

**HENRICO COUNTY**  
**PLANNING COMMISSION AGENDA**  
**FOR**  
**SUBDIVISIONS AND PLANS OF DEVELOPMENT**

**May 23, 2012**

**9:00 A.M.**



**PLANNING COMMISSION**

Tommy Branin, Chairperson (Three Chopt)  
Bonnie-Leigh Jones, C.P.C. Vice-Chairperson (Tuckahoe)  
C. W. Archer, C.P.C. (Fairfield)  
Eric S. Leabough (Varina)  
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**

David D. O'Kelly, Jr., Assistant Director of Planning  
Leslie A. News, CLA, Principal Planner  
Kevin D. Wilhite, C.P.C., AICP, County Planner  
Michael F. Kennedy, County Planner  
Christina Goggin, AICP, County Planner  
Anthony R. Greulich, C.P.C., County Planner  
Matthew Ward, County Planner  
Greg Garrison, County Planner  
Lee Pambid, C.P.C., County Planner  
Aimee B. Crady, AICP, County Planner  
Robert Peterman, GIS Technician  
Holly Zinn, Office Assistant/Recording Secretary

**WELCOME:**

**PLEDGE OF ALLEGIANCE:**

**RECOGNITION OF NEWS MEDIA:**

**ROLL CALL:**

**REQUEST FOR DEFERRALS AND WITHDRAWALS: Leslie News**

**EXPEDITED AGENDA: Leslie News**

**SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL: Lee Pambid**

**FOR INFORMATIONAL PURPOSES ONLY**

<b>Subdivision</b>	<b>Original No. of Lots</b>	<b>Remaining Lots</b>	<b>Previous Extensions</b>	<b>Magisterial District</b>	<b>Recommended Extension</b>
<b>SUB2009-00048 (SUB-08-09) Staples Mill Centre (May 2009 Plan)</b>	<b>52</b>	<b>52</b>	<b>2</b>	<b>Brookland</b>	<b>5/22/2013</b>

## TRANSFER OF APPROVAL

POD-44-01 (Part)

POD2012-00017

The Retail Shoppes at  
Virginia Center (Formerly  
Silver Finance and Retail  
Buildings) - 9853 Brook  
Road (U.S. Route 1)

**James G. Michael for 9853 Brook Road LLC:** Request for transfer of approval of a portion of a Plan of Development as required by Chapter 24, Section 24-106 of the Henrico County Code from Cedar Va Commons, LLC to 9853 Brook Road LLC. The 1.31-acre site is located at the southeast corner of the intersection of Brook Road (U.S. Route 1) and Technology Park Drive, approximately 545 feet north of Virginia Center Parkway, on parcel 783-768-9750. The zoning is M-1, Light Industrial District. County water and sewer. **(Fairfield)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. To date, the corrected deficiencies include the following: removal of a dumpster; installation of a new utility box cover; repainting of 3 stop bars, fire lanes, and handicap pavement markers as necessary; pruning certain landscaping for sight distance clearance; and placing fresh mulch in every landscaping island. The staff recommends approval of this transfer request with the following condition:

1. The site deficiencies, as identified in the inspection report dated January 30, 2012, shall be completed by October 1, 2012.

The remaining deficiencies to be completed include repairing, resealing, and restriping of the parking lot as necessary, as well as replacement of missing landscaping material throughout the site. The applicant has provided staff evidence of signed contracts to resolve the remaining deficiencies.

**(Staff Report by Matt Ward)**

**(Applicant's Representative: James G. Michael)**

**(Applicable Rezoning Cases and PUPs: C-91C-97)**

## TRANSFER OF APPROVAL

POD-94-93  
POD2012-00109  
Village Shopping Center  
Ukrop's Addition – 7027  
Three Chopt Road

**ML Bell Construction for Regency Centers:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from First Washington Realty LTD, US RP I, LLC, and Macquarie Countrywide to Regency Centers. The 8.04-acre site is located at the southwest corner of the intersection of Three Chopt Road and Patterson Avenue (State Route 6), on parcel 763-739-1375. The zoning is B-1, Business District. County water and sewer. (**Tuckahoe**)

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. The staff recommends approval of this transfer request with the following condition:

1. The site deficiencies, as identified in the inspection report dated April 3, 2012, shall be corrected by June 1, 2012.

The deficiencies to be completed include installing a new section of fence behind the shopping center facing the residential area, removing a damaged dumpster enclosure, constructing 2 new wooden dumpster enclosures to match existing enclosures, installing 4 new dumpster enclosure gates, and planting a Zelkova nearest Patterson Avenue (State Highway 6). The applicant has provided staff evidence of signed contracts to address all deficiencies.

**(Staff Report by Matt Ward)**

**(Applicant's Representative: Ryan Goodrich)**

## TRANSFER OF APPROVAL

POD-057-89  
POD2012-00097  
Applebee's at Westpark  
Shopping Center – 9601 W.  
Broad Street (U.S. Route  
250)

**Albert Diradour for The Diradour, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Apple South, Inc., Applebee's of VA, Inc., and DBApplef, LLC to The Diradour, LLC. The 1.35-acre site is located in an existing shopping center at the southwest corner of the intersection of W. Broad Street (U.S. Route 250) and Pemberton Road (State Route 157), on parcel 754-758-6408. 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 the original approval. The staff recommends approval of this transfer request with the following condition:

1. The site deficiencies, as identified in the inspection report dated March 26, 2012, shall be corrected by July 1, 2012.

The deficiencies include repairing, resealing, and restriping of the parking lot as necessary, adding 2 stop bars, realigning a stop sign, replacing 3 faded handicap parking signs, planting 1 Red Maple in the southwest corner of the parking lot and 1 Bradford Pear in the landscaping island near the take-out area. The applicant has provided staff evidence of signed contracts to address all deficiencies.

**(Staff Report by Matt Ward)**  
**(Applicant's Representative: Robert L. Eberly)**  
**(Applicable Rezoning Cases and PUPs: C-76C-89)**

## **TRANSFER OF APPROVAL**

POD's 35-76, 06-78, and 47-08 (Part)  
POD2011-00446; POD2011-00448; POD2012-00008  
Laurels at University Park (Formerly University Park) – 2420 Pemberton Road

**Hirschler-Fleischer for The Laurels of University Park, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from University Park Health Investors, LLC to The Laurels of University Park, LLC. The 8.93-acre site is located at the northeast corner of the intersection of Pemberton Road (State Route 157) and Regirer Place, on parcel 752-753-4706 and part of parcel 752-753-0071. The zoning is R-6C, General Residential District (Conditional). County water and sewer. **(Three Chopt)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approvals. The staff recommends approval of this transfer request with the following condition:

1. All deficiencies, as identified in the inspection report dated December 29, 2011, shall be corrected by September 26, 2012.

The deficiencies identified by staff include: recordation of drainage and utility easements, removal of a shed, reconstruction of a fire lane, grading for positive drainage, screening of dumpsters, and provision of ADA compliant handicapped parking. The applicant has provided staff evidence of signed contracts to address all deficiencies.

**(Staff Report by Mike Kennedy)**  
**(Applicant's Representative: Penny Koch)**  
**(Applicable Rezoning Cases and PUPs: C-42C-06; C-17C-11)**

**TRANSFER OF APPROVAL (Deferred from the April 25, 2012 Meeting)**

POD-02-00 (Part)

POD2011-00433

Park Central III – 8831 Park  
Central Drive

**CB Richard Ellis for C.S. Richmond Corporation:** Request for transfer of approval of a portion of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code from Park Central Associates, LC and Robinson Development Group, Inc. to C.S. Richmond Corporation. The 6.37-acre site is located on the east line of Park Central Drive, approximately 2000 feet north of the intersection of Park Central Drive and East Parham Road, on parcel 789-760-7494. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Fairfield)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. The staff recommends approval of this transfer request with the following condition:

1. All deficiencies, as identified in the inspection report dated December 14, 2011, shall be corrected by June 30, 2012.

Deficiencies include missing, damaged, and dead landscaping, damaged dumpster enclosure doors, litter, and a missing stop bar. Staff has been provided evidence of a signed contract for landscape work. The remaining work has been completed.

**(Staff Report by Lee Pambid)**

**(Applicant's Representative: Mildred Gray)**

**(Applicable Rezoning Cases and PUPs: C-91C-97)**

## TRANSFER OF APPROVAL

POD-14-79 and 54-94  
POD2012-00123; POD2012-  
00125  
Performance Food Group,  
Inc. (Formerly Taylor and  
Sledd Warehouse and Office  
Addition) – 7420 Ranco  
Road

**Charles Nabit for Ranco-Ric, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from H.C. Sledd, Jr, Cannery Warehouse, and E.D. Lewis and Associates to Ranco-Ric, LLC. The 13.08-acre site is located on the west line of Ranco Road, approximately 1,200 feet north of Vernon Road, on parcel 773-751-4043. The zoning is M-1, Light Industrial District. County water and sewer. **(Brookland)**

The new owner accepts and agrees to be responsible for continued compliance with the conditions of the original approval. The staff recommends approval of this transfer request with the following condition:

1. All deficiencies, as identified in the inspection report dated April 15, 2012, shall be corrected prior to the issuance of a permanent certificate of occupancy.

Deficiencies include damaged landscaping and seeded areas, littered and overgrown BMP, missing stop bars and stop signs, vehicles parked in areas not improved for parking, and a damaged parking lot. Work is progressing on site to address these deficiencies.

**(Staff Report by Lee Pambid)**  
**(Applicant's Representative: Charles Nabit)**

## LANDSCAPE PLAN

LP/POD-02-09  
POD2012-00177  
Tuckaway Child  
Development Center – New  
Market Road and Midview  
Road (Reconsideration)  
(POD-48-06 Revised)  
(POD-32-04 Expired)

**Balzer and Associates for Karverly, Inc.:** Request for approval of reconsideration of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 5.22-acre site is located at the southeast corner of the intersection of New Market Road (State Route 5) and Midview Road on parcel 803-701-8673. The zoning is B-1C, Business District (Conditional). County water and sewer. (**Varina**)

A Plan of Development for this project was approved by the Planning Commission on February 25, 2009, and on January 31, 2011, a landscape plan was approved administratively by staff. The approved plan complied with the proffers associated with Rezoning case C-25C-08, and the following specific proffer:

1. *Buffer Areas and Screening.*

- A. *A landscaped buffer a minimum of forty (40) feet in width shall be maintained along the western boundary of the property, adjacent to the New Market Road (Route 5) right-of-way. This buffer shall be landscaped to the standards of the thirty-five (35) foot transitional buffer and include a berm similar in size to the one at the front of the adjacent veterinary clinic (1320 New Market Road).*
- B. *A landscaped buffer a minimum of ten (10) feet in width shall be maintained along all other boundaries of the property. This buffer shall be landscaped to the standards of the ten (10) foot transitional buffer.*

*Buffers shall be provided except to the extent necessary for easements, sidewalks, access driveways (which access driveways shall run generally perpendicular to the buffer), and other purposes requested and specifically permitted, or if required, at the time of Plan of Development. Buffers adjacent to public roads shall be measured from the road's ultimate right-of-way.*

On April 27, 2012, the applicant filed the current landscape plan for review, requesting exceptions to the proffered buffer requirements per the last paragraph of Proffer #1. The applicant filed this request and submitted the plans they wish to be approved along with their letter of explanation (see Staff Plan) justifying the requested relief. Staff has also included for reference a copy of the currently approved landscape plan that meets the landscape requirements of the proffered buffers. It has been annotated to indicate the plantings the applicant is requesting not to install.

Several community meetings were held during this rezoning case, and citizens were concerned about the extensive amount of white vinyl fencing on the perimeter of the site. As a result, the applicant agreed to provide landscaping in front of the fence to soften its appearance.

Relief from required landscaping in front of the fence at the corner of Midview and New Market Roads is requested by the applicant, to allow an unobstructed view of a large oak tree behind the fence. Staff notes that provision of appropriate tree and shrub species could buffer the fence while not obstructing views to the existing oak tree. The Traffic Engineer has also advised the installation of trees and shrubs in this location would not affect sight lines at the intersection.

Relief from landscaping requirements is also requested by the applicant along the western property line adjacent to the veterinary clinic property. The property line has been adjusted, as stated by the applicant, in an agreement between the applicant and the owners of the veterinary clinic. The veterinarian property was originally approved as a bank under POD-99-88 and has an approved landscape plan that was reviewed and approved by the Planning Commission. It is a portion of this landscaping, installed as part of the Commission's approved plan that is now located on the applicant's property. The former bank, now veterinarian clinic property, may not have all the Commission's approved landscaping on its property. This exchange of property was completed without consultation with staff. There is still adequate room to add the required landscaping on the applicant's property, but adjustments may be needed to account for the site changes.

Additionally, relief from providing landscaping along the southern property line is requested. The southern property line is adjacent to 3 wooded parcels zoned A-1, of which 2 are residential use with existing homes at 1340 New Market Road and 1591 Midview Road. The third parcel is currently undeveloped. Staff has had no indication that the adjacent property owners would support elimination of the landscaping. Staff continues to recommend the proposed landscaping be provided to buffer the site from the adjacent residential properties.

As indicated, the landscape plan, approved January 31, 2011, meets proffered conditions. Staff worked with the applicant's representative during the original approval to adjust the landscaping to account for the site conditions. Staff has also indicated to the applicant a willingness to consider additional adjustments of the plant locations and species. Staff also believes a portion of the required planting could be potentially reduced in quantity behind the veterinary clinic. However, staff does not support elimination of all the required landscaping in the requested locations. Should the Commission act on this request, the standard conditions for landscape plans are recommended.

**(Staff Report by Tony Greulich)**

**(Applicant's Representative: Christopher Shust)**

**(Applicable Rezoning Cases and PUPs: C-25C-08; C-34C-03)**

## LANDSCAPE PLAN

POD-29-11  
POD2012-00110  
McDonald's at 7118 W.  
Broad Street (U.S. Route  
250)  
(POD-101-84 Rev.)

**Carter Design for McDonald's Corporation:** Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 1.01-acre site is located at the northeast corner of the intersection of Deep Run Avenue and W. Broad Street (U.S. Route 250), on parcel 766-747-9382. The zoning is B-2C, Business District (Conditional), B-3, Business District, and B-3C, Business District (Conditional). County water and sewer. **(Brookland)**

A revised landscape plan was requested to address outstanding issues including provision of a transitional buffer at the southeast corner of Deep Run and Fountain Avenues to lessen impacts on the adjacent residential district, and adjustments to the proposed landscaping along W. Broad Street and Deep Run Avenue. The revised plan in your agenda was received on the preparation date of the agenda, and, therefore, the staff has not had an opportunity to complete its review of the landscape plan. The staff recommendation will be made at the meeting. Should the Commission act on this request, the standard conditions for landscape plans are recommended.

**(Staff Report by Matt Ward)**

**(Applicant's Representative: Michele Carter)**

**(Applicable Rezoning Cases and PUPs: C-122-73; C-72C-84; C-10C-08)**

## SUBDIVISION

SUB2012-00062

Duncan Park at Sadler Walk  
(May 2012 Plan) – Glasgow  
Road

**Youngblood, Tyler & Associates, P.C. for Oglethorpe Park, LLC:** The 10.79-acre site proposed for a subdivision of 64 residential townhouses for sale is located on the east line of Glasgow Road at its intersection with Dublin Road, approximately 600 feet north of Ireland Lane, on parcels 746-763-1769, 2482, 2896, and 746-764-3818. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt) 64 Lots**

This request is for a resubdivision of 4 lots in Macdonald's Small Farm subdivision to create 64 townhouse lots for sale.

Staff has not received a revised plan addressing Public Works Traffic Division's and Planning's comments, as requested. Traffic does not support the location of the northernmost private road at the 90 degree curve at the corner of Glasgow and Dublin Roads, and requires redesign due to access management standards and sight distance issues at the intersection. Planning is requiring the applicant to relocate the parking pads currently on the lots to the common area and to adjust the lots to provide the 30-foot rear yard setback.

Should the Commission act on this request, in addition to the annotations on the plans and the standard conditions for residential townhouses for sale subdivisions, the following additional conditions are recommended:

15. The plat shall contain a statement that the common area is dedicated to the common use and enjoyment of the homeowners of Duncan Park at Sadler Walk and is not dedicated for use by the general public. This statement shall refer to the applicable article in the covenants recorded with the plat.
16. The details for the landscaping to be provided along Sadler Road Relocated, Sadler Walk Lane, and adjacent to A-1 zoned parcels shall be submitted to the Department of Planning for review and approval prior to recordation of the plat.
17. A County standard sidewalk shall be constructed along both sides of Sadler Walk Lane and the eastern property line of Glasgow Road.
18. Any necessary offsite drainage easements must be obtained prior to final approval of the construction plan by the Department of Public Works.
19. The proffers approved as part of zoning case C-19C-06 shall be incorporated in this approval.
20. The developer shall provide signage, the wording and location as deemed appropriate by the Director of Public Works, which addresses the possible future extension of the stub street.
21. Any future building lot containing a BMP, sediment basin or trap and located within the buildable area for a principal structure or accessory structure, may be developed with engineered fill. All material shall be deposited and compacted in accordance with the Virginia Uniform Statewide Building Code and geotechnical guidelines established by a professional engineer. A detailed engineering report shall be submitted for the review and approval by the Building Official prior to the issuance of a building permit on the affected lot. A copy of the report and recommendations shall be furnished to the Directors of Planning and Public Works.

**(Staff Report by Christina Goggin)**  
**(Applicant's Representative: Anne Tignor)**  
**(Applicable Rezoning Cases and PUPs: C-19C-06)**

## SUBDIVISION

SUB2012-00042

Liesfeld Farm Drive (April 2012 Plan) – Bacova Drive

**Youngblood, Tyler & Associates for Bacova, LLC:** The 10.10-acre site proposed for a public road dedication is located beginning at the west at its intersection with N. Gayton Road, approximately 1,200 feet north of Bacova Drive continuing eastward to its intersection at Pouncey Tract Road (State Route 271) and Twin Hickory Lake Drive, on part of parcels 735-767-8435, 9459, 736-766-7163, 738-765-2372, 739-765-0785, 739-766-2504, and 739-765-0558. The zoning is A-1, Agricultural District, O-2C, Office District (Conditional), R-3C, One-Family Residential District (Conditional), R-5AC, General Residential District (Conditional), and R-6C, General Residential District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt) 0 Lots**

The proposed spine road of Liesfeld Farm Drive is designed in accordance with recently approved proffers of zoning case C-9C-11, approved in December 2011. The road will begin at its easternmost point from Pouncey Tract Road at its intersection with Twin Hickory Drive and current Bacova Drive and continue westward through the overall subject property to the newly constructed portion of North Gayton Road. Road construction phasing will correspond with the phases of development to be served by this spine road, as detailed in proffered conditions and exhibits. Development plans for single family residential dwellings and multifamily apartments have been submitted for separate Planning Commission review and approval on this agenda. The westernmost portion of the spine road shall be constructed prior to the issuance of the first certificate of occupancy for any multifamily unit on Tract E, (Bacova Apartments Tract E). The easternmost portion of the spine road shall be constructed prior to the twentieth certificate of occupancy on Tract B, the single family subdivision proposed as Liesfeld Farm at Bacova (April 2012 Plan). This will include the relocation of Bacova Drive to intersect with the proposed spine road, Liesfeld Farm Drive.

At its intersection with North Gayton Road, westbound lanes of Liesfeld Farm Drive will include each a dedicated left-turn lane and right-turn lane. At its intersection with Pouncey Tract Road, the eastbound portion will include 1 dedicated left-turn lane, 2 through lanes, and 1 dedicated right-turn lane. A traffic signal at its intersection with North Gayton Road will be installed by the developer as required by the Department of Public Works Traffic Division. Provisions for road widening to construct a third northbound lane on North Gayton Road from the intersection of Bacova Drive to the intersection of the proposed Liesfeld Farm Drive, including the right and left-turn lanes required to access Liesfeld Farm Drive from north Gayton Road, are included in this plan.

Improvements to the intersection of Bacova and Liesfeld Farm Drives will include the realignment of the school entrance and bus loop entrance at Colonial Trail Elementary School and the addition of a dedicated right-turn lane into the school from the proposed road. Coordination of construction will be required in this area to maintain school access.

A 10-foot wide multi-use path with a 5-foot grass strip to separate the path from the road will be provided along the entire south line of the right-of-way with initial construction of the road. A minimum 5-foot sidewalk will be provided along the entire north line of Liesfeld Farm Drive as adjacent and contiguous properties are developed. Portions of the road will include a 14-foot landscaped and irrigated median. A minimum 25-foot width landscape buffer planted to the

transitional buffer 25 requirement will be provided on both sides of the proposed road with adjacent development. A conceptual landscape plan has been included in the agenda. Final details of the streetscape and median planting will return to the Planning Commission for review and approval at a later date.

Staff recommends conditional approval subject to the annotations on the plans, the standard conditions for a subdivision road dedication, and the following additional conditions:

11. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the maintenance of the privately maintained improvements in the right-of-way by a homeowners association shall be submitted to the Department of Planning for review. Such covenants and restrictions shall be in a form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.
12. Prior to requesting recordation, the developer must furnish a letter from Dominion Virginia Power, stating that this proposed development does not conflict with its facilities.
13. The details for the landscaped median and 25-foot buffer along portions of the north line and entire south line of Liesfeld Farm Drive and along the east line of Bacova Drive adjacent to Colonial Trail Elementary School, as shown on the conceptual landscape plan, shall be submitted to the Department of Planning for Planning Commission review and approval prior to recordation of the plat.
14. A 10-foot wide multi-use path with a 5-foot wide grass strip shall be constructed along the south side of Liesfeld Farm Drive.
15. The proffers approved as part of zoning case C-9C-11 shall be incorporated in this approval.
16. The owner 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 on 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.
17. A construction staging plan, which includes details for traffic control, fire protection, stockpile locations, construction fencing, hours of construction, construction access routes, and coordination with Henrico County Schools, shall be submitted to the Department of Planning for review and included in the construction plans prior to approval of any construction plans.
18. The developer shall be responsible for the relocation of any school marquee or signage on the Colonial Trail Elementary School property necessary with construction of Liesfeld Farm Drive or the realignment of Bacova Drive.
19. Bacova Drive shall be maintained open for through traffic to Gayton Road until such time as Liesfeld Farm Road is open for public use from Pouncey Tract Road to North Gayton Road.

**(Staff Report by Aimee B. Crady)**  
**(Applicant's Representative: William Browning)**  
**(Applicable Rezoning Cases and PUPs: C-9C-11)**

## SUBDIVISION

SUB2012-00041  
Liesfeld Farm at Bacova  
(April 2012 Plan) – 12130  
Bacova Drive

**Youngblood, Tyler & Associates for Lawrence H. Liesfeld, Et Al., Trustees, and Liesfeld Bacova Farm, Inc.:** The 32.35-acre site proposed for a subdivision of 60 single-family homes is located on the north and west lines of Bacova Drive, approximately 750 feet west of Pouncey Tract Road (State Route 271), on part of parcels 736-766-7163, 737-766-1902, and 738-765-2372. The zoning is R-3C, One-Family Residential District and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt) 60 Lots**

The applicant proposes 60 single family residential lots adjacent to the intersection of proposed Liesfeld Farm Drive and Bacova Drive realigned as shown on the staff plan. This development would be the first single family residential development of the overall Bacova development recently approved with zoning case C-9C-11. The plan is substantially similar to the proffered layout previously approved by the Planning Commission with the rezoning case and includes a park with a pedestrian path that will tie into proposed sidewalk and paths extending throughout the development. Park amenities will include a pavilion, a dock for the water feature, a community garden, a tot lot, and open play areas.

With the proposed layout, the applicant requests an exception to Section 19-135 of the Subdivision Ordinance to allow proposed Lots 1-12 Block C to have double frontage along the existing Bacova Drive and proposed Mary Jane Terrace. In addition, the applicant also requests an exception to Section 24-94(aa) of the Zoning Ordinance to waive the 25-foot increased rear yard setback along Bacova Drive, currently classified as a minor collector on the Major Thoroughfare Plan. Bacova Drive will be replaced by Liesfeld Farm Drive on the Major Thoroughfare Plan. As part of the proffered overall road development plan, future phases may include termination of the eastern portion of Bacova Drive with a cul-de-sac adjacent to parcel 738-765-6809. In effect, Lots 4-12 on Block C may no longer have public road frontage along Bacova Drive. Ultimately, proposed Lots 1-3 will remain with double frontage on public rights-of-way without MTP classification. The applicant has provided for a 25-foot buffer with opaque wooden fencing along the rear line of lots along Bacova Drive, which will be designated as a planting strip easement to preclude any ingress and egress directly to Bacova Drive. The proposed lots are designed in accordance with the proffered conceptual layout. Staff has no objection to these exception requests.

Staff recommends conditional approval subject to the annotations on the plan, the standard conditions for subdivisions served by public utilities, and the following additional conditions:

13. 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."
14. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the maintenance of the common area by a homeowners association shall be submitted to the Department of Planning for review. Such covenants and restrictions shall be in a form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.
15. Prior to requesting recordation, the developer must furnish a letter from Dominion Virginia Power, stating that this proposed development does not conflict with its facilities.

16. The details for the landscaping to be provided within the 25-foot wide planting strip easement and proffered buffer along proposed Liesfeld Farm Drive and Bacova Drive shall be submitted to the Department of Planning for Planning Commission review and approval prior to recordation of the plat.
17. A 10-foot wide multi-use path with a 5-foot wide grass strip shall be constructed along the south side of Liesfeld Farm Drive.
18. The proffers approved as part of zoning case C-9C-11 shall be incorporated in this approval.
19. Prior to request for final approval, the 60-foot access easement, as shown on the plat recorded in Deed Book 1715 pages 181 and 182, shall be quitclaimed, and recordation information shall be provided to the Director of Planning.

**(Staff Report by Aimee B. Crady)**  
**(Applicant's Representative: William Browning)**  
**(Applicable Rezoning Cases and PUPs: C-9C-11)**

## PLAN OF DEVELOPMENT

POD2012-00152

Bacova Apartments – Tract  
D – Bacova Drive

**Timmons Group for Bacova Road Apartments, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 13 three-story apartment buildings containing 324 dwelling units; a 3,200 square foot clubhouse; and a 1,100 square foot fitness center. The 22.54-acre site is located on the northeast corner of the intersection of Bacova Drive and N. Gayton Road extended, on parcel 735-766-8340. The zoning is R-6C, General Residential District (Conditional). County water and sewer. **(Three Chopt)**

The applicant is requesting approval of 324 multifamily residential units as part of an overall plan for a total of 420 multifamily residential units on Tracts D and E. The 2 tracts will be connected by a pedestrian trail, including a bridge constructed between the 2 tracts. The trail will ultimately tie into the pedestrian trail system for the overall Bacova development as future development is completed on adjacent parcels. The layout is consistent with the proffered layout submitted and approved with zoning case C-9C-11. Tract D would include a clubhouse and fitness center, as well as other outdoor amenity areas to serve both apartment Tracts D and E. Tract D provides 48 private rear-load garages in addition to the minimum parking requirement of 2 spaces per unit. The units meet all proffered requirements for combinations of unit type, minimum percentages of brick or stone, minimum finished floor area, and density, and are consistent with exhibits of the zoning case.

Tract D proposes 2 points of access, one each located along North Gayton Road and Bacova Drive. Improvements to North Gayton Road and Bacova Drive, including the provision of a third northbound lane from Bacova Drive to proposed Liesfeld Farm Drive, and a right-turn lane from North Gayton Road to proposed Liesfeld Farm Drive, will be completed prior to the issuance of the first certificate of occupancy for any unit on Tract E. Construction plans are currently under administrative review for those improvements consistent with proffered requirements.

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

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 subdivision plat for Liesfeld Farm Drive shall be recorded before any building permits are issued.
30. The right-of-way for widening of North Gayton 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.
31. The entrances, required road improvements, and drainage facilities on Bacova Drive shall be approved by the Virginia Department of Transportation (for any portion of Bacova Drive retained by VDOT) and the County.

32. 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.
33. 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.
34. 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.
35. A concrete sidewalk meeting County standards shall be provided along the north line of Bacova Drive and the east line of North Gayton Road.
36. Details for the gate and locking device at all entrance drive aisles shall be submitted for review by the Traffic Engineer, Police and approved by the County Fire Marshall. The owner or owner's contractor shall contact the County Fire Marshall prior to completion of the fence installation to test and inspect the operations of the gates. Evidence of the Fire Marshall's approval shall be provided to the Department of Planning by the owner prior to issuance of occupancy permits.
37. The proffers approved as a part of zoning case C-9C-11 shall be incorporated in this approval.
38. 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.
39. 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.
40. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.
41. 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.
42. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
43. 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.
44. 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.
45. The unit house numbers shall be visible from the parking areas and drives.
46. 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.

**(Staff Report by Aimee B. Crady)**  
**(Applicant's Representative: Roger Rodriguez)**  
**(Applicable Rezoning Cases and PUPs: C-9C-11)**

## PLAN OF DEVELOPMENT

POD2012-00150

Bacova Apartments – Tract E  
– N. Gayton Road Extended

**Timmons Group for Bacova Road Apartments, LLC:**  
Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 4 three-story apartment buildings containing 96 dwelling units. The 7.47-acre site is located on the east line of N. Gayton Road extended, approximately 700 feet north of Bacova Drive, on parcel 735-767-8435. The zoning is R-6C, General Residential District (Conditional). County water and sewer.  
**(Three Chopt)**

As of the preparation date of this agenda, staff has not received a revised plan showing the 25-foot minimum proffered buffer along the south line of proposed Liesfeld Farm Drive, as requested. The staff plan in the agenda shows encroachment of a drive aisle adjacent to building 15.

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 subdivision plat for Liesfeld Farm Drive shall be recorded before any building permits are issued.
30. The right-of-way for widening of North Gayton 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.
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. A concrete sidewalk meeting County standards shall be provided along the east side of North Gayton Road.
33. Details for the gate and locking device at all entrance drive aisles shall be submitted for review by the Traffic Engineer, Police and approved by the County Fire Marshall. The owner or owner's contractor shall contact the County Fire Marshall prior to completion of the fence installation to test and inspect the operations of the gates. Evidence of the Fire Marshall's approval shall be provided to the Department of Planning by the owner prior to issuance of occupancy permits.
34. The proffers approved as a part of zoning case C-9C-11 shall be incorporated in this approval.
35. 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.

36. 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.
37. 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.
38. 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.
39. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
40. 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.
41. 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.
42. The unit house numbers shall be visible from the parking areas and drives.
43. 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.

**(Staff Report by Aimee B. Crady)**  
**(Applicant's Representative: Roger Rodriguez)**  
**(Applicable Rezoning Cases and PUPs: C-9C-11)**



## PLAN OF DEVELOPMENT (Deferred from the April 25, 2012 Meeting)

POD-25-11 POD2011-00230 The Townes at Hunton Park, Section E – Hunton Park Boulevard	<b>Burgess &amp; Niple for Hunton Park Land Partners, LC:</b> Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 12 residential townhouses for sale. The 3.38-acre site is located on the north line of Hunton Park Boulevard, approximately 150 feet west of the intersection of Hunton Park Boulevard and Abbots Cross Lane, on parcel 763-774-5187. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. <b>(Brookland)</b>
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This Plan of Development was deferred, per the applicant's request, by the Planning Commission at its April 25, 2012 meeting. Since then, the applicant has submitted revised elevations and floor plans that comply with Proffer #9 of Zoning Case C-25C-10 regarding garage size. The revised elevations and floor plans have been annotated to reflect other proffers regarding architectural design including: minimum sizes (finished floor area), architectural treatment, building materials, foundations, fireplace chimneys, and sound suppression. The applicant has indicated they are in agreement with the annotations.

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 subdivision plat for The Townes at Hunton Park, Section E shall be recorded before any building permits are issued.
30. 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.
31. The proffers approved as a part of zoning cases C-25C-10 and C-18C-11 shall be incorporated in this approval.
32. 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.
33. 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.
34. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.
35. 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 Mike Kennedy)**  
**(Applicant's Representative: J. Richard Schwartz III)**  
**(Applicable Rezoning Cases and PUPs: C-25C-10; C-18C-11)**

**PLAN OF DEVELOPMENT – Architecturals Only (Deferred from the June 22, 2011 Meeting)**

POD-13-11

POD2011-00093

The Cottages at Hunton Park  
– Hunton Park Boulevard

**Burgess and Niple for Hunton Park Land Partners, LC:**

Request for approval of architectural plans for a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 46 detached dwellings for sale with zero lot lines. The 13.294-acre site is located along the south line of Hunton Park Boulevard between Old Mountain Road and Hunton Park Lane, on parcels 760-774-7961, 761-774-1070 and 2729. The zoning is R-5AC, General Residential District. County water and sewer. **(Brookland)**

The architectural details for this Plan of Development were deferred, per the applicant's request, by the Planning Commission at its June 22, 2011 meeting. Since then, the applicant has submitted typical elevations and floor plans that comply with the proffers of Zoning Case C-28C-10 regarding: minimum sizes, architectural treatment, building material and garages. The revised elevations and floor plans have been annotated to reflect proffers regarding architectural design including: Craftsman, Bungalow & European Cottage style architectural elements (as shown on proffered Exhibits A & B), foundations, fireplace chimneys, and stoops. The applicant has indicated agreement with the annotations.

Staff notes the original POD approval was for 46 detached dwellings for sale with zero lot lines; however, due to wetlands located on the subject property, the current POD construction plan only reflects 45 lots.

Staff recommends approval of this request subject to the annotations on the plans and the terms and conditions of the original POD-13-11, approved by the Planning Commission June 22, 2012.

**(Staff Report by Mike Kennedy)**

**(Applicant's Representative: John Schwartz, III)**

**(Applicable Rezoning Cases and PUPs: C-28C-10)**

## PLAN OF DEVELOPMENT

POD2012-00108  
Pet Park N Ride – 5900  
Lewis Road

**Engineering Design Associates for Pet Park N Ride, 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, 11,322 square-foot building for offices and kennels with a 3,008 square-foot mezzanine and parking lot. The 2.66-acre site is located on the west line of Lewis Road, approximately 850 north of the intersection of Lewis and Charles City Roads, on parcel 818-708-9149. The zoning is M-1, Light Industrial District and ASO, Airport Safety Overlay District. County water and sewer. (**Varina**)

This proposal is for an 11,322 square foot building for offices and pet kennels and an additional 3,008 square foot mezzanine. The site contains an existing 64-space parking lot, which is solely for the use of Standex Engraving. Standex Engraving is on the other side of Lewis Road and has a 50-year lease with the current property owner and applicant for the existing parking area.

The site plan proposes a “gravel storage lot” for customers dropping off their pets and vehicles. The zoning ordinance defines a public parking lot as “An area containing one or more parking spaces for self-propelled passenger vehicles, designed for and available to the public as an accommodation for patrons, customers or employees, either with or without charge.” The proposed gravel lot is contrary to definition, and other similar facilities for the short term and long term parking of vehicles in the immediate vicinity serving the airport have paved parking lots. Any plan for paved lots must comply with Department of Public Works’ requirements for curb and gutter and Planning’s requirements for landscape islands at the ends of all rows of parking. Cars must be parked only on improved surfaces.

The architectural elevations propose a metal siding and CMU building. The metal siding color is teal, and the CMU is painted tan. Painted split face CMU is proposed on the front elevation facing Lewis Road. Painted smooth face CMU is proposed on the sides and rear.

Staff has provided suggestions for breaking up the massing of the structure, such as windows and pilasters. The applicant has shown faux windows. Additionally, staff has indicated in its review comments that the color of the CMU should be integrated and not painted. Staff feels that higher quality materials and integrated color are needed for the CMU since painted block may present maintenance issues in the future and there is very little room for landscaping along the sides of the building to break up the massing and screen the facades.

As of the preparation date of the agenda, the staff has not received a revised plan addressing the pavement of the parking lot to the rear of the building and additional architectural features, as requested.

The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

29. Outside storage shall not be permitted.
30. 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.

31. Future phases of the parking lot may be administratively reviewed and shall be paved and meet standards for curb and gutter if required by the Department of Public Works, and for landscape islands at the ends of all rows of parking.
32. Cars shall be parked only on improved surfaces.

**(Staff Report by Lee Pambid)**

**(Applicant's Representative: Randy Hooker)**

## PLAN OF DEVELOPMENT

POD2012-00067

Dollar General at 5251 Nine Mile Road – 5251 Nine Mile Road (State Route 33)

**Highmark Engineering, LLC for Albert R. Chiocca and Par 5 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 9,100 square foot retail building. The 1.54-acre site is located on the south line of Nine Mile Road (State Route 33), at the intersection of Oakleys Lane and Nine Mile Road, on parcel 814-725-6629. The zoning is B-2C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield)**

This proposal is for a 9,100 square foot retail building on a currently vacant site. The property is zoned B-2C, and the proffers for rezoning case C-68C-88 reference future development; therefore, a shared entrance for additional commercial development is needed to meet Virginia Department of Transportation access management regulations. A right-in, right-out access is proposed along with an access easement to the adjacent properties, which are also owned by the same property owner.

The architectural elevations propose a light red brick building with tan EIFS panels, cornice, and accents. The building also features recessed brick panels and brick pilasters.

As of the preparation date of the agenda, the staff has not received a revised plan that addresses landscape islands, parking configuration, one loading space, the BMP's encroachment on a Transitional Buffer 25, TB 25 plantings and wall, and the VDOT entrance and access easement, as requested.

The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to 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. A concrete sidewalk meeting VDOT standards shall be provided along the north side of Nine Mile Road (State Route 33).
30. Outside storage shall not be permitted.
31. The proffers approved as a part of zoning case C-68C-88 shall be incorporated in this approval.
32. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the Henrico County Code.

**(Staff Report by Lee Pambid)**

**(Applicant's Representative: D. Bryant Gammon)**

**(Applicable Rezoning Cases and PUPs: C-68C-88)**

## PLAN OF DEVELOPMENT

POD2012-00149  
Dunkin' Donuts at Glen Lea  
Shopping Center – 3800  
Mechanicsville Turnpike  
(U.S. Route 360)

**Vanesse, Hangen, Brustlin, Inc. for PCS Glen Lea, LLC and Dunkin' Brands, Inc.:** 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 1,800 square-foot restaurant with drive-through facilities. The 0.69-acre site is located on an outparcel in an existing shopping center on the west line of Mechanicsville Turnpike (U.S. Route 360), in the northwest quadrant of the intersection of Laburnum Avenue and Mechanicsville Turnpike, on part of parcel 802-736-8028. The zoning is B-2, Business District and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield)**

This proposal is for a 1,720 square foot restaurant with a drive-through. The pad site is located within an existing shopping center, and access is maintained internally, with no direct connections to either Mechanicsville Turnpike or Laburnum Avenue.

A significant amount of concrete is proposed as one of the entrances to the building, and staff recommends this area be reconfigured to accommodate an additional parking space as well as planting beds.

The plan shows 2 mature ash trees being removed, and staff has suggested the entrance be reconfigured to retain these trees. Additionally, a fire hydrant and water meter are needed at this location, thus confirming the need for the revised entrance.

The Department of Public Utilities is unable to recommend approval at this time because additional information is needed to 1) verify that there is adequate capacity for the existing private pumping system to receive additional flow generated by this project; and 2) determine the appropriateness of gravity sewer to the private pumping station, which is recommended by staff.

The building is constructed of light beige split face CMU, dark brown cement board, and dark cream-colored EIFS. Staff has recommended a higher percentage of split face CMU.

As of the preparation date of the agenda, the staff has not received a revised plan that addresses DPU's concerns, as requested.

The staff recommendation will be made at the meeting. Should the Commission act on this request, in addition to the standard conditions for developments of this type, the following additional conditions are recommended:

29. A concrete sidewalk meeting VDOT standards shall be provided along the west side of Mechanicsville Turnpike (U.S. Route 360).
30. Outside storage shall not be permitted.
31. In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-up facilities, the owner/occupant shall close the drive-up facilities until a solution can be designed to prevent traffic backup.
32. 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.

33. Only retail business establishments permitted in a B-2 zoning district may be located in this center.
34. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.
35. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

**(Staff Report by Lee Pambid)**

**(Applicant's Representative: Bryan Stevenson)**

**SUBDIVISION (Deferred from the April 25, 2012 Meeting)**

SUB2012-00043  
Pouncey Place (April 2012  
Plan) – 4521 Pouncey Tract  
Road (State Route 271)

**Bay Companies, Inc. for Pouncey Tract Company of Virginia, LLC and the Commonwealth of Virginia:** The 12.72-acre site proposed for a public road dedication is located on the east line of Pouncey Tract Road (State Route 271), approximately 580 feet south of the intersection of Pouncey Tract Road and Twin Hickory Lake Drive, on part of parcels 740-765-2150 and 7333. The zoning is A-1, Agricultural District, B-2C, Business District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer.  
**(Three Chopt) 0 Lot**

The Planning Commission deferred consideration of the proposed subdivision at its April 25, 2012 meeting, per the applicant's request, to permit the applicant to revise the layout of the proposed street. Since then, the Planning Commission at its May 10, 2012 meeting, deferred consideration of a rezoning request for a proposed townhouse community to the east. Because action on the adjoining rezoning has not been taken, the applicant has requested deferral of this request until the Planning Commission's June 25, 2012 meeting.

Should the Commission act on this request, in addition to the standard conditions for subdivisions served by public utilities for a road dedication and annotations on the plan, the following conditions are recommended:

11. The details for the landscaping to be provided within the median and along both sides of the proposed roadway shall be submitted to the Department of Planning for review and approval prior to recordation of the plat, and a maintenance agreement shall be entered into with the Department of Public Works for landscape features within the right-of-way.
12. Any necessary offsite drainage easements must be obtained prior to final approval of the construction plan by the Department of Public Works.
13. The proffers approved as part of zoning case C-27C-05 shall be incorporated in this approval.

**(Staff Report by Matt Ward)**  
**(Applicant's Representative: Daniel Caskie)**  
**(Applicable Rezoning Cases and PUPs: C-27C-05)**

**APPROVAL OF MINUTES: April 25, 2012 Minutes**

**ADJOURN**