

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT

March 27, 2019

9:00 A.M.

SEE ADDENDUM



PLANNING COMMISSION

Gregory R. Baka, Chairperson (Tuckahoe)
C. W. Archer, C.P.C., Vice-Chairperson (Fairfield)
William M. Mackey, Jr. (Varina)
Melissa L. Thornton (Three Chopt)
Robert H. Witte, Jr. (Brookland)
Frank J. Thornton, Board of Supervisors Representative
R. Joseph Emerson, Jr., AICP, Director of Planning,
Secretary

**DEVELOPMENT REVIEW AND DESIGN
DIVISION – DEPARTMENT OF PLANNING**

Jean M. Moore, Assistant Director of Planning
Leslie A. News, PLA, Senior Principal Planner
Michael F. Kennedy, County Planner
Anthony R. Greulich, C.P.C., County Planner
Doug Cole, PLA, County Planner
Christina Goggin, AICP, County Planner
Aimee B. Crady, AICP, County Planner
Kate B. McMillion, County Planner
Salim Chishti, County Planner
Spencer Norman, County Planner
Phillip Bariteau, County Planner
Melissa S. Ferrante, Office Assistant/Recording
Secretary

WELCOME: @ 9:01

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA: N/A

ROLL CALL: All Present

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leslie News

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Kate McMillion

There are no subdivision extensions this month.

TRANSFER OF APPROVAL

POD-50-95
POD2017-00511
A Plus at 8208 West Broad
Street (Formerly Exxon
Tigermart)

APPROVED

Gray-Robinson, PA for 7-Eleven, Inc. and Donald Bowden, Sr.: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from The Spectra Group and Exxon Tigermart to 7-Eleven, Inc. The 0.89-acre site is located at the northeastern corner of the intersection of West Broad Street (U.S. Route 250) and E. Parham Road, on parcel 762-754-4535. The zoning is B-3, Business District. County water and sewer. **(Brookland)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of original approval. The applicant has corrected the deficiencies identified in staff's inspection report dated October 23, 2017, including replacing missing trees and repainting stop bars.

The staff recommends approval of this transfer request.

(Staff Report by Christina Goggin)
(Applicant's Representative: Jan Chamberlin)

TRANSFER OF APPROVAL

POD-32-93
POD2018-00233
Hampton Inn at Innsbrook –
10800 West Broad Street

APPROVED/EXPEDITED

Hemant Shukla for Cox II, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Cedar Inn, LC to Cox II, LLC. The 2.6-acre site is located on the southern line of Innslake Drive, approximately 250 feet east of the southern intersection of Innslake Drive and Cox Road, on parcel 749-760-0076. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Three Chopt)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of original approval. The applicant has corrected the deficiencies identified in staff's inspection report dated June 19, 2018, including replacing missing trees and repairing broken curb.

The staff recommends approval of this transfer request.

(Staff Report by Spencer Norman)
(Applicant's Representative: Hemant Shukla)
(Applicable Rezoning Cases and PUPS: C-2C-93)

TRANSFER OF APPROVAL

POD-57-81 and POD-74-84
POD2018-00515;
POD2018-00517;
POD2019-00114; and
POD2019-00115
Deep Run Centres I and II
(Formerly Deep Run
Business Center and
Landmark Office
Warehouse) – 3981 and 3955
Deep Rock Road

APPROVED/EXPEDITED

Jonathan Cutler for Premier Deep Run, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from American Life Insurance Company to Premier Deep Run, LLC. The 6.51-acre site is located at the southeastern corner of the intersection at West Broad Street (U.S. Route 250) and Deep Rock Road, on parcels 751-759-5660 and 751-759-5727. The zoning is M-1C, Light Industrial District. County water and sewer. **(Three Chopt)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of original approval. The applicant has corrected the deficiencies identified in staff's inspection report dated December 28, 2018, including replacing missing trees and repainting stop bars.

The staff recommends approval of this transfer request.

(Staff Report by Spencer Norman)
(Applicant's Representative: Johnathan Cutler)
(Applicable Rezoning Cases and PUPS: C-7C-81)

TRANSFER OF APPROVAL

POD-35-07
POD2019-00060
McDonald's at Staples Mill
Square – 9041 Staples Mill
Road (U.S. Route 33)

APPROVED/EXPEDITED

PR II/RP Staples Mill Square, LLC and Marchetti Properties for Staples Mill Square Holding, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Marchetti Properties to PR II/RP Staples Mill Square, LLC. The 1.321-acre site is located in an existing shopping center on the eastern line of Staples Mill Road (U.S. Route 33), approximately 1,100 feet south of Hungary Spring Road, on parcels 768-757-6876 and 768-757-7878. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Brookland)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of original approval. The applicant has corrected the deficiency identified in staff's inspection report dated February 21, 2019, which was repairing a directional sign.

The staff recommends approval of this transfer request.

(Staff Report by Christina Goggin)
(Applicant's Representative: Todd Goldberg)
(Applicable Rezoning Cases and PUPS: C-77C-94)

TRANSFER OF APPROVAL

POD-42-08
POD2019-00061
Union Bank & Trust Bank at
Staples Mill Square – 8983
Staples Mill Road

APPROVED/EXPEDITED

PR II/RP Staples Mill Square, LLC and Marchetti Properties for Staples Mill Square Holding, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Staples Mill Square Holding, LLC to PR II/RP Staples Mill Square, LLC. The 1.12-acre site is located in an existing shopping center along the eastern line of Staples Mill Road (U.S. Route 33), approximately 690 feet south of Hungary Spring Road, on parcel 768-758-5301. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Brookland)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of original approval. The property was inspected per the applicant's request, and no deficiencies were identified by staff on February 21, 2019

The staff recommends approval of this transfer request.

(Staff Report by Christina Goggin)
(Applicant's Representative: Todd Goldberg)
(Applicable Rezoning Cases and PUPS: C-77C-94)

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2019-00073
Hammer Medical – 5606
Staples Mill Road

APPROVED

GJB & Associates for Marie T. Hammer: 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 renovate a two-story 3,850-square foot building for use as a medical office with an accessory dwelling. The 3.79-acre site is located on the western line of Staples Mill Road, approximately 800 feet north of its intersection with Dumbarton Road, on parcel 773-745-9522. The zoning is O-2C, Office District (Conditional). County water and sewer. **(Brookland)**

This project is to renovate an existing two-story wooden structure for a medical office on the first floor and an accessory residence on the second floor. The property was rezoned to O-2C in 2018 (REZ2018-00042) and was issued a PUP for the accessory residence in that same year (PUP2018-00014). The current POD conforms to all of the proffers from the rezoning case and the PUP.

The plan has been annotated to address VDOT's requirement to prohibit access to this property from the driveway on the northernmost property line. Additionally, the BMP will be relocated to meet the required 25-foot setback from the right of way. The developer is in agreement with these changes.

Lighting will be provided by low intensity, LED lights on 15-foot high poles and is in compliance with proffered conditions.

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 entrances and drainage facilities on Staples Mill Road 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. Outside storage shall not be permitted.
32. The proffers approved as a part of zoning case REZ2018-00042 shall be incorporated in this approval.
33. 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.

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34. 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.
35. 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 Salim Chishti)

(Applicant's Representative: Dennis Beard)

(Applicable Rezoning Cases and PUPS: PUP2018-00014 and REZ2018-00042)

PLAN OF DEVELOPMENT

POD2019-00072

AutoZone at John Rolfe
Commons Shopping Center –
2150 John Rolfe Parkway

APPROVED/EXPEDITED

Timmons Group for Wilton Companies, LLC and AutoZone Development, 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, 6,816-square foot retail building in an existing shopping center. The 1.02-acre site is located on the western line of John Rolfe Parkway, approximately 750 feet north of its intersection with Ridgefield Parkway, on parcel 737-751-2333. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Tuckahoe)**

The applicant proposes a 6,816-square foot automotive retail building on an outparcel in an existing shopping center. This proposed development in John Rolfe Commons Shopping Center leaves two more parcels that can be developed.

The building materials are half each brick and EIFS, in the same colors as the shopping center, with a dark tan cornice and black standing seam metal accents. The parapet of the building is tall enough to screen the rooftop HVAC / mechanical equipment. The applicant is using the same brick that is used within the shopping center for continuity and is in compliance with all the proffers of C-66C-88.

The applicant is also preserving the established plantings in the 25-foot proffered landscape buffer between the parking lot and John Rolfe Parkway, and will supplement the existing plantings.

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. Only retail business establishments permitted in a B-2 Zone 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 proffers approved as a part of zoning case C-66C-88 shall be incorporated in this approval.
33. 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.
34. The conceptual master plan, as submitted with this application, is for planning and information purposes only.
35. 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.
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 Christina Goggin)
(Applicant's Representative: Ryan Ritterskamp)
(Applicable Rezoning Cases and PUPS: C-66C-88)

PLAN OF DEVELOPMENT

POD2019-00019
Bojangles at 8050 West
Broad Street (U.S. Route
250)

APPROVED/EXPEDITED

Townes Site Engineering for MLEB, LLC, Darnestown Road Property, LP, and Redco Properties, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to demolish an existing retail building and construct a one-story, 3,393-square foot restaurant with drive-through facilities. The 1.09-acre site is located on the northern side of West Broad Street (U.S. Route 250), approximately 380 feet east of Carousel Lane, on parcel 763-753-2544 and part of parcel 763-753-8421. The zoning is B-3, Business District. County water and sewer. **(Brookland)**

The proposal is for the demolition of a retail building located within the existing Fountain Square Shopping Center, and the construction of a one-story 3,393-square foot restaurant with drive-through facilities, which will not be part of the shopping center.

The site combines a portion of parcel 763-753-8421, which is located within the shopping center, with the adjacent former Crown gas station parcel. The site previously included with the shopping center will be removed from its boundary. The site will be party to the ingress/egress maintenance agreement for the shopping center's entrance drive, which acts as their primary entrance location, as required by Condition #33. Additionally, an Access Spacing Waiver was granted by the Director of Public Works, with VDOT's agreement, to accommodate the right-in/right-out access onto West Broad Street due to the distance from the existing shopping center's access drive.

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The building is a combination of red and tan brick, with a red EIFS cornice, accented with orange standing seam metal canopies over the dining area's windows. The rooftop mounted mechanical units will be screened from ground view by the proposed parapet.

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 West Broad Street (U.S. Route 250) 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. A concrete sidewalk meeting VDOT standards shall be provided along the north side of West Broad Street (U.S. Route 250).
32. In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-through facilities, the owner/occupant shall close the drive-through facilities until a solution can be designed to prevent traffic backup.
33. 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.
34. 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.

(Staff Report by Kate McMillion)
(Applicant's Representative: Zack Wilkins)

APPROVAL OF MINUTES: February 27, 2019 Minutes **APPROVED**

DISCUSSION ITEM: The Commission will continue their discussion of the proposed ordinance for Short Term Rentals.

ADJOURN @ 10:40

**PLANNING COMMISSION
AGENDA FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT
March 27, 2019**

ADDENDUM

PAGE 7 – REVISED CAPTION

TRANSFER OF APPROVAL

POD-42-08
POD2019-00061
Union Bank & Trust ~~Bank~~
Branch at Staples Mill
Square (**Formerly Union**
Bank and Trust at Staples
Mill Square) – 8983 Staples
Mill Road

APPROVED/EXPEDITED

PR II/RP Staples Mill Square, LLC and Marchetti Properties for Staples Mill Square Holding, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Staples Mill Square Holding, LLC to PR II/RP Staples Mill Square, LLC. The 1.12-acre site is located in an existing shopping center along the eastern line of Staples Mill Road (U.S. Route 33), approximately 690 feet south of Hungary Spring Road, on parcel 768-758-5301. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Brookland)**