

**PLANNING COMMISSION AGENDA**  
**FOR**  
**SUBDIVISIONS AND PLANS OF DEVELOPMENT**

**March 25, 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**

<b>Subdivision</b>	<b>Original No. of Lots</b>	<b>Remaining Lots</b>	<b>Previous Extensions</b>	<b>Magisterial District</b>	<b>Recommended Extension</b>
<b>SUB2008-00184 Effinger Drive (dedication of portion of Effinger Dr.) (June 1998 Plan)</b>	<b>0</b>	<b>0</b>	<b>9</b>	<b>Fairfield</b>	<b>03/24/10</b>

**APPROVED**

**FOR INFORMATIONAL PURPOSES ONLY**

<b>Subdivision</b>	<b>Original No. of Lots</b>	<b>Remaining Lots</b>	<b>Previous Extensions</b>	<b>Magisterial District</b>	<b>Recommended Extension</b>
<b>SUB2008-00141 Mansfield Woods (March 2006 Plan)</b>	<b>105</b>	<b>41</b>	<b>2</b>	<b>Varina</b>	<b>03/24/10</b>
<b>SUB2008-00009 (SUB-08-08) Martin's Ridge (formerly Hollow Way) (March 2008 Plan)</b>	<b>87</b>	<b>87</b>	<b>0</b>	<b>Three Chopt</b>	<b>03/24/10</b>
<b>SUB2008-00062 (SUB-53-07) Staples Mill Centre Reconsideration (September 2007 Plan)</b>	<b>31</b>	<b>33</b>	<b>0</b>	<b>Brookland</b>	<b>03/24/10</b>

**SEE ADDENDUM PG. 1**

## TRANSFER OF APPROVAL

POD-88-78  
BP Convenience Store  
(Formerly Amoco Oil  
Company) -  
S. Laburnum Ave. and  
Williamsburg Rd.

**DEFERRED TO 4/22/09**

**James P. Karides for Laburnum, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Amoco Oil Company to Laburnum, LLC. The 0.55-acre site is located at the southeast corner of S. Laburnum Ave. and Williamsburg Rd. (U.S. Route 60), on parcel 816-713-6077. The zoning is B-3, Business District. County water and sewer. (**Varina**)

As of the preparation date of the agenda, the staff has not been notified that all site deficiencies have been corrected as identified in the inspector's report, dated November 19, 2008. The deficiencies include resealing and re-stripping the rear parking lot and replacement of two trees. The staff recommendation will be made at the meeting.

**(Staff Report by Matt Ward)**  
**(Applicant's Representative: James P. Karides)**

## TRANSFER OF APPROVAL

POD-54-84  
Royal Chevrolet (Formerly  
Lowe's)  
4502 W. Broad Street

**APPROVED**

**Drew S. Mugford for Mugford, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Lowe's Companies, Inc. to Mugford, LLC. The 6.123-acre site is located on the eastern line of W. Broad St. (US Route 250), approximately 300 feet south of Westmoreland St., on parcel 776-735-3443. The zoning is M-1, Light Industrial 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.

**(Staff Report by Matt Ward)**  
**(Applicant's Representative: Drew Mugford)**

## TRANSFER OF APPROVAL

POD-80-93  
Villa Park II -8080 Villa Park  
Drive

**APPROVED**

**Ted Byrd for RRE, LLC and Old World Prints, Ltd.:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Childress Klein Properties to RRE, LLC. The 2.841-acre site is located along the west line of Villa Park Drive, approximately 1,100 feet south of Parham Road, on parcel 782-755-0170. The zoning is O/S, Office Service District. County water and sewer. (**Fairfield**)

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

**(Staff Report by Matt Ward)**  
**(Applicant's Representative: Ted Byrd)**

## TRANSFER OF APPROVAL

POD-28-87  
Legacy Inn -5252 Airport  
Square Lane

**APPROVED**

**Anil Patel for KHUSHAL, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Holding DM Corp. et al. and CHU Brothers Tulsa Partnership to KHUSHAL, LLC. The 3.7-acre site is located on the north line of Airport Square Lane, approximately 300 feet north of Williamsburg Road (U.S. Route 60), on parcel 818-714-9682. The zoning is B-3, Business District. County water and sewer. (**Varina**)

The applicant has been working with Community Revitalization and Building Inspections to bring the site up to standards and has completed that process. 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 Greg Garrison)**  
**(Applicant's Representative: Anil Patel)**

## LANDSCAPE & LIGHTING PLAN

LP/POD-42-08  
Union Bank & Trust at  
Staples Mill Square – Staples  
Mill Road

**APPROVED – SEE  
ADDENDUM PG. 1**

**Architects Dayton, Thompson & Associates, P.C. for Union Bankshares Corp.:** 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 1.2-acre site is located on an outparcel in an existing shopping center along the north line of Staples Mill Road (U.S. Route 33), approximately 690 feet east of Hungary Spring Road, on parcel 768-758-5301. The zoning is B-2C, Business District (Conditional). County water and sewer. (**Brookland**)

As of the preparation date of the agenda, the staff has not received a revised plan, as requested. The revised plan has been requested to show additional plant material around the stormwater basin. The staff recommendation will be made at the meeting.

**(Staff Report by Matt Ward)**  
**(Applicant's Representative: Stephen Weisensale)**  
**(Applicable Rezoning Cases and PUPs: C-77C-94)**

## PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD-06-09

Olive Garden at The Shops at  
White Oak Village

**HGBD, Inc. for Laburnum Investment, LLC 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 7,441 square foot restaurant in an existing shopping center. The 1.36-acre site is located on the east line of S. Laburnum Avenue, approximately 775 feet north of Audubon Drive, on part of parcel 815-718-5710. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Varina)**

**APPROVED**

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

- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature.
29. The proffers approved as a part of zoning case C-29C-06 shall be incorporated in this approval.
30. The developer shall install an adequate restaurant ventilating and exhaust system to minimize smoke, odors, and grease vapors. The plans and specifications shall be included with the building permit application for review and approval. If, in the opinion of the County, the type system provided is not effective, the Commission retains the rights to review and direct the type of system to be used.
31. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Department of Planning and approved prior to issuance of a certificate of occupancy for this development.
32. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

**(Staff Report by Christina Goggin)**

**(Applicant's Representative: Alan Townsend)**

**(Applicable Rezoning Cases and PUPs: C-29C-06)**

## PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD-05-09  
New Virginia Center for  
Long Term Care  
Administrative Offices

**APPROVED**

**Hulcher and Associates, Inc. for Virginia Health Care Association and the County of Henrico:** 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 two-story 15,096 square foot office building. The 1.78-acre site is located at the southwest intersection of Massie Road and Staples Mill Road (U.S. Route 33) on parcels 774-738-8631 and 9118. The zoning is O-2, Office District. County water and sewer. **(Brookland)**

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

- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature.
29. The drainage facilities on Staples Mill Road (U.S. 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 Land Use Permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.
31. The building shall be constructed of red brick and the brick shall not be painted at any time.
32. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
33. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, 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 determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
34. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
35. The ownership of the well lot (parcel 774-738-8631) shall be transferred to Virginia Health Care Association prior to construction plan approval.

**(Staff Report by Christina Goggin)**

**(Applicant's Representative: Wayne Mayton)**

## PLAN OF DEVELOPMENT

POD-03-09  
Our Lady of Lourdes School  
Classroom Addition – 8200  
Woodman Rd.  
(POD-04-96 Rev.)

**DEFERRED TO 4/22/09**

**Hulcher and Associates, Inc. for Catholic Diocese 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 one story 846 square foot addition for two classrooms. The 19.86-acre site is located at the northwest corner of Lourdes Road and Woodman Road on parcel 776-754-8470. The zoning is R-3, One Family Residence District. County water and sewer. **(Brookland)**

The applicant is requesting approval of a one story 846 square foot classroom addition consisting of two modular buildings connected by a wood walkway. Because this is expected to be a permanent addition, staff has requested the modular buildings be constructed on top of a masonry wall foundation, to match the existing classroom addition approved with POD-04-96. Although the addition is located behind the existing classroom and will not be visible from Woodman Road, staff has concerns regarding visibility from the adjacent property owners to the west.

As of the preparation date of the agenda, the staff has not received revised architectural plans addressing these concerns. The staff recommendation will be made at the meeting. Should the Commission act on this request, the standard conditions for developments of this type are recommended.

**(Staff Report by Greg Garrison)**  
**(Applicant's Representative: Bruce Hulcher)**  
**(Applicable Rezoning Cases and PUPs: UP-20-2007 & UP-32-2006)**

## PLAN OF DEVELOPMENT AND SPECIAL EXCEPTION

POD-55-08  
Reconsideration  
Laburnum Medical Center –  
4620 S. Laburnum Ave.

**Timmons Group for Bon Secours Richmond Health Systems and Nelsen Funeral Home, Inc.:** Request for approval of a reconsideration of a plan of development and a special exception for buildings exceeding 45 feet in height, as required by Chapter 24, Sections 24-106 and 24-94(x) of the Henrico County Code, to construct a three-story, 55,272 square foot medical office building with a proposed height of 56 feet. The 4.8-acre site is located on the west line of S. Laburnum Ave. approximately 850 feet north of Audubon Dr. and on the north line of Audubon Dr. approximately 1,000 feet west of S. Laburnum Ave. on parcels 814-716-7188 and 7558 (part). The zoning is O-2, Office District and ASO Airport Safety Overlay District. County water and sewer. **(Varina)**

### APPROVED

A plan of development for this property was previously approved at the September 28, 2008 Planning Commission hearing. The applicant has requested a reconsideration of this POD due to elected changes in the layout and architectural plans.

In addition, this plan of development includes a request for a special exception for height to allow construction of a building exceeding the permitted height of 45 feet in an O-2 district. The portion of the building at the primary entrance is proposed at 56 feet and one inch, which would require an exception of 11 feet and one inch. As is normal procedure, staff makes no recommendation regarding the special exception. It is the applicant's responsibility to present evidence to the Commission to support this request. Staff, however, has no objection to this request.

Changes to the layout include the centralization of the entrance and drive aisle from S. Laburnum Avenue, building footprint changes, and parking lot revisions.

Should the Commission approve the applicant's request for the special exception, staff recommends approval of the POD subject to the annotations on the plan, the standard conditions for developments of this type, and the following additional conditions:

29. The right-of-way for widening of S. Laburnum Avenue as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
30. A concrete sidewalk meeting County standards shall be provided along the west side of S. Laburnum Avenue.
31. Outside storage shall not be permitted.
32. 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.
33. The certification of building permits, occupancy permits and change of occupancy permits for individual units shall be based on the number of parking spaces required for the proposed uses and the amount of parking available according to approved plans.

**continue**



## **Continued**

34. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
35. The owners shall not begin clearing of the site until the following conditions have been met:
  - (a) The site engineer shall conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements shall be shown.
  - (b) After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner shall have the limits of clearing delineated with approved methods such as flagging, silt fencing or temporary fencing.
  - (c) The site engineer shall certify in writing to the owner that the limits of clearing have been staked in accordance with the approved plans. A copy of this letter shall be sent to the Department of Planning and the Department of Public Works.
  - (d) The owner shall be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details shall be included on the landscape plans for approval.
36. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Department of Planning and approved prior to issuance of a certificate of occupancy for this development.
37. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, 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 determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
38. Federal Aviation Administration (FAA), Form 7460-1 shall be submitted to the FAA and proof of such approval shall be provided to the Planning Department prior to approval of any building permit application.
39. Evidence that an engineer has certified the height of the building shall be provided to the Director of Planning prior to the issuance of a Certificate of Occupancy.

**(Staff Report by Aimee Berndt)**

**(Applicant's Representative: Chris Sibold)**

**(Applicable Rezoning Cases and PUPs: C-35-66; C-74-74)**

## SUBDIVISION

SUB-03-09  
Osborne  
(March 2009 Plan)

**APPROVED – SEE  
ADDENDUM PG. 2**

**Bay Design Group, P.C. for Philip E. Fritz:** The 2.19-acre site proposed for a subdivision of 3 single-family homes is located on the north line of Oakland Road, approximately 1,500 feet east of Osborne Turnpike, on parcel 802-706-0465. The zoning is R-3, One Family Residence District. County water and sewer. **(Varina) 4 Lots**

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 Greg Garrison)  
(Applicant's Representative: Craig Brown)**

## PLAN OF DEVELOPMENT (Deferred from the December 17, 2008 Meeting)

POD-41-07  
Pouncey Place, Phase I –  
Pouncey Tract Rd. and Twin  
Hickory Lake Dr.  
(POD-57-86 Rev.)

**DEFERRED TO 6/24/09**

**Bay Design Group, P.C. for Pouncey Place, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a shopping center with two, one-story buildings for a total of 27,630 sq. feet.. The 5.25-acre site is part of a 10.10 acre parcel and is located on the southeast corner of Pouncey Tract Road (State Route 271) and Twin Hickory Lake Drive on parcel 740-765-2150. The zoning is B-2C, Business District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

**The applicant has requested a deferral to the June 24, 2009 meeting.**

As of preparation date of this agenda, issues related to access to this property through VDOT controlled property have not been resolved. Also a revised plan has not been submitted to show the existing parking conditions for current businesses or a master plan showing each phase. The master plan should be similar to the concept plan presented at time of rezoning. In addition, the Department of Public Utilities cannot recommend approval until a water meter has been proposed for the existing building. Furthermore, the applicant is not in agreement with Staff's request for additional landscaping to separate the shopping center from the existing non-conforming businesses.

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

**(Staff Report by Matt Ward)  
(Applicant's Representative: Kenneth Barnes)  
(Applicable Rezoning Cases and PUPs: C-27C-05)**

**APPROVAL OF MINUTES: February 25, 2009 Minutes / APPROVED AS CORRECTED**

**ADJOURN @ 9:25**

**PLANNING COMMISSION AGENDA  
FOR  
SUBDIVISIONS AND PLANS OF DEVELOPMENT  
March 25, 2009**

**ADDENDUM**

**PAGE 2 – SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL  
REVISED NUMBER OF LOTS**

SUB2008-00062 (SUB-53-07) Staples Mill Centre Reconsideration (September 2007 Plan)	<del>34</del> 33	33	0	Brookland	03/24/10
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**PAGE 7 – REVISED RECOMMENDATION AND REVISED PLANS**

**LANDSCAPE & LIGHTING PLAN**

LP/POD-42-08  
Union Bank & Trust at  
Staples Mill Square – Staples  
Mill Road

**APPROVED**

**Architects Dayton, Thompson & Associates, P.C. for Union Bankshares Corp.:** 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 1.2-acre site is located on an outparcel in an existing shopping center along the north line of Staples Mill Road (U.S. Route 33), approximately 690 feet east of Hungary Spring Road, on parcel 768-758-5301. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Brookland)**

The staff has received a revised plan that shows the additional plant material around the stormwater bio-retention basin and parking area. Staff recommends approval, subject to the standard conditions for landscape and lighting plans.

**PAGE 14 – REVISED CAPTION AND REVISED PLANS**

**SUBDIVISION**

SUB-03-09  
Osborne  
(March 2009 Plan)

**APPROVED**

**Bay Design Group, P.C. for Philip E. Fritz:** The 2.19-acre site proposed for a subdivision of ~~3~~ **4** single-family homes is located on the north line of Oakland Road, approximately 1,500 feet east of Osborne Turnpike, on parcel 802-706-0465. The zoning is R-3, One Family Residence District. County water and sewer.  
**(Varina) 4 Lots**

The case map was revised to show 4 proposed lots, and staff annotations were revised on the plan for clarification. Staff recommends approval of the revised plan, subject to the standard conditions for subdivisions served by public utilities.