

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT

February 27, 2013

9:00 A.M.

ADDENDUM ATTACHED



PLANNING COMMISSION

Bonnie-Leigh Jones, C.P.C., Chairperson (Tuckahoe)
Eric S. Leabough, C.P.C., Vice-Chairperson (Varina)
C. W. Archer, C.P.C. (Fairfield)
Tommy Branin, Chairperson (Three Chopt)
Robert H. Witte, Jr. (Brookland)
Richard W. Glover, 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, PLA, 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, AICP, County Planner
Lee Pambid, C.P.C., County Planner
Aimee B. Crady, AICP, County Planner
Robert Peterman, GIS Technician
Eric Dykstra, Office Assistant/Recording Secretary

WELCOME:

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA: **None Present**

ROLL CALL:

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
SUB2011-00011 (SUB-10-10) Wilton View Reconsideration (July 2010 Plan)	22	17	1	Varina	7/1/2017

TRANSFER OF APPROVAL

POD-68-94 (Part)
POD2012-00203
Restaurant Depot at North
Park Shopping Center
(Formerly Kroger Grocery
Store) – 7951 Brook Road
(U.S. Route 1)

APPROVED/EXPEDITED

Brian Emmert for JMDH Real Estate of Richmond, LLC:
Request for transfer of approval as required by Chapter 24,
Section 24-106 of the Henrico County Code from North Park
Associates and Faison-Parham Road LTD Partnership to JMDH
Real Estate of Richmond, LLC. The 8.89-acre site is located
approximately 803 feet east of Brook Road (U.S. Route 1), and
approximately 975 feet south of E. Parham Road in an existing
shopping center, on parcel 785-755-6113. The zoning is B-3,
Business District, B-3C, Business District (Conditional), and [R-
6C], General Residence District (Conditional). County water and
sewer. **(Fairfield)**

The new owner accepts and agrees to be responsible for the continued compliance with the conditions of the original approval. Deficiencies identified by staff are being corrected with work associated with the administrative site approval for the renovation of the former Kroger building.

Previous deficiencies included missing landscaping, parking lot maintenance, and a damaged stop sign. Construction dumpsters and all construction materials shall be removed at time of completion of the renovation. All missing trees have been replanted with fresh mulch, and additional seeding and/or sodding of bare areas shall be implemented and the parking lot shall be repaved as part of the administrative plan of development. All outstanding deficiencies shall be addressed prior to the issuance of a final certificate of occupancy for the Restaurant Depot. The staff recommends approval of this transfer request subject to the following condition:

1. All site improvements shall be completed, and deficiencies listed in staff's inspection report dated June 4, 2012, shall be corrected prior to the issuance of a permanent certificate of occupancy for the Restaurant Depot.

(Staff Report by Aimee B. Crady)
(Applicant's Representative: Brian Emmert)
(Applicable Rezoning Cases and PUPs: C-19C-80)

TRANSFER OF APPROVAL

POD-77-96 (Part)
POD2012-00377
Virginia Center Marketplace
Phase II – 10150 Brook Road
(U.S. Route 1)

APPROVED/EXPEDITED

Thomas Richey for Cedar – Glen Allen UK, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Ukrops Supermarkets, Inc. to Cedar-Glen Allen UK, LLC. The 6.84-acre site is located in an existing shopping center on the west line of Brook Road (U.S. Route 1) and the south line of Magnolia Ridge Drive, on parcel 783-771-1507. The zoning is B-2C, Business District (Conditional) and B-3C, Business District (Conditional). County water and sewer. **(Fairfield)**

The new owner accepts and agrees to be responsible for the continued compliance with the conditions of the original approval. Deficiencies identified by staff included missing and damaged landscaping. The applicant has provided evidence of a contract for the replacement of all items noted. The staff recommends approval of this transfer request with the following condition:

1. All deficiencies, as identified in staff's letter dated October 4, 2012, shall be corrected no later than June 15, 2013.

(Staff Report by Aimee B. Crady)
(Applicant's Representative: Thomas Richey)
(Applicable Rezoning Cases and PUPs: C-115C-88)

TRANSFER OF APPROVAL – RECONSIDERATION – REVISED CAPTION AND DELETED CONDITION

POD-94-84 (Part)
POD2011-00435
Best Western Executive
(Formerly Shoney's Inn) –
7007 W. Broad Street (U.S.
Route 250)

APPROVED/EXPEDITED

Mayush Mehta for Sky Hotels Group, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from The Inn at Richmond and Palak LTD Liability Company to Sky Hotels Group, LLC. The 3.54-acre site is located on the northwest quadrant of the intersection of W. Broad Street (U.S. Route 250) and Glenside Drive, approximately 275 feet west of W. Broad Street, on parcel 766-746-7747. The zoning is M-1, Light Industrial 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.

The deficiencies, as identified in the inspection report, dated June 21, 2012, including repaving and striping the entire parking lot, repairing the dumpster enclosure, and installing various landscaping, have been corrected. Therefore, condition #1 previously approved to address deficiencies is no longer necessary.

(Staff Report by Christina Goggin)
(Applicant's Representative: Mayush Mehta)

TRANSFER OF APPROVAL

POD-75-79
POD2012-00417
The K2 Building (Formerly
Binswanger Glass Co.) –
4128 Jacque Street

Hirschler-Fleischer for 4128 Jacque Street, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from ACI Glass Products, LLC and RF & P Railroad Co. to 4128 Jacque Street, LLC. The 3.89-acre site is located approximately 300 feet west of the intersection of Dabney Road and Jacque Street, on parcel 777-736-4438. The zoning is M-2, General Industrial District. 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. The staff recommends approval of this transfer request with the following condition:

1. The site deficiencies, as identified in the inspection report, dated October 25, 2012, shall be corrected by May 1, 2013.

The site deficiencies include missing landscaping and debris removal.

(Staff Report by Greg Garrison)
(Applicant's Representative: Penny Koch)

LANDSCAPE PLAN

LP/POD-34-11
POD2012-00456
Walgreens at W. Broad
Street and Pouncey Tract
Road - 11500 W. Broad
Street (U.S. Route 250)

Vanasse, Hangen, Brustlin, Inc. for Walgreen Co.: Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 1.62-acre site is located at the northwest corner of the intersection of W. Broad Street (U.S. Route 250) and Pouncey Tract Road (U.S. Route 271), on parcels 739-762-8217 and 740-762-0017. The zoning is M-1, Light Industrial District and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

APPROVED/EXPEDITED
SEE ADDENDUM PG. 1

A revised landscape plan was submitted on the preparation date of the agenda, and staff has not had an opportunity to complete its review of the plan. The staff recommendation will be made at the meeting.

Should the Commission act on this request, the annotations on the plans and the standard conditions for landscape plans are recommended.

(Staff Report by Christina Goggin)
(Applicant's Representative: Scott Chapman)
(Applicable Rezoning Cases and PUPs: C-50-76)

SITE LIGHTING PLAN

POD2013-00007

Walmart – Shoppes at
Reynolds Crossing – Forest
Avenue

DEFERRED TO 3/27/2013

Bowman Consulting for Wal-Mart Real Estate Business Trust: Request for approval of a lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code. The 10.21-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 parcel 765-744-9958. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Tuckahoe)**

The proposed lighting plan includes parking lot pole-mounted lighting, at a height of 25 feet, as well as building-mounted lighting, at a height of 9 feet and 9 inches. All fixtures are concealed source in accordance with County guidelines. Additional information has been requested to address the light levels along the front of the store and along the side of the building where the fire access is located.

As of the preparation date of the agenda, staff has not received a revised plan, as requested. The staff recommendation will be made at the meeting. Should the Commission act on this request, the annotations on the plans and the standard conditions for lighting plans are recommended.

(Staff Report by Greg Garrison)

(Applicant's Representative: Jonathan Jackson)

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

PLAN OF DEVELOPMENT AND MASTER PLAN

POD2012-00486
Staples Mill Centre – Phase
1A – Staples Mill Road (U.S.
Route 33)
(POD-13-08 and 55-07 Rev.)

**APPROVED/EXPEDITED
SEE ADDENDUM PG. 1**

E.D. Lewis and Associates, P.C. for Midtown Land Partners, LLC f/k/a Staples Mill Centre, LLC: Request for approval of a plan of development and master plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct infrastructure for Phase 1A of an urban mixed use development consisting of private streets, drainage, utilities, and streetscape improvements necessary for future development of the property. The 79.5-acre site is located on the western line of Staples Mill Road (U.S. Route 33) and the southern line of Bethlehem Road, on parcels 771-740-9118, 772-740-0431, 1137, 1743, 2229, 2836, 4023, 773-739-8155, 773-740-5043, 8899, 9498, 773-741-2637, 3132, 3726, 4222, 5414, 6011, 6808, 7505, 8102, 774-739-3999, 4569, 5043, 774-740-0096, 0894, 1592, 2190, 2888, 3584, and 4182. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Brookland)**

The proposed Plan of Development would authorize construction of the basic infrastructure necessary for development of a portion of the subject property in accordance with the Conceptual (UMU) Master Plan and Staples Mill Centre Pattern Book adopted by the Board of Supervisors with Zoning Case C-5C-07 and Provisional Use Permit P-001-07.

Infrastructure improvements will include construction of private Road A and portions of private Roads B, D, E, and F providing a street connection extending across the site from Staples Mill Road to Libbie Avenue. All streets being constructed will have street lights, street trees, and walks along both sides. In addition, utility and drainage improvements necessary for future development of the subject property will be constructed. Drainage improvements will include initial construction of a lake that is intended to both function as a central landscape feature and address water quality and quantity requirements for ultimate development of the property. Utility improvements have been designed to maintain utility services for properties located across both Bethlehem Road and Staples Mill Road that are currently served by public utilities currently located on the subject property.

The Plan of Development includes a Land Bay Master Plan, in accordance with zoning requirements applicable to urban mixed use development. The Land Bay Master Plan has a summary table comparing the conceptual master plan approved with the above-referenced zoning cases to the proposed Plan of Development Land Bay Master Plan. The Land Bay Master Plan provides a general description of the future residential and commercial office uses proposed, along with preliminary calculations regarding parking, open space, residential density and percentage of commercial-office development. Although no building construction is proposed with this phase of construction, the Land Bay Master Plan indicates how the proposed infrastructure is intended to accommodate future building construction. The Land Bay Master Plan and related calculations will be revised as future building plans are refined and receive Plan of Development approval.

A previous version of the Staples Mill Centre Land Bay Master Plan was approved by the Planning Commission at their March 6, 2008 meeting. Since that time, the several pre-existing buildings on the site have been demolished, and some abandoned utility easements have been vacated. However, no building construction has taken place. In the meantime, the developers have offered

several acres of land to the County for relocation of the Dumbarton Library. The proposed Land Bay Master Plan intends to accommodate the proposed relocation of the Dumbarton Library to a 3.9-acre site located in the middle of the subject property with no loss of future residential or commercial building density. A resolution of Substantial In Accord for the relocation of the Dumbarton Library to this site was adopted by the Planning Commission at their July 25, 2012 meeting. The proposed Land Bay Master plan would modify the previously approved street layout to accommodate the relocated library as a central design feature along the southern boundary of the proposed lake. The proposed library is intended to strengthen and support the “village” core of the development and its addition to the Land Bay Master Plan is consistent with the design principles contained in the Staples Mill Centre Pattern Book.

In lieu of the brick entrance drive shown on the original concept plan, the developers have proposed to provide brick and paver sidewalks and crosswalks along the entrance drive and along the plaza serving the lake, as well as along core streets. The proposed brick and paver sidewalks and crosswalks will be easier to maintain than brick streets, will better accommodate staged development of future buildings, and will more clearly define pedestrian areas. Final designation of which additional streets, sidewalks, and crosswalks have brick and paver features will be determined with County advice and consent as the adjoining building plans receive POD approval. Staff agrees that the proposed modification of this design element is in keeping with the general spirit of the design principles laid out in the Staples Mill Centre Pattern Book.

Both the POD and the Land Bay Master Plan comply with the intent of the Staples Mill Centre Pattern Book and the applicable conditions and proffers of C-5C-07 and P-1-07.

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

29. The entrances and drainage facilities on Staples Mill Road (U.S. Route 33) shall be approved by the Virginia Department of Transportation and the County.
30. A notice of completion form, certifying that the requirements of the Virginia Department of Transportation entrances permit have been completed, shall be submitted to the Department of Planning prior to any occupancy permits being issued.
31. The proffers approved as a part of zoning case C-5C-07 and P-1-07 shall be incorporated in this approval.
32. 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.
33. 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.

34. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
35. 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.
36. 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.
37. 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.
38. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
39. Streetscape planting and street lights shall be provided in accordance with Section 24-34 of the Henrico County Code unless an exception is granted by the Director of Planning at the time of landscape plan approval.
40. Existing public right of way, and drainage and utility easements containing abandoned facilities, shall be vacated prior to issuance of certificate of occupancy for any facility in conflict with said right of way or easements.
41. A streetscape improvement plan showing brick and paver sidewalks and crosswalks along the entrance drive and along the plaza serving the lake and selected portions of the core streets identified in the Development Agreement with Henrico County for the relocation of the Dumbarton Library shall be submitted for review and approval by the Director Planning prior to approval of any construction plans for parcels adjoining those streets.

(Staff Report by Mike Kennedy)

(Applicant's Representative: Monte Lewis)

(Applicable Rezoning Cases and PUPs: C-5C-07; P-1-07)

PLAN OF DEVELOPMENT

POD2012-00509
Reserve at Pouncey -
Pouncey Tract Road (State
Route 271)

APPROVED

Bay Companies, Inc. for 5111 Pouncey Tract, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 16 detached dwellings for sale with zero lot lines. The 7.08-acre site is located on the northeast line of Pouncey Tract Road (State Route 271), approximately 800 feet north of Shady Grove Road, on parcels 738-771-2400, 4105, and 6301. The zoning is R-5AC, General Residential District (Conditional). County water and sewer. **(Three Chopt)**

Conditional approval for this 16 dwelling zero-lot-line subdivision was approved in November 2012. The applicant now requests subsequent POD approval for the same subdivision layout, per the standard approval requirements for zero lot line developments. Lots will have no direct access to Pouncey Tract Road, but Lots 1-5 will be served by a private access drive. Sidewalk is to be provided by the developer for the entire frontage of the property at its ultimate location after right-of-way dedication, which has been provided. The proffered 25-foot landscape buffer along Pouncey Tract Road shown on the plan includes brick entrance sign walls and decorative wrought iron fence with brick finials on both sides of the entrance road and extending throughout the buffer. The buffer also includes a berm. The conceptual landscape plan is included in the agenda and includes interior streetscape plantings as required by the proffers.

Architectural elevations for three house types have been provided to meet and exceed proffered square footage, building materials, and other requirements for zoning case C-49C-06.

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. Roof edge ornamental features that extend over the zero lot line, and which are permitted by Section 24-95(i)(1), must be authorized in the covenants.
30. Eight-foot easements for construction, drainage, and maintenance access for abutting lots shall be provided and shown on the POD plans.
31. Building permit request for individual dwellings shall each include two (2) copies of a layout plan sheet as approved with the plan of development. The developer may utilize alternate building types providing that each may be located within the building footprint shown on the approved plan. Any deviation in building footprint or infrastructure shall require submission and approval of an administrative site plan.
32. Windows on the zero lot line side of the dwelling can only be approved with an exception granted by the Building Official and the Director of Planning during the building permit application process.
33. The subdivision plat for Reserve at Pouncey shall be recorded before any building permits are issued.
34. The right-of-way for widening of Pouncey Tract Road (State Route 271) 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.

35. The entrances and drainage facilities on Pouncey Tract Road (State Route 271) shall be approved by the Virginia Department of Transportation and the County.
36. 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.
37. A concrete sidewalk meeting VDOT standards shall be provided along the northeast side of Pouncey Tract Road (State Route 271).
38. A 25-foot planting strip to preclude ingress or egress along the northeast side of Pouncey Tract Road (State Route 271) shall be shown on the approved plans. The details shall be included with the required landscape plans for review and approval.
39. The proffers approved as a part of zoning case C-49C-06 shall be incorporated in this approval.
40. 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.
41. 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.
42. 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.
43. 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 Aimee B. Crady)
(Applicant's Representative: Daniel Caskie)
(Applicable Rezoning Cases and PUPs: C-49C-06)

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2012-00497
Cook Out Restaurant at
Laburnum Park Shopping
Center – 4300 S. Laburnum
Avenue
POD-31-88 (Rev.)

Commercial Site Design, PLLC for PCS Laburnum, LLC and Cook Out Restaurants: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to convert a one-story, 3,100 square foot bank building into a restaurant with drive-through facilities. The 0.89-acre site is located in an existing shopping center on the west line of S. Laburnum Avenue, at its intersection with Interstate-64 eastbound, on part of parcels 813-718-3037 and 6145. The zoning is B-2C, Business District (Conditional), B-3, Business District, and ASO, Airport Safety Overlay District. County water and sewer.
(Varina)

APPROVED/EXPEDITED

This request is for approval to renovate a bank into a fast food restaurant with double drive-through facilities on an existing outparcel in Laburnum Park Shopping Center. The applicant recently obtained a Provisional Use Permit to expand hours of operation from 5:00 a.m. to 2:00 a.m. The applicant is making minor exterior building revisions to specifically provide two drive-through windows and a small outdoor patio area.

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

- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature.
29. The right-of-way for widening of S. Laburnum Avenue as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
30. A concrete sidewalk meeting County standards shall be provided along the west side of S. Laburnum Avenue.
31. The proffers approved as a part of zoning cases C-32C-86; C-24C-00, and P-15-12 shall be incorporated in this approval.
32. 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.
33. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
34. In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-up facilities, the owner/occupant shall close the drive-up facilities until a solution can be designed to prevent traffic backup.

(Staff Report by Christina Goggin)

(Applicant's Representative: Chris Clayton)

(Applicable Rezoning Cases and PUPs: C-32C-86; C-24C-00; P-15-12)

SUBDIVISION

SUB2013-00004
North James Estates
(February 2013 Plan) – Van
Ness Place

APPROVED/EXPEDITED

Balzer and Associates, Inc. for Felts & Kilpatrick Construction Co., Inc.: The 3.08-acre site proposed for a subdivision of 2 single-family homes is located on the west line of Van Ness Place, approximately 360 feet south of its intersection with North James Estates Drive, on parcel 803-702-2315. The zoning is R-3, One-Family Residential District and B-1C, Business District (Conditional). County water and sewer.
(Varina) 2 Lots

This request is to create two lots from a section of property held as reserved for future development in North James Estates, Section 1. The applicant recently rezoned part of the proposed parcel from B-1 to R-3 to create the two new lots on existing Van Ness Place. The B-1C portion of the property will be reserved for future development.

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. The plat shall contain a statement that the common area is dedicated to the common use and enjoyment of the homeowners of North James Estates and is not dedicated for use by the general public. This statement shall refer to the applicable article in the covenants recorded with the plat.
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.

(Staff Report by Christina Goggin)
(Applicant's Representative: Cameron Palmore)
(Applicable Rezoning Cases and PUPs: C-22C-10)

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2013-00012
McDonald's Dual Drive-
Through Lanes at 7527
Staples Mill Road (U.S.
Route 33)
(POD-15-07 Rev.)

Carter Design for McDonald's Real Estate Company, Franchise Realty Interstate Corp., and S.M. Durlak, 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 side-by-side drive-through facilities at an existing restaurant. The 1.19-acre site is located at the southeast quadrant of the intersection of Staples Mill Road (U.S. Route 33) and Bremner Boulevard, on parcel 772-750-9430. The zoning is B-2, Business District. County water and sewer. **(Brookland)**

APPROVED/EXPEDITED

The plan proposes to add a second drive-through lane on a site on which a McDonald's has been located since the 1970s. Nine parking spaces along the rear of the development will be relocated further east towards the rear to accommodate the second lane.

The plan necessitates revision of the lighting plan, which is included in this POD. Two existing poles with light fixtures are being relocated, and there is no change in any of the equipment. These lights were installed pursuant to an approved lighting plan. The new photometric levels will continue to comply with the County lighting policy.

An additional 40 square-foot menu board six feet and nine inches in height and a separate order preview point are being installed and are allowed by the zoning ordinance. Signs are not a part of this approval, and this note is provided for informational purposes only.

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

- 11B. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams, and fixture specifications and mounting heights details shall be revised as annotated on the staff plan and included with the construction plans for final signature.
29. Outside storage shall not be permitted.
30. In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-up facilities, the owner/occupant shall close the drive-up facilities until a solution can be designed to prevent traffic backup.

(Staff Report by Lee Pambid)
(Applicant's Representative: Michele Carter)

APPROVAL OF MINUTES: January 23, 2013 Minutes/APPROVED

ADJOURN @ 9:50

**PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT
February 27, 2013**

ADDENDUM

PAGE 7 – REVISED STAFF PLAN AND REVISED RECOMMENDATION

LANDSCAPE PLAN

LP/POD-34-11
POD2012-00456
Walgreens at W. Broad
Street and Pouncey Tract
Road - 11500 W. Broad
Street (U.S. Route 250)

APPROVED/EXPEDITED

Vanasse, Hangen, Brustlin, Inc. for Walgreen Co.: Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 1.62-acre site is located at the northwest corner of the intersection of W. Broad Street (U.S. Route 250) and Pouncey Tract Road (U.S. Route 271), on parcels 739-762-8217 and 740-762-0017. The zoning is M-1, Light Industrial District and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

The applicant has agreed to install all landscaping as annotated on the plan in the handout addendum. The staff recommends approval subject to the annotations on the plan and the standard conditions for landscape plans.

PAGE 9 – REVISED CONDITION

PLAN OF DEVELOPMENT AND MASTER PLAN

POD2012-00486
Staples Mill Centre – Phase
1A – Staples Mill Road (U.S.
Route 33)
(POD-13-08 and 55-07 Rev.)

APPROVED/EXPEDITED

E.D. Lewis and Associates, P.C. for Midtown Land Partners, LLC f/k/a Staples Mill Centre, LLC: Request for approval of a plan of development and master plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct infrastructure for Phase 1A of an urban mixed use development consisting of private streets, drainage, utilities, and streetscape improvements necessary for future development of the property. The 79.5-acre site is located on the western line of Staples Mill Road (U.S. Route 33) and the southern line of Bethlehem Road, on parcels 771-740-9118, 772-740-0431, 1137, 1743, 2229, 2836, 4023, 773-739-8155, 773-740-5043, 8899, 9498, 773-741-2637, 3132, 3726, 4222, 5414, 6011, 6808, 7505, 8102, 774-739-3999, 4569, 5043, 774-740-0096, 0894, 1592, 2190, 2888, 3584, and 4182. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Brookland)**

Condition #41 has been revised to clarify the references to “the entrance drive” and “core streets” in paragraph 5 of the staff report.

41. **REVISED** - A streetscape improvement plan showing brick and paver sidewalks and crosswalks along **Road A** ~~the entrance drive~~ and along the plaza serving the lake and selected portions of **Roads B, D, and E** ~~the core streets identified in the Development Agreement with Henrico County for the relocation of the Dumbarton Library~~ shall be submitted for review and approval by the Director Planning prior to approval of any construction plans for parcels adjoining those streets.