

PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT

January 28, 2009

9:00 A.M.

ADDENDUM ATTACHED



PLANNING COMMISSION

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

**DEVELOPMENT REVIEW AND DESIGN
DIVISION – DEPARTMENT OF PLANNING**

David D. O'Kelly, Jr., Assistant Director of Planning
Leslie A. News, CLA, Principal Planner
Kevin D. Wilhite, C.P.C., AICP, County Planner
Michael F. Kennedy, County Planner
Christina Goggin, AICP, County Planner
Anthony R. Greulich, C.P.C., County Planner
Matthew 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
Holly L. Zinn, Office Assistant/Recording Secretary

ROLL CALL:

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leslie News

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Lee Pambid

FOR PLANNING COMMISSION APPROVAL

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
Lafayette Park (formerly Malvern Hill) APPROVED	121	80	7	Varina	01/27/10

FOR INFORMATIONAL PURPOSES ONLY

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
Hoke Brady Farms (Oct. 2005 Plan)	43	43	2	Varina	01/27/10
Shady Oaks Farm (Jan. 2006 Plan)	16	16	2	Varina	01/27/10
Westin (Jan. 2005 Plan)	34	34	3	Three Chopt	01/27/10
Grey Oaks (formerly XYZ subdivision) (Jan. 2004 Plan)	208	105	1	Three Chopt	01/27/10

TRANSFER OF APPROVAL (Deferred from the December 17, 2008 Meeting)

POD-83-98
Plaza Del Sol -
10442 Patterson Ave.

APPROVED/EXPEDITED

James D. Thorton for McAndrew Properties, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from DelSol Properties, LLC, Carlos E. Sol, Patricia V. Sol, Del Sol, Inc, and Norman M. Morgan to McAndrew Properties, LLC. The 0.07-acre site is located approximately 800 feet east of Pump Rd. on Patterson Ave., on parcel 742-742-5224. The zoning is R-1, One Family Residence District and O-2, Office District. County water and sewer. **(Tuckahoe)**

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 September 26, 2008 included a missing dumpster enclosure. All deficiencies identified have been corrected by the applicant. The staff recommends approval of this transfer request.

(Staff Report by Greg Garrison)
(Applicant's Representative: James D. Thorton)

TRANSFER OF APPROVAL

POD-150-86
Parham Road Office Park –
Phase I (Formerly Parham
Place – Phase I) -
1920 E. Parham Road

APPROVED/EXPEDITED

Thalhimer for JEDD of South Carolina, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from IMG/Parham Associates Limited Partnership and Parham Place I Assoc., LLC to JEDD of South Carolina, LLC. The 5.37-acre site is located on the north line of E. Parham Road, approximately 1,800 feet east of Woodman Road, on parcel 777-758-2319. The zoning is O-2C, Office District (Conditional). 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 November 18, 2008 included missing landscaping. All deficiencies identified have been corrected by the applicant. The staff recommends approval of this transfer request.

(Staff Report by Aimee Berndt)
(Applicant's Representative: Dwayne Faria)
(Applicable Rezoning Cases and PUPs: C-113C-85)

ALTERNATIVE FENCE HEIGHT PLAN - RESIDENCE

F-193
Thomas Residence – 7611
Chamberlayne Avenue

Faith Thomas: Request for approval of an alternative fence height plan, as required by Chapter 24, Sections 24-95(1)(7)b and 24-106.2 of the Henrico County Code, to allow a fence exceeding a height of 42 inches in a front yard. The 0.35-acre site is located approximately 750 feet east of Brook Road (U.S. Route 1) at the southeast corner of the intersection of Wilkinson Road and Chamberlayne Avenue, on parcel 785-754-3502. The zoning is R-3, One Family Residence District. **(Fairfield)**

APPROVED

The applicant has requested an alternative fence height of 6' within the required 40 foot front yard in an R-3 One Family Residence District. A maximum height of 3' 6" (42" total) is permitted by code, and the requested deviation is 2'6" (30") above the maximum. A deviation is necessary for approximately 40 linear feet of fence along Wilkinson Road, and 80 linear feet of fence including driveway opening and front gate along Chamberlayne Avenue.

The Public Works Traffic Division indicates that while the fence does not pose issues to sight distance or traffic and pedestrian safety, the owner will be responsible for moving the fence should Wilkinson Road ever be widened.

While staff customarily does not make recommendations on requests of this type, no adverse effects were noted by staff pursuant to the following provisions stated in the ordinance:

1. The health, safety and/or welfare of persons residing on or working on the premises;
2. The visibility or value of abutting and/or adjacent properties;
3. The adequate supply of light and air to adjoining property;
4. Traffic or pedestrian safety; and
5. That adequate sight distance is maintained as provided in subparagraph (3) of this subsection.

An existing hedge along the Chamberlayne Avenue frontage will remain and should also be included if the Planning Commission deems the request has merit and grants approval of the alternative fence height.

Should the Commission act on this request, in addition to the standard conditions for landscape and fence plans, the following additional condition is recommended:

6. The homeowner shall be responsible for the cost of the fence relocation should Wilkinson Road ever be widened to the ultimate section per the Major Thoroughfare Plan.

(Staff Report by Lee Pambid)

(Applicant's Representative: Thomas Oommen)

LANDSCAPE & LIGHTING PLAN

LP/POD-46-05
Preston Square – 5411 Twin Hickory Road

DEFERRED BY P.C. TO 2/25/09 – SEE ADDENDUM PG. 1

E.D. Lewis and Associates, P.C. for Preston Square, 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 5.0-acre site is located on the west side of Twin Hickory Rd., approximately 1,500 feet east of Nuckols Rd., on parcels 747-773-5194, 5197, 5292, 5386, 5389, 747-774-4426, 4523, 4617, 4620, 4712, 4715, 4809, 4903, 5000, 5337, 5637, 5938, 6121, 6239, 6501, 6539, 6801, 7102, 7403, 7525, 7528, 7622, 7717, and 7720. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt)**

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

(Staff Report by Greg Garrison)
(Applicant's Representative: Gary Scottow)
(Applicable Rezoning Cases and PUPs: C-50C-04)

PLAN OF DEVELOPMENT

POD-48-08
Golden Care Palace
Nine Mile Rd. and E. Richmond Rd.

APPROVED

Strange-Boston Associates for Secure Hands Holdings, LLC and Barketali Kabani: 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, 72,670 square foot, 118-unit Alzheimer care facility. The 5.80-acre site is located approximately 400 feet east of E. Richmond Rd. on the north line of Nine Mile Rd. (State Route 33), and approximately 200 feet north of Nine Mile Rd. on the east line of E. Richmond Rd., on parcel 809-722-2386. The zoning is R-6C, General Residence District (Conditional) and ASO Airport Safety Overlay District. County water and sewer. **(Varina)**

The proposal is for a 72,670 square foot 118 bed Alzheimer's facility. Additional right-of-way along Nine Mile Road will be dedicated for a VDOT 5 foot wide sidewalk with 2 foot utility strip. Off site sewer line improvements in the Hechler Village subdivision south of Nine Mile Road are necessary to accommodate this development, and that plan has been reviewed by Public Utilities and is acceptable.

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 entrances and drainage facilities on State Route 33 shall be approved by the Virginia Department of Transportation and the County.
30. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.

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31. A concrete sidewalk meeting VDOT standards shall be provided along the north side of Nine Mile Road.
32. There shall be no outdoor storage in moveable storage containers including, but not limited to, cargo containers and portable on demand storage containers.
33. Outside storage shall not be permitted.
34. The proffers approved as a part of zoning case C-9C-08 shall be incorporated in this approval.
35. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

(Staff Report by Lee Pambid)

(Applicant's Representative: Donald L. Strange-Boston)

(Applicable Rezoning Cases and PUPs: C-9C-08)

SUBDIVISION (Deferred from the December 17, 2008 Meeting)

SUB-29-08
Dumbarton
(December 2008 Plan)
Irisdale and Greenway
Avenues

DEFERRED TO 2/25/09

M-Squared Engineering, LLC for Tetra Assoc., LLC: The 3.309-acre site proposed for a subdivision of 9 new single-family homes is located along the south line of between Irisdale Avenue and the north line of Greenway Avenue, approximately 200 feet east of Greendale Road on parcels 775-745-8761, 9463, 9842, 776-745-0165, 0968, 2271, and 1246. The zoning is R-4, One Family Residence District. County water and sewer.
(Brookland) 9 Lots

As of the preparation date of this agenda, the staff has not received any new information with regard to providing screening between this property and the adjacent M-1 zoned property.

It was suggested the applicant work with the adjoining property owner to jointly provide a buffer, including replacement of the existing wall.

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 condition is recommended:

13. 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: Michael Morgan, II)

PLAN OF DEVELOPMENT & MASTER PLAN (Deferred from the November 19, 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)**

DEFERRED TO 2/25/09

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 zone 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.

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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 painted to match the building and 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.

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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)

DISCUSSION ITEM: INFORMATION RESOURCE INITIATIVE: Planning staff will update the Commission on the progress of developing the dedicated website for the Planning Commission to enhance the Commission's ability to access staff reports, agendas and other planning related items.

APPROVAL OF MINUTES: December 17, 2008 Minutes/APPROVED

ADJOURN @ 10:00

**PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT
January 28, 2009**

ADDENDUM

PAGE 7 – ADDED CONDITION

LANDSCAPE & LIGHTING PLAN

LP/POD-46-05

Preston Square – 5411 Twin
Hickory Road

**DEFERRED BY P.C. TO
2/25/09**

E.D. Lewis and Associates, P.C. for Preston Square, 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 5.0-acre site is located on the west side of Twin Hickory Rd., approximately 1,500 feet east of Nuckols Rd., on parcels 747-773-5194, 5197, 5292, 5386, 5389, 747-774-4426, 4523, 4617, 4620, 4712, 4715, 4809, 4903, 5000, 5337, 5637, 5938, 6121, 6239, 6501, 6539, 6801, 7102, 7403, 7525, 7528, 7622, 7717, and 7720. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt)**

7. Prior to issuance of a certificate of occupancy for the third townhouse building, the landscape buffer adjacent to Twin Hickory Road shall be installed.