

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
REZONINGS AND PROVISIONAL USE PERMITS

September 14, 2017

7:00 P.M.



PLANNING COMMISSION

Eric S. Leabough, C.P.C., Chair (Varina)
Robert H. Witte, Jr., Vice-Chair (Brookland)
C. W. Archer, C.P.C. (Fairfield)
Gregory R. Baka (Tuckahoe)
Sandra M. Marshall (Three Chopt)
Tyrone E. Nelson (Varina)
 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, Senior Principal Planner
Rosemary D. Deemer, AICP, County Planner
Seth Humphreys, County Planner
Ben Sehl, County Planner
Livingston Lewis, County Planner
Lisa Blankinship, County Planner
Erin Puckett, County Planner
Kristin Smith, County Planner
Paul Stewart, GIS Technician
Sylvia Ray, Office Assistant/Recording Secretary

**PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
SEPTEMBER 14, 2017**

BEGINNING AT 7:00 P.M.

WELCOME:

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA:

CALL TO ORDER:

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (0); (3)

REQUESTS FOR EXPEDITED ITEMS: (3)

CASES TO BE HEARD: (1)

VARINA:

**PLAN OF DEVELOPMENT, MASTER PLAN, SPECIAL EXCEPTION, AND
LIGHTING PLAN**

POD2017-00431
Project Echo –
White Oak Technology
Park
Approved

Christopher Consultants for Economic Development Authority and Scout Development, LLC: Request for approval of a plan of development, master plan, special exception, and lighting plan, as required by Chapter 24, Sections 24-106 and 24-2 of the Henrico County Code, to construct a Phase I 1,000,000-square foot data center and three future buildings totaling 1,500,000 square feet, with associated support facilities. The special exception would authorize all buildings to exceed 50 feet in height, up to 100 feet in height. The 328-acre site is located on the northwestern and northeastern corners of the intersection at Technology Boulevard and Portugee Road, on part of parcel 849-704-6939. The zoning is M-2, General Industrial District. County water and sewer. (**Varina**)

This plan of development is for the construction of a data center in phases. Phase I proposes two, one-story connected buildings with mechanical penthouses, approximately 1,000,000 square feet in total, with associated support facilities. The

master plan proposes additional buildings up to 1,500,000 square feet and additional associated support facilities.

The exterior of the buildings will be composed of precast concrete panels, fiber cement panels, ribbed and smooth architectural metal panels, metal louvers and glass curtainwall glazing. The color palette will predominantly consist of grey tones with a slate-brown brise soleil (sun shading) in front of the curtainwall. Future buildings would generally appear to be consistent with the buildings proposed with Phase I.

This request includes the approval of a special exception to allow a building height of up to 100 feet, exceeding the allowable height of 50 feet in an M-2 District. The exception is requested to allow future buildings, or building expansions, to exceed the allowable height. The Phase I building as currently proposed meets the 50-foot height requirement.

There is a vegetative buffer around the site that is a minimum of 50 feet in width, except for the construction of entrance driveways, utility connections, and drainage structures. Most of the vegetative buffer against right-of-way exceeds 100 feet.

Construction and tractor trailer traffic will be prohibited from Elko Road, Elko Tract Road, Portugee Road west of the construction staging area, and Portugee Road east of Technology Boulevard except directly along the project frontage. An electrical substation will be constructed along the existing Dominion Power transmission line near Portugee Road, and the master plan provides a location for temporary construction support services, also along Portugee Road. The lighting plan includes concealed source LED lighting on poles not exceeding 25 feet in height.

The proposed development is within the White Oak Technology Park and therefore is subject to review and approval by the White Oak Technology Park Development Review Board (DRB). The DRB has granted conceptual and preliminary approval of the proposal and will review the final construction plans, including landscaping plans, at a later date. Changes required by the DRB will be incorporated in the submittal.

Should the Planning Commission approve the special exception, staff recommends approval subject to the annotations on the plan, 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 Portugee 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. Details for the gate and locking device at all guardhouses shall be submitted for review by the Traffic Engineer, Police and approved by the County Fire Marshal. The owner or owner's contractor shall contact the County Fire Marshal prior to completion of the fence installation to test and inspect the operations of the gates. Evidence of the Fire Marshal's approval shall be provided to the Department of Planning by the owner prior to issuance of occupancy permits.
31. 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.
32. Evidence that an engineer has certified the height of the building shall be provided to the Director of Planning prior to the issuance of a Certificate of Occupancy.
33. 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.
34. Prior to issuance of a building permit, the developer must furnish a letter from Dominion Virginia Power stating that this proposed development does not conflict with their facilities.
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 conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction needed to implement this conceptual plan may be administratively reviewed and approved and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/approval.
38. 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.
39. No construction traffic shall use Elko Road (State Route 156), Elko Tract Road (State Route 380), Portugee Road west of the construction staging area, and Portugee Road east of Technology Boulevard except directly along the project frontage.
40. No tractor trailers shall use Elko Road (State Route 156), Elko Tract Road (State Route 380), Portugee Road west of the construction staging area, and Portugee Road east of Technology Boulevard except directly along the project frontage.
41. The developer shall provide a telephone number for citizen concerns during any construction activity on site in order to respond to citizen concerns and complaints as expeditiously as possible.
42. The development and operations conducted on the property shall comply with the restrictive covenants applicable to White Oak Technology Park.
43. The proposed development is subject to final Development Review Board (DRB) approval. Any required changes by the DRB must be reflected in the POD and any subsequent plans.
44. The proposed architectural elevations are subject to final approval by the Development Review Board (DRB) and the Director of Planning. Any required changes by the DRB must be reflected in the architectural elevations and any subsequent drawings.

(Staff Report by Tony Greulich)

(Applicant's Representative: Greg Drew)

(Applicable Rezoning Cases and PUPS: _____)

APPROVED: _____

APPROVED ON EXPEDITED AGENDA: _____

DEFERRED BY APPLICANT TO: _____ **DEFERRED BY PC TO:** _____

DENIED: _____ **WITHDRAWN:** _____ **SEE ADDENDUM PAGE:** _____

MOTIONED BY: _____ **SECONDED BY:** _____ **ABSTAINED:** _____

REMARKS:

PUP2017-00018 Andrew M. Condlin for Redco Properties, LLC: Request for a Provisional Use Permit under Sections 24-58.2(a), 24-120, and 24-122.1 of Chapter 24 of the County Code to allow for extended hours of operation for a proposed restaurant on part of Parcels 816-711-6950 and 816-711-8151 located on the east side of S. Laburnum Avenue approximately 460' south of its intersection with Eubank Road. The existing zoning is B-3C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Airport Safety Overlay District. **Staff – Rosemary Deemer (Expedited Agenda Requested)**

Recommended for Approval

FAIRFIELD:

None.

THREE CHOPT:

(Deferred from the July 13, 2017 Meeting)

REZ2017-00010 Adena Patterson or Ann Neil Cosby for MS Richmond Investors LLC: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcels 744-763-8661, 744-763-9175, 745-763-2013, 745-763-2727, 745-763-3440, 745-763-4567, 745-763-5481, 745-763-6093 and 745-764-0618 containing 18.580 acres located between the east line of Belfast Road and the west line of Glasgow Road at its intersection with Ireland Road. The applicant proposes a zero lot line development with detached homes. The R-5A District allows a maximum density of six (6) units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development. **Staff – Lisa Blankinship (Deferral Requested to the November 9, 2017 Meeting)**

Deferred to the November 9, 2017 Meeting

(Deferred from the July 13, 2017 Meeting)

REZ2017-00011 Adena Patterson or Ann Neil Cosby for MS Richmond Investors LLC: Request to conditionally rezone from A-1 Agricultural District and R-3C One-Family Residence District to R-5AC General Residence District (Conditional) Parcels 744-762-4780, 744-762-5294, 744-762-9757, and 745-762-0472 containing 8.264 acres located between the east line of Belfast Road and the west line of Glasgow Road approximately 155' north of Edinburgh Road. The applicant proposes a zero lot line development with detached homes. The R-5A District allows a maximum density of six (6) units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development. **Staff – Lisa Blankinship (Deferral Requested to the November 9, 2017 Meeting)**

Deferred to the November 9, 2017 Meeting

REZ2017-00022 Andrew M. Condlin for Bacova Texas, LLC and Bacova, LLC: Request to amend proffers accepted with REZ2016-00033 on Parcels 736-768-6361, 736-768-5323, and 736-767-2166 containing 23.1 acres located on the east line of N. Gayton Road between Liesfeld Farm Drive and Kain Road. The applicant proposes to amend Proffer 22 regarding N. Gayton Road improvements. The existing zoning is R-5AC

General Residence District (Conditional). The 2026 Comprehensive Plan recommends Suburban Mixed-Use, density should not exceed 4 units per acre, and Environmental Protection Area. **Staff – Erin Puckett (Deferral Requested to the October 12, 2017 Meeting)**

Deferred to the October 12, 2017 Meeting

TUCKAHOE:

(Deferred from the August 10, 2017 Meeting)

REZ2017-00020 Mark Williams for B. Hunt Gunter: Request to conditionally rezone from B-1 Business District to B-2C Business District (Conditional) Parcel 741-742-5027 containing .523 acres located at the northwest intersection of Pump Road and Patterson Avenue (State Route 6). The applicant proposes a drive-thru restaurant. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Commercial Concentration and Environmental Protection Area. **Staff – Lisa Blankinship (Expedited Agenda Requested)**

Recommended for Approval

BROOKLAND:

REZ2017-00021 S.L. Nusbaum Realty Co. for Jakhow LLC & JBJ & BJJ: Request to conditionally rezone from R-4 One-Family Residence District to B-2C Business District (Conditional) part of Parcel 767-747-8171 containing 1.25 acres located on the west line of Bethlehem Road approximately 650' northwest of its intersection with Glenside Drive. The applicant proposes to add land area to the adjacent shopping center. The uses will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Office. **Staff – Livingston Lewis (Expedited Agenda Requested)**

Recommended for Approval

DISCUSSION ITEM: The Planning Commission will consider a work session and Public Hearing for the Glen Allen Comprehensive Plan Amendment and Code Amendment on October 12, 2017.

Work Session Approved for October 12, 2017 at 5:30 p.m.

APPROVAL OF MINUTES: **Planning Commission on August 10, 2017**

Approved

Acting on a motion by Mr. Archer seconded by Mr. Leabough, the Planning Commission adjourned its meeting at September 14, 2017 on 8:06 p.m..

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