

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
SUBDIVISIONS AND PLANS OF DEVELOPMENT

May 22, 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
Edith Golden, GIS Specialist
Melissa S. Ferrante, Office Assistant/Recording
Secretary

WELCOME: @ 9:07

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA: N/A

ROLL CALL: Mr. Thornton – Absent

REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News

EXPEDITED AGENDA: Leslie News

SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Kate McMillion

There are no subdivision extensions or withdrawals this month.

TRANSFER OF APPROVAL

POD2014-00223
POD2019-00052
Aldi Grocery Store at Staples
Mill Square Shopping Center
– 8951 Staples Mill Road

APPROVED/EXPEDITED

Todd Goldberg for PR II/RP Staples Mill Square, LLC:
Request for transfer of approval as required by Chapter 24,
Section 24-106 of the Henrico County Code from Staples Mill
Holding, LLC, Staples Mill Square Associates, LLC, and Aldi,
Inc. to PR II/RP Staples Mill Square, LLC and Aldi, Inc.. The
1.63-acre site is located in an existing shopping center on the
eastern line of Staples Mill Road (U.S. Route 33), approximately
760 feet north of Old Staples Mill Road, on parcel 769-757-3208.
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 replacement of missing landscaping.

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

POD2012-00280
POD2019-00055
Staples Mill Marketplace
Shopping Center – 9000
Staples Mill Road

APPROVED/EXPEDITED

Todd Goldberg for PR II/RP Staples Mill Marketplace, LLC:
Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Staples Mill Marketplace, LLC and Marchetti Properties to PR II/RP Staples Mill Marketplace, LLC. The 23.7-acre site is located in an existing shopping center on the southwestern line of Staples Mill Road (U.S. Route 33), between the eastern line of Hungary Spring Road and the northern line of Lucas Road, on parcels 768-757-2032, 767-757-6829, 767-757-7059, and 767-758-8716. 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 deficiencies identified in staff's inspection report dated February 25, 2019, which were replacement of missing landscaping and refreshing the mulch as necessary.

The staff recommends approval of this transfer request.

(Staff Report by Christina Goggin)

(Applicant's Representative: Todd Goldberg)

(Applicable Rezoning Cases and PUPS: C-3C-09, PUP2014-00001, and PUP2014-00002)

TRANSFER OF APPROVAL

POD2014-00145
POD2019-00056
Panda Express at Staples
Mill Marketplace – 9100
Staples Mill Road

APPROVED/EXPEDITED

Todd Goldberg for PR II/RP Staples Mill Marketplace, LLC:
Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Staples Mill Marketplace, LLC, Marketplace Holding LLC, and Panda Express, Inc. to PR II/RP Staples Mill Marketplace, LLC and Panda Express, Inc. The 0.89-acre site is located on an outparcel in an existing shopping center on the western line of Staples Mill Road (U.S. Route 33), approximately 700 feet south of its intersection with Hungary Spring Road, on parcel 768-757-1974. 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 replacement of missing landscaping.

The staff recommends approval of this transfer request.

(Staff Report by Christina Goggin)

(Applicant's Representative: Todd Goldberg)

(Applicable Rezoning Cases and PUPS: C-3C-09)

TRANSFER OF APPROVAL

POD2015-00054

POD2019-00057

Zaxby's Restaurant – Staples
Mill Marketplace – 9110
Staples Mill Road

APPROVED/EXPEDITED

Todd Goldberg for PR II/RP Staples Mill Marketplace, LLC:

Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Marketplace Holdings, LLC and CWC Food Properties, LLC to PR II/RP Staples Mill Marketplace, LLC and CWC Food Properties, LLC. The 1.08-acre site is located on an outparcel in an existing shopping center on the western line of Staples Mill Road (U.S. Route 33), approximately 500 feet south of its intersection with Hungary Spring Road, on parcel 768-757-0682. 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 replacement of missing landscaping.

The staff recommends approval of this transfer request.

(Staff Report by Christina Goggin)

(Applicant's Representative: Todd Goldberg)

(Applicable Rezoning Cases and PUPS: C-3C-09)

PLAN OF DEVELOPMENT AND LIGHTING PLAN

POD2019-00154

Libbie Mill Pad 2 and 10 –
Staples Mill Road

APPROVED

E.D. Lewis and Associates for Midtown Land Partners, LLC:

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 five-story, ~~259,000~~ **382,000**-square foot multifamily residential building with 350 units and amenities areas, and a one-story, 11,800-square foot retail building with drive-through facilities. The 13.6-acre site is located on the southwestern corner of the intersection of Staples Mill Road (U.S. Route 33) and Bethlehem Road, on parcel 774-740-5174 and parts of parcels 773-740-5180 and 774-740-4456. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Brookland)**

This proposed phase of development within the Libbie Mill urban mixed use district (UMU) will be located northeast of the existing Libbie Mill Library, on portions of the site adjacent to the intersection at Staples Mill Road and Bethlehem Road. Two buildings are proposed. In the first building, a five-story multifamily residential building with 350 dwelling units and amenities areas totaling 382,000 square feet is planned. Directly adjacent to the street intersection is proposed a one-story retail building with 11,800 square feet, which is planned to include a drive-through facility.

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The buildings are proposed with finishes of face brick and a combination of metal and fiber cement paneling. The style of the building bridges components of the modern design of the library and the previously approved Harps Landing office building, while employing brick finishes compatible with the existing retail and office developments along the eastern edge of the UMU.

A site lighting plan and conceptual landscape plan is included to show continuity of adequate lighting and tree canopy spacing throughout the site, as portions of Libbie Lake East and Roux Streets are included to extend to Bethlehem with this phase of development. Roux Street will intersect Bethlehem Road with a right-in/right-out configuration, and Libbie Lake East Street to the west of Roux Street will have a standard full access configuration to Bethlehem Road. Pedestrian connections from both Bethlehem and Staples Mill Roads are included to connect the perimeter roadways into the site at key points in addition to the streetscape sidewalks along intersecting roads.

The staff recommends approval subject to the annotations on the plans, and 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. 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 any time.
31. The proffers approved as a part of zoning cases REZ2018-00044, REZ2015-00018, PUP2015-00006, and PUP2018-00016 shall be incorporated in this approval.
32. 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.
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. 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 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.

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35. The pavement shall be of an SM-2A type and shall be constructed in accordance with County standard and specifications. The developer shall post a defect bond for all pavement with the Department of Planning - the exact type, amount and implementation shall be determined by the Director of Planning, to protect the interest of the members of the Homeowners Association. The defect bond shall remain in effect for a period of three years from the date of the issuance of the final occupancy permit. Prior to the issuance of the last Certificate of Occupancy, a professional engineer must certify that the roads have been designed and constructed in accordance with County standards.
36. 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.
37. 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.

(Staff Report by Aimee Crady)

(Applicant's Representative: Monte Lewis)

(Applicable Rezoning Cases and PUPS: REZ2018-00044, REZ2015-00018, PUP2015-00006, and PUP2018-00016)

PLAN OF DEVELOPMENT

POD2019-00133
Airport Logistics Center
Phase III – 6101 South
Laburnum Avenue

APPROVED/EXPEDITED

Townes Site Engineering for Laburnum Land Virginia Becknell Investor and Becknell Industrial: 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, 187,500-square foot warehouse/distribution building with associated parking and loading areas. The 59.67-acre site is located on the eastern line of South Laburnum Avenue, the western line of Miller Road, and the northern line of Seven Hills Boulevard, on parcel 816-705-4345. The zoning is M-2C, General Industrial District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

The plan proposes the construction of a one-story, 187,500-square foot warehouse/distribution building. The building is the fourth building in the planned four-building Airport Logistics Center. The proffers of zoning case C-75C-89 shall apply.

Building materials consist of earth-tone, pre-cast concrete panels with some grey-colored panels throughout the elevations, and they comply with proffered requirements. This building is similar in appearance to other proposed buildings at Airport Logistics Center and those at Airport Distribution Center at the intersection of Darbytown Road and Laburnum Avenue. The developer, Becknell Services, is the same for both sites.

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Greenbelts are proffered along Laburnum Avenue (50 feet wide), Seven Hills Boulevard (35 feet wide), and Miller Lane (25 feet wide). The applicant has agreed to provide plantings meeting the quantities of a transitional buffer for each width.

Staff recommends approval subject to the annotations on the plans, the standard conditions for developments of this type and the following conditions:

29. The proffers approved as a part of zoning case C-75C-89 shall be incorporated in this approval.
30. The conceptual master plan, as submitted with this application, is for planning and information purposes only. 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.
31. 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.

**(Staff Report by Salim Chishti)
(Applicant's Representative: Zack Wilkins)
(Applicable Rezoning Cases and PUPS: C-75C-89)**

APPROVAL OF MINUTES: April 24, 2019 Minutes **APPROVED**

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

ADJOURN @ 9:46

**PLANNING COMMISSION
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May 22, 2019**

ADDENDUM

There are no addendum items this month