

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT

July 25, 2012

9:00 A.M.

ADDENDUM ATTACHED



PLANNING COMMISSION

Tommy Branin, Chairperson (Three Chopt)
Bonnie-Leigh Jones, C.P.C. Vice-Chairperson (Tuckahoe)
C. W. Archer, C.P.C. (Fairfield)
Eric S. Leabough (Varina)
Robert H. Witte, Jr. (Brookland)
Frank J. Thornton, 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 B. Crady, AICP, County Planner
Robert Peterman, GIS Technician
Holly Zinn, Office Assistant/Recording Secretary

WELCOME:

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA: RICHMOND TIMES DISPATCH

ROLL CALL: TOMMY BRANIN AND CHRIS ARCHER - ABSENT

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leslie News

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Lee Pambid

FOR INFORMATIONAL PURPOSES ONLY

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2010-00076 (SUB-7-10) Halie's Corner (July 2010 Plan)	3	3	1	Varina	7/24/2013
SUB2011-00054 (SUB-08-11) Kings Manor (July 2011 Plan)	9	9	0	Varina	7/24/2013

TRANSFER OF APPROVAL

POD-106-85
POD2012-00180
Apex Building (Formerly
Markel Building) – 4400 Cox
Road

APPROVED/EXPEDITED

CB Richard Ellis for ASI Partners, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Rowe Development Corporation and Nations Bank of Georgia to Fund III & Fund IV Associate Partners, LLC. The 4.23-acre site is located on the southwest corner of the intersection of Cox Road and Waterfront Place, on parcel 749-763-8998. The zoning is O-3C, Office District (Conditional) and C-1, Conservation District. County water and sewer. **(Three Chopt)**

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

1. The site deficiencies, as identified in the inspection report, dated May 25, 2012, shall be completed by October 15, 2012.

The site deficiencies include repainting two stop bars and replacing missing landscaping. The applicant has provided staff evidence of signed contracts to address all deficiencies.

(Staff Report by Matt Ward)

(Applicant's Representative: Ted Hanson)

(Applicable Rezoning Cases and PUPs: C-53C-79)

PLAN OF DEVELOPMENT AND MASTER PLAN

POD2012-00148
Walmart – Shoppes at
Reynolds Crossing – Forest
Avenue

DEFERRED TO 9/26/12

Bowman Consulting for Reynolds Holdings, LLC: Request for approval of a master plan, including a proposed shopping center, and a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct Phase I of the shopping center- a one-story 90,000 square-foot retail store with a 6,854 square-foot outdoor garden center on a 10.21-acre portion of the site. The 22.597-acre site is located on the north line of Forest Avenue (private), approximately 1,000 feet east of the intersection of Glenside Drive and Forest Avenue, on part of parcel 765-744-6557. The zoning is B-2C, Business District (Conditional) and B-3C, Business District (Conditional). County water and sewer. **(Tuckahoe)**

This Plan of Development request is for construction of a Walmart retail building in the area designated as Development Area A in Reynolds Crossing. The proposal to construct this building includes a request for a shopping center designation, and master plan approval for the remainder of the site.

This plan of development was originally submitted April 6, 2012, and a community meeting was held at Crestview Elementary School on June 5, 2012, to discuss the project. Staff has received opposition to the proposal citing traffic concerns, proximity of the building to Forest Avenue,

ingress/egress to the loading area, and, in general, a deviation from the previously approved conceptual master plan.

Development of this site is subject to proffered conditions amended and restated with zoning case C-13C-07, approved in March 2007. The original rezoning of the site was approved by the Board of Supervisors with zoning case C-22C-04 in January 2005. Proffer #10 of case C-13C-07 states the following:

Conceptual Master Plan. The Property shall be developed with the general type of uses, roads, driveways and buffers generally in the areas shown on the “Conceptual Master Plan”, prepared by Vanasse Hangen Brustlin, Inc., dated October 1, 2004, last revised November 8, 2004, marked as EXHIBIT A (see case file) and submitted with this case, which is conceptual in nature and may vary in detail, unless otherwise requested and specifically approved at the time of Plan of Development.

The master plan includes deviations from the proffered conceptual plan. The deviations include general revision to building pad locations and site layout. Deviation from the proffered conceptual plan requires approval by the Planning Commission. The addition of a third point of access to the retail area, providing direct access to a loading area across from the most narrow portion of the property adjacent to residential properties, is a significant deviation from the approved conceptual plan. It is noted that during the rezoning process, this access point was specifically deleted from the conceptual plans. The additional access point in this area has significant impact; the continuous buffer on the project side of Forest Avenue, closest to the residential lots, will be impacted if this access point is approved.

To address staff comments, revised plans were submitted for review June 29, 2012. However, the revised plans still do not address elimination of the third point of access to a loading area. Staff continues to have concerns regarding the ability to provide adequate screening to the loading area from Forest Avenue and the residences in Charles Glen. Outstanding issues with the plan also include defining the limits of the proposed shopping center within the development; providing details of all screen walls; and clarifying the square footage of all building areas under roof to confirm compliance with the Proffer #20 limiting a single retail user to 90,000 square feet. Additionally, staff is recommending that continuous pedestrian access be provided along Forest Avenue to West Broad Street.

The architectural design of the building remains an issue, as well. Approved proffers require the architectural style of the buildings be in general conformance and similar in quality and style to the architecture of the Shoppes at Westgate. The originally submitted building elevations represented a significant departure from this architectural style. Subsequently, revised building elevations were submitted on July 10, 2012, and are currently under review. The elevations provide architectural details more similar to the Shoppes at Westgate. However, the revised building footprint and the planters submitted with the elevations are not reflected on the civil plans. Additional architectural features are recommended, including provision of more windows on the upper levels of the building, and the addition of other architectural elements to areas of the building façade that contain large expanse of blank walls. A chain link fence is shown around the garden center, and staff has recommended that a faux wrought iron fence be provided in lieu of the chain link. Additionally, decorative paving should be provided along the front of the store and in the crosswalks. Pedestrian connectivity from the parking lot to the building entrances, as

well as amenities such as benches and pedestrian seating areas similar to the Shoppes at Westgate, should be added.

As of the preparation date of this agenda, there are numerous outstanding comments. Therefore, staff recommends this plan be deferred until comments from staff have been addressed. Should the Commission act on this request, in addition to the annotations on the plans and 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. Outside storage shall not be permitted.
30. The proffers approved as a part of zoning cases C-22C-04 and C-13C-07 shall be incorporated in this approval.
31. All subsequent detailed plans of development needed to implement this conceptual plan shall be submitted for staff review and Planning Commission approval, and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/ approval.
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. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
35. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).
36. Electronic containment shall be provided to prevent shopping carts from leaving the site.
37. All areas under roof shall not exceed 90,000 square-feet for a single retail user.
38. The sale of firearms and ammunition shall be prohibited.
39. Overnight parking of recreational vehicles (RV's), trailers, and camping vehicles shall be prohibited.
40. Building-mounted signage shall not be permitted on the southern building façade facing Charles Glen.
41. There shall be no outdoor storage in moveable storage containers including, but not limited to, cargo containers and portable on demand storage containers.
42. In order to maintain the effectiveness of the County's public safety radio communications system within buildings, the owner shall install radio equipment that will allow for adequate radio coverage within the building, 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.
43. A sidewalk shall be provided along the north side of Forest Avenue.

(Staff Report by Greg Garrison)
(Applicant's Representative: Jonathan Jackson)
(Applicable Rezoning Cases and PUPs: C-22C-04; C-13C-07)

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2012-00224
West End Islamic Center –
Shady Grove Road – 5000
Shady Grove Road

APPROVED
SEE ADDENDUM PG. 1

Balzer and Associates, Inc. for West End Islamic Center, Inc. and Islamic Community Development, Inc.: 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 with basement, 35,141 square-foot place of worship with a daycare and a Sunday school. The site is located along the north line of Shady Grove Road, immediately west of its intersection with Twin Hickory Road, on a 3.66-acre parcel, 741-770-9318, and a 1.11-acre parcel, 742-770-1121. The zoning is A-1, Agricultural District. County water and sewer. **(Three Chopt)**

As of the preparation date of the agenda, staff has not received revised site plans, lighting plans, and architectural plans for this development, as requested. Revised site plans are necessary to provide a second point of access to the site due to the fact that the proposed entrance off Shady Grove Road along the southern property line will only allow for a right in/right out configuration. The second point of access from Shady Grove Road will be necessary across the adjacent parcel to the east of this site. It is undecided at this time if the adjacent parcel (GPIN 742-770-1121) will be incorporated into the development or if it will remain a separate parcel and a private access easement provided. In addition, staff has requested a turn lane into the site be provided at the proposed entrance shown from Shady Grove Road. Some parking spaces shown on the site plan may thus be eliminated due to parking lot setback requirements. The applicant must also address the provision of adequate fire access around the building.

The lighting plan provided does not show any wall-mounted light fixtures and also reflects 25-foot tall pole mounted fixtures where policy limits the height to 20 feet.

Revised architectural plans are required to provide information on the use of the second floor and basement as well as provide all necessary dimensions. Confirmation of total floor area devoted to worship is necessary to determine parking requirements. The architectural elevations submitted do not include two sides of the building.

In addition, the applicant is considering using the existing single-family dwelling as a place of worship until the permanent facility is constructed. If that is the case, phasing of the improvements must be addressed in 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:

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 right-of-way for widening of Shady Grove Road as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
 30. A concrete sidewalk meeting County standards shall be provided along the north side of Shady Grove Road.
 31. Outside storage shall not be permitted.
 32. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
 33. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
 34. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

(Staff Report by Kevin Wilhite)
(Applicant's Representative: Brad Schurman)

PLAN OF DEVELOPMENT

POD2012-00227
 Martin's Fuel Center at John
 Rolfe Commons Shopping
 Center – 2108 John Rolfe
 Parkway

**APPROVED/SEE
 ADDENDUM PG. 2**

Bowman Consulting Group, Ltd. for The Wilton Companies, LLC and Giant Food Stores, 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 fuel facility with 5 pump islands and a 128-square-foot kiosk in an existing shopping center. The 1.2-acre site is located on the north line of Ridgefield Parkway, approximately 800 feet west of John Rolfe Parkway, on parcel 736-751-0405. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Tuckahoe)**

This request is for approval to construct a five-island fuel center on an existing outparcel in John Rolfe Commons Shopping Center. Unlike previous requests of this nature, this fueling center will not eliminate existing parking spaces within the shopping center because it will be on an undeveloped outparcel. The applicant is providing a brick kiosk, brick columns, and a standing seam metal mansard roof as previously approved for similar facilities within the County. The material colors will blend with the existing shopping center.

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 proffers approved as a part of zoning case C-66C-88 shall be incorporated in this approval.
30. The conceptual master plan, as submitted with this application, is for planning and information purposes only.

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.
32. Only retail business establishments permitted in a B-2 district may be located in this center.
33. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
34. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

**(Staff Report by Christina Goggin)
 (Applicant’s Representative: Ryan Ritterskamp)
 (Applicable Rezoning Cases and PUPs: C-66C-88)**

PLAN OF DEVELOPMENT

<p>POD2012-00225 Chuy’s Mexican Food Restaurant at West Broad Village – 11229 W. Broad Street (U.S. Route 250) SITE PLANS APPROVED/ ARCHITECTURALS DEFERRED TO 9/26 BY PC SEE ADDENDUM PG. 3</p>	<p>Timmons Group for West Broad Village V, LLC and Parkway Construction and Associates: 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, 7,891 square foot restaurant with 1,137 square feet of outdoor dining. The 0.29-acre site is located on the south line of W Broad Street (U.S. Route 250), approximately 200 feet west of Brookriver Drive, on parcel 743-761-1500. The zoning is UMUC, Urban Mixed Use (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. (Three Chopt)</p>
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The applicant requests approval of a 9,028 square foot restaurant, including an outdoor dining area along the W. Broad Street building frontage. The outparcel location is one of two remaining vacant outparcels in the overall West Broad Village Urban Mixed Use District and is located west of the Kona Grill outparcel and east of the other remaining vacant outparcel.

As of the preparation date of this agenda, staff has not received revised architectural elevations addressing all staff comments, as requested. The applicant has revised the architectural renderings to reflect a style consistent with the surrounding outparcels, enhancing the elevations to include variation in height and depth and providing pedestrian scale elements. Building materials are currently proposed to include painted brick and stucco elements in tones of red, green, coral, orange, and blue. Staff has requested that the applicant revise these materials to be color-integrated instead of painted, and that the colors be adjusted for compatibility with the architecture of surrounding buildings. The applicant is working with the architect to select alternative materials and colors. The applicant has addressed planning staff comments related to the site layout.

The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to annotations on the plans and the standard conditions for developments of this type, the following conditions are recommended:

29. The proffers approved as a part of zoning case C-12C-06 shall be incorporated in this approval.

30. 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.
31. 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.
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.
33. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

(Staff Report by Mike Kennedy)
(Applicant's Representative: Joseph Vilseck, III)
(Applicable Rezoning Cases and PUPs: C-12C-06)

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2012-00226
 Popeye's at Fountain Square
 Shopping Center – 8044 W.
 Broad Street (U.S. Route
 250)
 (POD-89-77, 36-79, and 107-
 97 Rev.)

APPROVED
SEE ADDENDUM PG. 3

AES Consulting Engineers for Shahid Ali: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to convert a one-story, 3,108 square foot existing bank building in an existing shopping center into a restaurant building with drive-through facilities. The 0.59-acre site is located on the north line of W. Broad Street (U.S. Route 250), approximately 750 feet east of the intersection of Carousel Lane and W. Broad Street, on parcel 763-753-4123. The zoning is B-3, Business District. County water and sewer. **(Brookland)**

The proposal is for the renovation of an existing bank building to a 3,108 square foot one story restaurant with a drive-through. The pad site is located within an existing shopping center, and access is maintained internally, with no direct connections to West Broad Street. The existing drive-through facilities will be relocated from the front of the building facing W. Broad Street to the eastern side of the building.

The site lighting plan features four concealed source, 400-watt lighting fixtures mounted on three 30-foot poles that are consistent with existing shopping center lights and conform to County standards.

The building's exterior renovations consist of a new wraparound stone foundation and existing painted brick panels and EIFS, which will be repainted a golden color. Visually, the height will be increased with parapets, but no additional stories are proposed.

Staff recommends approval subjects 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. A concrete sidewalk meeting VDOT standards shall be provided along the north side of W. Broad Street.
- 30. Outside storage shall not be permitted.
- 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.
- 33. Only retail business establishments permitted in a B-3 district may be located in this center.
- 34. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
- 35. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

(Staff Report by Lee Pambid)
(Applicant's Representative: Bill Johns)

SUBDIVISION

SUB2012-00093
 Smith Grove at Bacova (July 2012 Plan)

Youngblood, Tyler & Associates for Bacova, LLC and Bacova Texas, LLC: The 18.71-acre site proposed for a subdivision of 45 single-family homes is located on the east line of N. Gayton Road, approximately 375 feet south of its intersection with Kain Road, on parcel 735-767-9459 and part of parcel 736-768-5323. The zoning is R-5AC, General Residential District. County water and sewer. **(Three Chopt) 45 Lots**

APPROVED/EXPEDITED

The applicant proposes a 45-lot, zero-lot-line development at the intersection of proposed Liesfeld Farm Drive and N. Gayton Road. This development is part of the overall Bacova development plan, subject to the proffers of zoning case C-9C-11. Plans for 420 apartment units, road plans for the proposed spine road, Liesfeld Farm Drive, and 60 single-family residential lots were previously approved on May 28, 2012, by the Planning Commission.

Staff recommends approval subject to the annotations on the plans, the standard conditions for zero lot line subdivisions, 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. Each lot shall contain at least 5,625, exclusive of the floodplain areas.
- 15. 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.

16. The details for the landscaping to be provided within the 25-foot wide proffered buffer along Liesfeld Farm Drive and N. Gayton Road shall be submitted to the Department of Planning for Planning Commission review and approval prior to recordation of the plat.
17. A County sidewalk shall be constructed along the north side of Liesfeld Farm Drive and the east side of N. Gayton Road.
18. The proffers approved as part of zoning case C-9C-11 shall be incorporated in this approval.
19. 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 Aimee B. Crady)
(Applicant's Representative: Andrew Browning)
(Applicable Rezoning Cases and PUPs: C-9C-11)

SUBDIVISION AND EXCEPTION

SUB-13-11
SUB2011-00113
Battery Hill Gardens
(December 2011 Plan) –
1448 - 1454 Battery Hill
Drive
DEFERRED TO 9/26

Werner Engineering for Mitchell Rand: The 5.8-acre site proposed for a subdivision of 3 single-family homes is located on the west line of Battery Hill Drive, approximately 2,700 feet from its intersection with Osborne Turnpike, on parcels 804-676-0498, 1485, and 2063. The exception would allow 2 stem lots. The zoning is R-2A, One-Family Residential District. Individual well and septic. **(Varina) 3 Lots**

This request is for a resubdivision of 3 acreage lots along the James River. With the proposed layout, the applicant requests an exception to Sections 24-9, 24-95 (d)(1) of the Zoning Ordinance and 19-4(c) of the Subdivision Ordinance to create 2 stem lots. Lot 1 does not have the minimum road frontage, and Lot 3 does not meet the lot width at the minimum front yard setback.

Lot 1 is a lot of record as of 1975, and is non-conforming with regard to lot width but does not have 50 feet of public road frontage. Additionally, it does not have 1 acre outside of the Special Flood Hazard Area without adjusting the lot line with lot 2. The parcel is unbuildable without an exception.

The applicant has designed Lot 2 to make it a legal lot per today's code.

Due to the sale of .341 acre of land for part of the Bluffs at Battery Hill subdivision in 2007, Lot 3 is a lot of record as of 2007. It contains over 1 acre of land and meets the public road frontage requirement. However, the minimum lot width requirement of 150 feet at the 45-foot front yard setback is not met. The developer for Bluffs at Battery Hill is the applicant for this request. Staff has requested a revised plan that is to scale so staff can complete its review. 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 not served by public utilities, the following additional conditions are recommended:

12. 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."
13. Each lot shall contain at least 43,560, exclusive of the floodplain areas.
14. Any necessary offsite drainage easements must be obtained prior to final approval of the construction plan by the Department of Public Works.
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. Any future building lot containing a BMP, sediment basin or trap and located within the buildable area for a principal structure or accessory structure, may be developed with engineered fill. All material shall be deposited and compacted in accordance with the Virginia Uniform Statewide Building Code and geotechnical guidelines established by a professional engineer. A detailed engineering report shall be submitted for the review and approval by the Building Official prior to the issuance of a building permit on the affected lot. A copy of the report and recommendations shall be furnished to the Directors of Planning and Public Works.

**(Staff Report by Christina Goggin)
(Applicant's Representative: Adam Werner)**

RESOLUTION: SIA-001-12 - Dumbarton Library Relocation - Substantially in Accord with the County of Henrico Comprehensive Plan (Brookland District) Staff- Justin Doyle/APPROVED

APPROVAL OF 2013 PLANNING COMMISSION CALENDAR/TO BE DETERMINED AT 8/9/12 PC MEETING

APPROVAL OF MINUTES: June 27, 2012 Minutes/APPROVED

DISCUSSION ITEM: 2012 Statutory Update/WORK SESSION SCHEDULED FOR 9/13/12

ADJOURN @ 10:40 A.M.

**PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT
July 25, 2012**

ADDENDUM

**PAGE 7 - REVISED PLAN, REVISED ARCHITECTURALS, REVISED CAPTION,
REVISED RECOMMENDATION, DELETED CONDITION, AND ADDED
CONDITIONS**

PLAN OF DEVELOPMENT ~~AND LIGHTING PLAN~~

POD2012-00224

West End Islamic Center –
Shady Grove Road – 5000
Shady Grove Road

APPROVED

Balzer and Associates, Inc. for West End Islamic Center, Inc. and Islamic Community Development, Inc.: 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 with basement, 35,141 square-foot place of worship with a daycare and a Sunday school. The site is located along the north line of Shady Grove Road, immediately west of its intersection with Twin Hickory Road, on a 3.66-acre parcel, 741-770-9318, and a 1.11-acre parcel, 742-770-1121. The zoning is A-1, Agricultural District. County water and sewer. **(Three Chopt)**

The staff has received revised site plans and architectural plans for this development that address staff's concerns. The revised site plans provide a second point of access to the site off of Shady Grove Road from the east and a turn lane into the site at the original proposed entrance from Shady Grove Road. This entrance has also been shifted eastward. These changes resulted in some parking spaces being lost, but additional parking can be provided along the northern access drive if the need dictates. The provision of adequate fire access around the building has also been addressed.

The lighting plan has been removed from consideration at this time so the applicant can address issues related to the wall mounted fixtures to be used and the height of the pole mounted fixtures for parking lot lighting.

Revised architectural plans have provided information on the use of the second floor and basement. These revised plans show the intent of the applicant at full build out, although the applicant has indicated that only the first floor will be used initially. Confirmation of total floor area devoted to worship has been provided to ensure parking requirements will be met.

The applicant is showing the use of the existing single family dwelling as a place of worship while the permanent facility is constructed. Phasing of the development will include paved parking and other improvements to accommodate the use of the existing structure prior to completion of the new facility.

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

- ~~11B. **DELETED** - 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 height details shall be revised as annotated on the staff plan and included with the construction plans for final signature.~~
35. **ADDED** - Evidence of a cross access and maintenance agreement for the access drive across parcel 742-770-1121 shall be submitted to the Department of Planning and approved prior to the issuance of a certificate of occupancy for the new building.
36. **ADDED** - The use of the existing structure as a place of worship shall meet all requirements as outlined in the letter from the Director of Planning and the Building Official to Islamic WAQF of Virginia, Inc., and dated December 8, 2011.

PAGE 9 - ADDED CONDITION

PLAN OF DEVELOPMENT

POD2012-00227

Martin's Fuel Center at John Rolfe Commons Shopping Center – 2108 John Rolfe Parkway

APPROVED

Bowman Consulting Group, Ltd. for The Wilton Companies, LLC and Giant Food Stores, 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 fuel facility with 5 pump islands and a 128-square-foot kiosk in an existing shopping center. The 1.2-acre site is located on the north line of Ridgefield Parkway, approximately 800 feet west of John Rolfe Parkway, on parcel 736-751-0405. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Tuckahoe)**

35. **ADDED** – The fuel pricing signs shall be for fuel price display only, and shall not include any changeable messages, scrolling or flashing.

PAGE 10 - REVISED PLAN AND REVISED ARCHITECTURALS

PLAN OF DEVELOPMENT

POD2012-00225
Chuy's Mexican Food
Restaurant at West Broad
Village – 11229 W. Broad
Street (U.S. Route 250)
**SITE PLANS APPROVED/
ARCHITECTURALS
DEFERRED TO 9/26 BY
PC**

Timmons Group for West Broad Village V, LLC and Parkway Construction and Associates: 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, 7,891 square foot restaurant with 1,137 square feet of outdoor dining. The 0.29-acre site is located on the south line of W Broad Street (U.S. Route 250), approximately 200 feet west of Brookriver Drive, on parcel 743-761-1500. The zoning is UMUC, Urban Mixed Use (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

PAGE 12 - REVISED PLAN

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2012-00226
Popeye's at Fountain Square
Shopping Center – 8044 W.
Broad Street (U.S. Route
250)
(POD-89-77, 36-79, and 107-
97 Rev.)

APPROVED

AES Consulting Engineers for Shahid Ali: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to convert a one-story, 3,108 square foot existing bank building in an existing shopping center into a restaurant building with drive-through facilities. The 0.59-acre site is located on the north line of W. Broad Street (U.S. Route 250), approximately 750 feet east of the intersection of Carousel Lane and W. Broad Street, on parcel 763-753-4123. The zoning is B-3, Business District. County water and sewer. **(Brookland)**

PAGE 16 – REVISED PLAN

SUBDIVISION AND EXCEPTION

SUB-13-11
SUB2011-00113
Battery Hill Gardens
(December 2011 Plan) –
1448 - 1454 Battery Hill
Drive
DEFERRED TO 9/26

Werner Engineering for Mitchell Rand: The 5.8-acre site proposed for a subdivision of 3 single-family homes is located on the west line of Battery Hill Drive, approximately 2,700 feet from its intersection with Osborne Turnpike, on parcels 804-676-0498, 1485, and 2063. The exception would allow 2 stem lots. The zoning is R-2A, One-Family Residential District. Individual well and septic. **(Varina) 3 Lots**

Staff has received a revised plan that is to scale, as requested, and staff has completed its review. Should the Commission act on this request, in addition to the annotations on the plans and the standard conditions for subdivisions not served by public utilities, the additional conditions listed on the agenda are recommended.