominiums. The submitted plan originally showed two entrances proposed. However, the developers agreed to reduce this to only one entrance to address the homeowners association's documented desires. Furthermore, no access will be provided on Darracott Road, which is private.

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 unit house numbers shall be visible from the parking areas and drives.
- 30 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.
- 31 The proffers approved as a part of zoning case C-30C-07 shall be incorporated in this approval.
- 32 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.
- 33 The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
- 34 The developer shall provide signage, the wording and location as deemed appropriate by the Director of Public Works, which addresses the possible future extension of any stub street.
- 35 All trash receptacles shall be screened and located in the rear of each residential unit.

(Staff Report by Lee Pambid)
(Applicant's Representative: Dan Caskie)
(Applicable Rezoning Cases and PUPs: C-30C-07)

SUBDIVISION RECONSIDERATION

SUB-53-07
Staples Mill Centre
(September 2007 Plan)
Bethlehem Road

APPROVED

E. D. Lewis & Associates for Ollin Toler: The 1.06-acre site proposed for a subdivision of 33 townhouses for sale is located on the south line of Bethlehem Road, approximately 370 feet west of the west line of Staples Mill Road on parcels 773-40-5043, 8899, 9498, 774-740-0096, 0894, 1592, 2190 and 773-741-8102. The zoning is UMUC, Urban Mixed Use District (Conditional) County water and sewer **(Brookland) 33 Lots**

The developer of Staples Mill Centre has submitted a revised configuration of Staples Mill Centre, Section 1 originally approved by the Planning Commission in September of 2007. The reconfigured layout would increase the number of lots from 31 to 33. The developer requests Planning Commission reconsideration of Staples Mill Centre to authorize the additional lots.

The staff recommends conditional approval of the revised plat, subject to the annotations on the plans, the standard conditions for residential townhouse subdivisions 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 Mike Kennedy)

(Applicant's Representative: Monte Lewis)

(Applicable Rezoning Cases and PUPs: C-5C-07 and P-1-07)

POD-13-08
 Staples Mill Centre, Phase 2
 – Staples Mill and Bethlehem
 Roads

APPROVED
SEE ADDENDUM
PAGE 3

E. D. Lewis & Associates, P.C. for Staples Mill Centre, LLC: Request for approval of a plan of development and revised master plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct Phase 2 of an urban mixed use development consisting of 2 two-story office-retail buildings, a one-story retail outparcel building, 2 five-story mixed use buildings with structured parking, a one-story club house, 45, three and four-story townhouses and 3, four-story stacked townhouse buildings. The buildings contain 101,753 square feet of commercial space, 48,360 square feet of office space, 45 townhouse units, 230 condominium units, 243 multi-family apartment units, 28 stacked townhouse/condominium units, a 6,050 square foot community club house with a pool 996 surface parking spaces and 473 structured parking spaces. The 46-acre site is located south of Bethlehem Road and west of Staples Mill Road on parcels 773-740-5043, and 8899, 774-739-3999, 4569 and 5043, 773-739-8155, 772-740-2229, 2836, 1743, 1137, 0431, 9118 and 4023, 774-740-4182. 3584, 2888, 2190, 1592, 0894, 0096 and 9115, 773-740-9498, 773-741-8102, 7505, 6808, 6011, 5414, 4222, 3726, 3132 and 2637. The zoning is UMUC, Urban Mixed Use District (Conditional) County water and sewer (**Brookland**)

A revised master plan for the Staples Mill Centre Urban Mixed Use (UMU) development has been submitted by the developer, Gumenick Properties, for Planning Commission review and approval. The proposed master plan is generally consistent with the master plan that was approved by the Board of Supervisors with Zoning Case C-5C-07 and Provisional Use Permit P-1-07. The proposed revisions to the master plan would not increase the density of development, but would rather update the layout of the master plan, which has been modified, as development plans have been refined. At ultimate development, the total number of residential units and the total floor area devoted to commercial/office use would remain the same. The currently proposed Phase 2 improvements would authorize two mixed-use buildings, three commercial buildings, a community clubhouse with a pool, three stacked townhouse/condominium buildings and 45 residential townhouses, along with ancillary street and drainage facilities. This phase of street, drainage and utility facilities would provide the “backbone” for future development. Various architectural plans have also been submitted for Planning Commission review and approval to implement this phase of the master plan.

The updated master plan would primarily impact future phases of development. In this phase, twelve duplex-style townhouses would be substituted for six previously proposed single-family dwellings along Bethlehem Road. The additional dwelling units at this location will result in fewer dwelling units within future phases. Therefore, there is no change in the ultimate number of dwelling units contemplated. All other proposed buildings in this phase are generally consistent with the previously approved master plan. The revised master plan contemplates a redesigned layout in future phases for buildings previously shown along Jordan’s Branch. The revision would accommodate field location of the 100-year floodplain, wetlands, and resource protection areas along the creek. The revision would eliminate three previously contemplated freestanding condominium buildings, by enlarging two of the previously proposed mixed-use structures and separating out some retail/service uses into an outparcel building. The proposed commercial

outparcel would provide a transition from Staples Mill Road. The staff believes the proposed master plan is generally consistent with the schematic master plan approved with the provisional use permit and has no objection to the revisions proposed by the updated master plan.

However, as of the preparation date of this agenda, the staff has not received a revised land-bay master plan, as requested. The staff has requested that the developer revise the master plan to provide a summary table comparing the Provisional Use Permit (PUP) master plan to the proposed Plan of Development (POD) land bay master plan, segregating development proposed with the current phase, as required by the proffers. The POD master plan summary table would provide the types, sizes and quantity of residential units proposed and the quantity and types of commercial/office uses proposed both for the current development and future development along with parking space calculations, open space calculations, residential density calculations for both multi-family and townhouses, and percentage of commercial-office development. The staff has also requested revised architectural plans for some of the townhouses and for the stacked townhouse-condominium buildings, showing that all units satisfy minimum floor area requirements contained in the proffers. Otherwise, staff has reviewed the development proposed with this phase of development, and has found that the proposed development satisfies applicable codes and proffers and is consistent with the Staples Mill Centre Pattern (design) Book.

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

- 29 The unit house numbers shall be visible from the parking areas and drives.
- 30 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.
- 31 The subdivision plat for Staples Mill Centre shall be recorded before any townhouse building permits are issued.
- 32 The right-of-way for widening of Staples Mill Road (Route 33) 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.
- 33 The limits and elevations of the Special Flood Hazard Area shall be conspicuously noted on the plan and labels "Limits of Special Flood Hazard Area." In addition, the delineated Special Flood Hazard Area 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.
- 34 The entrances and drainage facilities on Staples Mill Road (State Route 33) shall be approved by the Virginia Department of Transportation and the County.
- 35 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.
- 36 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.
- 37 Outside storage shall not be permitted.

continue

- 38 In order to maintain the effectiveness of the County's public safety radio communications system within Buildings MU2 and MU3, the owner will install radio equipment that will allow for adequate radio coverage within the buildings, 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.
- 39 Evidence that an engineer has certified the height of Buildings MU2 and MU3 shall be provided to the Director of Planning prior to the issuance of a Certificate of Occupancy.
- 40 The proffers approved as a part of zoning case C-5C-07 shall be incorporated in this approval.
- 41 The conditions of Provisional Use Permit P-1-07 shall be included in this approval.
- 42 A construction staging plan which includes details for traffic control, fire protection stockpile locations, construction fencing and hours of construction shall be submitted for County review and prior to the approval of any final construction plans.
- 43 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.
- 44 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.
- 45 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.
- 46 The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction 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.
- 47 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.
- 48 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.
- 49 A traffic control plan for Staples Mill Road shall be approved by VDOT and the County Traffic Engineer, prior to the final approval of construction plans.

continue

Continued

- 50 A CPTED plan shall be submitted to the Division of Police for review, prior to the approval of construction plans for any mixed-use building
- 51 The developer shall provide a declaration of covenants for maintenance of private streets and common areas for staff review and approval, prior to the issuance of any Certificate of Occupancy
- 52 The comprehensive signage plan shall be submitted for review and approval by the Director of Planning prior to issuance of any sign permits
- 53 A recreational amenities and landscaping plan for the BMP pond and the community center (clubhouse) shall be submitted for staff review and approval prior to the issuance of a Certificate of Occupancy for any dwelling use
- 54 A Certificate of Occupancy shall be issued for the community center (clubhouse) or a performance bond posted with the County, prior to the issuance of a Certificates of Occupancy for any dwelling use
- 55 Final architectural plans for all buildings shall be submitted for staff review and approval in conformance with proffered design standards. Additional information including colored elevations, cut sheets and material samples or material boards, as determined necessary by the Director of Planning, shall be submitted for review and approval. The plans shall provide for the screening of all mechanical equipment
- 56 The applicant shall obtain vacation of any lots in Westbourne Subdivision and vacation of all streets and easements with the development that are proposed to be abandoned, prior to approval of the final construction plans containing areas where such features are located

(Staff Report by Mike Kennedy)

(Applicant's Representative: Monte Lewis)

(Applicable Rezoning Cases and PUPs: C-5C-07 and P-1-07)

PLAN OF DEVELOPMENT – PROSPECT HOMES ARCHITECTURALS
(Deferred from the February 27, 2008 Meeting)

POD-42-06
West Broad Village –
W Broad St /Three Chopt
Road

APPROVED
SEE ADDENDUM
PAGE 5

Timmons Group and Smith & Associates for Prospect Homes of Virginia and Unicorn 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)

PLAN OF DEVELOPMENT & MASTER PLAN
(Deferred from the February 27, 2008 Meeting)

POD-68-07
The Shire @ Pump and
Church – Church Road and
Pump Road

**DEFERRED BY
APPLICANT
TO APRIL 23, 2008**

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.

continue

Continued

- 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

continue

Continued

- 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)

PLAN OF DEVELOPMENT (Deferred From the February 27, 2008 Meeting)

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)**

APPROVED

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)

PLAN OF DEVELOPMENT (Deferred from the February 27, 2008 Meeting)

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)**

**APPROVED SEE
ADDENDUM PAGE 6**

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)

PLAN OF DEVELOPMENT & LIGHTING PLAN

POD-11-08
Red Lobster @ The Shops @
White Oak Village Shopping
Center

APPROVED

HGBD, Inc. for Laburnum Associates and Darden Restaurants: 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 construct a one-story, 7,060 square foot restaurant on an outparcel in The Shops @ White Oak Village Shopping Center. The 1.802-acre site is located at the northeast corner of the intersection of Laburnum Avenue and Gay Avenue on part of parcel 815-718-5710. The zoning is B-3C, Business District (Conditional). 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 Only retail business establishments permitted in a B-3C 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 ~~Employees shall be required to use the parking spaces provided at the rear of the building(s) as shown on the approved plans.~~
- 33 Outside storage shall not be permitted.
- 34 The proffers approved as a part of zoning case C-29C-06 shall be incorporated in this approval.
- 35 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.
- 36 The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determine appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

(Staff Report by Jim Strauss)
(Applicant's Representative: Alan E. Townsend)
(Applicable Rezoning Cases and PUPs: C-29C-06)

PLAN OF DEVELOPMENT

POD-12-08
Chick-Fil-A - The Shops @
White Oak Village Shopping
Center

APPROVED

Horton & Dodd, P.C. for Forest City Commercial Group and Chick-Fil-A, 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, 4,227 square foot restaurant with drive-thru facilities and outdoor seating on an outparcel in The Shops @ White Oak Village Shopping Center. The 1.19-acre site is located on the east line of S Laburnum Avenue approximately 1,500 feet north of Audubon Drive on part of parcel 815-718-5710. The zoning is B-3C, Business District (Conditional) 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 Only retail business establishments permitted in a B-3C 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 ~~Employees shall be required to use the parking spaces provided at the rear of the building(s) as shown on the approved plans.~~
- 33 Outside storage shall not be permitted.
- 34 The proffers approved as a part of zoning case C-29C-06 shall be incorporated in this approval.
- 35 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.
- 36 In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-up facilities, the owner/occupant shall close the drive-up facilities until a solution can be designed to prevent traffic backup.
- 37 The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determine appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

(Staff Report by Christina Goggin)
(Applicant's Representative: Kevin Kilgore)
(Applicable Rezoning Cases and PUPs: C-29C-06)

POD-15-08
 Patterson Avenue
 Ambulatory
 Care Center – Patterson and
 Gaskins Roads

**APPROVED SEE
 ADDENDUM PAGE 6**

Timmons Group for Bon Secours: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to renovate and convert an existing one-story, 30,000 square foot retail building to medical offices. The 3.9-acre site is located on the north line of Patterson Avenue (State Route 6) approximately 412 feet east of its intersection with Gaskins Road on part of parcel 745-742-8604. The zoning is B-1, Business District. County water and sewer (**Tuckahoe**)

As of the preparation date of the agenda, staff has not had an opportunity to complete its review of the plan. The staff recommendation will be made at the meeting. Should the Commission act on this request, 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.
- 11 **AMENDED** - Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
- 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 entrances and drainage facilities on Patterson Avenue (State Route 6) shall be approved by the Virginia Department of Transportation and the County.
- 31 There shall be no outdoor storage in moveable storage containers including, but not limited to, cargo containers and portable on demand storage containers.
- 32 The proffers approved as a part of zoning case P-1-08 shall be incorporated in this approval.
- 33 This business shall not remain in operation after midnight and no exterior signs shall remain lighted after 12:00 midnight.

(Staff Report by Greg Garrison)
(Applicant's Representative: Scott Brown)
(Applicable Rezoning Cases and PUPs: P-1-08 and P-7-94)

PLAN OF DEVELOPMENT

POD-16-08
St Mary's Hospital-Intra
Operative MRI
(POD-58-84 and POD-6-96
Revised)

APPROVED

Timmons Group for Bon Secours and St. Mary's Hospital of Richmond: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story addition to an existing hospital building. The first floor is a 15,786 square foot lobby expansion and Intra Operative MRI addition and the second floor is a 20,178 square foot addition for a future emergency room expansion. The 1.13-acre site is located on the east line of Bremono Road, approximately 425 feet south of Monument Avenue on part of parcel 769-737-3039. The zoning is O-3, Office District. County water and sewer. **(Three Chopt)**

The 2 story addition proposed by the existing hospital will be located between 3 existing buildings that are 4 to 6 stories taller than the proposed addition. This addition will extend a maximum of 50 feet from the original hospital easterly towards Bremono Road and the existing parking decks. Thus, this addition will not encroach closer to any existing residential uses.

The 1st story addition for an intra operative MRI will be 1 of 16 in the Country. This equipment and operating facility reconfiguration will permit doctors to perform MRIs as necessary during and after surgery in a sterilized environment minimizing the risk of complications.

The 2nd story addition is for the future emergency room expansion to continue to serve the community.

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

- 29 A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing and hours of construction shall be submitted for County review and prior to the approval of any final construction plans.
- 30 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.
- 31 The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determine appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

(Staff Report by Christina Goggin)

(Applicant's Representative: Scott Brown)

(Applicable Rezoning Cases and PUPs: C-1-73, C-1-76 and P-12-94)

PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION

POD-18-08
Retail Shops @ Short Pump
– Access Road – Spring Oak
Drive and W Broad Street
(POD-19-07 Revised)

**APPROVED SEE
ADDENDUM PAGE 7**

Will Wheeler and D. Neil Rankins for SRP 1-Madison @ Spring Oak, L.L.C. and R+R Property Development, L.C.: Request for approval of a plan of development and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code, to revise a previously approved plan of development (POD-19-07) to show an access drive to Spring Oak Drive. The 1.252-acre site is located on the south line of W Broad Street (U.S. Route 250) approximately 1,005 feet west of Pump Road on parcels 739-762-0100 and 738-761-6025. The zoning is B-1, Business District, B-2C, Business District (Conditional), R-5C, General Residence District (Conditional) and WBSO (West Broad Street Overlay) District. County water and sewer (**Three Chopt**)

A revised plan has been requested to address the required transitional buffer between the access road and the apartments. As of the preparation date of the agenda, the staff has not received a revised plan, as requested. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

- 29 A concrete sidewalk meeting County standards shall be provided along the east side of Spring Oak Drive.
- 30 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.
- 31 Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
- 32 Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Department of Planning and approved prior to issuance of a certificate of occupancy for this development.

(Staff Report by Greg Garrison)
(Applicant’s Representative: Will Wheeler)
(Applicable Rezoning Cases and PUPs: C-11C-06 and C-32-07)

APPROVED: _____	APPROVED ON THE EXPEDITED AGENDA: _____
DEFERRED BY APPLICANT TO _____	DEFERRED BY P.C.: _____
DENIED: _____	WITHDRAWN: _____
SEE ADDENDUM: _____	
MOTIONED BY. _____	SECONDED BY. _____
ABSTAINED _____	
REMARKS: _____	

LANDSCAPE & LIGHTING PLAN

LP/POD-19-07
Retail Shops @ Short Pump

APPROVED

D. Neil Rankins for Short Pump Corners LZB, L.C.: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 1.25-acre site is located on the south line of W Broad Street (U.S. Route 250) approximately 1,005 feet west of Pump Road on parcel 739-762-0100. The zoning is B-2C Business District (Conditional) and WBSO (West Broad Street Overlay) District (**Three Chopt**).

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

(Staff Report by Greg Garrison)
(Applicant's Representative: Neal Rankins)
(Applicable Rezoning Cases and PUPs: C-11C-06)

LANDSCAPE & LIGHTING PLAN

LP/POD-20-07
La-Z-Boy @ Short Pump

APPROVED

D. Neil Rankins for Short Pump Corners LZB, L.C.: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 1.18-acre site is located on the south line of W Broad Street (U.S. Route 250) approximately 750 feet west of Pump Road on parcel 739-761-2693. The zoning is B-2C Business District (Conditional) and WBSO (West Broad Street Overlay) District (**Three Chopt**).

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

(Staff Report by Greg Garrison)
(Applicant's Representative: Neal Rankins)
(Applicable Rezoning Cases and PUPs: C-11C-06)

SUBDIVISION

SUB-07-08

~~Woodman~~

Woodlawn Terrace

(March 2008 Plan)

Defense Avenue and Algiers
Drive

Balzer & Associates, Inc. for Stephen R. Marks and Emerald Land Development, LLC: The 0.25-acre site proposed for a subdivision of 1 single-family home is located approximately 795 feet east of Bond Street on the north line of Defense Avenue at the intersection with Algiers Drive on parcel 830-717-0339. The zoning is R-4, One-Family Residence District. County water and sewer. **(Varina) 1 Lot**

**APPROVED SEE
ADDENDUM PAGE 7**

This conditional subdivision request is for a single lot. While the property is privately owned, the original 1943 subdivision plat indicates that this parcel is designated as a park. Therefore, only the Planning Commission can change its designation from park to residential lot.

The lot is triangular in shape with right-of-way frontage on all three sides, and two 35-foot-yard setbacks and a 25-foot side yard setback are provided.

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

(Staff Report by Lee Pambid)

(Applicant's Representative: Brandon Sovick)

SUBDIVISION

SUB-08-08
Hollow Way Martin's Ridge
(March 2008 Plan)

**APPROVED SEE
ADDENDUM PAGE 8**

Burgess & Niple for KCA/Holloway L.C.: The 34 873-acre site proposed for a subdivision of 87 single-family home is located at the eastern terminus of Opaca Lane on parcel 750-773-1173 and part of 751-773-4286. The zoning is R-3C, One-Family Residence District (Conditional). County water and sewer. **(Three Chopt) 87 Lots**

As of the preparation date of the agenda, the staff has not received a revised plan, as requested. The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard 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 The plan must be redesigned to provide at least the 85-foot minimum lot width required and as regulated by Chapter 24, of the Henrico County Code.
- 16 The plat shall contain a statement that the common area is dedicated to the common use and enjoyment of the homeowners of Hollow Way and is not dedicated for use by the general public. This statement shall refer to the applicable article in the covenants recorded with the plat.
- 17 At least sixty days prior to recordation of the plat, a draft of the covenants and deed restrictions for the maintenance of the common area shall be submitted to the Department of Planning for review. Such covenants and restrictions shall be in form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.
- 18 Prior to requesting the final approval, a draft of the covenants and deed restrictions for the maintenance of the common area by a homeowners association shall be submitted to the Department of Planning for review. Such covenants and restrictions shall be in a form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.
- 19 Prior to requesting recordation, the developer must furnish a letter from Virginia Dominion Power stating that this proposed development does not conflict with its facilities.
- 20 The details for the landscaping to be provided within the 20-foot wide landscaping strip easement along Holman Ridge Road shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.
- 21 A County standard sidewalk shall be constructed along the north and south side of Holoman Ridge Road.
- 22 The proffers approved as part of zoning case C-46C-07 shall be incorporated in this approval.
- 23 All Best Management Practices (BMPs) constructed to meet water quality requirements of Henrico County shall be maintained as follows. The Homeowners Association shall be responsible for the short-term maintenance, such as routine grass cutting and litter pick-up. The long-term maintenance of BMPs shall be the responsibility of the Department of Public Works.

continue

Continued

- 24 The developer shall submit one set of the architectural plans to the Department of Planning for review prior to final approval of the plat
- 25 Detailed construction plans shall be submitted to the Department of Planning before the final plats are submitted for final approval

(Staff Report by Matt Ward)


(Applicant's Representative: Alexander A Grinblat)

(Applicable Rezoning Cases and PUPs: C-46C-07)

APPROVAL OF MINUTES: February 27, 2008 Minutes APPROVED

ADJOURN @ 11:13 a.m.




PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT
MARCH 26, 2008
ADDENDUM

PAGE 2 – DELETION OF SUBDIVISION EXTENSION

Subdivision	Original No of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
Trivett Woods (May 2002 Plan)	8	8	6	Fairfield	03/25/2009

(Staff Report by Christina Goggin)

PAGE 3 – REVISED RECOMMENDATION

TRANSFER OF APPROVAL (Deferred from the February 27, 2008 Meeting)

POD-36-96
Highwoods Center –
Lewis Road

APPROVED

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, LP 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)**

All previously identified deficiencies have been addressed. 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 Kevin Wilhite)

PAGE 7 – REVISED RECOMMENDATION & ADDED CONDITION

TRANSFER OF APPROVAL (Deferred from the December 12, 2007 Meeting)

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**).

APPROVED

The applicant has submitted a revised landscape plan to address the deficiencies noted in the inspection report dated **September 27, 2007**. The staff recommends approval of this transfer request with the following condition:

1. The site deficiencies shall be corrected by **June 30, 2008**.

(Staff Report by Lee Pambid)

PAGE 9 – REVISED RECOMMENDATION

TRANSFER OF APPROVAL

POD-04-98 and POD-96-73
BB&T (Formerly
Metropolitan National Bank
and First Union Bank)
Staples Mill Road and E
Parham Road

Mark Stephens for BB&T & First States Investors, 6000C: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Metropolitan National Bank and Dominion Bank of Richmond to First States Investors, 6000C. The 998-acre site is located on the southeast corner of Staples Mill Road (U.S. Route 33) and E Parham Road on parcel 770-755-3230. The zoning is O-2, Office District. County water and sewer (**Brookland**).

APPROVED

The new owner accepts and agrees to be responsible for the continued compliance with the conditions of the original approval. A bond has been posted to cover the correction of all deficiencies as identified in the inspection report dated February 28, 2008. The staff can now recommend approval of this transfer request.

(Staff Report by Aimee Berndt)

PLAN OF DEVELOPMENT & MASTER PLAN

POD-13-08
Staples Mill Centre, Phase 2
– Staples Mill and Bethlehem
Roads

APPROVED

E. D. Lewis & Associates, P.C. for Staples Mill Centre, LLC: Request for approval of a plan of development and revised master plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct Phase 2 of an urban mixed use development consisting of 2 two-story office-retail buildings, a one-story retail outparcel building, 2 five-story mixed use buildings with structured parking, a one-story club house, 45, three and four-story townhouses and 3, four-story stacked townhouse buildings. The buildings contain 101,753 square feet of commercial space, 48,360 square feet of office space, 45 townhouse units, 230 condominium units, 243 multi-family apartment units, 28 stacked townhouse/condominium units, a 6,050 square foot community club house with a pool, 996 surface parking spaces and 473 structured parking spaces. The 46-acre site is located south of Bethlehem Road and west of Staples Mill Road on parcels 773-740-5043, and 8899, 774-739-3999, 4569 and 5043, 773-739-8155, 772-740-2229, 2836, 1743, 1137, 0431, 9118 and 4023, 774-740-4182, 3584, 2888, 2190 1592, 0894, 0096 and 9115, 773-740-9498, 773-741-8102, 7505, 6808, 6011, 5414, 4222, 3726, 3132 and 2637. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer (**Brookland**)

The developer has submitted a revised land bay master plan for Staples Mill Centre, as requested by staff. The revised master plan includes a summary table comparing the Provisional Use Permit (PUP) master plan to the proposed Plan of Development (POD) master plan for the currently proposed phase of development. The summary table provides information on the types, sizes and quantity of residential units proposed and the quantity and types of commercial/ office uses in the currently proposed phase of development, along with parking space, open space, residential density calculation and percentage of commercial-office development calculations. The developer has agreed to a condition requiring provision of a revised summary table that would segregate this information for future phases of the master plan.

The staff has also received revised architectural plans for the duplex townhouse buildings showing that all units satisfy minimum floor area requirements contained in the proffers. The developer's architect has been working with staff on revisions to the stacked townhouse building plans to ensure that all units satisfy minimum floor area requirements. The developer has agreed to a substitute condition requiring that final architectural plans for all buildings, including the stacked townhouse buildings, shall be submitted for review with the final construction plans to ensure minimum floor area requirements of the proffers are met.

The staff has reviewed both the land bay master plan and the development proposed with this phase of development, and has found that they satisfy the applicable codes and proffers and are consistent with the Staples Mill Centre Pattern Book (design guidelines).

Staff recommends approval of this request, subject to the standard conditions for developments of this type and the annotations on the plans, conditions 29-56 on the agenda and the following additional conditions

- 33 **REVISED** - The limits and elevations of the Special Flood Hazard Area **adjacent to Phase II** shall be conspicuously noted on the plan and labeled "Limits of Special Flood Hazard Area " In addition, the delineated Special Flood Hazard Area 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
- 50 **REVISED** - Prior to the **final** approval of **building permit applications** for any mixed-use building, **the developer shall consult the Division of Police on CPTED issues.**
- 53 ~~**DELETE** - A recreational amenities and landscaping plan for the BMP pond and the community center (clubhouse) shall be submitted for staff review and approval prior to the issuance of a Certificate of Occupancy for any dwelling use-~~
- 54 **REVISED** - A Certificate of Occupancy shall be issued for the community center (clubhouse), or a performance bond posted with the County, in an amount to be determined by the Director of Planning, prior to the issuance of a Certificate of Occupancy for the 100th townhouse/condominium unit
- 55 ~~**REVISED**—Final architectural plans for all buildings shall be submitted for staff review and approval in conformance with proffered design standards—Additional information including colored elevations, cut sheets and material samples or material boards, as determined necessary by the Director of Planning, shall be submitted for review and approval—The plans shall provide for the screening of all mechanical equipment—The developer shall submit final architectural plans for any buildings included in the final construction plans for review, showing that all units satisfy minimum floor area requirements contained in the proffers, and are consistent with the Staples Mill Centre Pattern Book (design guidelines).~~
- 56 **ADDED** - The developer shall submit a revised Land Bay Master Plan with the final construction plan for staff review and approval in accordance with the proffers of zoning Case C-5C-07 The plan shall have a summary table comparing the Provisional Use Permit (PUP) master plan to the proposed Plan of Development (POD) (land bay) master plan, segregating development proposed with the current phase and future phases of development

(Staff Report by Michael Kennedy)

**PLAN OF DEVELOPMENT – PROSPECT HOMES ARCHITECTURALS
(Deferred from the February 27, 2008 Meeting)**

POD-42-06
West Broad Village –
W Broad St /Three Chopt
Road

APPROVED

Timmons Group and Smith & Associates for Prospect Homes of Virginia and Unicorn 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)**

The developer has submitted revised architectural plans showing additional detailing and brick finishes for the walls facing streets as requested by staff Staff is now satisfied that the materials and details are consistent and harmonious with the proffered West Broad Village Sketch Pack (design manual)

The staff recommends approval of the revised architectural plans subject to the original conditions of approval approved by the Planning Commission on **April 25, 2007.**

(Staff Report by Michael Kennedy)

PLAN OF DEVELOPMENT (Deferred From the February 27, 2008 Meeting)

POD-15-89
Food Lion/Bloom
Lauderdale Square
Shopping Center

APPROVED

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 developer has submitted revised architectural plans showing materials that are consistent and harmonious with the remainder of the shopping center as previously requested by staff The staff has reviewed the revised elevations and has found that they satisfy the applicable requirements

Staff recommends approval of this request, subject to the original conditions of approval approved by the Planning Commission on **March 3, 1989.**

(Staff Report by Michael Kennedy)

PLAN OF DEVELOPMENT (Deferred from the February 27, 2008 Meeting)

POD-81-99
Food Lion/Bloom
Twin Hickory Town Center

APPROVED

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 developer has submitted revised architectural plans showing materials that are consistent and harmonious with the remainder of the shopping center as previously requested by staff. The staff has reviewed the revised elevations and has found that they satisfy the applicable codes and proffers.

Staff recommends approval of this request, subject to the original conditions of approval approved by the Planning Commission on **December 15, 1999**.

(Staff Report by Michael Kennedy)

PAGE 31 – ADDED CONDITIONS

PLAN OF DEVELOPMENT

POD-15-08
Patterson Avenue
Ambulatory
Care Center – Patterson and
Gaskins Roads

APPROVED

Timmons Group for Bon Secours: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to renovate and convert an existing one-story, 30,000 square foot retail building to medical offices. The 3.9-acre site is located on the north line of Patterson Avenue (State Route 6) approximately 412 feet east of its intersection with Gaskins Road on part of parcel 745-742-8604. The zoning is B-1, Business District. County water and sewer. **(Tuckahoe)**

- 34 No portable, temporary or electronic changeable message signs shall be permitted on the property.
- 35 The parking lot shall be repaved to the satisfaction of the Director of Planning prior to the issuance of a Certificate of Occupancy.

(Staff Report Greg Garrison)

PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION

POD-18-08
Retail Shops @ Short Pump
– Access Road – Spring Oak
Drive and W Broad Street
(POD-19-07 Revised)

APPROVED

Will Wheeler and D. Neil Rankins for SRP 1-Madison @ Spring Oak, L.L.C. and R+R Property Development, L.C.: Request for approval of a plan of development and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code, to revise a previously approved plan of development (POD-19-07) to show an access drive to Spring Oak Drive. The 1.252-acre site is located on the south line of W Broad Street (U.S. Route 250) approximately 1,005 feet west of Pump Road on parcels 739-762-0100 and 738-761-6025. The zoning is B-1, Business District, B-2C Business District (Conditional), R-5C, General Residence District (Conditional) and WBSO (West Broad Street Overlay) District. County water and sewer. **(Three Chopt)**

A revised plan that addresses the schematic landscaping and 6-foot masonry wall between the R-5C zoned apartments and this access road was included in the agenda. Should the Commission grant the transitional buffer deviation, staff recommends approval subject to the annotations on the plans, the standard conditions for developments of this type, and the added conditions in your agenda.

(Staff Report by Greg Garrison)

PAGE 37 – REVISED CAPTION

SUBDIVISION

SUB-07-08
~~Woodman~~
Woodlawn Terrace
(March 2008 Plan)
Defense Avenue and Algiers
Drive

APPROVED

Balzer & Associates, Inc. for Stephen R. Marks and Emerald Land Development, LLC: The 0.25-acre site proposed for a subdivision of 1 single-family home is located approximately 795 feet east of Bond Street on the north line of Defense Avenue at the intersection with Algiers Drive on parcel 830-717-0339. The zoning is R-4, One-Family Residence District and ASO (Airport Safety Overlay) District. County water and sewer. **(Varina) 1 Lot**

(Staff Report by Lee Pambid)

