

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT

October 27, 2010

9:00 A.M.

ADDENDUM ATTACHED



PLANNING COMMISSION

Ernest B. Vanarsdall, C.P.C., Chairperson
(Brookland)
C. W. Archer, C.P.C., Vice-Chairperson (Fairfield)
Tommy Branin (Three Chopt)
E. Ray Jernigan, C.P.C. (Varina)
Bonnie-Leigh Jones (Tuckahoe)
David A. Kaechele, 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, AICP, County Planner
Robert Peterman, GIS Technician
Holly Zinn, Office Assistant/Recording Secretary

WELCOME:

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA:

ROLL CALL: TOMMY BRANIN - ABSENT

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leslie News

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: There are no extensions of conditional subdivisions this month.

TRANSFER OF APPROVAL

POD-64-97
POD2010-00175; POD2010-00184
Overlook I (4880 Sadler Road) and Overlook II (4870 Sadler Road)

APPROVED/EXPEDITED

CB Richard Ellis for OVL Owner, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from CK Overlook Association, LLC, Overlook I Office Park, Inc., and Overlook I and II, LLC to OVL Owner, LLC. The 11.58-acre site is located at the northwest intersection of Nuckols and Sadler Roads, on parcel 749-767-6576. The zoning is O-2C, Office District (Conditional). County water and sewer. **(Three Chopt)**

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

1. The missing landscaping, as identified in the staff report, dated July 23, 2010, shall be replaced by October 30, 2010.

The applicant has provided staff a signed contract to replace 2 trees, 92 shrubs, and 504 seasonal annuals.

(Staff Report by Christina Goggin)
(Applicant's Representative: Todd Willett)
(Applicable Rezoning Cases and PUPs: C-50C-98)

TRANSFER OF APPROVAL

POD-44-84
POD2010-00255
Chubby's Gas and
Convenience Store (Formerly
Texaco Convenience Store) –
6016 W. Broad Street (U.S.
Route 250)

APPROVED
SEE ADDENDUM PG. 1

Himansu Patel for HNN, Inc.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Texaco, USA, The Little Sisters of the Poor, and the Estate of Susie E. Dunstan to HNN, Inc. The 0.97-acre site is located on the north line of W. Broad Street (U.S. Route 250), approximately 900 feet east of the intersection of W. Broad Street and Horsepen Road, on parcel 770-741-2539. The zoning is B-3, Business District. County water and sewer. **(Brookland)**

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

All site deficiencies have been corrected which included missing parking lot striping, stop bars, and stop signs, missing or dead landscaping, and a damaged dumpster enclosure.

(Staff Report by Lee Pambid)
(Applicant's Representative: Himansu Patel)

ALTERNATIVE FENCE HEIGHT PLAN - RESIDENCE

LP/SUB-03-40
SUB2010-00141
Boykin Residence – 7621
Sweetbriar Road

APPROVED

Michael and Elizabeth Boykin: Request for approval of an alternative fence height plan, as required by Chapter 24, Sections 24-95(l)(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 0.24-acre site is located on the south line of Sweetbriar Road in Rollingwood subdivision, approximately 600 feet southwest of Woodberry Road, on parcel 760-740-3509. The zoning is R-3, One Family Residence District. **(Tuckahoe)**

The applicant lives in Rollingwood subdivision and is requesting approval of an alternative fence height in the front yard. Mr. and Mrs. Boykin erected a 6-foot tall fence on the east side of their property that encroaches 24-feet into the front yard. Although the required minimum front yard setback is 40 feet from the right of way, the house is actually set back approximately 54 feet from the right of way. The fence, therefore, ends approximately 30 feet back from the right of way.

County Code limits the maximum fence height in a residentially-zoned front yard to three feet, six inches, unless an alternative fence height is approved by the Planning Commission. Per the Code, the Planning Commission, pursuant to the review and approval of a landscaping plan, shall permit an alternative height not exceeding seven feet in the front yard or along the front lot line, provided the design does not adversely affect:

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. Adequate sight distance

As of the date of the preparation of this agenda, staff has not received any calls or correspondence in opposition to this request. Several letters of support written by surrounding property owners were submitted with the proposal. The property contains existing landscaping.

Customarily, staff makes no recommendation for approval or denial before the Planning Commission regarding requests for alternative fence height. Staff has no objection to this request. Should the Commission act on this request staff recommends the standard conditions for landscape and fence plans.

(Staff Report by Greg Garrison)

(Applicant's Representative: Michael and Elizabeth Boykin)

LANDSCAPE AND LIGHTING PLAN

LP/SUB-16-08
SUB2009-00195

Thacker Place, Section 2 –
Chuck Road

APPROVED/EXPEDITED

Balzer and Associates, Inc. for Elderhomes Corporation:

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 1.92-acre site is located at the terminus of Chuck Road, approximately 170 feet west of the intersection of Chuck and Bayard Roads on parcel 814-725-2886. The zoning is R-3C, One Family Residential District (Conditional). County water and sewer. **(Fairfield)**

The staff plan includes revisions requested by staff to provide supplemental plant material in the proffered 10-foot buffer. 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: Brandon Sovick)

(Applicable Rezoning Cases and PUPs: C-14C-08)

SUBDIVISION

SUB-13-10
SUB2010-00138
Taylor Estates
(October 2010 Plan)
Williamsburg Road (U. S.
Route 60)

Balzer and Associates, Inc. for M & F, Inc.: The 11.46-acre site proposed for a subdivision of 25 single-family homes is located on the southwest corner at the intersection of Williamsburg Road (U. S. Route 60) and Robin Grey Lane, on parcels 807-713-4956 and 7567. The zoning is R-4, One-Family Residential District. County water and sewer. **(Varina) 25 Lots**

APPROVED
SEE ADDENDUM PG. 1

The applicant previously proposed, and the Planning Commission approved, a 34-lot subdivision with the Taylor Estates September 2006 Plan. The current plan shows a reconfiguration reducing the proposal to 25 lots due to issues related to obtaining adequate drainage outfall. However, staff is aware that there remains a conflict with obtaining adequate outfall for those lots accessed by the future Bud Court and Robin Grey Court as shown on staff's plan. The developer has been unable to obtain an easement from the adjacent BFI property to make improvements to obtain adequate outfall for all lots shown. While the applicant is requesting conditional approval for 25 lots, there exists adequate outfall for only lots 1-13, to be accessed by the existing Robin Grey Lane.

The Department of Public Works is recommending approval to the plan as shown with continuous curb and gutter extending the entire length of Robin Grey Lane with no curb cuts for the future Bud Court or Robin Grey Court until such time that adequate outfall can be obtained for future lots 14 through 25. This would allow usage of the existing drainage structure without needing additional easements for drainage improvements. As proposed, the subdivision would be built in two or more sections, with the area shown for Bud Court and Robin Grey Court shown on the plat for the first section as "reserved for future right of way." Dedication of these rights-of-way would not be made with the recordation of the first 13 lots, nor would road construction be extended between the adjacent lots. Planning would customarily recommend right-of-way dedication to be extended to the rear of lots 7, 8, 11, and 12 to avoid future conflict with established households. Planning staff is also concerned about the continued maintenance of the reserved areas for future right-of-way, which will be running between lots 7 and 8, and 11 and 12. The staff recommendation will be made at the meeting.

Should the Commission act on this request, in addition to the annotations on the plans and the standard conditions for subdivisions served by public utilities, the following additional conditions are recommended:

13. Each lot shall contain at least 8,000 square feet.
14. Prior to preparing the recordation plat, the engineer or surveyor shall furnish the Planning Staff a plan showing a dwelling situated on Lot 8 and Lot 11 to determine if the lot design is adequate to meet the requirements of Chapter 24 of the Henrico County Code.
15. The details for the landscaping to be provided within the 25-foot wide planting strip easement along Williamsburg Road (U.S. Route 60) and the 20-foot wide planting strip along the variable width private road along the western subdivision boundary shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.
16. A VDOT standard sidewalk shall be constructed along the south side of Williamsburg Road.

17. The owner 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 on 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.
18. 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 the stub streets.

(Staff Report by Aimee Berndt)
(Applicant's Representative: Cameron Palmore)

CHESAPEAKE BAY RESOURCE PROTECTION AREA EXCEPTION

SUB-09-10
SUB2010-00140
Woodlawn Terrace
(July 2010 Plan)
252 Defense Avenue

APPROVED

Werner Engineering, LLC for Stephen R. Marks and Emerald Land Development, LLC: Request for approval of a Chesapeake Bay Resource Protection Area Exception as required by Chapter 24, Sections 106.3(L) and 106.3(F) of the Henrico County Code. The 5.89-acre site is located on the east line of Defense Avenue, approximately 300 feet from its intersection with Dakar Drive, on parcel 830-717-7954. The exception would allow the buildable area for a future single-family dwelling to encroach within the seaward 50-feet of the required 100-foot wide Resource Protection Area (RPA), a component of a Chesapeake Bay Preservation Area, adjacent to an unnamed tributary of the Chickahominy River in the Highland Springs Watershed. The zoning is R-4, One-Family Residential District and ASO, Airport Safety Overlay District. County water and sewer. **(Varina) 1 Lot**

The Planning Commission approved this conditional subdivision on September 22, 2010, for a single residential lot, but the requirement for an Chesapeake Bay Resource Protection Area (RPA) exception was discovered during subdivision construction plan review. Customarily, Planning staff does not make recommendations on requests of this type. However, Planning has no objection to the request. The conditions and annotations of the conditional approval still apply.

The subject property was created with recordation of Woodlawn Terrace in 1943, prior to the adoption of the provisions of the Henrico County Code regarding Chesapeake Bay Protection Areas. As the parcel currently exists, there is no area for development outside of the Resource Protection Area (RPA). The entire proposed buildable area is located in the RPA; therefore, an exception to encroach into the RPA is required to provide adequate buildable area for the proposed lot. Land disturbance must be the minimum amount necessary to build a dwelling as shown on the construction plans.

The Henrico County Code provides for the establishment of a Resource Protection Area (RPA) adjacent to perennial streams and related water resources to provide for the removal and/or reduction of sediments, nutrients, and other unnatural substances in runoff entering the Chesapeake Bay or its tributaries. An RPA is a vegetated buffer 100 feet in width located adjacent to and landward of a designated tributary. The Code permits the Director of Public Works to review and approve certain exceptions within the landward 50 feet of a required RPA buffer, subject to several specific conditions. However, where a proposed encroachment into the RPA would exceed 50 feet, the Code requires that these encroachments be reviewed and may be granted by the Planning Commission if they find: a) The exception would not confer a special privilege denied to a similarly situated property owner; b) The exception is not based on conditions that are self created; c) The exception is the minimum necessary to afford relief; d) The exception is in keeping with the intent of the Code and is not of substantial detriment to water quality; and e) That the Planning Commission has imposed reasonable conditions to the exception which will prevent degradation of water quality.

Upon review of the proposal and provisions of 24-106.3(1)3 of the Zoning Ordinance, the Department of Public Works has determined that the proposed subdivision satisfies the conditions outlined above and would permit reasonable beneficial development of the property. The Department of Public Works recommends the Planning Commission approve the proposed encroachment into the RPA.

(Staff Report by Jeff Perry/Lee Pambid)
(Applicant's Representative: Adam Werner)

SUBDIVISION

SUB-14-10
SUB2010-00136
McCowin Estates
(October 2010 Plan)
5423 Edgefield Street

Werner Engineering, LLC for Norman and Gloria McCowin and Emerald Land Development, LLC: The 0.80-acre site proposed for a subdivision of 2 single-family homes is located on the east line of Edgefield Street, 165 feet south of the intersection of North Road and Edgefield Street, on parcel 790-746-1765. The zoning is R-2AC, One-Family Residential District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield) 2 Lots**

APPROVED/EXPEDITED

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

13. Each lot shall contain at least 13,500 square feet.
14. The proffers approved as part of zoning cases C-59C-07 and C-10C-10 shall be incorporated in this approval.

(Staff Report by Matt Ward)

(Applicant's Representative: Adam Werner)

(Applicable Rezoning Cases and PUPs: C-59C-07; C-10C-10)

SUBDIVISION

SUB-16-10
SUB2010-00143
Turner Mountain
(October 2010 Plan)
1942 Mountain Road

Jordan Consulting Engineers, P.C. for Eugertha Turner Minnicks and Duke Development, LLC: The 7.23-acre site proposed for a subdivision of 21 single-family homes is located on the east line of Mountain Road, approximately 150 feet south of Mountain Run Drive, on parcels 779-763-2659 and 2342. The zoning is R-4, One-Family Residential District. County water and sewer. **(Fairfield) 21 Lots**

APPROVED/EXPEDITED

The applicant proposes a 21-lot single family subdivision in the same general configuration as the previously-expired Turner Mountain (June 2008 Plan). The staff recommends conditional approval subject to the annotations on the plan, the standard conditions for subdivisions served by public utilities, and the following additional conditions:

13. Each lot shall contain at least 8,000 square feet.
14. The details for the landscaping to be provided within the 25-foot wide planting strip easement along Mountain Road shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.
15. A County standard sidewalk shall be constructed along the north side of Mountain Road.

(Staff Report by Aimee Berndt)

(Applicant's Representative: John Jordan)

SUBDIVISION

SUB-15-10
SUB2010-00139
Impact Way
(October 2010 Plan)
11801 Nuckols Road

Koontz-Bryant, P.C. for Glen Allen Community Church: The 6.6-acre site proposed for a two-lot subdivision and dedication of a section of Grey Oaks Park Drive is located on the south line of Nuckols Road, at the terminus of Wyndham Park Drive, on parcel 741-776-2242. The zoning is R-2C, One-Family Residential District (Conditional). County water and sewer.

APPROVED/EXPEDITED (Three Chopt) 2 Lots

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

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. The proffers approved as part of zoning cases C-29C-89 and C-48C-90 shall be incorporated in this approval.
15. The final plat for recordation shall contain information showing The Chesapeake Bay Preservation areas, if any, in accordance with Chapter 19, Section 19-72 (18), of the Henrico County Code, as determined by the Director of Public Works.
16. 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 the stub street.

(Staff Report by Christina Goggin)

(Applicant's Representative: George Bryant)

(Applicable Rezoning Cases and PUPs: C-29C-89; C-48C-90)

SUBDIVISION (Deferred from the September 22, 2010 Meeting)

SUB-60-07
SUB2010-00155
Winfrey Meadows
Reconsideration
(November 2007 Plan) –
10885 Old Greenwood Road

David Jinnett for Madeline, LLC: Request for approval of a reconsideration of conditional subdivision approval. The 6.39-acre site is located on the northeast side of Old Greenwood Road at its intersection with Greenwood Road, on parcel 777-770-3917. The zoning is A-1, Agricultural District. County water and sewer. **(Brookland) 1 Lot**

APPROVED/EXPEDITED

The applicant has requested a reconsideration of a section of Winfrey Meadows (November 2007 Plan). In December 2007, the applicant received conditional approval to create 4 lots and 2 areas reserved for future development and to provide right-of-way dedication for the future re-alignment of Woodman Road. Since that time, Winfrey Meadows, Section 1, containing 3 lots, 1.9 acres reserved for future development, and right-of-way dedication has been recorded. Development plans for final approval of 1 lot, 5.4 acres reserved for future development, and

additional right-of-way dedication have not been submitted. The conditional approval was recently extended to 2014.

The applicant wishes to revise the plan to remove a 3.69-acre portion of the property, which was reserved for future development in the previous conditional approval, and requests approval of 1 lot, right-of way dedication for Woodman Road relocated, and 1.2 acres reserved for access to future Woodman Road.

Staff recommends approval subject to the annotations on the plans and the conditions previously approved for Winfrey Meadows (November 2007 Plan) by the Planning Commission at its meeting on December 12, 2007.

(Staff Report by Christina Goggin)
(Applicant's Representative: David Jinnett)

PLAN OF DEVELOPMENT

POD-22-10
POD2010-00305
Affiliated Dermatologists of
Virginia – Shrader Road
Facility – 7920 Fountain
Avenue

DEFERRED TO 2/23/11

Bay Design Group, P.C. for IHH Properties, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story 9,545 square foot medical office building. The 2.03-acre site is located on the south line of Shrader Road, approximately 180 feet west of Hungary Spring Road, on parcel 764-752-9619. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Brookland)**

This plan is for approval to construct a dermatologist office on a parcel that is located between the terminus of Fountain Avenue and Shrader Road. The applicant is in the process of revising current proffers on the southern portion of the parcel to allow access to Shrader Road. A revised plan has been requested that would limit access from Fountain Avenue to service vehicles only and would eliminate through access from Fountain Avenue to Shrader Road. As of the preparation date of the agenda, 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:

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 concrete sidewalk meeting County standards shall be provided along the south side of Shrader Road.

30. The proffers approved as a part of zoning cases C-16C-88 and C-28C-03 shall be incorporated in this approval.
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.
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. No access shall be provided to Shrader Road until such time that a proffer amendment to Condition #7 of rezoning case C-28C-03 is approved allowing such access.

(Staff Report by Christina Goggin)
(Applicant's Representative: Joseph Faudale)
(Applicable Rezoning Cases and PUPs: C-16C-88; C-28C-03)

PLAN OF DEVELOPMENT

POD-23-10
 POD2010-00300
 Bienvenidas Latino Market
 Parking Expansion – 8410
 Staples Mill Road (U.S.
 Route 33)
 (POD-37-73 Rev.)

C. E. Duncan and Associates for Miguel Ramos: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a parking expansion to allow restaurant use in an existing retail convenience building. The 1.05-acre site is located on the west line of Staples Mill Road (U.S. Route 33), approximately 125 feet south of Stoneman Road, on parcels 770-753-8834 and 9124. The zoning is B-1, Business District. County water and sewer. **(Brookland)**

APPROVED/EXPEDITED

The applicant currently operates a convenience market with a take-out deli counter. The proposed plan allocates a portion of the existing building square footage to dining area and provides additional parking on site to satisfy the restaurant parking requirement. The new parking lot will incorporate current parking lot standards with curb and gutter and landscaped islands. In addition, a new masonry dumpster enclosure is proposed. The staff recommends approval subject to the annotations on the plan, the standard conditions for developments of this type, and the following additional conditions:

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
11. **AMENDED** - Prior to the 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. Outside storage shall not be permitted.
 30. The developer shall install an adequate restaurant ventilating and exhaust system to minimize smoke, odors, and grease vapors. The plans and specifications shall be included with the building permit application for review and approval. If, in the opinion of the County, the type system provided is not effective, the Commission retains the rights to review and direct the type of system to be used.
 31. 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.

(Staff Report by Aimee Berndt)
(Applicant's Representative: Carl Duncan)

APPROVAL OF MINUTES: September 22, 2010 Minutes/**APPROVED**

ADJOURN @ 9:36

**PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT
October 27, 2010**

ADDENDUM

PAGE 4 – REVISED RECOMMENDATION AND ADDED CONDITION

TRANSFER OF APPROVAL

POD-44-84 POD2010-00255 Chubby’s Gas and Convenience Store (Formerly Texaco Convenience Store) – 6016 W. Broad Street (U.S. Route 250)	Himansu Patel for HNN, Inc.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Texaco, USA, The Little Sisters of the Poor, and the Estate of Susie E. Dunstan to HNN, Inc. The 0.97-acre site is located on the north line of W. Broad Street (U.S. Route 250), approximately 900 feet east of the intersection of W. Broad Street and Horsepen Road, on parcel 770-741-2539. The zoning is B-3, Business District. County water and sewer. (Brookland)
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Additional deficiencies observed on October 21, 2010, which the applicant has agreed to correct, include undiscarded construction materials; rust and peeling or flaking paint on gas pump island curbing, bollards, and a car wash door; and an unpainted wooden dumpster screen.

The staff recommends approval of this transfer request with the following condition:

1. The site deficiencies, as identified in the inspection report, dated October 22, 2010, shall be corrected by November 30, 2010.

PAGE 7 – REVISED RECOMMENDATION

SUBDIVISION

SUB-13-10 SUB2010-00138 Taylor Estates (October 2010 Plan) Williamsburg Road (U. S. Route 60)	Balzer and Associates, Inc. for M & F, Inc.: The 11.46-acre site proposed for a subdivision of 25 single-family homes is located on the southwest corner at the intersection of Williamsburg Road (U. S. Route 60) and Robin Grey Lane, on parcels 807-713-4956 and 7567. The zoning is R-4, One-Family Residential District. County water and sewer. (Varina) 25 Lots APPROVED
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Planning staff has reviewed concerns with the Department of Public Works, and it has been determined that curb returns will be provided at the future right-of-way locations for Robin Grey and Bud Courts, as well as signage indicating the potential extension of the road at a future dates.

The record plat will indicate that the area between Lots 7 and 8 and Lots 11 and 12 is reserved for future right-of-way. This will address concerns that the future homeowners are made aware of the potential for a future road between their homes.

Should the Commission act on this request, staff recommends approval, subject to the annotations on the plans, the standard conditions for subdivisions served by public utilities, and the conditions listed on the agenda.