

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
REZONINGS AND PROVISIONAL USE PERMITS

August 14, 2014

7:00 P.M.



PLANNING COMMISSION

Eric S. Leabough, C.P.C., Chair (Varina)
Robert H. Witte, Jr. (Brookland)
C. W. Archer, C.P.C. (Fairfield)
Tommy Branin (Three Chopt)
Bonnie-Leigh Jones, C.P.C. (Tuckahoe)
David A. Kaechele (Three Chopt)
Board of Supervisors
Representative
R. Joseph Emerson, Jr., AICP, Director of Planning,
Secretary

**COMPREHENSIVE DIVISION – DEPARTMENT
OF PLANNING**

Jean M. Moore, Assistant Director of Planning
Jim Strauss, PLA, Principal Planner
Rosemary D. Deemer, AICP, County Planner
Seth Humphreys, County Planner
Ben Sehl, County Planner
Livingston Lewis, County Planner
Lisa Blankinship, County Planner
William Moffett, County Planner
Erin Puckett, County Planner
Paul Stewart, GIS Technician
Sylvia Ray, Office Assistant/Recording Secretary

**PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
AUGUST 14, 2014**

BEGINNING AT 5:30 P.M.

DINNER AND WORK SESSION: County Manager's Conference Room. The Commission will review and discuss Zoning Ordinance Amendments on the Optional Submission of Preliminary Subdivision Plats Involving 50 or Fewer Lots, Clarifying the Definition of Group Homes, and Certification of Septic System Functioning by a Licensed or Certified Operator or Soil Evaluator.

BEGINNING AT 7:00 P.M.

WELCOME:

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA:

CALL TO ORDER:

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (0); (1)

REQUESTS FOR EXPEDITED ITEMS: (2)

CASES TO BE HEARD: (3)

SUBDIVISION (Deferred from the July 23, 2014 Meeting)

SUB2014-00026
GreenGate
(April 2014 Plan) - 12121
W. Broad Street (U.S.
Route 250)

Approved

Kimley-Horn and Associates, Inc. for ME Nuckols, LLC: The 55.68-acre site proposed for ~~42~~ 49 single-family dwellings and 234 residential townhouses for sale is located on the north line of Graham Meadows Drive, approximately 575 feet west of its intersection with N. Gayton Road, on part of parcels 731-764-5533 and 731-764-4292. The zoning is UMUC, Urban Mixed Use District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt) 276 Lots**
~~283 Lots~~

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

16. 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."
17. The proffers approved as part of zoning cases REZ2014-00009 and PUP2014-00006 shall be incorporated in this approval.
18. 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 Kevin Wilhite and Christina Goggin)

(Applicant's Representative: David Ellington)

(Applicable Rezoning Cases and PUPS: PUP2014-00006; REZ2014-00009)

PLAN OF DEVELOPMENT (Deferred from the July 23, 2014 Meeting)

POD2014-00177

GreenGate Section 1 -
12121 W. Broad Street
(U.S. Route 250)

Approved

Kimley-Horn and Associates, Inc. for ME Nuckols, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 6 three-story residential townhouses for sale. The 9.48-acre site is located on the north line of Graham Meadows Drive, approximately 1,300 feet west of its intersection with N. Gayton Road, on part of parcel 731-764-5533. The zoning is UMUC, Urban Mixed Use District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

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

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 GreenGate, Section 1 shall be recorded before any building permits are issued.
32. The proffers approved as a part of zoning case REZ2014-00009 shall be incorporated in this approval.
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

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

**(Staff Report by Kevin Wilhite and Christina Goggin)
 (Applicant's Representative: David Ellington)
 (Applicable Rezoning Cases and PUPS: PUP2014-00006; REZ2014-00009)**

PLAN OF DEVELOPMENT

POD2014-00256
 West Broad Marketplace
 Phase 1 – Infrastructure,
 Utility, and Mass Grading
 Plan – 12300 W. Broad
 Street (U.S. Route 250)

Approved

Vanasse Hangen Brustlin for Ellis Henley Company, LC, Susan E. Dickerson, Gladys H. King, Consolidates Industries Inc. et al., Jeffrey C. & S. Ellis, Co-Trustees, and NV Retail: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct road, water, sewer, and drainage infrastructure, and grade for a future regional shopping center. The 62.3-acre site is located on the north line of W. Broad Street (U.S. Route 250), approximately 2,000 feet west of its intersection with N. Gayton Road, on parcels 733-766-6208, 733-766-1630, 732-766-7723, 732-766-4043, 732-766-9300, 732-765-3978, 732-765-6671, and 731-765-8473. The zoning is B-3C, Business District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer.
(Three Chopt)

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

29. Only retail business establishments permitted in a B-3 may be located in this center.
30. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
31. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

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32. The right-of-way for widening of W. Broad Street (U.S. Route 250) 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.
33. The entrances and drainage facilities on W. Broad Street (U.S. Route 250) shall be approved by the Virginia Department of Transportation and the County.
34. 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.
35. All repair work shall be conducted entirely within the enclosed building.
36. Outside storage shall not be permitted except as shown on the approved plan.
37. In order to maintain the effectiveness of the County's public safety radio communications system within buildings, the owner will install radio equipment that will allow for adequate radio coverage within the building, unless waived by the Director of Planning. Compliance with the County's emergency communication system shall be certified to the County by a communications consultant within ninety (90) days of obtaining a certificate of occupancy. The County will be permitted to perform communications testing in the building at anytime.
38. The proffers approved as a part of zoning case REZ2014-00028 shall be incorporated in this approval.
39. 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.
40. 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.
41. 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.
42. The limits and elevations of the **Special Flood Hazard Area** shall be conspicuously noted on the plan and labeled "**Limits of Special Flood Hazard Area.**" In addition, the delineated **Special Flood Hazard Area** must be labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.
43. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
44. 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.
45. The applicant shall provide evidence of successful suit to quiet title of the right-of-way for Old Three Chopt Road prior to construction plan approval.

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(Staff Report by Lee Pambid)
(Applicant's Representative: Tracy Lower)
(Applicable Rezoning Cases and PUPS: REZ2014-00028)

TUCKAHOE:

None.

BROOKLAND:

(Deferred from the July 10, 2014 Meeting)

REZ2014-00005 Andrew M. Conclin for Nobility Investments, LLC: Request to amend proffered conditions accepted with Rezoning Case C-46C-83 on Parcel 768-747-0824 located on the north line of Glenside Drive approximately 385' west of its intersection with Bethlehem Road. The applicant proposes to replace all proffers in order to allow hotels as a permitted use. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. **Staff – Livingston Lewis (Deferral Requested to the October 9, 2014 Meeting)**
Deferred to the October 9, 2014 Meeting

VARINA:

None.

FAIRFIELD:

REZ2014-00029 B & T Rental, LLC: Request to conditionally rezone from O-2 Office District to O-3C Office District (Conditional) part of Parcel 778-757-8541 containing 2.6 acres located on the south line of E. Parham Road at its intersection with Lydell Drive. The applicant proposes office and classroom uses. The uses will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Office, and Environmental Protection Area. **Staff – Livingston Lewis (Expedited Agenda Requested)**
Recommended for Approval

REZ2014-00030 Jennifer D. Mullen for Virginia Electric and Power Company: Request to rezone from O-3C Office District (Conditional) to C-1 Conservation District part of Parcel 790-762-3014 containing 1.59 acres located on the south line of Interstate 295 approximately 1650' north of Scott Road. The applicant proposes a conservation district. The uses will be controlled by zoning ordinance regulations. The 2026 Comprehensive Plan recommends Environmental Protection Area. **Staff – Ben Sehl (Expedited Agenda Requested)**
Recommended for Approval

THREE CHOPT:

None.

RESOLUTION: SIA2014-00002 Tuckahoe Creek Park Master Plan: Substantially in Accord (Tuckahoe District). **Staff – Rosemary Deemer**
Approved

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DISCUSSION ITEM: The Planning Commission will consider a Resolution to initiate Amendments to the Subdivision and Zoning Ordinances to conform to 2014 State Legislation.

Approved

DISCUSSION ITEM: The Planning Commission will discuss and schedule a work session for September 11, 2014 regarding Exterior Building Materials.

Approved

APPROVAL OF MINUTES: Planning Commission July 10, 2014

Approved

Acting on a motion by Mr. Archer, seconded by Mrs. Jones, the Planning Commission adjourned its meeting at 7:46 p.m., on August 14, 2014.

View the Planning Commission agendas at
<http://www.co.henrico.va.us/planning/pdfs/meetnext.pdf>