

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT

January 23, 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, 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, AICP, 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:

ROLL CALL: MR. WITTE - ABSENT

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leslie News

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

**FOR PLANNING COMMISSION APPROVAL
SUBDIVISION WITHDRAWAL REQUESTS**

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District
SUB2008-00047 (SUB-28-07) Parkwood Chase (March 2007 Plan) WITHDRAWN	38	38	3	Fairfield

TRANSFER OF APPROVAL

POD-19-70
POD2012-00431
Oakmeade Apartments
(Formerly Fair Oaks and East
Avenue Apartments) – 300
Airport Place

APPROVED/EXPEDITED

Kevin Orth for Oakmeade Associates, LP: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from East Avenue Corp and Oakmeade Partners to Oakmeade Associates, LP. The 7.5-acre site is located on the southeast line of Airport Drive (State Route 156), approximately 300 feet east of Nine Mile Road (State Route 33), on parcel 825-721-8368. The zoning is R-5, General Residential District and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

An administrative plan was recently reviewed and approved as part of the VHDA Tax Credit Application filed with the County's Department of Community Revitalization, which allocated Low Income Housing Tax Credits for much-needed improvements to this development. Improvements completed prior to the application for Transfer of Approval included dumpster screening, a new play area with equipment, drainage improvements, addition of sidewalk along Airport Drive, curb and gutter repair, supplemental landscaping and lighting, as well as extensive interior and exterior building renovations. In addition, the applicant has addressed removal of old dumpsters from the parking lot and the repainting of stop bars at points of egress as part of the Transfer of Approval.

The new owner accepts and agrees to be responsible for the continued compliance with the conditions of the original approval. All deficiencies identified by staff have been corrected. The staff recommends approval of this transfer request.

(Staff Report by Aimee B. Crady)
(Applicant's Representative: Kevin Orth)

TRANSFER OF APPROVAL

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

APPROVED/EXPEDITED

Mayush Mehta for Palak LTD Liability Company: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Richmond Hotel Developers Unlimited to Palak LTD Liability Company. 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 request with the following condition:

1. Missing trees and landscaping, as identified in a staff report dated June 21, 2012, shall be completed by February 14, 2013.

The applicant has provided evidence of signed contracts for removing the dead tree and replacing the tree and missing shrubs. The corrected deficiencies, as identified in the inspection report, included repaving and striping the entire parking lot, repairing the dumpster enclosure, and installing various landscaping.

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

TRANSFER OF APPROVAL

POD-03-89
POD2012-00175
Highwoods Centre Building
(Formerly Liberty Mutual
Building) – 4101 Cox Road

APPROVED/EXPEDITED

Hank Robertson for Highwoods Realty, LP: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Home Beneficial Life and Highwoods/Forsyth LTD, PSH to Highwoods Realty, LP. The 4.487-acre site is located at the northeast corner of the intersection of Cox Road and Innslake Drive, on parcel 749-761-0226. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. The site deficiencies, as identified in the inspection report, dated April 24, 2012, have been corrected. The site deficiencies included missing landscaping. The staff recommends approval of this transfer request.

(Staff Report by Greg Garrison)
(Applicant's Representative: Hank Robertson)
(Applicable Rezoning Cases and PUPs: C-10C-84; C-53C-89)

TRANSFER OF APPROVAL

POD-62-88
POD2012-00220

Verizon Center (Formerly
Staples Mill/Crockett Retail
Center) – 7300 Staples Mill
Road (U.S. Route 33)

Hunter Cockrell for Staples Mill Land Company, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from SCK, Inc. and Dublin Associates to Staples Mill Land Company, LLC. The 1.78-acre site is located at the northwest corner of the intersection of Crockett Street and Staples Mill Road (U.S. Route 33), on parcel 772-749-9628. 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. The site deficiencies, as identified in the inspection report, dated July 3, 2012, have been corrected. The site deficiencies included missing landscaping. The staff recommends approval of this transfer request.

(Staff Report by Greg Garrison)

(Applicant's Representative: Hunter Cockrell)

(Applicable Rezoning Cases and PUPs: C-99C-86; C-1C-89)

TRANSFER OF APPROVAL

POD-75-95
POD2012-00393

Deep Run III (Formerly
Circuit City Headquarters
Building III) – 9954 Mayland
Drive

Eagle Commercial Realty for DR III, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Bank of America Trust and Greg L. England Trustees to DR III, LLC. The 18.17-acre site is located at Deep Run Business Center, south of Deep Rock Road and Mayland Drive, and north of interstate 64, on parcel 749-758-7718. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Three Chopt)**

APPROVED/EXPEDITED

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 October 15, 2012, have been corrected. The site deficiencies included missing landscaping. The staff recommends approval of this transfer request.

(Staff Report by Greg Garrison)

(Applicant's Representative: Michelle Ramkey)

(Applicable Rezoning Cases and PUPs: C-15C-97)

TRANSFER OF APPROVAL

POD-08-69, 28-73, and 64-75
POD2012-00483; POD2012-00484; POD2012-00485
Seven Gables Apartments
(Formerly Jarrett
Apartments) – 11 S.
Laburnum Avenue

APPROVED/EXPEDITED

McGuire Woods for RFI Seven Gables, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Village Venture and Wells Fargo Bank NA, Alliance PP2 FX2 LP, and RFI Alliance II, LLC to RFI Seven Gables, LLC. The 84.22-acre site is located on the east line of N. Laburnum Avenue, approximately 308 feet north of Nine Mile Road, on parcel 810-725-8965. The zoning is R-5, General Residential District. County water and sewer.

(Fairfield)

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 December 14, 2012, shall be corrected by April 24, 2013.

The remaining deficiencies include removing stumps and replacing trees, replacing defective asphalt pavement, repairing concrete curbing, providing and repairing dumpster enclosures, and installing ADA compliant curb ramps, accessible aisles and signs. The applicant has provided evidence of contracts to complete the work prior to April 24, 2013.

(Staff Report by Mike Kennedy)
(Applicant's Representative: Gloria Freye)

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)

DEFERRED TO 2/27/13

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)**

A revised plan has been requested to address some minor landscape revisions. As of the preparation date of the agenda, staff has not received a revised plan addressing staff's comments as annotated on 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)

PLAN OF DEVELOPMENT (Deferred from the December 12, 2012 Meeting)

POD2012-00389
Bonnie M. Pradhan Addition
– Modification – 9999 Brook
Rd. (U.S. Route 1)
(POD-26-05 Rev.)

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

Zannino Engineering for Bonnie M. Pradhan: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to complete construction of a two-story 6,026 square foot building addition to an existing convenience store with gas pumps, with a 1,512 square foot restaurant with drive-through facilities and a 2,099 square foot retail store on the first floor and a 2,413 square foot office on the second floor. The 1.316-acre site is located at the southeast corner of the intersection of Brook Rd. (U.S. Route 1) and J.E.B. Stuart Pkwy. on parcel 783-769-9052. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Fairfield)**

This case was deferred from the December 12, 2012 Planning Commission hearing to further address the issue of site functionality regarding the existing, closed, car wash and the proposed drive-through window and required stacking lane. The layout of the site cannot be approved as shown due to conflicts with the stacking lane. Condition #38 requires the applicant remove either the car wash or the drive-through facilities prior to construction plan approval. The applicant has not yet agreed to this condition.

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:

29. Refuse containers or refuse storage facilities shall be serviced only between the hours of 6:00 a.m. and 6:00 p.m.
30. Outside storage shall not be permitted.
31. The proffers approved as a part of zoning case C-113C-88 shall be incorporated in this approval.
32. All exterior lighting fixtures shall be designed and arranged so the source of light is not visible from the roadways or adjacent residential properties. The lighting shall be low intensity, residential in character, and the height or standards shall not exceed 15 feet.
33. 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.
34. 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.
35. The owner or manager on duty shall be responsible for temporarily closing the car wash or drive-up facilities when the on-site stacking space is inadequate to serve customer demand to prevent a backup of vehicles onto the public right-of-way. The owner shall arrange with the Traffic Engineer to provide standard traffic control signs to notify customers that stopping or standing on the public right-of-way shall not be permitted near the entrances to the car wash facility. The owner shall close the facilities until a solution can be designed to prevent backup.
36. 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.

37. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
38. The traffic circulation around the car wash shall be resolved to the satisfaction of the Traffic Engineer prior to construction plan approval. This can be achieved by the removal of the carwash or the removal of the drive-through window and its associated drive-through lane.

(Staff Report by Tony Greulich)

(Applicant's Representative: Thomas Zannino)

(Applicable Rezoning Cases and PUPs: C-113C-88)

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2012-00457
Carrabba's at West Broad
Village – 11237 W. Broad
Street (U.S. Route 250)

APPROVED
SEE ADDENDUM PG. 1

Bay Companies, Inc. for Excel WBV V, LLC and Excel Trust: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 6,500 square foot restaurant with 516 square feet of outdoor dining. The 0.45-acre site is located on the southeast corner of the intersection of W. Broad Street (U.S. Route 250) and Whittall Way, on parcel 742-761-9304. The zoning is UMUC, Urban Mixed Use (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

The proposed restaurant will fill the final vacant outparcel along West Broad Street in the West Broad Village UMU. The applicant has provided architectural renderings showing brick veneer on all building facades with the exception of EIFS sign panels, reflecting a material ratio that is consistent with the neighboring Bonefish Grill building at Whittall Way and W. Broad Street. In addition, faux windows and awnings have been added to the elevation facing Back Street, to be consistent with design standards implemented at neighboring outparcels. The site plan has been adjusted to provide planting areas along all building sides.

The original application includes lighting plan approval. As of the preparation date of the agenda, staff has not received a revised plan addressing staff comments to show decorative fixture types consistent with previous lighting plan approvals throughout the West Broad Village UMU.

The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to annotations on the plans and the standard conditions for developments of this type, the following 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 Outside storage shall not be permitted.
30. The proffers approved as a part of zoning case C-12C-06 shall be incorporated in this approval.
31. 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.
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 location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
34. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

(Staff Report by Aimee B. Crady)
(Applicant's Representative: Joseph Faudale)
(Applicable Rezoning Cases and PUPs: C-12C-06)

SUBDIVISION

SUB2012-00174

The Village of Rocketts
Landing (January 2013 Plan)

APPROVED/EXPEDITED

Shadrach & Associates, LLC for Central Virginia Investments/Rocketts Landing, LLC: The 21.525-acre site proposed for a subdivision to establish development blocks and private streets for Land Bay 5 of The Village of Rocketts Landing is located along the west side of Old Osborne Turnpike, south of Old Hudson Street (private), on parcels 797-711-2587; 6071, 797-712-4180, and 797-713-8451. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Varina) 3 Lots**

This subdivision will establish development blocks and the limits of private streets within Land Bay 5 of The Village of Rocketts Landing and will facilitate development in accordance with the recently updated UMU land bay master plan for The Village of Rocketts Landing Phase 3, approved by the Planning Commission at their September 26, 2013 meeting.

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

3. **MODIFIED** - Construction shall not commence until the Director of Planning has granted final approval of the plat; and until the construction plans including the detailed drainage, erosion control, and utility plans have been approved by the Department of Planning and the Department of Public Works and a preconstruction meeting has been held with the Department of Public Works. Plans for Final Subdivision review shall be submitted to the Department of Planning in accordance with the requirements of the Final Subdivision application. Upon notice from the Department of Planning to the Engineer that all comments have been addressed, twenty-one (21) sets of final construction plans for signature shall be submitted to the Department of Planning for approval signatures. All erosion and sediment control plans, agreements, and bonds must be submitted to the Department of Public Works and approved prior to approval of the construction plans.
5. **MODIFIED** - The owner shall enter into the necessary contracts with the City of Richmond Department of Public Utilities for water.
6. **MODIFIED** - The owner shall enter into the necessary contracts with the City of Richmond Department of Public Utilities for sewer.
11. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the maintenance of the common area by a homeowners association shall be submitted to the Department of Planning for review. Such covenants and restrictions shall be in a form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.
12. The proffers approved as part of zoning cases C-55C-04, P-14-04, and P-12-12 shall be incorporated in this approval.
13. The developer shall provide signage, the wording and location as deemed appropriate by the Director of Public Works, which addresses the possible future extension of the stub street.

(Staff Report by Mike Kennedy)

(Applicant's Representative: Rodney Shadrach)

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

APPROVAL OF MINUTES: December 12, 2012 Minutes/**APPROVED**

ADJOURN @ 9:23

**PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT
January 23, 2013**

ADDENDUM

PAGE 10 – REVISED STAFF REPORT AND REVISED RECOMMENDATION

PLAN OF DEVELOPMENT (Deferred from the December 12, 2012 Meeting)

POD2012-00389

Bonnie M. Pradhan Addition
– Modification – 9999 Brook
Rd. (U.S. Route 1)
(POD-26-05 Rev.)

APPROVED/EXPEDITED

Zannino Engineering for Bonnie M. Pradhan: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to complete construction of a two-story 6,026 square foot building addition to an existing convenience store with gas pumps, with a 1,512 square foot restaurant with drive-through facilities and a 2,099 square foot retail store on the first floor and a 2,413 square foot office on the second floor. The 1.316-acre site is located at the southeast corner of the intersection of Brook Rd. (U.S. Route 1) and J.E.B. Stuart Pkwy. on parcel 783-769-9052. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Fairfield)**

The applicant has agreed to Condition #38, which requires the applicant remove either the car wash or the drive-through facilities prior to construction plan approval. This will resolve conflicts with the stacking lane.

The staff recommends approval subject to the annotations on the plans, the standard conditions for developments of this type, and the additional conditions listed in the agenda.

PAGE 12 – REVISED LIGHTING PLAN, REVISED RECOMMENDATION, AND CORRECTED CONDITION NUMBERS

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2012-00457

Carrabba's at West Broad
Village – 11237 W. Broad
Street (U.S. Route 250)

APPROVED

Bay Companies, Inc. for Excel WBV V, LLC and Excel Trust: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 6,500 square foot restaurant with 516 square feet of outdoor dining. The 0.45-acre site is located on the southeast corner of the intersection of W. Broad Street (U.S. Route 250) and Whittall Way, on parcel 742-761-9304. The zoning is UMUC, Urban Mixed Use (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

The applicant has provided a revised lighting plan showing decorative fixture types consistent with previous lighting plan approvals throughout the West Broad Village UMU. Lighting levels have also been increased throughout all pedestrian walkways and parking areas.

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. The proffers approved as a part of zoning case C-12C-06 shall be incorporated in this approval.
31. 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.
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 location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
34. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.