

**HENRICO COUNTY**  
**PLANNING COMMISSION AGENDA**  
**FOR**  
**REZONINGS AND PROVISIONAL USE PERMITS**

**December 10, 2015**

**7:00 P.M.**



**PLANNING COMMISSION**

Robert H. Witte, Jr., Chair (Brookland)  
C. W. Archer, C.P.C. (Fairfield)  
Eric S. Leabough, C.P.C. (Varina)  
Tommy Branin (Three Chopt)  
Bonnie-Leigh Jones, C.P.C. (Tuckahoe)  
Patricia S. O'Bannon Tuckahoe)  
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  
Michaela Martin, Planning Intern  
Sylvia Ray, Office Assistant/Recording Secretary

**PLANNING COMMISSION  
REZONING MEETING  
FINAL AGENDA  
DECEMBER 10, 2015**

**BEGINNING AT 5:30 P.M.**

**DINNER AND WORK SESSION:** County Manager's Conference Room. The Commission will hear a presentation regarding potential UMU ordinance revisions.

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**BEGINNING AT 7:00 P.M.**

**WELCOME:**

**PLEDGE OF ALLEGIANCE:**

**RECOGNITION OF NEWS MEDIA:**

**CALL TO ORDER:**

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

**REQUESTS FOR EXPEDITED ITEMS: (0)**

**CASES TO BE HEARD: (2)**

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**THREE CHOPT:**

**REZ2015-00033 William Browning for Farmbrown, LLC:** Request to conditionally rezone from A-1 Agricultural District to R-3C One-Family Residence District (Conditional) Parcel 745-754-2348 containing 2.425 acres located at the northeast intersection of Kennedy and Stonemill Roads. The applicant proposes a single family subdivision. The R-3 District allows a minimum lot area of 11,000 square feet and a gross density of 3.96 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. **Staff – Lisa Blankinship**  
**[Recommended for Approval](#)**

**TUCKAHOE:**

None.

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**BROOKLAND:  
PLAN OF DEVELOPMENT**

POD2015-00356

Dollar General at 3012

Mountain Road

**Denied**

**Koth Consulting, PC for Realty Ventures Group, Inc. and Par 3 Development Group, 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 one-story 9,734 square foot retail building with accessory parking. The 1.3-acre site is located at the northwest corner of Mountain Road and John Cussons Drive, on parcel 770-767-5189. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Brookland)**

The developer, Par 3 Development Group, proposes to develop a Dollar General retail store at 3012 Mountain Road, located at the northwest corner of Mountain Road and John Cussons Drive. The property is zoned B-2C Business District (Conditional) and is subject to the proffers of Zoning Case C-72C-88.

Staff has advised the developer that several applicable code and proffer requirements are not satisfied by the proposed POD and has requested revised architectural and site engineering plans to address those deficiencies. Therefore, staff cannot recommend approval of the Plan of Development at this time.

The following items are outstanding, which may impact the site layout and building design.

Additional landscape islands and relocation of a portion of a Verizon underground easement are required to address parking area landscaping requirements contained in Section 24-106.2 of the Zoning Code. An existing Verizon underground utility easement along John Cussons Drive conflicts with peripheral landscaping requirements and should be relocated. In addition several interior parking area landscape islands have inadequate width and a landscape island is needed adjacent to the proposed dumpster enclosure. Planning staff has required the developer to provide tree protection to the extent possible for the existing street trees located along the west line of John Cussons Drive. However, those trees are located in the Verizon easement. Should they not survive construction or die at a later date, they could not be replaced without Verizon's approval, which would appear unlikely. The remaining areas for landscaping are severely limited.

The drainage plan must be revised to show sufficient underground storm water detention is provided to satisfy the 50-10 storm water detention requirements contained in the Section 3-4 of the DPW Design Manual, and Section 9.3.6 of the Henrico County Environmental Compliance Manual. Staff has indicated additional detention appears necessary, which may impact County easements or required landscape areas.

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An existing County utility easement containing an existing public sanitary sewer main is located within the proposed building pad. Vacation of the portion of public easement in conflict with the proposed building, including a plan for relocation of the existing public sanitary sewer main, must be approved prior to approval of the proposed site construction plans. If the easement is not vacated, then a revised layout plan would be required.

Revisions to the proposed architectural features for the building and sign design are required, providing a Colonial or Victorian design consistent with the intent of the proffers. Proffer Number 8 of Zoning Case Number C-072C-88 requires architecture to be Victorian or Colonial style, as determined and approved by the Planning Commission, and requires all sides of a building to have predominantly similar designs and materials. Proffer Number 5 of that zoning case requires free-standing signs to have a landscape feature and similar architecture to the main building.

Staff has requested revised architectural elevations which include features such as the following:

- A more symmetrical entrance facing John Cussons Drive, versus the corner element currently proposed;
- a covered porch element extending along the entire length of the facades facing Mountain Road and John Cussons Drive;
- pronounced dentil molding along the base of the roof on all four sides of the building;
- brick pilasters to define the facades with bays;
- false windows or bricked window panels in each bay, and a false dormer over each bay;
- replacement of the double panel doors with more traditional 4 or 6 panel doors;
- replacement of the cantilevered gable over the exit door facing John Cussons Drive with a more pronounced gable, and provision of a matching gable element at the southwest corner of the building facing Mountain Road;
- provision of a decorative vent or window in each gable face;
- replacement of the contemporary glass storefront with a decorative storefront;
- revised sign placement and Colonial sign design to replace the proposed contemporary sign panels for both building mounted and freestanding signs.

In addition, light fixtures for both pole and building mounted lights should also be Colonial in design to match the building architecture.

It should be noted that members of the Board of Supervisors, the Planning Commission and Planning staff have received numerous contacts from residents expressing opposition to the proposed development and noting the negative impact they believe the proposed development would have on their community.

The staff received a revised architectural rendering on the preparation date of the agenda, and has not had an opportunity to complete its review of the revised elevations.

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The revised elevation is included with this agenda. Staff has not received a revised site plan addressing the noted concerns. 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:

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 right-of-way for widening of Mountain Road as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
30. The required building setback shall be measured from the proposed right-of-way line and the parking shall be located behind the proposed right-of-way line.
31. 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.
32. The proffers approved as a part of zoning case C-72C-88 shall be incorporated in this approval.
33. Prior to approval of construction plans, the developer must furnish a letter from Verizon stating that this proposed development does not conflict with their facilities.
34. The existing 16-foot utility easement in conflict with the building footprint shall be vacated prior to approval of construction plans for the site.
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.
37. 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.

**(Staff Report by Michael Kennedy)**  
**(Applicant's Representative: Lance Koth)**  
**(Applicable Rezoning Cases and PUPS: C-72C-88)**

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APPROVED: _____	APPROVED ON EXPEDITED AGENDA: _____	
DEFERRED BY APPLICANT TO: _____	DEFERRED BY PC TO: _____	
DENIED: _____	WITHDRAWN: _____	SEE ADDENDUM PAGE: _____
MOTIONED BY: _____	SECONDED BY: _____	ABSTAINED: _____
REMARKS:		

**VARINA:**  
None.

**FAIRFIELD:**  
None.

**APPROVAL OF MINUTES:**      **Planning Commission November 12, 2015**  
**Approved**

Acting on a motion by Mr. Leabough, seconded by Mr. Witte, the Planning Commission adjourned its meeting at 8:21 p.m. on December 10, 2015.

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