

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT

September 26, 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, C.P.C. (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: PRESENT

ROLL CALL: ALL PRESENT

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-089-84
POD2012-00055
Broadmoor Apartments –
9475 W. Broad Street (U.S.
Route 250)

APPROVED/EXPEDITED

Ron Howard for Broadmoor Investments, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Intrepid Residential, LLC to Broadmoor Investments, LLC. The 18.31-acre site is located along the south line of W. Broad Street (U.S. Route 250) approximately 800 feet east of Pemberton Road (State Route 157), on parcel 755-756-4194. The zoning is R-6C, General Residence District (Conditional). County water and sewer.
(Three Chopt)

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. All site deficiencies, as identified in the inspection report, dated March 2, 2012, have been corrected. The corrected deficiencies included repairing the parking lot and restriping parking spaces and stop bars, as well as replacing faded stop signs and fire lane signs. Additionally, all missing landscaping was replaced. The staff recommends approval of this transfer request.

(Staff Report by Matt Ward)
(Applicant's Representative: Ron Howard)
(Applicable Rezoning Cases and PUPs: C-23C-84)

TRANSFER OF APPROVAL

POD-89-89
POD2012-00236
Shell Convenience Mart
(Formerly Texaco Food
Mart) – 1113 E. Nine Mile
Road (State Route 33)

APPROVED/EXPEDITED

Bhoopendra Prakash, P.E. for SMO, Inc.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Star Enterprises and Motiva Enterprises, LLC to SMO, Inc. The 0.81-acre site is located at the northwest corner of the intersection of E. Nine Mile Road (State Route 33) and S. Airport Drive (State Route 156), on parcel 824-721-9639. The zoning is B-3, Business District and ASO, Airport Safety Overlay District. County water and sewer.
(Varina)

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

1. The site deficiencies, as identified in the inspection report, dated July 11, 2012, shall be corrected by October 1, 2012.

The site deficiencies include repairing parking lot and curb and gutter, restriping parking spaces and 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: Bhoopendra Prakash)

TRANSFER OF APPROVAL

POD-10-97
POD2012-00237
Shell Food Mart (Formerly
Texaco Eagle Markets) –
6001 Staples Mill Road (U.S.
Route 33)

Bhoopendra Prakash, P.E. for SMO, Inc.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Motiva Enterprises and SMO Virginia, LLC to SMO, Inc. The 1.59-acre site is located on the northeast corner of the intersection of Aspen Avenue and Staples Mill Road (U.S. Route 33), on parcel 774-746-2037. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Brookland)**

APPROVED/EXPEDITED

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. All site deficiencies, as identified in the inspection report, dated July 11, 2012, have been corrected. The corrected deficiencies included repairing the parking lot and restriping parking spaces and stop bars, as well as replacing missing landscaping. The staff recommends approval of this transfer request.

(Staff Report by Matt Ward)

(Applicant's Representative: Bhoopendra Prakash)

(Applicable Rezoning Cases and PUPs: C-17C-81; C-81C-96)

TRANSFER OF APPROVAL

POD-65-86 and 09-89
POD2012-00238; POD2012-
00240
Shell Convenience Mart
(Formerly Texaco
Convenience Store) – 8600
Patterson Avenue (State
Route 6)

Bhoopendra Prakash, P.E. for SMO, Inc.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Texaco Incorporated, Star Enterprises, and Motiva Enterprises to SMO, Inc. The 0.66-acre site is located at the northwest corner of the intersection of Patterson Avenue (State Route 6) and N. Parham Road, on parcel 753-741-3255 and part of parcel 753-741-2963. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Tuckahoe)**

APPROVED/EXPEDITED

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. All site deficiencies related to the parking lot have been corrected. The staff recommends approval of this transfer request with the following condition:

1. The site deficiencies, as identified in the inspection report, dated July 11, 2012, shall be corrected by October 1, 2012.

The remaining site deficiencies include replacing a dumpster enclosure and missing landscaping. The applicant has provided staff evidence of signed contracts to address the deficiencies.

(Staff Report by Matt Ward)

(Applicant's Representative: Bhoopendra Prakash)

(Applicable Rezoning Cases and PUPs: C-107C-88)

TRANSFER OF APPROVAL

POD-151-88
POD2012-00242
Shell Food Mart (Formerly
Texaco) – 8920 W. Broad
Street (U.S. Route 250)

APPROVED/EXPEDITED

Bhoopendra Prakash, P.E. for SMO, Inc.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Texaco Refining and Marketing, Inc., Star Enterprises, and Motiva Enterprises, LLC to SMO, Inc. The 0.7-acre site is located at the northeast corner of the intersection of W. Broad Street (U.S. Route 250) and West End Drive, on parcel 759-756-1330. 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 the original approval. All site deficiencies related to the parking lot have been corrected. The staff recommends approval of this transfer request with the following condition:

1. The site deficiencies, as identified in the inspection report, dated July 11, 2012, shall be corrected by October 1, 2012.

The remaining deficiencies include replacing damaged lenses on a light pole and the building and replacing missing landscaping. The applicant has provided staff evidence of signed contracts to address the deficiencies.

(Staff Report by Matt Ward)
(Applicant's Representative: Bhoopendra Prakash)

TRANSFER OF APPROVAL

POD-31-99 (Part)
POD2012-00122
Ackley Park – 2801 Ackley
Avenue

APPROVED/EXPEDITED

Susan Durlak for BTTB, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Ackley Park, LLC to BTTB, LLC. The 1.41-acre site is located on the east line of Ackley Road, at its intersection with Peyton Street, on parcel 772-757-6000. The zoning is M-1, Light Industrial 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 site deficiencies, as identified in the inspection report, dated April 30, 2012, have been corrected. The deficiencies included resealing and striping the parking lot and replacing missing landscaping. The staff recommends approval of this transfer request.

(Staff Report by Christina Goggin)
(Applicant's Representative: Susan Durlak)

TRANSFER OF APPROVAL

POD-51-78 (Part) and 102-78
POD2012-00211; POD2012-00374
Tuckahoe Creek Apartments (Formerly Honey Tree Apartments) – 1500 Honey Grove Drive

APPROVED/EXPEDITED

BH Management Services, LLC for Honey Tree Richmond, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from LR – JV Honey Tree, LLC to Honey Tree Richmond, LLC. The 28.37-acre site is located at the northeastern corner of the intersection of Three Chopt Road and Forest Avenue, on parcel 760-744-1845. The zoning is C-1, Conservation District, R-5, General Residential District, and R-6, General Residential District. 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. Any landscaping that has not re-grown due to pruning by the end of Spring 2013 shall be replaced.

The applicant has invested nearly \$2 million to upgrade the entire apartment community. Improvements include re-paving and striping the entire complex, replacing vinyl siding with hardiplank, and providing enhanced amenities such as enlarging 2 tot lots and upgrading the community's pool and pool house.

(Staff Report by Christina Goggin)
(Applicant's Representative: Ali Germanis)

TRANSFER OF APPROVAL

POD-67-82
POD2012-00277
7-Eleven at Pump and Patterson (Formerly Friendly's Restaurant) – 10604 Patterson Avenue

APPROVED/EXPEDITED

David Redmond for SDC I Patterson, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from E. Carlton Wilton and Friendly Ice Cream Corporation to SDC I Patterson, LLC. The 0.79-acre site is located at the southwest corner of the intersection of Patterson Avenue and Pump Road, on parcel 741-742-4601. The zoning is B-1, Business District. County water and sewer. **(Tuckahoe)**

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 site deficiencies, as identified in the inspection report, dated August 3, 2012, shall be corrected prior to issuance of a certificate of occupancy.

The site deficiencies include missing landscaping and repainting stop bars.

(Staff Report by Christina Goggin)
(Applicant's Representative: David Redmond)
(Applicable Rezoning Cases and PUPs: C-65C-81)

PLAN OF DEVELOPMENT AND MASTER PLAN (Deferred from the July 25, 2012 Meeting)

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

APPROVED
SEE ADDENDUM PG. 1

Bowman Consulting for Reynolds Holdings, LLC and Wal-Mart Real Estate Business Trust: 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 Wal-Mart retail building 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.

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.

The proposal was deferred from the July 25, 2012 Planning Commission meeting by the applicant to address several outstanding issues, including revisions to the conceptual master plan, revisions to the architectural elevations, provision of accurate building square footages, resolution of conflicts between the architectural and the civil plans, elimination of chain link fencing in the garden center area, provision of screen wall details, provision of decorative paving in front of the store and in the crosswalks, provision of pedestrian amenities, and provision of pedestrian connectivity. Revised plans, which address all outstanding issues raised by staff, have been submitted and are included in this agenda.

The revised conceptual master plan submitted with the POD includes general revisions to the building pad locations and site layout. The proffers permit approval of variations to the conceptual master plan with the Plan of Development as follows:

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.

A proposed deviation from the conceptual master plan to add a third point of access directly to the loading areas across from the narrowest portion of the property adjacent to residential properties has been eliminated, and a continuous buffer is now provided. Access for loading will enter the site at the entrance to the shopping center, in the location originally proposed with the conceptual master plan. Additionally, in lieu of providing additional smaller retail uses along Forest Avenue, the revised conceptual plan provides an expanded landscape buffer, which varies

in width from approximately 30 feet to 80 feet, and will include a berm and heavy landscaping. This landscape buffer, which exceeds the minimum 20-foot width required by the proffer, will provide a greater level of buffering and screening of the proposed retail use from the adjacent residential properties.

To address architectural issues, revised elevations were submitted that now provide architectural details similar to the Shops at Westgate. Per staff's recommendation, the applicant has provided additional details such as windows on the upper levels of the building, a stone veneer to areas of the building façade, and color variations in the brick to break up large expanse of blank walls. A masonry screen wall matching the architectural details of the building has been provided around the loading areas, and masonry screen walls have been provided around areas proposed for recycled materials. The chain link fence at the garden center has been replaced with a faux wrought iron fence. Additionally, the limits of the shopping center have been clearly defined, and the square footage of all building areas under roof has been shown to not exceed 90,000 square feet, to confirm compliance with Proffer #20.

To address pedestrian connectivity, a sidewalk has been provided at the main vehicular entrance off Forest Avenue to accommodate pedestrian access into the site. The sidewalk originally requested along Forest Avenue between this site and W. Broad Street will not be provided at this time, as the property in this area is not part of the original zoning case. Decorative paving has been provided along the front of the store, and pedestrian amenities such as benches, raised planters, and seating areas have been provided.

All outstanding issues raised by staff have been addressed. Should the Commission approve the revised conceptual master plan, staff recommends approval of the plan, 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. The proffers approved as a part of zoning cases C-22C-04 and C-13C-07 shall be incorporated in this approval.
30. All subsequent detailed plans of development needed to implement other portions of the conceptual master 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.
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, 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 from public view at ground level by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

33. The ground area covered by all the buildings within the shopping center shall not exceed in the aggregate 25 percent of the total site area.
34. The ground area covered by a roof shall not exceed 90,000 square-feet for a single retail user.
35. No merchandise shall be displayed outside of the building(s), on sidewalk(s), or outside of the garden center. Merchandise for sale and display is permitted within the garden center.
36. Outdoor storage shall not be permitted. Facilities shown on the plans for storage of refuse (including materials to be recycled) shall not be considered outside storage.
37. There shall be no outdoor storage in moveable storage containers including, but not limited to, cargo containers and portable on demand storage containers.
38. The sale of firearms shall be prohibited.
39. Overnight parking of recreational vehicles (RVs), trailers, and camping vehicles shall be prohibited.
40. Building-mounted signage shall not be permitted on the southern building façade facing Charles Glen except of the nature and at the general location shown on the architectural elevations submitted with this case. Any building-mounted signage on this façade shall not be illuminated.
41. 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 90 days of obtaining a certificate of occupancy. The County will be permitted to perform communications testing in the building at anytime.
42. Electronic containment shall be provided to prevent shopping carts from leaving the site.

(Staff Report by Greg Garrison)

(Applicant's Representative: Jonathan Jackson)

(Applicable Rezoning Cases and PUPs: C-22C-04; C-13C-07)

SUBDIVISION

SUB2012-00111

Stonewall Glen (September 2012 Plan) – 900 Francis Road

APPROVED/EXPEDITED

E. D. Lewis and Associates, P.C. for Sauer Properties, Inc.:
The 0.336-acre site proposed for a subdivision of 1 single-family home is located at the northwest corner of Battlefield and Francis Roads, on part of parcel 784-766-6082. The zoning is R-2AC, One-Family Residential District (Conditional). County water and sewer. **(Fairfield) 1 Lot**

The applicant is requesting approval for a subdivision of 1 single-family home on a lot formerly shown as reserved with Stonewall Glen (January 2012 Plan). Per rezoning case C-16C-11, the 0.34-acre property was to be used as a neighborhood park subject to the agreement of the Stonewall Glen Homeowners Association. Citing maintenance and operation issues, the homeowners association did not accept conveyance of the property as a park. Therefore, the 0.34-acre property remains in possession of the original grantor.

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 condition:

13. The proffers approved as part of zoning case C-16C-11 shall be incorporated in this approval.

(Staff Report by Greg Garrison)

(Applicant's Representative: Byron Traynham)

(Applicable Rezoning Cases and PUPs: C-16C-11)

PLAN OF DEVELOPMENT

POD-18-11
POD2011-00212
Rocketts Landing Phase 3 –
Old Osborne Turnpike (State
Route 5)
(POD-51-07 Rev.)

APPROVED
SEE ADDENDUM PG. 2

Timmons Group for Central Virginia Investments/Rocketts Landing, LLC and WVS/Rocketts Landing Construction Management, 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 five-story, 55-foot-tall mixed use building on Block 17, consisting of 65 garage parking spaces, 23 surface parking spaces, and 10,852 square feet of commercial/office space on the first floor, 64 one-bedroom apartments and 92 two-bedroom apartments on the upper four floors, with a total building area of approximately 183,793 square feet; to construct a temporary surface parking area with approximately 109 parking spaces on Block 17; to construct a temporary surface parking area with approximately 132 parking spaces on Block 21; to construct building pad sites for future restaurants totaling 12,800 square feet in the riverfront development area; to extend Old Main Street approximately 775 feet south of its existing terminus, including 36 on-street parking spaces; to extend Old Delaware Street and Old Charles Street from Old Osborne Turnpike (State Route 5) to the riverfront development area, including 21 on-street parking and loading spaces; and to improve Old Osborne Turnpike where it abuts Land Bay 5 of the Village of Rocketts Landing. The 20.3-acre site is located on the west side of Old Osborne Turnpike (State Route 5), south of its intersection with Old Hudson Street, on parcels 797-711-6071 and 797-712-4180. The zoning is UMUC, Urban Mixed Use District. County water and sewer. (**Varina**)

A revised plan has been requested to address the following: a revised master plan schedule and calculations for Land Bays 4 and 5; a revised layout plan showing the dedication of additional right-of-way along Old Osborne Turnpike (State Route 5); and proffered road improvements as requested by the County Traffic Engineer. In addition, staff has requested schematic landscape and lighting plans showing compliance with UMU design standards, along with material samples and revised architectural plans, showing the proposed buildings comply with the proffered architectural guidelines. As of the preparation date of the agenda, the staff has not received a revised plan or revised architectural plans, as requested. 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 developments of this type, the following additional conditions are recommended:

1. **MODIFIED** - The owner shall enter into the necessary contracts with the City of Richmond Department of Public Utilities for connections to public water and sewer.
2. **MODIFIED** - The City of Richmond Department of Public Utilities shall approve the plan of development for construction of public water and sewer, prior to beginning any construction of these utilities. The City of Richmond Department of Public Utilities shall be notified at least 48 hours prior to the start of any water or sewer construction.

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.
24. **MODIFIED** - The developer shall provide fire hydrants as required by the City of Richmond Department of Public Utilities and the County of Henrico Division of Fire.
25. **MODIFIED** - Insurance Services Office (ISO) calculations shall be included on the final construction plans for approval by the City of Richmond Department of Public Utilities and the County of Henrico Division of Fire prior to issuance of a building permit.
29. The unit house numbers shall be visible from the parking areas and drives.
30. The names of streets, drives, courts and parking areas shall be approved by the Richmond Regional Planning District Commission and such names shall be included on the construction plans prior to their approval. The standard street name signs shall be installed prior to any occupancy permit approval.
31. The subdivision plat for Village of Rocketts Landing Blocks 17-21 shall be recorded before any building permits are issued.
32. The entrances and drainage facilities on Old Osborne Turnpike (State Route 5) shall be approved by the Virginia Department of Transportation and the County.
33. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.
34. Prior to issuance of a certificate of occupancy for any building in this development, the engineer of record shall certify that the site has been graded in accordance with the approved grading plans.
35. Evidence that an engineer has certified the height of the building in Block 18 shall be provided to the Director of Planning prior to the issuance of a Certificate of Occupancy.
36. The proffers approved as a part of zoning case C-55C-04 and the conditions of PUP cases P-14-04, P-04-05, and P-12-12 shall be incorporated in this approval.
37. 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.
38. A note in bold lettering shall be provided on the erosion control plan indicating that sediment basins or traps located within buildable areas or building pads shall be reclaimed with engineered fill. All materials shall be deposited and compacted in accordance with the applicable sections of the state building code and geotechnical guidelines established by the engineer. An engineer's report certifying the suitability of the fill materials and its compaction shall be submitted for review and approval by the Director of Planning and Director of Public Works and the Building Official prior to the issuance of any building permit(s) on the affected sites.
39. Prior to issuance of a building permit, the developer must furnish a letter from C & O Railroad stating that this proposed development does not conflict with their facilities.
40. 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.
41. The pavement shall be of an SM-2A type and shall be constructed in accordance with County standard and specifications. The developer shall post a defect bond for all pavement with the Department of Planning - the exact type, amount and implementation shall be determined by the Director of Planning, to protect the interest of the members of

- the Homeowners Association. The defect bond shall remain in effect for a period of three years from the date of the issuance of the final occupancy permit. Prior to the issuance of the last Certificate of Occupancy, a professional engineer must certify that the roads have been designed and constructed in accordance with County standards.
42. All railroad crossings shall have rubber type decking.
 43. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Virginia Department of Transportation maintained right-of-way. The elevations will be set by the contractor and approved by the Virginia Department of Transportation.
 44. The conceptual master plan, as submitted with this application, is for planning and information purposes only. 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.
 45. 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.
 46. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
 47. The proposed development shall be served by privately maintained streets, other than Old Osborne Turnpike (State Route 5), unless otherwise approved by the Director of Public Works.
 48. The proposed utilities connected to the City of Richmond system shall be accepted by the City for maintenance prior to the issuance of any Certificates of Occupancy. The Developer shall coordinate plan review with the City of Richmond and provide evidence to the Directors of Planning and Public Utilities that the City's requirements are satisfied.
 49. The applicant shall dedicate all right-of-way and easements determined necessary by the Director of Public Works and VDOT, for the widening and improving of Old Osborne Turnpike (State Route 5), in accordance with the proffers and the traffic impact study, prior to the approval of final construction plans for any adjoining portion of the property adjacent to State Route 5.
 50. Drainage easements for Old Osborne Turnpike (State Route 5) shall be dedicated to VDOT and not to the County of Henrico.
 51. A construction plan for the widening of Old Osborne Turnpike (State Route 5) abutting Land Bay 5 in accordance with the proffers and the developer's traffic study, shall be submitted for review and approval by the Department of Public Works and VDOT prior to the approval of final construction plans for Block 18, unless otherwise approved by the Director of Public Works. The Developer shall coordinate plan review with VDOT and provide evidence VDOT requirements are satisfied.
 52. A streetscape plan for the west side of Old Osborne Turnpike (State Route 5) abutting Land Bays 4 and 5 shall be submitted for review and approval by the Department of Planning and VDOT prior to the approval of building permit plans for Block 18, unless otherwise approved by the Director of Planning. The Developer shall coordinate plan review with VDOT and provide evidence VDOT requirements are satisfied.
 53. Standard County street extension signs shall be posted at the improved end of any street shown to be extended on the Village of Rocketts Landing UMU Master Plan.
 54. A performance bond for all required improvements to Old Osborne Turnpike (State Route 5) abutting Land Bays 4 and 5 including any required signalization shall be posted prior to the issuance of any building permits for Block 18, unless an exception is

- approved by the Director of Public Works. The Director of Public Works may defer all or part of the required improvements to Old Osborne Turnpike (State Route 5).
55. A performance bond for all required streetscape improvements to Old Osborne Turnpike (State Route 5) abutting Land Bays 4 and 5 along the west side of Old Osborne Turnpike (State Route 5) shall be posted prior to the issuance of any Certificate of Occupancy for Block 18, unless an exception is approved by the Director of Planning. The Director of Planning may defer all or part of the required streetscape improvements to Old Osborne Turnpike (State Route 5).
 56. A phased landscape, lighting, and streetscape plan for the surface parking areas shall be submitted for review and approval by the Department of Planning, and shall comply with UMU design standards unless otherwise approved by the Director of Planning. A performance bond for all permanent landscaping, lighting, and streetscape improvements, in accordance with UMU design standards for surface parking areas, shall be posted prior to the issuance of any Certificate of Occupancy for any use requiring the subject parking, unless an exception is approved by the Director of Planning. The Director of Planning may defer all or part of the required landscape, lighting, or streetscape improvements for the temporary parking areas.
 57. A dedication plat for additional right-of-way along Old Osborne Turnpike (State Route 5) in Land Bays 4 and 5, as determined necessary by the Director of Public Works and VDOT, shall be recorded prior to the approval of any building permit for Block 18.
 58. A traffic control plan shall be approved by the County Traffic Engineer, prior to the final approval of construction plans, for any restricted structured parking.
 59. A CPTED plan shall be submitted to the Division of Police for review, prior to the approval of construction plans for the building in Block 18, which shall provide for emergency access pursuant to a “Knox Box” or some other method approved by the Fire Marshall.
 60. The openings for ventilation of the parking deck of the first floor of the building in Block 18 shall be covered with a decorative grate of such design as approved by the Director of Planning.
 61. A construction plan for the Capital Trail within Land Bays 4 and 5, including streetscape improvements, shall be submitted for review and approval by the Department of Public Works, the Department of Planning, and VDOT prior to the approval of final construction plans for any construction in the riverfront development area other than expansion of the marina. The Developer shall coordinate plan review with VDOT and provide evidence VDOT requirements are satisfied. The developer shall provide temporary access easements to connect the developed portions of the Capital Trail to portions of the trail developed along Old Osborne Turnpike (State Route 5).
 62. A performance bond for all required improvements to the Capital Trail, including streetscape improvements abutting Land Bays 4 and 5, shall be posted prior to the issuance of any building permits for any building in the riverfront development area. All improvements to the Capital Trail including streetscape improvements abutting Land Bays 4 and 5 shall be completed prior to the issuance of any Certificates of Occupancy for any building in the riverfront development area, unless an exception is approved by the Directors of Public Works and Planning.
 63. A plat for the dedication of a public access easement for the Capital Trail within Land Bays 4 and 5 shall be recorded prior to the approval of any Certificates of Occupancy in the riverfront development area.
 64. An updated UMU Master Plan for Phases 4B and 5 shall be submitted to the Planning Department for review and approval prior to approval of the final construction plan. The UMU Master Plan must identify buildings; commercial area in square feet per building; residential unit type (condo, RTH, apartment); the number of residential units and

residential area in square feet per building; open space; parking required and provided for residential and commercial uses by building; and area and density calculations for multi-family and townhouse units. The UMU Master Plan shall show satisfaction of UMU open space and commercial development ratio requirements.

65. Architectural plans for the proposed restaurants in the riverfront development area shall be submitted for Planning Commission review and approval.

(Staff Report by Mike Kennedy)

(Applicant's Representative: Stuart Toraason)

(Applicable Rezoning Cases and PUPs: C-55C-04; P-14-04; P-04-05; P-12-12)

PLAN OF DEVELOPMENT – ARCHITECTURALS ONLY (Deferred from the July 25, 2012 Meeting)

POD2012-00297
Chuy's Mexican Food
Restaurant at West Broad
Village – 11229 W. Broad
Street (U.S. Route 250)

APPROVED
SEE ADDENDUM PG 2

Timmons Group for West Broad Village V, LLC and Parkway Construction and Associates: Request for approval of architectural plans for 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)

Staff has received revised architectural plans and materials samples as previously requested. As of the preparation date of the agenda, the staff has not had an opportunity to complete its review of the revised plan. The staff recommendation will be made at the meeting.

(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

POD2012-00280
Staples Mill Marketplace
Shopping Center – Staples
Mill Road (U.S. Route 33)

APPROVED
SEE ADDENDUM PG. 3
ARCHITECTURALS
DEFERRED TO 10/24/12

Rummel, Klepper & Kahl, LLP for Staples Mill Marketplace, LLC and Marchetti Properties: 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 shopping center to include a one-story 123,000 square foot grocery store, a one-story 25,500 square foot retail building, a fuel facility with 9 pump islands, and four future outparcels. The 28.33-acre site is located on the southwest line of Staples Mill Road (U.S. Route 33) between the east line of Hungary Spring Road and the north line of Lucas Road, on parcel 767-757-8360 and part of parcel 767-756-9991. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Brookland)**

A community shopping center is proposed, comprised of a Kroger grocery store with fueling facilities, a retail strip center, and four outparcels for future development.

Revised architectural plans have been requested to address several outstanding issues, including provision of floor plans and dimensioned elevations to confirm compliance with proffered building heights. Additionally, staff has concern with some of the building materials.

The applicant is proposing painted CMU for the proposed grocery store's rear wall. Staff has requested the applicant upgrade their materials by using brick on the rear to match the brick that is proposed for the front and sides. The applicant has not yet commented on staff's request. Additionally, staff has also requested information on the material shown on the back side of the front parapet gables to determine if it is in compliance with proffered building materials.

The first set of fuel canopy elevations submitted provided a mansard roof as provided at the existing Kroger fueling center on Eastridge Road. The subsequent submittal removed the mansard roof. Staff has requested the applicant provide a mansard canopy roof as originally proposed.

Staff has requested verification that the roof top HVAC equipment will be screened from ground view by the parapets, as provided, for all proposed buildings on this plan.

As of the preparation date of the agenda, revised architectural plans have not been received. 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 Staples Mill Road (U.S. Route 33) as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

30. The entrances and drainage facilities on Staples Mill Road (U.S. Route 33) shall be approved by the Virginia Department of Transportation and the County.
31. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.
32. A concrete sidewalk meeting County standards shall be provided along the east line of Hungary Spring Road, and a sidewalk meeting VDOT standards shall be provided along the west line of Staples Mill Road (U.S. Route 33) from Hungary Springs Road to the shopping center's entrance.
33. Outside storage shall not be permitted.
34. The proffers approved as a part of zoning case C-3C-09 shall be incorporated in this approval.
35. The developer shall install an adequate restaurant ventilating and exhaust system to minimize smoke, odors, and grease vapors. The plans and specifications shall be included with the building permit application for review and approval. If, in the opinion of the County, the type system provided is not effective, the Commission retains the rights to review and direct the type of system to be used.
36. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
37. 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.
38. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Virginia Department of Transportation maintained right-of-way. The elevations will be set by the contractor and approved by the Virginia Department of Transportation.
39. 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.
40. The conceptual master plan, as submitted with this application, is for planning and information purposes only.
41. 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.
42. Only retail business establishments permitted in a B-2 district may be located in this center.
43. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
44. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

(Staff Report by Christina Goggin)
(Applicant's Representative: Malachi Mills)
(Applicable Rezoning Cases and PUPs: C-3C-09)

SUBDIVISION

SUB2012-00115
Townes at Pouncey Place
(September 2012 Plan) –
Pouncey Tract Road

DEFERRED TO 10/24/12

Bay Companies, Inc. for Pouncey Tract Company of Virginia, LLC: The 12.41-acre site proposed for a subdivision of 70 residential townhouses for sale is located along the east line of Pouncey Tract Road, approximately 600 feet south of its intersection with Twin Hickory Lake Drive, on parcel 740-765-7333. The zoning is RTHC, Residential Townhouse District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt) 70 Lots**

This proposed 70-unit residential townhome subdivision for sale is in substantial conformance with the recent zoning case C-11C-12, which granted approval to rezone the property from A-1 to RTHC. Proffers of the zoning case limit the site density to a total of 70 units. Prior to issuance of the first certificate of occupancy, construction and dedication of Pouncey Place public road will be complete and all internal roadways and sidewalks will be constructed in accordance with the approved plans. At such time that a vehicular connection is provided by the adjacent commercial property, previously approved as Pouncey Place Shopping Center, a driveway connection between the two properties will be constructed.

By proffer, the landscape buffers shall at a minimum meet the Transitional Buffer 25 standard either through preservation of existing vegetation and/or supplemental planting. Existing trees of six-inch caliper or greater shall be preserved and maintained. The width of these buffers shall be as follows:

1. A minimum fifteen-foot wide buffer shall be provided along Twin Hickory Subdivision.
2. A minimum ten-foot wide buffer shall be provided along Twin Hickory Lake Drive.

A six-foot wood privacy fence and 25-foot Transitional Buffer are required along the southwest property line adjacent to the B-3 commercial site. In addition to buffer requirements, a centrally located courtyard will be provided by the developer to function as a passive recreational pocket park consisting of benches, brick pavers, and landscaping amenities.

The staff recommends conditional approval subject to the annotations on the plans, the standard conditions for residential townhome for sale (RTH) subdivisions, and the following additional conditions:

15. Any necessary offsite drainage easements must be obtained prior to final approval of the construction plan by the Department of Public Works.
16. The proffers approved as part of zoning case C-11C-12 shall be incorporated in this approval.
17. The developer shall provide signage, the wording and location as deemed appropriate by the Director of Public Works, which addresses the possible future connection to the adjacent commercial property.

(Staff Report by Matt Ward)
(Applicant's Representative: Daniel Caskie)
(Applicable Rezoning Cases and PUPs: C-11C-12)

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2012-00312
Townes at Pouncey Place –
Pouncey Tract Road

DEFERRED TO 10/24/12

Bay Companies, Inc. for Pouncey Tract Company of Virginia, LLC: 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 70 two-story residential townhouses for sale. The 12.41-acre site is located east of Pouncey Tract Road (State Route 271), approximately 600 feet south of its intersection with Twin Hickory Lake Drive, and along the south side of Twin Hickory Lake Drive, approximately 750 feet east of its intersection with Pouncey Tract Road, on part of parcel 740-765-7333. The zoning is RTHC, Residential Townhouse District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

The applicant proposes 70 residential townhouse units for sale with single-car garages. The development and site lighting is in substantial conformance with the recent zoning case C-11C-12, which granted approval to rezone the property from A-1 to RTHC.

Architectural plans are included in the agenda. Staff recommends the addition of shutters on the side elevation windows of Buildings B, C, I, M, and N to enhance the outwardly visible portions of the buildings, even though not required by the rezoning approval. The applicant has declined to include these enhancements with this plan of development. All visible portions of the front exterior building walls and the rear of buildings Q and P are required to be 100 percent brick elevations, which have been provided.

The staff recommends approval subject to the annotations on the plans, the standard conditions for developments of this type, and the following 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.
- 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 subdivision plats for Townes at Pouncey Place, Section 1 and Pouncey Place shall be recorded before any building permits are issued.
30. Prior to issuance of a certificate of occupancy for any building in this development, the engineer of record shall certify that the site has been graded in accordance with the approved grading plans.
31. The proffers approved as a part of zoning case C-11C-12 shall be incorporated in this approval.
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. A note in bold lettering shall be provided on the erosion control plan indicating that sediment basins or traps located within buildable areas or building pads shall be reclaimed with engineered fill. All materials shall be deposited and compacted in accordance with the applicable sections of the state building code and geotechnical guidelines established by the engineer. An engineer's report certifying the suitability of

- the fill materials and its compaction shall be submitted for review and approval by the Director of Planning and Director of Public Works and the Building Official prior to the issuance of any building permit(s) on the affected sites.
34. The pavement shall be of an SM-2A type and shall be constructed in accordance with County standard and specifications. The developer shall post a defect bond for all pavement with the Department of Planning - the exact type, amount and implementation shall be determined by the Director of Planning, to protect the interest of the members of the Homeowners Association. The defect bond shall remain in effect for a period of three years from the date of the issuance of the final occupancy permit. Prior to the issuance of the last Certificate of Occupancy, a professional engineer must certify that the roads have been designed and constructed in accordance with County standards.
 35. 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.
 36. 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.
 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. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
 39. The developer shall provide signage, the wording and location as deemed appropriate by the Director of Public works, which addresses the possible future extension of any stub street.
 40. The unit house numbers shall be visible from the parking areas and drives.
 41. The names of streets, drives, places, and courts shall be approved by the Richmond Regional Planning District Commission, and such names shall be included on the construction plans prior to their approval. The standard street name signs shall be installed prior to any occupancy permit approval.

(Staff Report by Matt Ward)
(Applicant's Representative: Daniel Caskie)
(Applicable Rezoning Cases and PUPs: C-11C-12)

PLAN OF DEVELOPMENT

POD2012-00254
Shady Grove YMCA
Natatorium Addition – 11255
Nuckols Road
(POD-26-03 Rev.)

Hulcher & Associate, Inc. for Young Men’s Christian Association of Greater 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 11,232 square foot addition to an existing recreational facility. The 22.55-acre site is located at the southeastern corner of the intersection of Twin Hickory Road and Nuckols Road, on parcel 746-771-2682. The zoning is A-1, Agricultural District. County water and sewer. **(Three Chopt)**

APPROVED/EXPEDITED

The applicant is proposing an 11,232-square foot addition natatorium addition for multipurpose pool, toddler splash area, and locker rooms. This addition is proposed in an area approved for future expansion with POD-26-03 while still leaving space for future additions. The addition will be constructed with materials and colors to match the existing facility. This addition will not require the submittal of a landscaping or lighting plan for the site. An updated master plan has been included with the plan for informational purposes. Implementation of future phases of the master plan will require Planning Commission approval as indicated in Condition #29.

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

29. The conceptual master plan, as submitted with this application, is for planning and information purposes only. Future phases involving buildings over 2,500 square feet may require approval by the Planning Commission as determined by the Director of Planning.
30. 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.
31. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
32. A parking study shall be provided with each future major phase of the construction plan, unless waived by the Director of Planning, to ensure adequate on-site parking is provided.
33. No parking is permitted in the minimum 40-foot street side yard along Twin Hickory Road or in the minimum 50-foot front yard along Nuckols Road.
34. Provide or maintain landscaping equal to 10-foot transitional buffer landscaping between BMP and adjoining properties at the time of landscape plan review for BMP.
35. A minimum 10-foot transitional buffer shall be maintained or provided between parking located within a side yard and a street or property line.
36. A minimum 10-foot transitional buffer shall be maintained or provided between the proposed natatorium center and the western property line.
37. A minimum 10-foot transitional buffer shall be maintained or provided between the future play field and both the southern and western property line.
38. Lighting fixtures on the future playing field shall not exceed a height of 25 feet.

(Staff Report by Christina Goggin)
(Applicant’s Representative: Charles Hankins)

PLAN OF DEVELOPMENT AND TRANSITIONAL BUFFER DEVIATION

POD2012-00314

O'Reilly Auto Parts – 1311 –
1317 E. Nine Mile Road
(State Route 33)

APPROVED

Willmark Engineering for OAP Nine Mile, LLC: Request for approval of a plan of development and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code, to construct a one-story 7,200 square foot retail building. The transitional buffer deviation relocates the transitional buffer between the R-3/B-3 zoning line to the areas adjacent to the western and southern property lines and reduces the width of the buffer. The 2.27-acre site is located on the west line of Nine Mile Road (State Route 33), approximately 300 feet south of its intersection with Airport Drive (State Route 156), on parcels 825-720-0896 and 2192. The zoning is B-3, Business District, R-3, One-Family Residential District and ASO, Airport Safety Overlay District. County water and sewer. (**Varina**)

The proposal is for new construction of an auto parts retail store without any service bays. The building is an 85-foot x 85-foot square structure with a floor plan that includes a main retail floor, storage areas for parts, two bathrooms, and a small office. The building will be constructed of red brick and tan EIFS, similar in color and materials to the Dollar General on an adjacent site to the west. At staff's request, the applicant provided additional architectural interest to the front and both side elevations, including brick at the same elevation on the sides as is proposed on the front, EIFS panels with added relief, brick pilasters to the frame the storefront, and recessed panels along any expanses of brick on the front or sides.

Lighting is included in this review. Three poles, 25 feet tall, with one 400 watt concealed-source fixture each are proposed. Nine building-mounted, 250 watt concealed-source fixtures are also proposed. The plan complies with the lighting policy.

A BMP to the rear of the building is proposed on this site, which straddles a zoning line between B-3 and R-3 zoning, thus requiring a Transitional Buffer 35. The applicant requests approval to relocate the buffer from this line to the areas adjacent to the western and southern property lines and reduce it in width to between 14 feet and 25 feet with a six-foot tall opaque wooden fence. Staff recommends the applicant consider provision of a brickcrete wall, similar to that provided on the adjacent property for continuity.

The applicant has indicated a desire to pursue removal of a portion of the brickcrete wall on the adjacent CVS site, but has not provided any evidence to the County that the adjacent property owner is agreeable. The site plan was revised to show the wall remaining at this point in time.

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

29. The entrances and drainage facilities on Nine Mile Road (State Route 33) shall be approved by the Virginia Department of Transportation and the County.
30. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.
31. Outside storage shall not be permitted.

32. The owners shall not begin clearing of the site until the following conditions have been met:
- (e) 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.
 - (f) 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.
 - (g) 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.
 - (h) 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.

(Staff Report by Lee Pambid)

(Applicant's Representative: Mark Williams)

SITE LIGHTING PLAN

POD2012-00328
Sears Auto Center – 4920 W.
Broad Street (U.S. Route
250)

APPROVED/EXPEDITED

Timmons Group for RHS, LLC: Request for approval of a site lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code. The 1.52-acre site is located on the north side of W. Broad Street (U.S. Route 250), approximately 75 feet west of Mordie Road, on parcels 774-737-0662 and 0976. The zoning is M-1, Light Industrial District. County water and sewer. **(Brookland)**

This plan is for approval of a lighting plan for a renovated auto repair facility and accessory parking. The plan proposes 400 watt concealed-source lights on 22-foot tall poles in the parking lot and 100 watt concealed-source lights on the building. The staff recommends approval subject to the annotations on the plans and the standard conditions for lighting plans.

(Staff Report by Christina Goggin)
(Applicant's Representative: Christopher Thompson)

SUBDIVISION AND EXCEPTION (Deferred from the July 25, 2012 Meeting)

SUB-13-11
SUB2011-00113
Battery Hill Gardens
(December 2011 Plan) –
1448 - 1454 Battery Hill
Drive
DEFERRED TO 10/24/12

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**

The applicant has requested a deferral to the October 24, 2012 meeting.

This conditional subdivision was deferred, per the applicant's request, by the Planning Commission at its July 25, 2012 meeting. 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 and has agreed to design a layout that adjusts the property line between the two subdivisions to make Lot 3 a legal lot.

As of the preparation date of the agenda, staff has not received a complete application for 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 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)

SUBDIVISION

SUB2012-00114
Clay Crest (September 2012
Plan) – 11911 Sunrise Road

APPROVED/EXPEDITED

Youngblood, Tyler and Associates for Janie J. Clay Trustee and CHD2, LLC: The 5.90-acre site proposed for a subdivision of 14 single-family homes is located at the southwest intersection of Old Pump Road and Thaddeus Drive, on parcels 738-755-8984 and 738-756-5709. The zoning is R-3C, One-Family Residential District (Conditional). County water and sewer. **(Three Chopt) 14 Lots**

This property was re-zoned for a single-family subdivision with zoning cases C-34C-02 and C-16C-12. The plan is in substantial accordance with the layouts provided at time of rezoning for both cases. Three of the proposed lots associated with C-34C-02 are north of Thaddeus Drive, and the remaining 11 lots are associated with the 2012 case.

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. Any necessary offsite drainage easements must be obtained prior to final approval of the construction plan by the Department of Public Works.
14. The proffers approved as part of zoning cases C-34C-02 and C-16C-12 shall be incorporated in this approval.
15. 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.
16. The applicant shall request vacation of any excess portion of Thaddeus Drive, as determined by the Director of Public Works, prior to recordation of the plat.

(Staff Report by Christina Goggin)

(Applicant's Representative: Andrew Browning)

(Applicable Rezoning Cases and PUPs: C-34C-02; C-16C-12)

APPROVAL OF MINUTES: July 25, 2012 Minutes/APPROVED AS CORRECTED

ADJOURN @ 11:21

**PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT
September 26, 2012**

ADDENDUM

PAGE 11 – REVISED PLAN

PLAN OF DEVELOPMENT AND MASTER PLAN (Deferred from the July 25, 2012 Meeting)

POD2012-00148

Walmart – Shoppes at
Reynolds Crossing – Forest
Avenue

APPROVED

Bowman Consulting for Reynolds Holdings, LLC and Wal-Mart Real Estate Business Trust: 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**)

A master plan with revised calculations showing cumulative totals for future allowable retail development, as annotated, is included in the addendum.

PAGE 15 – REVISED PLAN AND REVISED ARCHITECTURALS

PLAN OF DEVELOPMENT

POD-18-11
POD2011-00212
Rocketts Landing Phase 3 –
Old Osborne Turnpike (State
Route 5)
(POD-51-07 Rev.)

APPROVED

Timmons Group for Central Virginia Investments/Rocketts Landing, LLC and WVS/Rocketts Landing Construction Management, 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 five-story, 55-foot-tall mixed use building on Block 17, consisting of 65 garage parking spaces, 23 surface parking spaces, and 10,852 square feet of commercial/office space on the first floor, 64 one-bedroom apartments and 92 two-bedroom apartments on the upper four floors, with a total building area of approximately 183,793 square feet; to construct a temporary surface parking area with approximately 109 parking spaces on Block 17; to construct a temporary surface parking area with approximately 132 parking spaces on Block 21; to construct building pad sites for future restaurants totaling 12,800 square feet in the riverfront development area; to extend Old Main Street approximately 775 feet south of its existing terminus, including 36 on-street parking spaces; to extend Old Delaware Street and Old Charles Street from Old Osborne Turnpike (State Route 5) to the riverfront development area, including 21 on-street parking and loading spaces; and to improve Old Osborne Turnpike where it abuts Land Bay 5 of the Village of Rocketts Landing. The 20.3-acre site is located on the west side of Old Osborne Turnpike (State Route 5), south of its intersection with Old Hudson Street, on parcels 797-711-6071 and 797-712-4180. The zoning is UMUC, Urban Mixed Use District. County water and sewer. **(Varina)**

PAGE 20 – REVISED ARCHITECTURALS/ROOF COLOR

PLAN OF DEVELOPMENT – ARCHITECTURALS ONLY (Deferred from the July 25, 2012 Meeting)

POD2012-00297
Chuy’s Mexican Food
Restaurant at West Broad
Village – 11229 W. Broad
Street (U.S. Route 250)

APPROVED

Timmons Group for West Broad Village V, LLC and Parkway Construction and Associates: Request for approval of architectural plans for 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 21 – REVISED CONDITION

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2012-00280
Staples Mill Marketplace
Shopping Center – Staples
Mill Road (U.S. Route 33)

APPROVED
ARCHITECTURALS
DEFERRED TO 10/24/12

Rummel, Klepper & Kahl, LLP for Staples Mill Marketplace, LLC and Marchetti Properties: 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 shopping center to include a one-story 123,000 square foot grocery store, a one-story 25,500 square foot retail building, a fuel facility with 9 pump islands, and four future outparcels. The 28.33-acre site is located on the southwest line of Staples Mill Road (U.S. Route 33) between the east line of Hungary Spring Road and the north line of Lucas Road, on parcel 767-757-8360 and part of parcel 767-756-9991. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Brookland)**

44. **MODIFIED** - ~~No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).~~ Areas for outdoor display of merchandise for sale shall be clearly delineated on the POD construction plans prior to approval.