

1 Minutes of the regular monthly meeting of the Planning Commission of the County of Henrico,
2 Virginia, held in the Board Room of the County Administration Building in the Government
3 Center at Parham and Hungary Springs Roads, Beginning at 9:00 a.m. Wednesday, March 30,
4 2005.

5

6 Members Present: Mr. Ernest B. Vanarsdall, C.P.C., Chairperson (Brookland)
7 Mr. C. W. Archer, C.P.C., Vice Chairperson (Fairfield)
8 Mr. Tommy Branin (Three Chopt)
9 Mr. David A. Kaechele, (Three Chopt) Board of Supervisors
10 Representative
11 Mr. Randall R. Silber, Director of Planning, Secretary

12

13 Members Absent: Mr. E. Ray Jernigan, C.P.C. (Varina)
14 Mrs. Bonnie-Leigh Jones, (Tuckahoe)

15

16 Others Present: Mr. David D. O'Kelly, Jr., Assistant Director of Planning
17 Ms. Leslie A. News, CLA, Principal Planner
18 Mr. James P. Strauss, CLA, County Planner
19 Mr. E. J. (Ted) McGarry, III, County Planner
20 Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner
21 Mr. Michael F. Kennedy, County Planner
22 Ms. Christina L. Goggin, AICP, County Planner
23 Mr. Michael P. Cooper, County Planner
24 Mr. Tony Greulich, County Planner
25 Mr. Michael Jennings, Assistant Traffic Engineer
26 Ms. Diana B. Carver, Recording Secretary

27

28 Mr. Vanarsdall - Good morning, everybody. The Planning Commission will now
29 come to order. We have two of our Planning Commissioners absent today. They are both on
30 vacation, Ray Jernigan, from the Varina District, and Bonnie-Leigh Jones, from the Tuckahoe
31 District. We have a quorum and we can do business, as Mr. Secretary will tell you, and we are
32 glad to see everybody, and I will turn the meeting over to Mr. Silber, who is the Secretary.

33

34 Mr. Silber - Thank you, Mr. Chairman. Are these mikes working? Can you
35 hear us? Could you hear the Chairman speaking? OK. Thank you. Thank you, Mr.
36 Chairman, members of the Commission. Before we get started I wanted to introduce a new
37 staff member that we have with Henrico County's Planning Department. You may recall that
38 Christina Goggin was promoted a couple of months ago and we have now filled her position.
39 A County Planner I has joined us. Tony could you stand, please? This is Tony Gruelich who
40 is coming to us from the Town of Ashland. Tony is in the Development Review and Design
41 Division. He has an undergraduate degree in geography from Penn State and he has earned his
42 Master's degree from VCU in Urban and Regional Planning. So, he is on board as of two
43 days ago, so I just wanted to introduce him to the Planning Commission. He will be handling
44 PODs and subdivisions. You will see him at the daytime meetings very soon making
45 presentations.

46

47 Mr. Vanarsdall - Glad to have you. Hope you are a fast learner. We need you.
48 Thank you.

49

50 Mr. Silber - Thank you very much. Next on the Agenda would be the
51 deferrals and withdrawals. Mrs. News, could you help us with those, please.

52

53 Mrs. News - Thank you, Mr. Secretary. Good morning, Mr. Chairman and
54 members of the Commission. Staff is aware of two requests for deferrals. The first is on Page
55 8 in your Agenda and is located in the Varina District.

56

57 **PLAN OF DEVELOPMENT**

58

POD-19-05
Cesare's Restaurant @ New Market Square Shopping
Center - New Market Road (POD-84-96 Revised)

Balzer & Associates, Inc. for Citizens & Farmers Bank and Richard K. Perkins: Request for approval of a revised plan of development for a shopping center as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 4,461 square foot restaurant. The 1.20-acre site is located at the southwest intersection of New Market Road and Strath Road in the New Market Square Shopping Center on parcels 815-686-1020 and 8284. The zoning is B-1C, Business District (Conditional). County water and sewer. (**Varina**)

59

60 Mrs. News - The applicant is requesting a deferral until the April 27, 2005
61 meeting.

62

63 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-19-05
64 deferral? No opposition.

65

66 Mr. Archer - Mr. Chairman, I move deferral of POD-19-05, Cesare's
67 Restaurant @ New Market Square Shopping Center, until the April 27, 2005, at the request of
68 the applicant.

69

70 Mr. Vanarsdall - Second. Motion made by Mr. Archer and seconded by Mr.
71 Vanarsdall. All in favor say aye. All opposed say no. The ayes have it. The motion is
72 passed.

73

74 At the request of the applicant, the Planning Commission deferred POD-19-05, Cesare's
75 Restaurant @ New Market Square Shopping Center - New Market Road (POD-84-96 Revised)
76 to its meeting on April 27, 2005.

77

78 Mrs. News - The next request is on Page 12 of your agenda and is located in
79 the Tuckahoe District.

80

81 **PLAN OF DEVELOPMENT (Deferred from the November 17, 2004, Meeting)**

82

POD-68-02
Blackwood Retail - Glen
Eagles Shopping Center -
10410 Ridgefield Parkway

Balzer & Associates, Inc. for Richfield Associates, 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 6,600 square foot building addition in an existing shopping center. The 0.90-acre site is located on the northwest corner of Ridgefield Parkway and Eagles View Drive in the Glen Eagles Shopping Center on part of parcel 740-500-0178. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Tuckahoe)**

83

84 Mrs. News -
85 2005 meeting.

The applicant has requested a deferral until the September 28,

86

87 Mr. Vanarsdall -

88 case, POD-68-02, in the Tuckahoe District? No opposition. I move that POD-68-02,
89 Blackwood Retail - Glen Eagles Shopping Center, be deferred until September 28, 2005, at the
90 applicant's request.

91

92 Mr. Archer -

Second.

93

94 Mr. Vanarsdall -

Motion made by Mr. Vanarsdall and seconded by Mr. Archer.
95 All in favor say aye. All opposed say no. The ayes have it. The motion is passed.

96

97 At the request of the applicant, the Planning Commission deferred POD-68-02, Blackwood
98 Retail-Glen Eagles Shopping Center - 10410 Ridgefield Parkway, to its meeting on September
99 28, 2005.

100

101 Mr. Silber -

Any other deferrals?

102

103 Mrs. News -

That is all we have.

104

105 Mr. Silber -

Next on the agenda are those items up for Expedited
106 consideration. These plans, for the benefit of those here today, these are plans that, at this
107 point in time, we know of no outstanding issues. The staff can recommend approval of these
108 plans. The applicant has indicated their willingness to accept the conditions that have been
109 placed on those plans and the Commissioner from the District is comfortable with the plan.
110 So, we place them on an Expedited Agenda so we can move through those more quickly. Any
111 of those on the Expedited Agenda, that there is opposition on any of those items, they will be
112 pulled from the Expedited Agenda and placed or heard as found on the normal agenda. So, if
113 we can move through the expedited items at this time, please.

114 Mrs. News - Yes, sir. Six items are listed on the Expedited Agenda and we
115 are aware of one additional item, which will be added at the end. The first is on Page 2 of
116 your Agenda and is located in the Three Chopt District.

117

118 **TRANSFER OF APPROVAL**

119

Circuit City Headquarters, **James W. Theobald for Perimeter Center, LLC:** Request for
Building #2 a transfer of approval as required by Chapter 24, Section 24-
POD-43-92 106 of the Henrico County Code from Daniel Realty
POD-8-97 and a portion of Corporation to Perimeter Center, LLC. The 32-acre site is
POD-75-95 located at 9960 Mayland Drive on part of parcels 749-758-7718
9960 Mayland Drive and 1204. The zoning is M-1, Light Industrial District. County
water and sewer. **(Three Chopt)**

120

121 Mr. Vanarsdall - Is there anyone in the audience in opposition to this project? This
122 is Circuit City Headquarters. No opposition. Mr. Branin, do you want to approve it on the
123 Expedited Agenda?

124

125 Mr. Branin - Yes, sir, I would.

126

127 Mr. Vanarsdall - Would you make the motion, please.

128

129 Mr. Branin - I make a motion that Transfer of Approval for Circuit City
130 Headquarters, Building #2, POD-43-92, POD-8-97 and a portion of POD-75-95, 9960
131 Mayland Drive, be approved.

132

133 Mr. Vanarsdall - Second. Motion made by Mr. Branin and seconded by Mr.
134 Vanarsdall. All in favor say aye. All opposed say no. The ayes have it. The motion is
135 passed.

136

137 The Planning Commission approved Transfer of Approval for Circuit City Headquarters,
138 Building #2, POD-43-92, POD-8-97 and a portion of POD-75-95, 9960 Mayland Drive,
139 subject to the new owner accepting and agreeing to be responsible for continued compliance
140 with the conditions of the original approval.

141

142 Mrs. News - The next request is located on Page 3 of your Agenda and is
143 located in the Varina District.

144 **TRANSFER OF APPROVAL**

145

POD-9-81
PPD Property, Inc. -
4216 Eubank Road

Engineering Design Associates, Inc. for KSO Holdings, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from PPD Property, Inc. to KSO Holdings, LLC. The 8.66-acre site is located along the northern line of Eubank Road approximately 640 feet west of Glen Allen Drive on parcel 814-712-1182. The zoning is M-1, Light Industrial District. County water and sewer. **(Varina)**

146

147 Mr. Vanarsdall - Is there anyone in the audience in opposition to this case in the
148 Varina District, POD-9-81, Transfer of Approval? No opposition.

149

150 Mr. Archer- Mr. Chairman, I move approval of Transfer of Approval for
151 POD-9-81 subject to the conditions stated in the Agenda.

152

153 Mr. Vanarsdall - Second. Motion made by Mr. Archer and seconded by Mr.
154 Vanarsdall. All in favor say aye. All opposed say no. The ayes have it. The motion passes.

155

156 The Planning Commission approved Transfer of Approval for POD-9-81, PPD Property, Inc.
157 -4216 Eubank Road, subject to the new owner accepting and agreeing for continued
158 compliance with the conditions of the original approval and the following condition:

159

160 1. The site deficiencies, as identified in the inspection report, dated January 3, 2005, shall
161 be corrected by April 4, 2005.

162

163 Mrs. News - The next case is on Page 4 of your Agenda. This is a Landscape
164 and Lighting Plan located in the Fairfield District.

165

166 **LANDSCAPE & LIGHTING PLAN**

167

LP/POD-40-04
Mountain Road Retail Shops
1574 Mountain Road

Architects Dayton Thompson, PC for Patriot II, LLC: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 2.8-acre site is located at the southeast corner of Mountain Road and New York Avenue on parcel 781-761-8665. The zoning is B-3, Business District. **(Fairfield)**

168

169 Mrs. News - I understand that there may be somebody in the audience who
170 may want to speak to this.

171

172 Person in Audience - I would like to hear a presentation on this.

173

174 Mr. Silber - Why don't we pull that off the Expedited Agenda and hear it
175 later.

176

177 Mr. Vanarsdall - We will take it off of the Expedited Agenda and put it in order.

178

179 Mrs. News - Next on Page 21 of your Agenda and located in the Three Chopt
180 District is Subdivision Preston Square (March 2005 Plan).

181

182 **SUBDIVISION**

183

Preston Square
(March 2005 Plan)

E. D. Lewis & Associates, P.C. for Robert C. & Ellen C. Parker and F & L Properties, LLC: The 5.00-acre site proposed for a subdivision of 28 townhouses is located approximately 275 feet to the intersection of Lemoore Drive and Twin Hickory Road (5411 Twin Hickory Road) on parcels 747-774-6515 and 5839. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer.
(Three Chopt) 28 Lots

184

185 Mr. Vanarsdall - Is anyone in opposition to Subdivision Preston Square in the
186 Three Chopt District? No opposition.

187

188 Mr. Silber - Mrs. News, has this matter been resolved; there was a matter
189 associated with the sprinkler system with this, I believe. Has that matter been resolved, their
190 providing sprinklers or reducing the number of units?

191

192 Mrs. News - This is a conditional subdivision, so some of those issues may be
193 addressed with the POD.

194

195 Mr. Kennedy - Due to the length of the buildings, they are going to have to
196 sprinkler the buildings in order to meet the fire hose lay requirements, and so they have agreed
197 to do that, and they are going to deal with that at the POD stage. It does not need to be dealt
198 with at this time.

199

200 Mr. Silber - So, there are 28 lots. They are not reducing the number of lots.

201

202 Mr. Kennedy - There are 28 lots. They are not reducing the number of lots at
203 this time. That is our understanding. They are going to sprinkler the buildings. They need to
204 meet 150 foot hose lay, from pavement, and if they can't meet that, the alternative is to
205 sprinkler the buildings.

206

207 Mr. Silber - So they have to comply with the Division of Fire requirements
208 for hose lay, and if not, sprinkler the buildings and if that does not work they have to reduce
209 the number of lots.

210

211 Mr. Kennedy - And provide spacing. Right. Those are the two alternatives they
212 have.

213

214 Mr. Silber - So, Mr. Branin, that would be fine. I think this could still be
215 heard as expedited. There would be 28 lots. They would still have to meet those normal
216 requirements.

217

218 Mr. Branin - Mr. Chairman, then I recommend that the subdivision be
219 approved on the Expedited Agenda.

220

221 Mr. Archer - I will second that.

222

223 Mr. Vanarsdall - Motion made by Mr. Branin and seconded by Mr. Archer. All in
224 favor say aye. All opposed say no. The motion passes.

225

226 The Planning Commission approved Subdivision Preston Square (March 2005 Plan), subject to
227 the annotations on the plans, the standard conditions attached to these minutes for subdivisions
228 served by public utilities, and the following additional condition:

229

230 13. The proffers approved as part of zoning case C-50C-04 shall be incorporated in this
231 approval.

232

233 Mrs. News - Next, on Page 24 of your Agenda and located in the Brookland
234 District is POD-28-05.

235

236 **PLAN OF DEVELOPMENT**

237

POD-28-05

The Shops @ Tripps –
9318 W. Broad Street
(Formerly Rock-Ola Café)
(POD-59-93 Revised)

Timmons Group for Tripps Properties II Limited Partnership: Request for approval of a revised plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to renovate and build a 10,731 square foot addition to an existing restaurant for conversion to a one-story, 16,000 square foot retail building. The 2.99-acre site is located at 9318-9320 W. Broad Street (U.S. Route 250) on part of parcel 757-757-0843. The zoning is B-2, Business District. County water and sewer. **(Brookland)**

238

239 Mrs. News - There is also an Addendum item on Page 6 of your Addendum.
240 There is a revised recommendation. The applicant was not in agreement with one of the
241 annotations to add a window on the northern building elevation and staff has revised our
242 recommendation to eliminate this annotation and can still recommend approval. There have
243 also been two conditions added, Nos. 9 and 11 Amended.

244 Mr. Vanarsdall - Any opposition to this case in the Brookland District, POD-28-
245 05? No opposition. Mrs. Goggin did a good job on getting everything together on this and the
246 only thing we haven't addressed is the fence, and we will address that when it comes back for
247 landscaping, and I will say that I believe a wooden fence back there is not an option. I move
248 that POD-28-05, The Shops @ Tripps, be recommended for approval on the Expedited
249 Agenda, standard conditions for developments of this type and additional conditions Nos. 9 and
250 11 Amended and Nos. 23 through 36, with 35 and 36 on the Agenda, also.

251

252 Mr. Archer - I will second that, Mr. Chairman.

253

254 Mr. Vanarsdall - Motion made by Vanarsdall and seconded by Mr. Archer. All in
255 favor say aye. All opposed say no. The ayes have it. The motion is approved.

256

257 The Planning Commission approved POD-28-05, The Shops @ Tripps - 9318 W. Broad Street
258 (Formerly Rock-Ola Café) (POD-59-93 Revised), subject to the annotations on the plans, the
259 standard conditions attached to these minutes for developments of this type, and the following
260 additional conditions:

261

262 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
263 Planning for review and Planning Commission approval prior to the issuance of any
264 occupancy permits.

265 11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including
266 depictions of light spread and intensity diagrams, and fixture and specifications and
267 mounting height details shall be submitted for Department of Planning review and
268 Planning Commission approval.

269 23. The easements for drainage and utilities as shown on approved plans shall be granted to
270 the County in a form acceptable to the County Attorney prior to any occupancy permits
271 being issued. The easement plats and any other required information shall be submitted
272 to the County Real Property Agent at least sixty (60) days prior to requesting
273 occupancy permits.

274 24. The entrances and drainage facilities on W. Broad Street (U.S. Route 250) shall be
275 approved by the Virginia Department of Transportation and the County.

276 25. A notice of completion form, certifying that the requirements of the Virginia
277 Department of Transportation entrances permit have been completed, shall be submitted
278 to the Department of Planning prior to any occupancy permits being issued.

279 26. The developer shall provide fire hydrants as required by the Department of Public
280 Utilities and Division of Fire.

281 27. Employees shall be required to use the parking spaces provided at the rear of the
282 building(s) as shown on the approved plans.

283 28. Outside storage shall not be permitted.

284 29. The certification of building permits, occupancy permits and change of occupancy
285 permits for individual units shall be based on the number of parking spaces required for
286 the proposed uses and the amount of parking available according to approved plans.

287

288

- 289 30. Any necessary off-site drainage and/or water and sewer easements must be obtained in
 290 a form acceptable to the County Attorney prior to final approval of the construction
 291 plans.
- 292 31. Deviations from County standards for pavement, curb or curb and gutter design shall be
 293 approved by the County Engineer prior to final approval of the construction plans by
 294 the Department of Public Works.
- 295 32. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b)
 296 of the Henrico County Code.
- 297 33. Storm water retention, based on the 50-10 concept, shall be incorporated into the
 298 drainage plans.
- 299 34. Insurance Services Office (ISO) calculations must be included with the plans and
 300 contracts and must be approved by the Department of Public Utilities prior to the
 301 issuance of a building permit.
- 302 35. Approval of the construction plans by the Department of Public Works does not
 303 establish the curb and gutter elevations along the Virginia Department of
 304 Transportation maintained right-of-way. The elevations will be set by the contractor
 305 and approved by the Virginia Department of Transportation.
- 306 36. The location of all existing and proposed utility and mechanical equipment (including
 307 HVAC units, electric meters, junction and accessory boxes, transformers, and
 308 generators) shall be identified on the landscape plans. All equipment shall be
 309 screened by such measures as determined appropriate by the Director of Planning or
 310 the Planning Commission at the time of plan approval.

311
 312 Ms. News - The next item is on Page 26 of your Agenda, located in the
 313 Fairfield District.

314
 315 **SUBDIVISION**

316
 Frostick **QMT Corporation for Chamberlayne Rec. Association, North Chamberlayne Civic Association and Windsor Enterprises, LLC:** The 3.6-acre site proposed for a subdivision of 9 single-family homes is located 520 feet from the intersection of Wilkinson Road and N. Wilkinson Road (317 N. Wilkinson Road) on parcels 792-753-9289 and 792-754-7001. The zoning is R-2A, One-Family Residence District. County water and sewer. **(Fairfield) 9 Lots**

317
 318 Mr. Vanarsdall - Is anyone in the audience in opposition to Subdivision Frostick in
 319 the Fairfield District? No opposition.

320
 321 Mr. Archer - Mr. Chairman, I move to approve Subdivision Frostick, subject to
 322 the annotations on the plans and the standard conditions for subdivision served by Public Utilities.

323
 324 Mr. Vanarsdall - Second. Motion made by Mr. Archer and seconded by Mr.
 325 Vanarsdall. All in favor say aye. All opposed say no. The motion passes.

326 The Planning Commission granted conditional approval to subdivision Frostick (February 2005
327 Plan), subject to the annotations on the plans and the standard conditions attached to these minutes
328 for subdivisions served by public utilities.

329

330 Ms. News - Staff is aware of one additional item to be added. This is on Page
331 19 of your Agenda and is located in the Three Chopt District.

332

333 **SUBDIVISION**

334

Hampshire
(March 2005 Plan)

E. D. Lewis & Associates, P.C. for Lindsay A. and Patricia Ward, Thomas J. Cassara, Mark S. and M. L. Fleisher, and Farmer Properties: The 17.793-acre site proposed for a subdivision of 36 single-family homes is located at the southern terminus of Woolshire Place on parcel 742-774-0459 and part of parcels 742-773-2972, 741-774-9713, 741-774-7210 and 741-773-9074. The zoning is R-2AC, One-Family Residence District (Conditional). County water and sewer. **(Three Chopt) 36 Lots**

335

336 Ms. News - There is also an Addendum item on Page 5 of your Addendum with
337 an added condition and revised recommendation for approval, but we would also like to make a
338 revision to that condition, and I'd like to read it to you:

339

340 The condition should be revised to change the last part of the last sentence so it would read, "The
341 two northernmost common areas shall be eliminated and the land incorporated into the adjoining
342 lots unless a County policy is adopted supporting the use of common area as a tool for wetlands
343 protection or as otherwise approved by the Director of Planning." And we would strike the words
344 "prior to granting of final subdivision approval."

345

346 Mr. Vanarsdall - Is anyone in the audience in opposition to Hampshire Subdivision in
347 the Three Chopt District? Mr. Branin.

348

349 Mr. Silber - Let me just clarify this. So this is recommended as being on the
350 Expedited Agenda, but we do have one additional condition No. 17. Number 17 is on your
351 Addendum, but we are making a suggested change to No. 17 to provide a little more flexibility on
352 whether these common areas would be in the lots or not, as Leslie noted, unless otherwise
353 approved by the Director of Planning. So, it does provide some flexibility if you determine later
354 that it may be appropriate to have these wetlands as common areas instead of lots. I just want to
355 make sure the Commission fully understood what was being recommended. So, if you all feel
356 comfortable with that, Mr. Branin, it would simply be a motion to approve this on the Expedited
357 Agenda with the conditions listed here and the additional condition No. 17 as modified.

358

359 Mr. Branin - Mr. Chairman, I have reviewed this and I am OK with it, so I am
360 going to make a motion that it be approved and put on the Expedited Agenda, and the Addendum.

361

362 Mr. Archer - Second.

363

364 Mr. Vanarsdall - Motion made by Mr. Branin, seconded by Mr. Archer. All in favor
365 say aye. All opposed say no. The ayes have it. The motion passes.

366 The Planning Commission granted conditional approval to subdivision Hampshire (March 2005
367 Plan), subject to the standard conditions attached to these minutes for subdivisions served by
368 public utilities and the following additional conditions:

369

370 12. Each lot shall contain at least 13,500 square feet, exclusive of the flood plain areas.

371 13. The limits and elevation of the 100-year frequency flood shall be conspicuously noted on
372 the plat and construction plans and labeled "Limits of 100-year floodplain." Dedicate
373 floodplain as a "Variable Width Drainage & Utilities Easement."

374 14. The proffers approved as part of zoning cases C-60C-03, C-37C-02 and C-71C-00 shall
375 be incorporated in this approval.

376 15. Prior to requesting the final approval, a draft of the covenants and deed restrictions for
377 the maintenance of the common area by a homeowners association shall be submitted to
378 the Department of Planning for review. Such covenants and restrictions shall be in form
379 and substance satisfactory to the County Attorney and shall be recorded prior to
380 recordation of the subdivision plat.

381 16. Any future building lot containing a BMP, sediment basin or trap and located within the
382 buildable area for a principal structure or accessory structure, may be developed with
383 engineered fill. All material shall be deposited and compacted in accordance with the
384 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
385 professional engineer. A detailed engineering report shall be submitted for the review
386 and approval by the Building Official prior to the issuance of a building permit on the
387 affected lot. A copy of the report and recommendations shall be furnished to the
388 Directors of Planning and Public Works.

389 17. The two northernmost common areas shall be eliminated and the land incorporated into
390 the adjoining lots unless a County policy is adopted supporting the use of common area
391 as a tool for wetlands protection or as approved by the Director of Planning.

392

393 Mr. Vanarsdall - Thank you, Ms. News.

394

395 Mr. Silber - Moving back to the top of the agenda on Page 1, we have
396 Extensions of Conditional Subdivision Approval. As the Commission recalls, some of these
397 requests require Planning Commission approval and some can be handled administratively.
398 We have one conditional subdivision that is up for extension that does require Planning
399 Commission approval and we have two that can be handled administratively and are as listed as
400 information only. Ms. Goggin, can you tell the Commission what they need to know with
401 these extensions.

402 **FOR PLANNING COMMISSION APPROVAL**

403

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Recommended Year(s) Extended
Effinger Drive (A Ded. of a portion of Effinger Drive) (June 1998 Plan)	Fairfield	0	0	5	1 Year 3/ 22/ 06

404

405 Ms. Goggin - Yes, sir. Good morning. Effinger Drive is up for its 6th
 406 extension, which does require approval by the Planning Commission. The applicant, Edward
 407 West, is here if the Planning Commission has any questions for him as to why they are
 408 requesting an additional extension for Effinger Drive.

409

410 Mr. Vanarsdall - All right. Any questions by Commission members?

411

412 Mr. Archer - Mr. Chairman, we did discuss this earlier and we did ask the
 413 applicant to come in and explain why the additional extension is needed, and when we think
 414 this process might terminate, so if you'd come down, we'd appreciate it.

415

416 Mr. Vanarsdall - Good morning, Mr. West.

417

418 Mr. West - Good morning, Mr. Vanarsdall. I am Eugene West, acting for
 419 Edward West, my cousin, for the Effinger Drive Extension. This subdivision was up for
 420 approval a few years in the past. We had an agreement with a prospect for a 300,000 ft.
 421 manufacturing facility. Due to the delay in the Highway Department approving the entrance
 422 road, they reneged on the first approval and changed the way it would have to be located. The
 423 prospect stated that they could not wait any longer for approval for this subdivision and went to
 424 Chesterfield County. We have diligently tried to pursue other prospects for this, as well as
 425 Economic Development, that is marketing the project and we hope that in the future we will be
 426 able to continue with the development of it.

427

428 Mr. Archer - Mr. West, do you have any prospects on the back burner, at
 429 least, at this point?

430

431 Mr. West - We have pursued it with Real Estate Companies. The problem is
 432 that the market for warehousing at this time is pretty flat and we think this year will improve,
 433 and we will have a better chance of getting tenants to go in there.

434

435 Mr. Archer - So you are asking for one-year, and you think that will be it?

436

437 Mr. West - Correct. I hope so.

438

439 Mr. Archer - Well, we do, too. But anyway, thank you so much for coming
 440 down to explain that to the Commission.

441

442 Mr. West - Thank you for hearing my comments.

443

444 Mr. Vanarsdall - Any questions? No questions.

445

446 Mr. Archer- Mr. Chairman, with that I will move for approval of the
447 extension for one more year.

448

449 Mr. Vanarsdall - Second. Motion made by Mr. Archer and seconded by Mr.
450 Vanarsdall. All in favor say aye. All opposed say no. The motion passes.

451

452 The Planning Commission approved Subdivision Extension of Condition Approval for Effinger
453 Drive (A Dedication of a portion of Effinger Drive) (June 1998 Plan) for one year until March
454 22, 2006.

455

456 **FOR INFORMATIONAL PURPOSES ONLY**

457

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended
Covington (March 2003 Plan)	Three Chopt	76	4	1	3 Years 3/ 26/ 08
Westcott @ Grey Oaks, Section C (March 2004 Plan)	Three Chopt	68	68	0	1 Year 3/ 22/ 06

458

459 Ms. Goggin - There are also two subdivisions that are in front of you for
460 informational purposes. The first is Covington, which has 4 remaining lots that is being
461 extended until March 26, 2008, and the other is Westcott @ Grey Oaks, Section C, which has
462 68 lots remaining, and is being extended to March 22, 2006.

463

464 Mr. Vanarsdall - Thank you.

465

466 Mr. Silber - Moving on to Page 4 of the Agenda, this would be the Expedited
467 Item that we removed a few minutes ago.

468

469 **LANDSCAPE & LIGHTING PLAN**

470

LP/POD-40-04 Mountain Road Retail Shops 1574 Mountain Road	Architects Dayton Thompson, PC for Patriot II, LLC: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 2.8-acre site is located at the southeast corner of Mountain Road and New York Avenue on parcel 781-761-8665. The zoning is B-3, Business District. (Fairfield)
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471

472 Mr. Kennedy - Good morning, members of the Commission. Mountain Road
473 Retail Shops was previously approved last year as a POD, and Nos. 9 and 11 were amended at
474 that time, that is landscape and lighting plan will return to the Planning Commission for
475 approval.

476

477 For the purpose of the neighborhood, I am making this presentation. I spoke with several of
478 the adjoining neighbors and basically they live across the Virginia Power easement on
479 Pennsylvania Avenue. I spoke to about four neighbors and Mr. Bose has spoken to them, as
480 well. We are providing the plan, but for the purpose of the record, we are going to present
481 this. Along the back, along the Virginia Power easement is going to be a continuous evergreen
482 screen, composed of wax myrtles, serviceberries, hollies and white pines. The white pines are
483 on the edge of the easement because nothing that can grow over 10 feet in height can be in the
484 Virginia Power easement. That is basically a screen and there is a hundred feet of the power
485 easement going before those properties. Along the Virginia Power easement, light poles would
486 have shields, house side shields. The maximum height of light poles is going to be 20 feet,
487 and so the object is to reduce the impact on the adjoining neighborhood and provide as much
488 buffering as possible. Around the building, the trees around the building will be red maples
489 and around the perimeter of the property, along the two side streets, those streets will be crape
490 myrtles. Again, the power lines that are on both streets will restrict the height of trees, so we
491 would put trees that could withstand pruning. There were some shrubs around to fill in the
492 base. He satisfies all of the Planning requirements. There is no transitional buffer requirement
493 between his business, which is a B-3 business, and the residential, across the power easement,
494 because the power easement is also zoned business. So, the developer has agreed to provide
495 this continuous buffer even despite the fact that it was not required. Staff recommends
496 approval.

497

498 Mr. Vanarsdall - Any questions by Commission members of Mr. Kennedy?

499

500 Mr. Silber - Mr. Kennedy, it is hard to tell where the property line is for this
501 property. Is some of the planting taking place off of the property?

502

503 Mr. Kennedy - No. Part of the property extends into the Virginia Power
504 easement, but not within the power line section, so it doesn't show up, but basically one line
505 back to the gas line, that has a kind of dimension on it. That is where...

506

507 Mr. Silber - It is also hard to see on the screen, but if you look at what we
508 have, there is also what looks like a metes and bounds description and a property line that
509 runs, I guess just behind the parking, where also appears just some planting, I guess, behind
510 the parking.

511

512 Mr. Kennedy - That dashed line is actually a storm sewer.

513

514 Mr. Silber - But right in front of there, Mr. Kennedy, there is a metes and
515 bounds description and a length, 327.2 feet.

516

517 Mr. Kennedy - That has to do with the description of the power easement. They
518 have actually a second property that extends further back and into the middle of the power
519 easement as well.

520

521 Mr. Silber - So, all of the plantings are within their property?

522

523 Mr. Kennedy - Are within their property, yes.

524

525 Mr. Silber - OK.

526

527 Mr. Vanarsdall - Thank you, Mr. Kennedy.

528

529 Mr. Archer - Ma'am, can I ask you a question? You are fine with it? OK.
530 Thank you so much. Thank you, Mr. Kennedy. Mr. Chairman, I will move approval of
531 LP/POD-40-04, Mountain Road Retail Shops, subject to the annotations on the plans and the
532 standard conditions for landscape and lighting plans.

533

534 Mr. Vanarsdall - I second that. Motion made by Mr. Archer, seconded by
535 Vanarsdall. All in favor say aye. All opposed say no. The motion passes.

536

537 The Planning Commission approved the landscape and lighting plan for LP/POD-40-04,
538 Mountain Road Retail Shops, 1574 Mountain Road, subject to the annotations on the plan and
539 the standard conditions attached to these minutes for landscape and lighting plans.

540

541 **SUBDIVISION (Deferred from the February 23, 2005 Meeting)**

542

Wilton Parkway
(December 2004 Plan)
New Market Road to
Osborne Turnpike

Youngblood, Tyler & Associates, P.C. for Florence C. Garton et al., William R. & R. A. Pumphrey, Ronald B. Kiser, Life Int., Stirel M., Jr. & A. J. Paston, David B. & Barbara L. Kiser, James H., Jr. & V.H. Palmer, Interstate Construction Corp., Eugene B. & Shirley S. Moyer, Jeffrey T. & J. L. K. White, Susan J. McDonald, Nathan E. & Dawne D. Jones, and HHHunt Corp.: The 20.95-acre site proposed for a public road is located at its eastern terminus on New Market Road (State Route 5), approximately 300 feet north of Battlefield Park Road and extending to its western terminus, approximately 1100 feet west of the intersection of Osborne Turnpike and Mill Roads on parcels 809-692-4528, 809-691-6235, 809-691-2613, 808-690-7572, 808-690-3884, 808-690-0946, 808-690-1074, 808-690-9385, 805-688-7568, 803-686-8950, 803-686-7753, 803-686-6854, 803-686-5549, 803-686-4052, 803-686-2162, 803-686-1847, 803-686-9862, 802-686-9466, 802-686-7867, 803-686-2025, 803-686-0426 and 798-683-5459. The zoning is A-1, Agricultural District and R-2A, One-Family Residence District. **(Varina) 0 Lots**

543 Mr. Vanarsdall - Is anyone in the audience in opposition to Wilton Parkway?
544 Didn't we get the proper signature?

545

546 Mr. Wilhite - Just this morning we got the last one faxed to us. This case has
547 been deferred three times and originally was on your agenda at the December POD hearing.
548 As I said, all of the required signatures have been received at this point, and we received the
549 last one this morning. There are 22 parcels involved with this road subdivision. Two parcels
550 are being eliminated at this time. They are the Cephas and the Wigton parcels. They are
551 located at the southwest corner of Osborne Turnpike and Mill Roads, but essentially these two
552 parcels were being used for right-of-way widening for potential right-turn lanes, which aren't
553 being required at this point in time, so they have been eliminated. Also, the property that was
554 owned by Glason Investments Corporation has been purchased by the developer at this point
555 and that would be a change to your caption. Staff can recommend approval of the plan as
556 shown with the note on there that the intersection with New Market Road has actually been
557 shifted 100 feet to the north, creating an additional separation between Battlefield Park Road,
558 which runs south of this intersection. So, staff can recommend approval of the plan,
559 conditional approval, with conditions, annotations, standard conditions plus Nos.12 and 13.
560 Webb Tyler, the Civil Engineer, is here representing the applicant. Also, Mike Jennings, the
561 Traffic Engineer, from the County is here if you have more detailed questions on the road
562 layout.

563

564 Mr. Vanarsdall - Any questions for Mr. Wilhite? All right. Mr. Archer.

565

566 Mr. Archer - Mr. Chairman, I don't believe I have any questions unless some
567 of the other Commissioners do.

568

569 Mr. Vanarsdall - No, I just wanted to know if you wanted to make a motion.

570

571 Mr. Archer - Yes, I do. In speaking with Mr. Jernigan, he indicated that the
572 only problem that had not been resolved in this case was that of obtaining the last signature
573 there we got this morning. So, with that, I will move approval of Subdivision Wilton
574 Parkway, subject to the standard conditions for subdivisions served by Public Utilities and the
575 additional conditions Nos.12 and 13. Do we need to make note of the revision to, or is that
576 covered in the condition?

577

578 Mr. Wilhite - We would just add that as an annotation to the plan based on the
579 scale of the drawing. It is barely perceptible.

580

581 Mr. Archer - OK. Then I recommend approval, subject to those conditions.

582

583 Mr. Vanarsdall - And I second it. Motion made by Mr. Archer, seconded by
584 Vanarsdall. All in favor say aye. All opposed say no. The ayes have it. The motion is
585 passed.

586 The Planning Commission granted conditional approval to subdivision Wilton Parkway,
587 (December 2004 Plan), New Market Road to Osborne Turnpike, subject to the standard
588 conditions attached to these minutes for subdivisions served by public utilities, the annotations
589 on the plan, and the following additional conditions:

590

591 12. The developer shall construct left turn lanes in accordance with Henrico County standards
592 on Osborne Turnpike at the intersection with Wilton Parkway.

593 13. The developer shall install left and right turn lanes in accordance with VDOT standards on
594 New Market Road (State Route 5) at the intersection with Wilton Parkway.

595

596 **PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION**

597

POD-18-05
Monahan Road Storage
Building -
6977 Monahan Road

G. Stuart Grattan, P.E. for Charmaine S. Watson, Et Al and Floyd Englehart: Request for approval of a plan of development and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24.106.2 of the Henrico County Code, to construct a 17,500 square foot vehicle and equipment storage shed for a tree contracting service. The transitional buffer deviation will permit the buffer to be relocated against the adjacent property. The 9.00-acre site is located on the east line of Monahan Road at 6977 Monahan Road, approximately 130 feet north of Darbytown Road on parcel 821-697-6489. The zoning is B-3C, Business District (Conditional) and A-1, Agricultural District. **(Varina)**

598

599 Mr. Vanarsdall - In the Varina District, is there anyone in the audience in
600 opposition to POD-18-05? No opposition. Good morning, Mr. McGarry.

601

602 Mr. McGarry - Good morning, Mr. Chairman, members of the Commission.
603 You will need to make two motions on this case. The first is for approval of the POD and the
604 second will be for the transitional buffer deviation. On the POD, the staff plan shows the shed
605 square footage labeled incorrectly. It should be 17,500 square feet. The notice caption is
606 correct.

607

608 There are two Addendum items. First, staff is recommending No. 29 condition be deleted
609 regarding ISO calculations, because there is no public water in the area, so Public Utilities is
610 waiving this requirement. In a related matter, Condition No. 32 has been revised for clarity in
611 determining the applicant's responsibility to provide a monitoring service for a detection alarm
612 system.

613

614 In regard to the transitional buffer deviation, transitional buffers normally abut the zoning
615 boundary, which cuts through the center of this lot. Staff recommends a transitional buffer
616 deviation to allow the transitional buffer to be located against the property line to the north, for
617 the following reasons: First the transitional buffer 35 is a full relocation and not a reduction,
618 and secondly, the proffer, No.2, requires the transitional buffer be provided against the

619 adjacent property. Staff feels that the location of the buffer for the deviation is consistent with
620 the proffer.

621

622 With that, staff can recommend approval subject to the annotations on the plans, standard
623 conditions Nos. 23 through 33, with Addendum items Nos.29 and 32. I will be happy to
624 answer any questions.

625

626 Mr. Vanarsdall - Any questions for Mr. McGarry?

627

628 Mr. Kaechele - Looking at the floor plan showing the dimensions as 175 by 100,
629 why did those dimensions change? You said the square footage was 17,500.

630

631 Mr. McGarry- Yes. 100 by 175 should be 17,500 sq. ft.

632

633 Mr. Kaechele - That is the correct number.

634

635 Mr. McGarry - That is the correct number. What I actually annotated on the plan
636 was not correct. I didn't do the math right.

637

638 Mr. Silber - It is 17,500?

639

640 Mr. McGarry - Correct, and the notice letters that went out had the correct
641 square footage in it.

642

643 Mr. Vanarsdall - Mr. McGarry, I think we should add No. 34. I didn't see the
644 location of the existing boxes, electrical boxes that we usually put on these. Do you know
645 what I am referring to? The location of all existing and proposed existing and proposed
646 mechanical equipment, units, electrical meters, junction boxes, transformers, and all of that.

647

648 Mr. McGarry - This is sitting in the middle of a multiple acre parcel of land
649 and...

650

651 Mr. Vanarsdall - You must be able to see it somewhere. Maybe you won't. That
652 is the reason I wanted to ask you..

653

654 Mr. McGarry - That is why staff felt it wasn't necessary to add that because it is
655 uniquely located and surrounded by woods.

656

657 Mr. Vanarsdall - All right.

658

659 Mr. Silber - Mr. Vanarsdall, also, it is an entirely metal building.

660

661 Mr. Vanarsdall - That does not make any difference if somebody could see it. It is
662 still ugly. A metal building is usually ugly, too. Thank you, Mr. Silber. Any more questions
663 for Mr. McGarry?

664 Mr. Archer - I don't have any.
665
666 Mr. Vanarsdall - All right.
667
668 Mr. Archer - This requires two motions. I move to approve the transitional
669 buffer deviation.
670
671 Mr. Vanarsdall - Second. Motion made by Mr. Archer and seconded by
672 Vanarsdall. All in favor say aye. All opposed say no. The ayes have it. The transitional
673 buffer deviation is approved.
674
675 The Planning Commission approved the transitional buffer deviation for POD-18-05, Monahan
676 Road Storage Building – 6977 Monahan Road.
677
678 Mr. Archer - As for the case itself, I move for approval of POD-18-05,
679 Monahan Road Storage Building, subject to the annotations on the plans, including the
680 corrected annotations of 17,500 sq. ft. as stated by Mr. McGarry, standard conditions for
681 developments of this type, and additional conditions as shown 23 through 33, 29 being deleted
682 and 32 being revised on the Addendum.
683
684 Mr. Vanarsdall - Second. Motion made by Mr. Archer, seconded by Vanarsdall.
685 All in favor say aye. All opposed say no. The motion passes.
686
687 The Planning Commission approved POD-18-05, Monahan Road Storage Building – 6977
688 Monahan Road, subject to the annotations on the plans, the standard conditions attached to
689 these minutes for developments of this type, and the following additional conditions:
690
691 23. The right-of-way for widening of Monahan Road as shown on approved plans shall be
692 dedicated to the County prior to any occupancy permits being issued. The right-of-way
693 dedication plat and any other required information shall be submitted to the County
694 Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
695 24. The developer shall provide fire hydrants as required by the Department of Public
696 Utilities and Division of Fire.
697 25. Employees shall be required to use the parking spaces provided at the rear of the
698 building(s) as shown on the approved plans.
699 26. The proffers approved as a part of zoning case C-29C-04 shall be incorporated in this
700 approval.
701 27. Any necessary off-site drainage and/or water and sewer easements must be obtained in
702 a form acceptable to the County Attorney prior to final approval of the construction
703 plans.
704 28. Deviations from County standards for pavement, curb or curb and gutter design shall be
705 approved by the County Engineer prior to final approval of the construction plans by
706 the Department of Public Works.

- 707 29. Approval of the construction plans by the Department of Public Works does not
 708 establish the curb and gutter elevations along the Henrico County maintained right-of-
 709 way. The elevations will be set by Henrico County.
- 710 30. Any non-domestic trash receptacles shall be located behind a screen fence identical to
 711 the one shown on the plans.
- 712 31. Unless waived by the Fire Marshall, all buildings when constructed, shall include a fire
 713 detection alarm system. The alarm system shall be designed and installed to provide
 714 immediate notification to the Fire Division in the event of an alarm situation at the
 715 facility. A twenty-four hour monitoring company must be utilized for this service.
- 716 32. Provide the proffered Transitional Buffer 35 along the north property line in place of
 717 the zoning boundary which crosses the applicant's property.

718

719 **PLAN OF DEVELOPMENT**

720

POD-21-05
 Church Mews
 Condominiums – Church
 Road

Balzer & Associates, Inc. for Iva J. Mullins, John W. & K. H. McLaughlin and D. O. Allen Homes, Inc.: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 30, two-story, detached condominium units. The 7.04-acre site is located on the northern line of Church Road, approximately 600 feet west of the intersection of Church Road and Chatham Woods Drive on parcels 736-755-5630 and 9422. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt)**

721

722 Mr. Vanarsdall - Thank you, Mr. Silber. Anyone in the audience in opposition to
 723 Church Mews Condominiums – Church Road, in the Three Chopt District.

724

725 Mr. Cooper - Good morning, Mr. Chairman, and members of the Commission.
 726 The revised plan was handed out to you this morning. This project is for the construction of
 727 30 detached condominium units, which will be similar in design to single-family homes, to be
 728 constructed with high-quality materials, such as brick, stone, and premium grade vinyl. All of
 729 these items were proffered. The proffers were created with the rezoning for this property to
 730 allow for this development and that was approved by the Board of Supervisors in November of
 731 this past year. The conceptual layout was proffered with that rezoning case and the plan before
 732 you today does resemble that design, including landscape buffers along all of the property
 733 lines. Staff had two major concerns for the first plan, including the units meeting setback
 734 requirements, and the correct delineation of the floodplain, which could impact the layout.
 735 The revised plan before you this morning addresses those concerns and as well, the applicant
 736 has provided smaller dwellings than they first proposed, in order to meet the required setbacks,
 737 and the details for those units have also been provided to you this morning. With these
 738 revisions addressed, the conditions listed in your Agenda and the Addendum, and the
 739 annotations on the plan, staff recommends approval of this plan of development. The applicant
 740 and their engineer are here today if you have any questions, and I will be happy to answer any
 741 as well.

742 Mr. Vanarsdall - Any questions by Commission members for Mr. Cooper?
743

744 Mr. Branin - Mr. Cooper, you said all of the setbacks had been met?
745

746 Mr. Cooper - Yes, that is correct. The revised plan before you this morning has
747 the correct setback requirements clearly labeled and the units now being smaller, and the
748 removal of some covered porches on some of the units allow these buildings to meet the
749 required setbacks. That was probably the largest issue. The floodplain now is correctly
750 delineated. It does not impact the location of the buildings, because it is located within the 50-
751 foot buffer along Church Road.
752

753 Mr. Kaechele - How much smaller do some of these units have to be reduced?
754

755 Mr. Cooper - I would defer that to the applicant to answer that question. I do
756 know that they are slightly smaller, and I think the biggest change is the removal of the
757 covered porches on some of their units, the front and the rear, because they would have to
758 meet the required setback if they did exist.
759

760 Mr. Vanarsdall - Any more questions? Thank you, Mr. Cooper. Will the
761 applicant come down? Good morning.
762

763 Mr. Aaron Breed - Good morning, Mr. Chairman, and members of the Commission.
764 My name is Aaron Breed with Balzer and Associates, representing the applicant. As far as the
765 building footprint change on that, we have one concern. The building, the covered porch, was
766 eliminated to reduce the size of the footprint of the building and the units got a little bit wider,
767 just so they are not as deep, so we can fit them within the required setback and buffers.
768

769 Mr. Kaechele - OK, so the square footage of living space hasn't really changed.
770

771 Mr. Breed - The square footage is approximately the same. Yes, sir.
772

773 Mr. Vanarsdall - Any other questions?
774

775 Mr. Silber - I believe there was a proffered condition that required a certain
776 size open area, common area. Where is that being provided and how much area is being
777 provided?
778

779 Mr. Breed - The proffered condition of the open space area is generally in the
780 center of the site in a courtyard area. It was proffered as a ¼ of an acre and we actually have
781 slightly over that.
782

783 Mr. Silber - So, are there going to be any amenities in that area, anything
784 provided, or just open space?

785 Mr. Breed - I believe they require some amenities in there and as far as what,
786 we have not exactly determined that and there will be some landscaping. There probably will
787 be some sort of gazebos, benches, that sort of thing.

788

789 Mr. Vanarsdall - If you want to stand by, we have two people who have some
790 questions. Do you want to come down to the mike and state your name?

791

792 Mr. Felts - My name is Stephen Felts. We live in Lot 3 in the Waterford
793 Subdivision, which is basically at the bottom of the hill where this subdivision is going to be
794 located.

795

796 Mr. Kaechele - Excuse me. Can you point that out on the layout there where you
797 live?

798

799 Mr. Felts - We are right there, which is the first house in the subdivision.
800 The other two lots in the corner are in the floodplain. We have had drainage issues before. I
801 know we worked with you, Mr. Kaechele, on the issues involving Chatham Woods being
802 drained in our subdivision and the flooding it was causing in the lower houses in the lots in that
803 corner. Our concern is where is the drainage for this new subdivision going to be, and is it
804 going to be tied in to the drainage that currently exists that basically runs under my backyard.

805

806 Mr. Vanarsdall - Mr. Silber, do you want to take that?

807

808 Mr. Breed - The drainage from the site is going to be picked up into a pipe
809 storm sewer system, the grades are being revised to channel that water into the system, so that
810 there is no overflow that is going to go onto that adjacent properties. As far as the capacity of
811 the existing storm sewer, the information that we had shows that they are at capacity on that,
812 the flooding, and I am not aware of whether those arrows are, you know, that was coming
813 from this overland overflow or if it was a back up in the storm sewer.

814

815 Mr. Felts - I assume you are talking about a different drawing, but it shows
816 the drainpipe that runs through my back yard. It is actually not on this plan. It kind of runs
817 diagonal that way through the yard and feeds into the creek. Are you all tying into that?

818

819 Mr. Breed - We aren't. We are tying into the inlet that he is speaking of is in
820 sort of the northeastern corner of his property. There is an exiting unit at that point, and there
821 is a low on the site. We are actually extending a pipe in to pick up that low area to clean that
822 structure out and we are tying into the storm sewer, the existing storm sewer further up, that is
823 in the northern end, the northern central piece of our property.

824

825 Mr. Silber - So you would be, actually, improving the situation that is on his
826 lots?

827 Mr. Breed - The inlet that we would be tying a portion of my drain into would
828 be cleaning that inlet out. I went and looked at it, and it is fairly old. It has a lot of broken up
829 rubble around it from trees and branches and stuff clogging up the inlet side of that. I will be
830 removing all of that and bringing that up to the current County standards.

831

832 Mr. Silber - Where is the storm sewer clean or discharge from your site?

833

834 Mr. Breed - Our site will discharge into the two points, one is at the northern
835 property existing storm pipe there, and a small portion of it will tie into the inlet that is at the
836 rear of his property.

837

838 Mr. Silber - Mr. Felts, the County has its own design engineers and will be
839 looking at these plans extensively as more plans are prepared and they will be very concerned
840 about the outfall, the discharge of storm water from this property. They are sensitive to
841 adjacent property owners and their properties impact the drainage on them, so this will be
842 looked at more closely. I would encourage you, if you have concerns as this property
843 develops, to continue to work with this gentleman, this engineer, as well as the County
844 engineers to make sure that these problems are addressed.

845

846 Mr. Felts - OK. Thank you. Our biggest concern is there is currently
847 already a back up from the existing water that we are getting on the side of our yard to the left
848 side of our house.

849

850 Mr. Branin - Mr. Felts, do you know what is causing the back up? Is there
851 brush or...

852

853 Mr. Felts - Basically, two pipes run through our yard and come out into an
854 open creek. They couldn't enclose the creek because it is part of the floodplain. Then that
855 feeds into three parts that run under the street even when they are clear. Even when they are
856 clear, we still have back up, and it overflows into our lot on the side.

857

858 Mr. Archer - Is it a gravity issue do you think?

859

860 Mr. Felts - We are actually working with the landscaper and we are going to
861 regrade our yard on that side to try to slope our yard down to the creek. Obviously, that is
862 going to be at our expense, but we can only do so much, and that is with the existing situation
863 as it is. That is not with having the seven acres of ...fully developed with pavement and
864 driveways and everything else that is going to create a lot more drainage, a lot more runoff.
865 That is our concern.

866

867 Mr. Kaechele- We will just have to keep a continual eye on that and see if these
868 conditions are not worsened.

869

870 Mr. Vanarsdall - Thank you for your concern and coming down. Yes, sir.

871

872 Mr. Charlie Worland- Good morning. My name is Charlie Worland. I live on the
873 adjacent property right there on the north. We, too, have a drainage issue in that to some
874 extent a gravity issue that the playing level is off in our backyard and currently does not drain
875 adequately and if I understood correctly, there will be additional drainage being piped. There
876 is a pipe being run at the back line of our property there. That additional drainage will be
877 being piped, which is almost an uphill pipe. It is level. There is no way to go lower to relieve
878 that, so we are concerned about the flooding. We are also wondering if 30 units is still the
879 projected capacity. We would like to request that as great a buffer as possible, no less than 20
880 feet of buffer be allowed to remain there to separate the properties, the privacy of the
881 properties. Those are the two concerns that we have.

882

883 Mr. Kaechele - The buffer was recorded in the zoning case. I don't know, do we
884 have that number?

885

886 Mr. Cooper- Yes, sir. The required buffer along that property line here at the
887 northern property line is 10 feet in width, which was proffered with the rezoning case, and that
888 is the same for the property line adjacent to Waterford and this side, the eastern property line
889 against this section of Chatham Woods, 50 feet against Church Road.

890

891 Mr. Kaechele - That was established at the time of zoning. I can't really require
892 that to be changed.

893

894 Mr. Worland - That was done without any input from us at that time. We were
895 not aware of that.

896

897 Mr. Kaechele - Well, it's done with a public hearing.

898

899 Mr. Silber - Right. When the property was rezoned, the County notified all of
900 the surrounding property owners by mail to let the property owners know that that piece of
901 property is up for rezoning. It went through a public hearing with this Planning Commission
902 and a public hearing with the Board of Supervisors.

903

904 Mr. Worland - I was not present at either of those hearings. I was unable to
905 speak to that. Thank you.

906

907 Mr. Vanarsdall - All right. Thank you. Anyone else?

908

909 Mr. Branin - Mr. Chairman, I would like to see Mr. Cooper get with the
910 representative from Balzer and also Mr. Felts and look at the current condition and see if we
911 can, I am sure Balzer can design something to help his current situation and not worsen it.
912 Mr. Felts, I would like to see you and get your address as well, because I'd like to look at it to
913 make sure I know what is going on there. OK?

914

915 Mr. Cooper - Mr. Secretary, I just wanted to also point out in regard to your
916 question regarding the open space requirement, we did ask the engineer to provide us the exact

917 acreage for the open space and to delineate that on a plan. We have received that, and it does
918 satisfy the proffer requirement, and also in regards to the previous speaker, while the 10-foot
919 buffer is adjacent to his property line, the setback for the principal dwellings is actually 30
920 feet, which is required by Code, so these buildings won't be up against that 10-foot buffer.
921 They will be 30 feet off of the property line.

922

923 Mr. Vanarsdall - Thank you. If there are no more questions, we will have a
924 motion.

925

926 Mr. Branin - Mr. Chairman, I move that we approved POD-21-05, subject to
927 the standard conditions for developments of this type and additional conditions Nos. 23 through
928 36, plus additional condition No. 37 which is on the Addendum.

929

930 Mr. Archer - I will second the motion.

931

932 Mr. Vanarsdall - Motion made by Mr. Branin and seconded by Mr. Archer. All in
933 favor say aye. All opposed say no. The ayes have it. The motion is passed.

934

935 The Planning Commission approved POD-21-05, Church Mews Condominiums, subject to the
936 standard conditions attached to these minutes for developments of this type, and the following
937 additional conditions:

938

939 23. The right-of-way for widening of Church Road as shown on approved plans shall be
940 dedicated to the County prior to any occupancy permits being issued. The right-of-way
941 dedication plat and any other required information shall be submitted to the County
942 Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

943 24. The easements for drainage and utilities as shown on approved plans shall be granted to
944 the County in a form acceptable to the County Attorney prior to any occupancy permits
945 being issued. The easement plats and any other required information shall be submitted
946 to the County Real Property Agent at least sixty (60) days prior to requesting
947 occupancy permits.

948 25. The limits and elevations of the 100-year frequency flood shall be conspicuously noted
949 on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year
950 floodplain must be labeled "Variable Width Drainage and Utility Easement." The
951 easement shall be granted to the County prior to the issuance of any occupancy permits.

952 26. The required building setback shall be measured from the proposed right-of-way line
953 and the parking shall be located behind the proposed right-of-way line.

954 27. The developer shall provide fire hydrants as required by the Department of Public
955 Utilities and Division of Fire.

956 28. The proffers approved as a part of zoning case C-52C-04 shall be incorporated in this
957 approval.

958 29. Any necessary off-site drainage and/or water and sewer easements must be obtained in
959 a form acceptable to the County Attorney prior to final approval of the construction
960 plans.

961 30. Deviations from County standards for pavement, curb or curb and gutter design shall be

- 962 approved by the County Engineer prior to final approval of the construction plans by
 963 the Department of Public Works.
- 964 31. The pavement shall be of an SM-2A type and shall be constructed in accordance with
 965 County standard and specifications. The developer shall post a defect bond for all
 966 pavement with the Department of Planning - the exact type, amount and implementation
 967 shall be determined by the Director of Planning, to protect the interest of the members
 968 of the Homeowners Association. The bond shall become effective as of the date that
 969 the Homeowners Association assumes responsibility for the common areas. Prior to the
 970 issuance of the last Certificate of Occupancy, a professional engineer must certify that
 971 the roads have been designed and constructed in accordance with County standards.
- 972 32. Insurance Services Office (ISO) calculations must be included with the plans and
 973 contracts and must be approved by the Department of Public Utilities prior to the
 974 issuance of a building permit.
- 975 33. Approval of the construction plans by the Department of Public Works does not
 976 establish the curb and gutter elevations along the Henrico County maintained right-of-
 977 way. The elevations will be set by Henrico County.
- 978 34. The unit house numbers shall be visible from the parking areas and drives.
- 979 35. The names of streets, drives, courts and parking areas shall be approved by the
 980 Richmond Regional Planning District Commission and such names shall be included on
 981 the construction plans prior to their approval. The standard street name signs shall be
 982 ordered from the County and installed prior to any occupancy permit approval.
- 983 36. A standard concrete sidewalk shall be provided on at least one side of all interior roads.
- 984 37. Prior to the issuance of a certificate of occupancy for any building in this development,
 985 the engineer of record shall certify that the site has been graded in accordance with the
 986 approved grading plans.

987

988 **PLAN OF DEVELOPMENT & SPECIAL EXCEPTION**

989

POD-20-05
 Brook Run Independent
 Living - 6000 Brook Road

**Townes Site Engineering for Tetra Associates, LLC and
 Carroll M. Blundon:** Request for approval of a plan of
 development and special exception, as required by Chapter 24,
 Sections 24-21, 24-94 (b) and 24-106 of the Henrico County
 Code, to construct a four-story, 120 unit, age-restricted
 apartment building. The special exception would authorize a
 building with maximum height greater than 2 ½ stories. The
 8.63-acre site is located on the west line of Brook Road (U. S.
 Route 1) 365 feet north of Wilmer Avenue adjacent to the
 Brook Run Shopping Center on part of parcel 783-748-5077.
 The zoning is R-5C, General Residence District (Conditional).
 County water and sewer. **(Fairfield)**

990

991 Mr. Vanarsdall - Is there anyone here in opposition to this case, POD-20-05, Brook
 992 Run Independent Living? No opposition. Mr. Kennedy.

993

994 Mr. Kennedy - Brook Run Independent Living is a proposed four-story age restricted
995 apartment building located along the west line of Brook Road adjacent to the Brook Run Shopping Center.
996 The proposed building is the first of two 120-unit age restricted apartment buildings contemplated at this
997 location. So, there is a second building also proposed and the second building would be in this area here
998 (referring to rendering). It would just kind of reverse this way.

999

1000 The subject property was zoned R-5C, General Residence District, in 2004 and the proffers
1001 contemplate the proposed use. The proposed development would result in the construction of
1002 13.9 multi-family dwelling units per acre, while the maximum permitted in the R-5 District is
1003 14.5 multi-family dwelling units per acre, so it is within the limit.

1004

1005 The Department of Public Works has approved an exception to the requirement for two points
1006 of access for multi-family development with more than 80 units with only one point of access.
1007 The exception notes that the first phase of development will be limited to 120 senior apartments
1008 and based upon ITE standards would generate fewer trip per day than 80 unrestricted multi-
1009 family units. The exception requires a secondary emergency access drive be provided. At this
1010 time they contemplate emergency access drive to be provided to Brook Road, although the
1011 alternative would be to provide within the shopping center at such time as a major center is
1012 developed there, they can develop it through the shopping center. They are just not
1013 contemplating that development at this time to be concurrent with this, so they are providing an
1014 alternative.

1015

1016 The staff recommends approval of the Plan of Development subject to the annotations on the
1017 plans, the standard conditions for developments of this type, the conditions on the agenda, and
1018 the following two additional conditions:

1019

1020 34. Adequate water pressure shall be provided in accordance with the requirements of the
1021 Department of Public Utilities and the Fire Marshall prior to the issuance of a Certificate
1022 of Occupancy.

1023

1024 That condition is because the County is currently proposing water main extension along Brook
1025 Road, and that is in the new capital budget, so it just has to have assurance it is there. We can't
1026 assure the capital budget is going to be approved. Mr. Kaechele is still to vote on that. We
1027 anticipate it will. The second condition is that:

1028

1029 35. A secondary emergency access drive shall be provided in accordance with the requirements
1030 of the Traffic Engineer and the Fire Marshall.

1031

1032 That addresses the exception. A special exception is requested to construct over a two-and a half-
1033 story building. They are proposing a four-story building. Should the Planning Commission
1034 approve the special exception, the staff recommends the following conditional conditions:

1035

1036 36. The building shall be completely fire sprinklered.

1037 37. Perimeter landscaping shall comply with multi-family design standards.

1038 The engineer is present and available to answer any questions. I would be happy to answer
1039 any questions as well.

1040

1041 Mr. Vanarsdall - Are there any questions for Mr. Kennedy?

1042

1043 Mr. Silber - Mr. Kennedy, it looks as though it may be a typo on No. 34. It
1044 should be the Department of Public Utilities.

1045

1046 Mr. Kennedy - Yes, it should be the Department of Public Utilities.

1047

1048 Mr. Archer - Mr. Kennedy, of course you and I have discussed this quite a bit
1049 in the last week. For the benefit of the rest of the Commission members, the information that
1050 is shown in the Addendum is probably part and parcel of some of the guts of this that had to be
1051 worked out, and I appreciate your efforts, sir, in getting that done. Do any of the Commission
1052 members have any questions about that part of it that is stated on the Addendum having to do
1053 with the two points of access and so forth?

1054

1055 Mr. Vanarsdall - No questions by Commission members.

1056

1057 Mr. Archer - All right. I don't think we need to hear from the applicant. I
1058 don't think anything could be added that Mr. Kennedy hasn't already covered.

1059

1060 Mr. Vanarsdall - I will entertain a motion for the special exception.

1061

1062 Mr. Archer - OK. First I move to approve the special exception for the four-
1063 story height and with it the Addendum conditions 36 and 37.

1064

1065 Mr. Vanarsdall - Second. Motion made by Mr. Archer and seconded by Mr.
1066 Vanarsdall. All in favor say aye. All opposed say no. The ayes have it. The special
1067 exception is approved.

1068

1069 Mr. Archer - I move to approve POD-20-05, Brook Run Independent Living,
1070 subject to the annotations on the plans, the standard conditions for developments of this type,
1071 the additional conditions in the Agenda which are Nos. 9 Amended and Nos. 23 through 33,
1072 and additional conditions No. 34 and 35 on the Addendum.

1073

1074 Mr. Vanarsdall - Motion made by Mr. Archer and seconded by Mr. Vanarsdall.
1075 All in favor say aye. All opposed say no. The motion passes.

1076

1077 The Planning Commission approved POD-20-05, Plan of Development and Special Exception,
1078 for Brook Run Independent Living – 6000 Brook Road, subject to the standard conditions for
1079 developments of this type and the following additional conditions:

- 1080 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
1081 Planning for review and Planning Commission approval prior to the issuance of any
1082 occupancy permits.
- 1083 23. The easements for drainage and utilities as shown on approved plans shall be granted to
1084 the County in a form acceptable to the County Attorney prior to any occupancy permits
1085 being issued. The easement plats and any other required information shall be submitted
1086 to the County Real Property Agent at least sixty (60) days prior to requesting
1087 occupancy permits.
- 1088 24. The limits and elevations of the 100-year frequency flood shall be conspicuously noted
1089 on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year
1090 floodplain must be labeled "Variable Width Drainage and Utility Easement." The
1091 easement shall be granted to the County prior to the issuance of any occupancy permits.
- 1092 25. The developer shall provide fire hydrants as required by the Department of Public
1093 Utilities and Division of Fire.
- 1094 26. The proffers approved as a part of zoning case C-33C-04 shall be incorporated in this
1095 approval.
- 1096 27. Prior to issuance of a building permit, the developer must furnish a letter from
1097 Dominion Virginia Power stating that this proposed development does not conflict with
1098 their facilities.
- 1099 28. Any necessary off-site drainage and/or water and sewer easements must be obtained in
1100 a form acceptable to the County Attorney prior to final approval of the construction
1101 plans.
- 1102 29. Deviations from County standards for pavement, curb or curb and gutter design shall be
1103 approved by the County Engineer prior to final approval of the construction plans by
1104 the Department of Public Works.
- 1105 30. Storm water retention, based on the 50-10 concept, shall be incorporated into the
1106 drainage plans.
- 1107 31. Insurance Services Office (ISO) calculations must be included with the plans and
1108 contracts and must be approved by the Department of Public Utilities prior to the
1109 issuance of a building permit.
- 1110 32. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
1111 Department of Planning and approved prior to issuance of a certificate of occupancy for
1112 this development.
- 1113 33. The location of all existing and proposed utility and mechanical equipment (including
1114 HVAC units, electric meters, junction and accessory boxes, transformers, and
1115 generators) shall be identified on the landscape plans. All equipment shall be screened
1116 by such measures as determined appropriate by the Director of Planning or the
1117 Planning Commission at the time of plan approval.
- 1118 34. Adequate water pressure shall be provided in accordance with the requirement of the
1119 Department of Public Utilities and the Fire Marshall prior to the issuance of a Certificate
1120 of Occupancy.
- 1121 35. A secondary emergency access drive shall be provided in accordance with the requirements
1122 of the Traffic Engineer and the Fire Marshall.
- 1123 36. The building shall be completely fire sprinklered.
- 1124 38. Perimeter landscaping shall comply with multi-family design standards.

1125 **PLAN OF DEVELOPMENT & SPECIAL EXCEPTION**

1126

POD-22-05
Henrico Retirement
Residence – 10300 Three
Chopt Road

Bay Design Group, P.C. for A. R. Tedesco, Three Chopt Village, LLC and Colson & Colson Construction Company: Request for approval of a plan of development and special exception, as required by Chapter 24, Sections 24-2, 24-94(b) and 24-106 of the Henrico County Code, to construct a three-story, 118-bed retirement residence for seniors. The special exception would authorize a building with a maximum height greater than 2 ½ stories. The 10.88-acre site is located on the north line of Three Chopt Road, 485 feet west of Gaskins Road at 10300 Three Chopt Road on parcels 749-7559136, 4576 and part of 749-755-8188 and 749-756-0252. The zoning is A-1, Agricultural District and R-6C, General Residence District (Conditional). County water and sewer. (Three Chopt)

1127

1128 Mr. Vanarsdall -
1129 Retirement Residence?

Is anyone in the audience in opposition to POD-22-05, Henrico

1130

1131 Mr. Kennedy - This is similar to the last request. The only difference is that it is going to
1132 be a multifamily. It is actually assisted living, so it is a little bit different. Henrico Retirement
1133 Residence is a proposed three-story age restricted assisted living building located along the north
1134 line of Three Chopt Road across from the Cedarfield Community, which is a mixed development
1135 age-restricted community.

1136

1137 The subject property was zoned R-6C, General Residence District, in 2004 and the proffers
1138 contemplate the proposed use.

1139

1140 The applicant has redesigned the site to relocate the proposed garage outside the required side
1141 yard and that is actually included in your packet, and the second page of the site plan shows the
1142 relocated garage without a lot of information, but just shows how they have relocated the
1143 garage to meet the 20-foot side-yard setback. In addition, the developer/owner has agreed to
1144 relocate the storm water retention pond/BMP outside the proffered buffer along I-64 and place
1145 it underground if necessary.

1146

1147 The plan as annotated satisfies both proffers and County design requirements. A perimeter
1148 buffer would be maintained or provided, and the building would be connected by an internal
1149 sidewalk system to Three Chopt Road and is very pedestrian oriented.

1150

1151 The staff recommends approval of the Plan of Development subject to the annotations on the
1152 plans, the standard conditions for developments of this type, the conditions on the agenda, and
1153 the following additional conditions:

1154

1155 9. **AMENDED** – A detailed landscaping plan shall be submitted to the Department of
1156 Planning for review and Planning Commission approval prior to the issuance of any
1157 occupancy permits.

1158

1159 A special exception is requested to permit construction of building over 2-½ stories. In this
1160 case, the building is restricted by proffers for three stories, and that is what they are proposing.

1161

1162 Should the Planning Commission approve the special exception for a three-story building, the
1163 staff recommends, and the following additional conditions:

1164

1165 35. The building shall be completely fire sprinklered.

1166 36. Perimeter landscaping shall comply with multi-family design standards.

1167

1168 The engineer and the developer are present and are both available to answer any questions.

1169

1170 Mr. Vanarsdall - All right. Any questions for Mr. Kennedy? No questions.

1171

1172 Mr. Kaechele - One question on the planned site. The entranceway to the
1173 property kind of to the south, southeast, is that a potential exit there, or it going to be a fire
1174 lane.

1175

1176 Mr. Kennedy - Because it is over 80 units, again it requires two points of access,
1177 so they do have the two points of access. It is a Fire requirement. It is divided and also has
1178 that loop around the other side as well. So, they are required to have both entrances. The
1179 entrance to the south, which is a divided entrance, there are proffers required that they provide
1180 access to the adjoining property to the south, should they request it.

1181

1182 Mr. Kaechele - That is just a potential access?

1183

1184 Mr. Kennedy - Yes. It is a potential access for potential future development of
1185 that parcel should it be rezoned at some time in the future and redeveloped.

1186

1187 Mr. Kaechele - Thank you.

1188

1189 Mr. Silber - OK, I need clarification, Mr. Kennedy. The driveway system,
1190 the boulevard that comes in off of Three Chopt Road, will serve the front of the building. Will
1191 that driveway continue all the way around the back of the building?

1192

1193 Mr. Kennedy - It will continue all the way around the back of the building and
1194 come out on Three Chopt Road again and it will be a second point of access.

1195

1196 Mr. Silber - That is with this POD being approved, it will be constructed.

1197 Mr. Kennedy - It will be constructed, and, in fact, in that back corner here, that
1198 is where they are relocating the garage. The building actually has a design for a main hallway
1199 through this corner of the building, and then they will put the garage in. The garage is actually
1200 to maintain their vehicles. Basically, it is assisted living. They don't really intend their
1201 residents to be driving. They intend to provide transportation services to shopping and other
1202 conveniences.

1203

1204 Mr. Silber - Provide for me what you were indicating about a future access
1205 point.

1206

1207 Mr. Kennedy - A future access point is here on this drive here (referring to
1208 rendering), where the median entrance is. It is actually an easement to this property to the
1209 south, and that property is currently zoned Agricultural, but it would, should that property be
1210 redeveloped, permit them access so they would access far enough way from the interchange
1211 that it wouldn't restrict development.

1212

1213 Mr. Kaechele - With the improvement of Three Chopt Road, I don't believe there
1214 is a planned median there. Do you know?

1215

1216 Mr. Kennedy - There's no median that I know of at this time.

1217

1218 Mr. Kaechele - OK.

1219

1220 Mr. Silber - There is going to be a median that is going to be constructed back
1221 a certain distance from Gaskins, and Mr. Jennings might be able to tell us how far that is going
1222 to come. I don't know if that is going to come as far as, I don't think it comes back as far as
1223 where this boulevard entrance is. Mr. Jennings, can you help us with that, please?

1224

1225 Mr. Jennings - Good morning, Planning Commission members. I am Mike
1226 Jennings, Assistant Traffic Engineer. The plans for Three Chopt Road widening, the median
1227 will go well beyond this property, so in the future, both of these entrances are going to be
1228 right-in and right-out.

1229

1230 Mr. Kaechele - OK.

1231

1232 Mr. Jennings - And the developer is aware of that.

1233

1234 Mr. Silber - Thanks for clarifying that.

1235

1236 Mr. Vanarsdall - Any more questions of Mr. Kennedy? Thank you, Mr. Kennedy.

1237

1238 Mr. Branin - Mr. Chairman, I move to approve special exception for POD-22-
1239 05, Henrico Retirement Residence.

1240

1241 Mr. Archer - Second.

1242 Mr. Vanarsdall - We have a motion by Mr. Branin and a second by Mr. Archer.
1243 All in favor say aye. All opposed say no. The motion passes.

1244

1245 The Planning Commission approved the special exception to authorize a building with a
1246 maximum height greater than 2 ½ stories.

1247

1248 Mr. Branin - I make a motion for approval of POD-22-05, subject to the
1249 standard conditions for developments of this type and added conditions Nos. 23 through 34 and
1250 35 and 36 on the addendum and No. 9 Amended.

1251

1252 Mr. Archer - Second.

1253

1254 Mr. Vanarsdall - We have motion made by Mr. Branin, seconded by Mr. Archer.
1255 All in favor say aye. All opposed say no. The motion passes.

1256

1257 The Planning Commission approved POD-22-05, Plan of Development and Special Exception
1258 for POD-22-05, Henrico Retirement Residence – 10300 Three Chopt Road, subject to the
1259 standard conditions attached to these minutes for developments of this type, and the following
1260 additional conditions:

1261

1262 9. **AMENDED** – A detailed landscaping plan shall be submitted to the Department of
1263 Planning for review and Planning Commission approval prior to the issuance of any
1264 occupancy permits.

1265 23. The right-of-way for widening of Three Chopt Road as shown on approved plans shall
1266 be dedicated to the County prior to any occupancy permits being issued. The right-of-
1267 way dedication plat and any other required information shall be submitted to the County
1268 Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

1269 24. The easements for drainage and utilities as shown on approved plans shall be granted to
1270 the County in a form acceptable to the County Attorney prior to any occupancy permits
1271 being issued. The easement plats and any other required information shall be submitted
1272 to the County Real Property Agent at least sixty (60) days prior to requesting
1273 occupancy permits.

1274 25. The limits and elevations of the 100-year frequency flood shall be conspicuously noted
1275 on the plan “Limits of 100 Year Floodplain.” In addition, the delineated 100-year
1276 floodplain must be labeled “Variable Width Drainage and Utility Easement.” The
1277 easement shall be granted to the County prior to the issuance of any occupancy permits.

1278 26. The developer shall provide fire hydrants as required by the Department of Public
1279 Utilities and Division of Fire.

1280 27. The proffers approved as a part of zoning case C-16C-04 shall be incorporated in this
1281 approval.

1282 28. Prior to issuance of a building permit, the developer must furnish a letter from VDOT
1283 (Virginia Department of Transportation) stating that this proposed development does
1284 not conflict with their facilities.

- 1285 29. Any necessary off-site drainage and/or water and sewer easements must be obtained in
 1286 a form acceptable to the County Attorney prior to final approval of the construction
 1287 plans.
 1288
- 1289 30. Deviations from County standards for pavement, curb or curb and gutter design shall be
 1290 approved by the County Engineer prior to final approval of the construction plans by
 1291 the Department of Public Works.
- 1292 31. Storm water retention, based on the 50-10 concept, shall be incorporated into the
 1293 drainage plans.
- 1294 32. Insurance Services Office (ISO) calculations must be included with the plans and
 1295 contracts and must be approved by the Department of Public Utilities prior to the
 1296 issuance of a building permit.
- 1297 33. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
 1298 Department of Planning and approved prior to issuance of a certificate of occupancy for
 1299 this development.
- 1300 34. The location of all existing and proposed utility and mechanical equipment (including
 1301 HVAC units, electric meters, junction and accessory boxes, transformers, and
 1302 generators) shall be identified on the landscape plans. All equipment shall be screened
 1303 by such measures as determined appropriate by the Director of Planning or the
 1304 Planning Commission at the time of plan approval.
- 1305 35. The building shall be completely fire sprinklered.
- 1306 36. Perimeter landscaping shall comply with multifamily design standards.

1307

1308 **PLAN OF DEVELOPMENT**

1309

POD-24-05
 Grayson Hill, Section 2 -
 Gaskins Road

E. D. Lewis & Associates, P.C. for Gaskins Centre, LC:
 Request for approval of a plan of development, as required by
 Chapter 24, Section 24-106 of the Henrico County Code, to
 construct 103, two-story and three-story townhouse units for
 sale. The 23.12-acre site is located along the east line of
 Gaskins Road, approximately 450 feet south of Patterson
 Avenue on part of parcels 745-741-0907 and 745-740-9892.
 The zoning is RTHC, Residential Townhouse District
 (Conditional). County water and sewer. **(Tuckahoe)**

1310

1311 Mr. Vanarsdall - Is anyone in the audience in opposition to POD-24-05, Grayson
 1312 Hill, Section 2? No opposition. Good morning, Mr. Wilhite.

1313

1314 Mr. Wilhite - Good morning, again, sir. There are 220 lots total in this
 1315 development. The first section of 50 lots was approved back on January 26 with the
 1316 architectural plans being approved on March 10. No changes to the architectural plans are
 1317 requested at this point. Actually, Section 3 of this project has already been filed with the
 1318 County and is scheduled to be on your April agenda. There are two BMPs within Section 2 of
 1319 the development. They will be designed as water features as well as serving the storm water
 1320 quality requirements. Part of the agreement that was alluded to in the conditional rezoning

1321 case. The BMP will also serve the water quality requirements of the adjoining Derby
1322 Subdivision, as well. Due to that, the staff is recommending an added condition be added to
1323 this, which would be No. 36, and if I could read it: The proposed BMP facilities in this
1324 development shall accommodate the required pollutant loading for the Derby Subdivision in its
1325 design and construction. The applicant shall eliminate, grade, and reseed the existing BMP
1326 within the Derby Subdivision once the BMP facilities in this development are completed and
1327 accepted by the Department of Public Works. The applicant is also requesting that a clause be
1328 added to the end: subject to the caveats of Condition No. 36 of Zoning Case C-35C-04. A
1329 basic concern being that the owner of the property with the existing BMP in the Derby
1330 Subdivision have to agree to allow the work to be done. With that, staff can recommend
1331 approval of the project with added Condition No. 36.

1332

1333 If you have any questions, I will be happy to try to answer them.

1334

1335 Mr. Vanarsdall - Any questions for Mr. Wilhite? No questions. No opposition.
1336 Don't need to talk to the applicant. I move that POD-24-05, Grayson Hill, Section 2 -
1337 Gaskins Road, be approved, subject to the annotations on the plans, the standard conditions for
1338 developments of this type and added Conditions Nos. 9 Amended, 11 Amended, 23 through
1339 35, and added Condition No. 36, plus the additional language that says "subject to the caveat
1340 of Condition No. 36 of Zoning Case C-35C-04." That addresses the caveat.

1341

1342 Mr. Archer - Second.

1343

1344 Mr. Vanarsdall - Motion made by Vanarsdall and seconded by Mr. Archer. All in
1345 favor say aye. All opposed say no. The ayes have it. The motion passes.

1346

1347 The Planning Commission approved POD-24-05, Grayson Hill, Section 2 - Gaskins Road,
1348 subject to the annotations on the plans, the standard conditions attached to these minutes for
1349 developments of this type, and the following additional conditions:

1350

1351 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
1352 Planning for review and Planning Commission approval prior to the issuance of any
1353 occupancy permits.

1354 11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including
1355 depictions of light spread and intensity diagrams, and fixture and specifications and
1356 mounting height details shall be submitted for Department of Planning review and
1357 Planning Commission approval.

1358 23. The subdivision plat for Grayson Hill, Section 2 shall be recorded before any building
1359 permits are issued.

1360 24. The developer shall provide fire hydrants as required by the Department of Public
1361 Utilities and Division of Fire.

1362 25. A standard concrete sidewalk shall be provided along the east side of Gaskins Road.

1363 26. Outside storage shall not be permitted.

1364 27. The proffers approved as a part of zoning case C-35C-04 shall be incorporated in this
1365 approval.

- 1366 28. Deviations from County standards for pavement, curb or curb and gutter design shall be
1367 approved by the County Engineer prior to final approval of the construction plans by
1368 the Department of Public Works.
- 1369 29. The pavement shall be of an SM-2A type and shall be constructed in accordance with
1370 County standard and specifications. The developer shall post a defect bond for all
1371 pavement with the Department of Planning - the exact type, amount and implementation
1372 shall be determined by the Director of Planning, to protect the interest of the members
1373 of the Homeowners Association. The bond shall become effective as of the date that
1374 the Homeowners Association assumes responsibility for the common areas.
- 1375 30. Prior to the issuance of the last Certificate of Occupancy, a professional engineer must
1376 certify that the roads have been designed and constructed in accordance with County
1377 standards.
- 1378 31. Insurance Services Office (ISO) calculations must be included with the plans and
1379 contracts and must be approved by the Department of Public Utilities prior to the
1380 issuance of a building permit.
- 1381 32. Approval of the construction plans by the Department of Public Works does not
1382 establish the curb and gutter elevations along the Henrico County maintained right-of-
1383 way. The elevations will be set by Henrico County.
- 1384 33. The location of all existing and proposed utility and mechanical equipment (including
1385 HVAC units, electric meters, junction and accessory boxes, transformers, and
1386 generators) shall be identified on the landscape plans. All equipment shall be screened
1387 by such measures as determined appropriate by the Director of Planning or the
1388 Planning Commission at the time of plan approval.
- 1389 34. The unit house numbers shall be visible from the parking areas and drives.
- 1390 35. The names of streets, drives, courts and parking areas shall be approved by the
1391 Richmond Regional Planning District Commission and such names shall be included on
1392 the construction plans prior to their approval. The standard street name signs shall be
1393 ordered from the County and installed prior to any occupancy permit approval.
- 1394 36. The proposed BMP facilities in this development shall accommodate the required
1395 pollutant loading for the Derby subdivision in its design and construction. The
1396 applicant shall eliminate, grade, and reseed the existing BMP within the Derby
1397 subdivision once the BMP facilities in this development are completed and accepted by
1398 the Department of Public Works, subject to the caveats of condition No. 36 of zoning
1399 case C-35C-04.

1400 **PLAN OF DEVELOPMENT**

1401

POD-26-05
Superstar – Bonnie M.
Pradhan Addition –
Brook Road and J.E.B.
Stuart Parkway
(POD-95-00 Revised)

Keith Engineering, Inc. for Bonnie M. Pradhan: Request for approval of a revised plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story, 5,966 square foot building addition to an existing convenience store with gas pumps. The 1.3-acre site is located at the southeast corner of the intersection of Brook Road (U.S. Route 1) and J.E.B. Stuart Parkway on parcel 783-769-9052. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Fairfield)**

1402

1403 Mr. Vanarsdall -

Anyone in the audience in opposition to POD-26-05, Superstar?

1404 All right. Thank you. Mr. Cooper.

1405

1406 Mr. Cooper -

Good morning, again, members of the Commission. A revised plan has been handed out to you this morning, and staff had several concerns for the original plan submitted. The two most critical issues regarding the original plan were insufficient parking and a lack of adequate traffic circulation around the building. In order to address those concerns, the applicant has reduced the size of the proposed addition, which was originally a two-story, 8,300 sq. ft. detached building to a now proposed 5,966 sq. ft. two-story building to be attached to the existing convenience store. As a result, the existing gas canopy structure on the eastern side of the existing building will be removed. Revised building elevations to illustrate this change have also been provided to you this morning, and within the building addition, the applicant is proposing two small restaurants, comparable to a Dunkin Donuts or Subway. The applicant is also proposing an apartment for the building manager on the second floor of the addition. It is staff's understanding that an apartment for the manager on duty already exists above the existing convenience store. Staff has discussed this issue with the Code Administrator, and it was determined that only one apartment for a manager on duty may exist for the overall building. The staff has spoken to the applicant regarding this concern this morning. He has indicated that through the addition to the building the wall between the second floor of the existing building and the second floor of the proposed building will be knocked out, therefore, allowing for one large apartment across the top of what is now going to be one building. With that, staff would be acceptable to the accessory use requirements of the zoning, and therefore would be permitted. Otherwise, the second floor of the building addition would have to be considered unfinished storage area in order to meet the parking requirement as it exists now. This information just came to staff this morning, so there was an additional condition added to our Addendum regarding the use of the second floor of the addition. Mr. Pradhan, the owner, is here today and can speak more to the apartment issue, but if he is going to create just one apartment, we would no longer need the additional condition that is listed in your Addendum, and we will just have to re-annotate the floor plan accordingly to note that change. Finally, due to the addition of new parking along the eastern property line, some of the existing landscaping along the existing wall will have to be removed. The applicant has indicated to staff that he is committed to providing that landscaping elsewhere on the property, and it is important to note that the existing landscaping

1436 along the wall that is on the neighborhood side will not be removed and, if possible,
1437 supplemental landscaping will be provided there according to the applicant. In general, the
1438 applicant and his engineer have worked with staff to address all outstanding concerns, and with
1439 the revised plan before you today, including the annotation regarding the use or elimination of
1440 the second floor of the addition, staff can recommend approval of this project. The applicant
1441 and his engineer are here today if you have any questions and I will be happy to answer any
1442 questions as well.

1443

1444 Mr. Vanarsdall - Are there any questions for Mr. Cooper?

1445

1446 Mr. Silber - Mr. Cooper, you noted that the parking would be expanded and
1447 some of the landscaping lost, but could be supplemented with additional landscaping. How
1448 much room will it be between the proposed parking and the wall?

1449

1450 Mr. Cooper- Between the proposed parking and the wall, I would have to say
1451 is probably somewhere around four feet. The back of curb and the property line is 10 feet to
1452 meet the Code requirement, but I believe that the narrowest point between the wall and the
1453 back of curb for the parking along that line would be a matter of 3 to 4 feet, which would
1454 allow for planting.

1455

1456 Mr. Silber - OK, I think there should be an effort made to provide for planting
1457 there and there would be additional supplemental planting provided. Thank you.

1458

1459 Mr. Archer - Mr. Secretary, were you suggesting an additional condition in the
1460 addendum?

1461

1462 Mr. Silber - Yes, we could do it that way. I think not knowing how much
1463 space is there, it may be difficult, but I think a condition can be added that to the extent
1464 possible that supplemental planting will be provided between the curb and the existing wall.
1465 We could add that, Mr. Archer, as No. 38.

1466

1467 Mr. Archer - OK, since it looks like we are eliminating the current 38 that is
1468 on the addendum, this could supplant it.

1469

1470 Mr. Silber - Yes, sir. I guess 38 is now coming off, Mr. Cooper.

1471

1472 Mr. Archer - How would you want to word that again, Mr. Secretary?

1473

1474 Mr. Silber - To the extent feasible, supplemental planting shall be provided
1475 between the proposed parking and the existing wall.

1476

1477 Mr. Archer - Have you got that, Mr. Cooper?

1478

1479 Mr. Cooper - Yes, sir.

1480

1481 Mr. Archer - All right. Thank you.
1482

1483 Mr. Vanarsdall - Any more questions for Mr. Cooper?
1484

1485 Mr. Archer - I don't believe so, Mr. Chairman. I'd like to hear from the
1486 applicant and we do have opposition.
1487

1488 Mr. Vanarsdall - Will the applicant come down, please?
1489

1490 Mr. Keith - Mr. Chairman and members of the Board, I am Jeff Keith with
1491 Keith Engineering, representing the applicant, Harry Pradhan, owner of the project. We feel
1492 we have satisfied most of the concerns that the County has had concerning this project. The
1493 owner is aware of the condition of the single apartment, and we are in agreement that he can
1494 only have one apartment up there, if we can rearrange the second floor to meet that
1495 requirement. As far as the landscaping issue, Mr. Cooper is correct. It is roughly about four
1496 feet we have back there, so we have adequate space to replace landscaping back in that area. It
1497 is my understanding that a portion of that landscape requirement on that wall was due to the
1498 lighting from the canopy, and we are doing away with the canopy on that side of the building,
1499 which should also help that situation, but I can try to answer any questions you may have
1500 concerning the project.
1501

1502 Mr. Archer - I just want to make sure that everybody understands that
1503 condition No. 38 that we are removing, that this has to be something that is actually done. We
1504 don't want to just say we are doing it in terms of the apartment upstairs, because it is not
1505 allowed, and I have a couple more things that we will probably have to address, but I think I
1506 will do best if we hear from the opposition first, and then you will have an opportunity to
1507 respond to what they have to say.
1508

1509 Mr. Vaughan - Good morning. I am Terry Vaughan with the Bank of Essex,
1510 which is next to the convenience store and we have strong concerns about the traffic flow with
1511 the additional parking spaces being added. That load through there is very tight now, and if a
1512 proposed Subway is going in there, they are typically very busy, and if they are, then there
1513 will be a lot of traffic in there parking in and out, and it would interfere possibly with our
1514 traffic from the bank, because that is an exit and entrance way to our bank.
1515

1516 Mr. Archer - I am hearing you, sir. I am just looking down.
1517

1518 Mr. Vaughan - That is all right. That is OK. Our concern is because of the
1519 traffic pattern.
1520

1521 Mr. Archer - We had, I can't call it a companion case, but one that is next door
1522 to the bank that was in last month, I believe, and there was also a concern there about traffic
1523 circulation, and I think we have resolved that issue by designing a turnaround for trucks to not
1524 come out through the parking that you are talking about. They wouldn't have to cross behind
1525 it. The concern that you are raising now, I don't have an answer there, and I guess Mr.

1526 Jennings could maybe speak to that or the applicant could address it. As it stands right now,
1527 does some of the bank traffic exit behind Mr. Pradhan's store?

1528

1529 Mr. Vaughan - Yes, sir. They come in and out through that entranceway, and we
1530 also have one off of Brook Road, as well.

1531

1532 Mr. Archer - I understand that, but are you saying that this plan is going to
1533 reduce the size of, I don't think it will. Will it? Will it actually reduce the size of that
1534 entrance way or exit?

1535

1536 Mr. Vaughan - I don't know that it will reduce it, necessarily, but I think it will
1537 make it more congested with the traffic pattern of people coming in and out. You can put
1538 those parking spaces right along the wall there, which means people will be pulling in, backing
1539 out, and interfere with the flow of traffic.

1540

1541 Mr. Archer - Mr. Jennings, could you help us out here, maybe?

1542

1543 Mr. Jennings - Good morning.

1544

1545 Mr. Archer - Can you point out to us, Mr. Jennings, what the area is he is
1546 talking about? It flows out into JEB Stuart Parkway.

1547

1548 Mr. Jennings - Do you see this drive aisle right through here, I guess he is
1549 concerned with adding parking along there, but to accommodate his concern, they have
1550 designed it as a 30-foot wide drive aisle, but the standard is only 24-foot wide.

1551

1552 Mr. Archer - They didn't reduce it. It is going to increase it.

1553

1554 Mr. Jennings - It increased it and along their site they have got a 24-foot drive
1555 aisle with two-way parking along that same drive aisle. I feel they have adequately addressed
1556 his concerns by making a 30-foot drive aisle. They are not changing the entrance on the JEB
1557 Stuart Parkway at all, and they have maintained a 30-foot wide two-way drive aisle through
1558 there.

1559

1560 Mr. Vaughan - We are not parking in that road though. We are parking on the
1561 side of the road, but not on the road that is entering into. We have a turn lane for drive-thru
1562 banking, but we don't have parking on the very back of the building.

1563

1564 Mr. Jennings - The plan that Mr. Pradhan showed me had parking along that
1565 drive aisle.

1566

1567 Mr. Vaughan - We have parking on the side of the building but not at the rear of
1568 the building, where the road goes.

1569 Mr. Jennings - OK. He is correct, but this will function like any shopping
1570 center. As you can see from the aerial photo, Mr. Pradhan, this was not built this way. What
1571 Mr. Pradhan just handed me was a proposal for a new POD for this site, and if they did come
1572 with this proposed building, they would add parking along that two-way drive aisle, but
1573 currently they do not have parking along there, as the bank currently exists, but, as I was
1574 saying, it would function as a shopping center through here, a two-way drive aisle, which we
1575 do allow parking on, and maybe I should increase it to 30-foot wide, where the minimum is
1576 24.

1577

1578 Mr. Silber - So, Mr. Jennings, you are saying that based on your experience
1579 and expertise, there is parking that is being proposed that would be backing out into this
1580 driveway and could create some conflict and slow down some traffic, but you believe by
1581 widening it from 24-feet to 30-feet helps that situation and you are not overly concerned with
1582 the number of parking spaces they have that would be backing out onto this driveway.

1583

1584 Mr. Jennings - No, sir. It would function just like any other POD, that people
1585 back in the drive aisles. It may slow people down momentarily, but there are a couple of
1586 access points on to Route 1. This wouldn't be the only access point out of there. I mean, if it
1587 was the only access point, I would be concerned, maybe.

1588

1589 Mr. Archer - Now, coming out of that back driving aisle, the only way you can
1590 go is the right-turn onto JEB Stuart Parkway. Is that correct? So, it would seem to me then,
1591 Mr. Vaughan, is it, the majority of your traffic would probably, well it does, right in off of
1592 Route 1. And the people who would access, would exit, unless they are going somewhere
1593 down JEB Stuart Parkway, which might be going to the shopping center or whatnot, that
1594 would be the extent of the traffic that exits onto JEB Stuart. In view of the fact that the drive
1595 aisle is being widened, it doesn't appear to me, that unless there is just a constant flow of
1596 traffic that it would be that much of an impediment to where it comes out there, provided that
1597 there is other access to get back to Brook Road.

1598

1599 Mr. Jennings - And plus with the approval of Best Buy, they will be able to go in
1600 the other direction, also, in the future.

1601

1602 Mr. Archer- Were you aware of that, Mr. Vaughan, that there has been
1603 another POD approval on the other side of the bank?

1604

1605 Mr. Vaughan - Yes.

1606

1607 Mr. Archer - OK.

1608

1609 Mr. Vaughan - This is just a strong concern that we had, but we are concerned
1610 about traffic flow because the bank's customers and traffic being created by Subway.

1611 Mr. Archer - Well, I think we did help you out some with the last POD, the
1612 Best Buy POD, and the truck traffic, had it not been for that POD, would have been allowed to
1613 use that same exit way, and that POD we approved a plan that would prohibit them from going
1614 out, so that will lessen the impact probably even more so than this POD would, so, hopefully,
1615 we can make this work.

1616

1617 Mr. Vaughan - I hope so.

1618

1619 Mr. Archer - But we appreciate your concern and thank you for coming down
1620 to express it, sir.

1621

1622 Mr. Silber - Mr. Cooper, the plan is correct in noting the minimum required
1623 parking of 46 parking spaces, and they are providing 46, so they are right at their minimum.

1624

1625 Mr. Cooper - That is correct, and actually now that the second floor will be just
1626 one apartment, the required amount would actually drop to 45, so they would be one space
1627 over.

1628

1629 Mr. Silber - So, if need be, they could take away one parking space on that
1630 driveway to perhaps alleviate some of his concern?

1631

1632 Mr. Cooper - Yes, sir. I believe we might have some options there.

1633

1634 Mr. Vanarsdall - All right. Anymore questions? All right, Mr. Archer.

1635

1636 Mr. Archer - OK, Mr. Chairman. This has been difficult to work on and Mr.
1637 Cooper has worked very hard on this and kept me informed as to what has been going on the
1638 whole time, and I am sure that Mr. Pradhan is aware of this, and Mr. Keith, there are some
1639 design constraints that are enforced, but I guess there is a Virginia Center Design Committee.
1640 I don't know exactly what the name of it is, but there are design guidelines that are a part of
1641 the covenants, I believe, for Virginia Center, and you will have to comply with those, sir, in
1642 the construction of your building, and, of course, that is something that this Commission
1643 doesn't have any purview over. That is between you and them, and hopefully, that will be
1644 done, but with the reduction in the building, the annotations on the plan, and the conditions
1645 that were added today, I think we have room for approval, and we hope everybody out there is
1646 going to be good neighbors and get along.

1647

1648 So, with that, Mr. Chairman, I will move approval of POD-26-05, Superstar, subject to the
1649 standard conditions for developments of this type, the additional conditions Nos. 23 through 37
1650 and 38 being the one that is on the addendum, being discarded, and then replaced with the
1651 condition that addresses supplemental planting, as stated by the Secretary.

1652

1653 Mr. Vanarsdall - Second.

1654 Mr. Vanarsdall - The motion made by Mr. Archer and seconded by Vanarsdall.
1655 All in favor say aye. All opposed say no. The ayes have it. The motion is passed.

1656

1657 The Planning Commission approved POD-26-05, Superstar – Bonnie M. Pradhan Addition –
1658 Brook Road and J.E.B. Stuart Parkway (POD-95-00 Revised), subject to the standard
1659 conditions attached to these minutes for developments of this type, and the following additional
1660 conditions:

1661

1662 23. The easements for drainage and utilities as shown on approved plans shall be granted to
1663 the County in a form acceptable to the County Attorney prior to any occupancy permits
1664 being issued. The easement plats and any other required information shall be submitted
1665 to the County Real Property Agent at least sixty (60) days prior to requesting
1666 occupancy permits.

1667 24. The entrances and drainage facilities on Brook Road (U.S. Route 1) shall be approved
1668 by the Virginia Department of Transportation and the County.

1669 25. A notice of completion form, certifying that the requirements of the Virginia
1670 Department of Transportation entrances permit have been completed, shall be submitted
1671 to the Department of Planning prior to any occupancy permits being issued.

1672 26. The developer shall provide fire hydrants as required by the Department of Public
1673 Utilities and Division of Fire.

1674 27. The proffers approved as a part of zoning case C-113C-88 shall be incorporated in this
1675 approval.

1676 28. The developer shall install an adequate restaurant ventilating and exhaust system to
1677 minimize smoke, odors, and grease vapors. The plans and specifications shall be
1678 included with the building permit application for review and approval. If, in the
1679 opinion of the County, the type system provided is not effective, the Commission
1680 retains the rights to review and direct the type of system to be used.

1681 29. Any necessary off-site drainage and/or water and sewer easements must be obtained in
1682 a form acceptable to the County Attorney prior to final approval of the construction
1683 plans.

1684 30. Deviations from County standards for pavement, curb or curb and gutter design shall be
1685 approved by the County Engineer prior to final approval of the construction plans by
1686 the Department of Public Works.

1687 31. Insurance Services Office (ISO) calculations must be included with the plans and
1688 contracts and must be approved by the Department of Public Utilities prior to the
1689 issuance of a building permit.

1690 32. Approval of the construction plans by the Department of Public Works does not
1691 establish the curb and gutter elevations along the Henrico County maintained right-of-
1692 way. The elevations will be set by Henrico County.

1693 33. Approval of the construction plans by the Department of Public Works does not
1694 establish the curb and gutter elevations along the Virginia Department of Transportation
1695 maintained right-of-way. The elevations will be set by the contractor and approved by
1696 the Virginia Department of Transportation.

1697 34. The owner or manager on duty shall be responsible for temporarily closing the car
1698 facility when the on-site stacking space is inadequate to serve customer demand to

- 1699 prevent a backup of vehicles onto the public right-of-way. The owner shall arrange with
 1700 the Traffic Engineer to provide standard traffic control signs to notify customers that
 1701 stopping or standing on the public right-of-way shall not be permitted near the entrances
 1702 to the car wash facility.
- 1703 35. The location of all existing and proposed utility and mechanical equipment (including
 1704 HVAC units, electric meters, junction and accessory boxes, transformers, and
 1705 generators) shall be identified on the landscape plans. All equipment shall be screened
 1706 by such measures as determined appropriate by the Director of Planning or the
 1707 Planning Commission at the time of plan approval.
- 1708 36. Refuse containers or refuse storage facilities shall be serviced only between the hours of
 1709 6:00 a.m. and 6:00 p.m.
- 1710 37. Outside storage shall not be permitted.
- 1711 38. To the extent feasible, supplemental planting shall be provided between the proposed
 1712 parking and the existing wall.

1713

1714 **SUBDIVISION**

1715

Bridlewood, Section 2
 (March 2005 Plan)

Koontz-Bryant, P.C. for Bland L. Motley, Jr. and Virginia R. Motley: The 5.289-acre site proposed for a subdivision of 2 single-family homes is located at the northwest intersection of Shady Grove Road and Hames Lane (11010 Hames Lane) on parcel 742-772-9905. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield. **(Three Chopt) 2 Lots**

1716

1717 Mr. Vanarsdall -
 1718 Mr. Wilhite.

Is anyone in the audience in opposition to Bridlewood, Section 2?

1719

1720 Mr. Wilhite -

1721 Grove and Hames Lane. This is a resubdivision of an existing lot on the corner of Shady
 1722 subdivision. There is an existing dwelling on what will be lot 16 of this
 1723 subdivision. Lot 17 on the corner would be the vacant lot. The water quality information and
 1724 environmental site assessment has been provided to the County and is acceptable. The last
 1725 issue was the amount of right-of-way dedication along Shady Grove Road. What is required is
 1726 three feet of dedication, a total of 33 feet from the centerline of Shady Grove Road.
 1727 Dedication would be done with the plat. However, there is no requirement for pavement
 1728 widening or curb and gutter at this point. With that, staff can recommend approval of this
 1729 plan.

1729

1730 Mr. Vanarsdall -
 1731

Any questions?

1732 Mr. Kaechele -
 1733 that lot or what?

What is that little area behind Section 17 there, is that all part of

1734 Mr. Wilhite - As shown, it was part of lot 16. Staff has recommended that the
1735 property line be adjusted and that strip of land to Shady Grove Road be eliminated and
1736 incorporated into lot 17.

1737

1738 Mr. Kaechele - It is a part of lot 17?

1739

1740 Mr. Wilhite - Yes, that is staff's recommendation.

1741

1742 Mr. Kaechele - Thank you.

1743

1744 Mr. Wilhite - Since there is a 25-foot planting strip easement that would be
1745 proposed to be added along Shady Grove Road with no ingress/egress, staff has recommended
1746 the elimination of that section.

1747

1748 Mr. Vanarsdall - Any more questions of Mr. Wilhite? If not, I will entertain a
1749 motion.

1750

1751 Mr. Branin - I make a motion that Bridlewood, Section 2 (March 2005 Plan)
1752 be approved, subject to the standard conditions for subdivisions not served by public utilities
1753 and added condition No. 11.

1754

1755 Mr. Archer - Second.

1756

1757 Mr. Vanarsdall - Motion made by Mr. Branin and seconded by Mr. Archer. All in
1758 favor say aye. All opposed say no. The motion passes.

1759

1760 The Planning Commission granted conditional approval to subdivision Bridlewood, Section 2
1761 (March 2005 Plan), subject to the standard conditions attached to these minutes for
1762 subdivisions not served by public utilities, and the following additional condition:

1763

1764 11. The detailed plant list and specifications for the landscaping to be provided within the
1765 25-foot-wide planting strip easement along Shady Grove Road shall be submitted to the
1766 Department of Planning for review and approval prior to recordation of the plat.

1767

1768 **APPROVAL OF MINUTES: February 23, 2005**

1769

1770 Mr. Vanarsdall - We have the approval of minutes. Tommy, do you remember
1771 when you got sworn in, whether you were sworn in first before Bonnie-Leigh Jones, or both of
1772 you together?

1773

1774 Mr. Branin - We were both together.

1775

1776 Mr. Vanarsdall - Well, the reason I asked you that is because the newer members
1777 are required to read all of the minutes.

1778

1779 Mr. Branin - Read all the minutes, which I did. And, Mr. Chairman, I did
1780 read all of the minutes and I didn't find any problems with them, sir. As a matter of fact, I
1781 found them quite humorous.
1782
1783 Mr. Archer - You should also know that whichever one of you raised your
1784 right hand first has seniority.
1785
1786 Mr. Branin - That would be her as well.
1787
1788 Mr. Vanarsdall - Mr. Archer, I know you read them.
1789
1790 Mr. Archer - I found nothing, Mr. Chairman.
1791
1792 Mr. Branin - You didn't trust me, Mr. Chairman?
1793
1794 Mr. Archer - I would like to say though that in my comments a little while ago,
1795 I said off of, and I know you know that is grammatically incorrect. So, I would like to correct
1796 that before the minutes are even typed. Never say off of.
1797
1798 Mr. Vanarsdall - So we need a motion for the minutes of February 23, 2005.
1799
1800 Mr. Archer - I move approval.
1801
1802 Mr. Branin - Second.
1803
1804 Mr. Vanarsdall - Motion made by Mr. Archer and seconded by Mr. Branin. All in
1805 favor say aye. All opposed say no. The motion passes. The minutes are approved.
1806
1807 Mr. Secretary, do you have anything?
1808
1809 Mr. Silber - I have perhaps two comments, if you would allow me. You may
1810 recall that there is a scheduled work session with the Board of Supervisors and the Planning
1811 Commission. It was supposed to be a visioning session involving the County's work on the
1812 Comprehensive Plan. We were hoping to meet with the Board and the Planning Commission
1813 members to run some concepts by those bodies and to seek input and suggestions on how to
1814 move forward with the Comprehensive Plan. This is an opportunity to really get some ideas as
1815 to how we want to get this Comprehensive Plan to be completed. That was scheduled for
1816 March 31 and April 1. We have had to cancel that because of some scheduling conflicts. We
1817 will be attempting to reschedule that visioning session probably likely in June, so I just wanted
1818 to let you know, if you hadn't heard, it has been cancelled and we will be rescheduling.
1819
1820 The second comment I would just like to make is I believe you all are aware, but if not, I
1821 wanted to tell you sort of belatedly that the latest we know about John Marlles' situation is
1822 that.... is everyone aware John Marlles was in the hospital in California? Maybe I don't need
1823 to elaborate, but we did not hear any news last night, so I don't have anything to report as of

1824 last night, but to the best of our knowledge, he is still in intensive care and is heavily sedated
1825 and is on a ventilator, so he is a very sick individual right now and we are praying and hoping
1826 that he will recover soon and fully, and that he can deal with this serious dilemma with
1827 leukemia. I just wanted to give you that update. With that I have no other comments. I
1828 understand that several of you had a nice trip to San Francisco and that the weather was warm
1829 and beautiful, sunny the entire time.

1830

1831 Mr. Vanarsdall - I would like to report that Mr. Kaechele behaved himself.

1832

1833 Mr. Kaechele - I attended a lot of meetings, as well. I can tell some stuff on Mr.
1834 Vanarsdall, too. He was in a committee meeting out there and I don't know what they were
1835 studying, but anyway they worked all through the morning session and it was time for lunch,
1836 and then they decided they were going to work through, and they decided well, what are we
1837 going to have for lunch, and part of the discussion said maybe we'd have steak sandwiches and
1838 then they decided that was too much. The supervisors back home may not approve it. And
1839 then they thought they'd have Chinese food and they couldn't agree on that, because it might
1840 not sustain them through the afternoon, and somebody thought about getting a salad, and they
1841 could all split that, and they didn't think that was enough diversification, and so the upshot was
1842 that they didn't have any lunch. But they all agreed that it was a fair hearing process.

1843

1844 Mr. Vanarsdall - Ms. Goggin's behavior was pretty good there.

1845

1846 Mr. Silber - Mr. O'Kelly was in attendance as well.

1847

1848 Mr. Vanarsdall - It goes without saying that you know that Mr. O'Kelly behaved
1849 himself.

1850

1851 Mr. Archer - Mr. Chairman, it occurs to me that all of you talking about how
1852 well you behaved, sounds like that is a pre-emptive strike to me.

1853

1854 Mr. Branin - Mr. Chairman, I would also like to state that I will be working on
1855 my motions, so I will get them down better for you, sir. Could you give me one second to get
1856 a second every now and then? I just wanted to second once.

1857

1858 Mr. Vanarsdall - I told you I would help you out when you get the next package.
1859 You and I are going to lunch together and I am going to go over it with you.

1860

1861 Mr. Archer - Mr. Chairman, with that I move for immediate adjournment.

1862

1863 Mr. Branin - Second.

1864

1865 Mr. Vanarsdall - Motion made by Mr. Archer and seconded by Mr. Branin. All in
1866 favor say aye. All opposed say no. The meeting was adjourned at 10:38 a.m.

1867 On a motion by Mr. Archer and seconded by Mr. Branin, the Planning Commission adjourned
1868 its March 30, 2005, meeting at 10:38 a.m.

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Ernest B. Vanarsdall, C.P.C., Chairman

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Randall R. Silber, Secretary

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