

1 Minutes of the regular monthly meeting of the Planning Commission of the County of
2 Henrico, Virginia, held in the Board Room of the County Administration Building in the
3 Government Center at Parham and Hungary Springs Roads, Beginning at 9:00 a.m.
4 Wednesday, October 24, 2001.

5
6 Members Present: Mr. C. W. Archer, C.P.C., Chairperson (Fairfield)
7 Ms. Elizabeth G. Dwyer, C.P.C., Vice Chairperson
8 (Tuckahoe)
9 Mr. Ernest B. Vanarsdall, C.P.C. (Brookland)
10 Mr. Allen Taylor, P. E., C.P.C. (Three Chopt)
11 Mr. E. Ray Jernigan (Varina)
12 Mr. David A. Kaechele, Board of Supervisors
13 Representative (Three Chopt)

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

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28 **Mr. David A. Kaechele, the Board of Supervisors Representative, abstains on all**
29 **cases unless otherwise noted.**

30
31 Mr. Archer - The Planning Commission will come to order. Good morning
32 everyone. Is there anyone here from the press, we would like to recognize you? No
33 one raised their hand, well we welcome you. I need to mention to everyone that
34 previously we indicated that the November meeting was scheduled for 28th and the
35 actual date is the correct date of November 28. Did I say that right, Ted?

36
37 Mr. Marlles - November 14 was the incorrect date and the correct date is
38 November 28.

39
40 Mr. Archer - Okay. So, it is November 28, 2001. With that, I will turn this
41 over to Mr. Marlles, our Secretary.

42
43 Mr. Marlles - Good morning, Mr. Chairman, ladies and gentlemen. We do
44 have a full quorum today so, obviously, we can conduct business. The first item on the

75 **TRANSFER OF APPROVAL**

76

POD-20-98
The Cameron at Virginia
Center, Phase II
(Formerly The Chesapeake
at Virginia Center, Phase II)

Patrick J. Lally for Real Estate Advisory: Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code, from Virginia Center, Inc. and Security Capital Atlanta, Inc. to Real Estate Advisory. The 6.3 acre site is located on the northwest corner of Brook Road (U.S. Route 1) and Virginia Center Parkway on part of parcels 33-A-9 and 8. The zoning is R-6C, General Residence District (Conditional). County water and sewer. **(Fairfield)**

77

78 Mr. McGarry - On page four, a companion transfer of approval for POD-20-98,
79 The Cameron at Virginia Center, Phase II. The applicant is also requesting deferral to
80 your November 28, 2001, meeting.

81

82 Mr. Archer - Is there anyone here in opposition to the deferment of this
83 transfer of approval for POD-20-98, The Cameron at Virginia Center, Phase II
84 (Formerly The Chesapeake at Virginia Center, Phase II)? No opposition. I move
85 deferment of POD-20-98, The Cameron at Virginia Center to the November 28, 2001,
86 meeting at the applicant's request.

87

88 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr.
89 Vanarsdall. All in favor say aye...all opposed say nay. The motion carries.

90

91 At the applicant's request, the Planning Commission deferred transfer of approval
92 POD-20-98, The Cameron at Virginia Center, Phase II (Formerly The Chesapeake at
93 Virginia Center, Phase II) to the November 28, 2001, meeting.

94

95 **TRANSFER OF APPROVAL**

96

POD-61-90
Glen Eagles Shopping
Center - Ridgefield
Parkway

Blackwood Development Company for Richfield Associates, LLC: Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code, from Richmond Glen Eagle Association and Paragon Group to Richfield Associates, LLC. The 12.42 acre site is located at the northeast intersection of Ridgefield Parkway and Glen Eagles Drive on parcel 66-A-11F. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Tuckahoe)**

97

98 Mr. McGarry - On page six of your agenda POD-61-90, Glen Eagles Shopping
99 Center. The applicant is also requesting deferral to your November 28, 2001, meeting.

100

101 Mr. Archer - Is there anyone here in opposition to the deferment of POD-61-
102 90, Glen Eagles Shopping Center – Ridgefield Parkway? No opposition. Ms. Dwyer.

103

104 Ms. Dwyer - I move the transfer of approval for POD-61-90, Glen Eagles
105 Shopping Center, be deferred to our November 28 meeting, at the applicant's request.

106

107 Mr. Archer - The motion was made by Ms. Dwyer and seconded by Mr.
108 Vanarsdall. All in favor say aye...all opposed say nay. The motion carries.

109

110 At the applicant's request, the Planning Commission deferred transfer of approval for
111 POD-61-90, Glen Eagles Shopping Center – Ridgefield Parkway, to the November 28,
112 2001, meeting.

113

114 **PLAN OF DEVELOPMENT**

115

POD-76-01 Blue Dot – Fuel Facility – Audubon Drive	Engineering Design Associates for Carolyn M. Meares & John H. Ingram and Blue Dot, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct an unattended fueling facility. The 3.071-acre site is located on the north line of Audubon Drive approximately 1,200 feet east of Oakleys Lane on part of parcel 163-9-B-1D. The zoning is M-1C, Light Industrial District (Conditional) and ASO District (Airport Safety Overlay). County water and sewer. (Varina)
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116

117 Mr. McGarry - The applicant is requesting to withdraw this item.

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119 Mr. Archer - Do we have a motion?

120

121 Mr. Jernigan - Mr. Chairman, I'll make a motion that we withdraw POD-76-01,
122 Blue Dot Fuel Facility, from the agenda.

123

124 Mr. Vanarsdall - Second.

125

126 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mr.
127 Vanarsdall. All in favor say aye...all opposed say nay. The motion carries.

128

129 At the request of the applicant, the Planning Commission withdrew POD-76-01, Blue
130 Dot – Fuel Facility – Audubon Drive from any further consideration.

131 **TRANSFER OF APPROVAL**

132

POD-113-78
POD-69-77
POD-79-73
Holiday Inn – W. Broad
Street

John A. Wilson for Columbia Properties Virginia, Ltd.: Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code, from W. B. Johnson Properties to Columbia Properties Virginia Ltd. The 6.67 acre site is located along the west line of W. Broad Street (U. S. Route 250), approximately 1,600 feet north of Horsepen Road on parcel 92-A-28. The zoning is B-3, Business District, B-2, Business District and R-6, General Residence District. County water and sewer.
(Three Chopt)

133

134 Mr. McGarry - For the next item, there are three PODs involved; POD-113-78,
135 POD-68-77 and POD-79-73, Holiday Inn, the applicant is requesting deferral to the
136 November 28, 2001, meeting.

137

138 Mr. Archer - Is there opposition to the transfer for this deferral? No
139 opposition. Mr. Taylor.

140

141 Mr. Taylor - Mr. Chairman, I'll move transfer of approval for POD-113-78,
142 POD-68-77 and POD-79-73, Holiday Inn – W. Broad Street, be deferred at the request
143 of the applicant to November 28, 2001.

144

145 Mr. Vanarsdall - Second.

146

147 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr.
148 Vanarsdall. All in favor say aye...all opposed say nay. The motion carries.

149

150 At the request of the applicant, the Planning Commission deferred POD-113-78, POD-
151 69-77 and POD-79-73, Holiday Inn – W. Broad Street, to the November 28, 2001,
152 meeting.

153 **LANDSCAPE, LIGHTING & ALTERNATIVE FENCE HEIGHT PLAN**
154

LP/POD-40-96 **Youngblood, Tyler & Associates, P.C. for SHLP**
Madison @ Spring Oaks **Madison Development, L.L.C.:** Request for approval
Phase I – Three Chopt Road of a landscape, lighting and alternative fence height
plan, as required by Chapter 24, Sections 24-106, 24-
106.2 AND 24-95(l)(6)b. and c. of the Henrico County
Code. The 16.73 acre site is located on the north line
of Three Chopt Road, approximately 500 feet west of
Pump Road on parcel 46-A-1W. The zoning is R-5C,
General Residence District (Conditional) and WBSO
(West Broad Street Overlay) District. **(Three Chopt)**

155
156 Mr. McGarry - We will move forward to page 22 of your agenda. The Planning
157 Commission is requesting deferral to the November 28, 2001, meeting.

158
159 Mr. Archer - Is there opposition to this deferral, LP/POD-40-96, Madison @
160 Spring Oaks, Phase I – Three Chopt Road? No opposition. Mr. Taylor.

161
162 Mr. Taylor - Mr. Chairman, just in explanation of why that choice was made
163 to considering deferring at my request is because as of yesterday, when I talked with
164 Ms. News, there were a number of outstanding items that needed to be resolved. The
165 landscape architect was in Texas. He was proving hard to get in touch with. He was
166 going to board a flight and fly and get here rather late and it was simply no way, in the
167 time that we had, that Ms. News could do a creditable job so, I just want to move it
168 back off the calendar. So, I move that the landscape and lighting plan for LP/POD-40-
169 96, Madison @ Spring Oak, Phase I, Three Chopt Road, be deferred at the request of
170 the Planning Commissioner to November 28, 2001.

171
172 Mr. Vanarsdall - Second.

173
174 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr.
175 Vanarsdall. All in favor say aye...all opposed say nay. The motion carries.

176
177 The Planning Commission deferred the landscape, lighting and alternative fence height
178 plan for LP/POD-40-96, Madison @ Spring Oaks, Phase I, Three Chopt Road, to the
179 November 28, 2001, meeting.

180
181 Mr. McGarry - This is the last item on your list of request for deferrals and
182 withdrawals. The Planning Commission also requests deferral for this case to the
183 November 28, 2001, meeting.

184 **LANDSCAPE, LIGHTING & ALTERNATIVE FENCE HEIGHT PLAN**

185

LP/POD-82-96 **Youngblood, Tyler & Associates, P.C. for SHLP**
Madison @ Spring Oaks **Madison Development L.L.C.:** Request for approval
Phase II – Three Chopt Road of a landscape, lighting and alternative fence height
plan, as required by Chapter 24, Sections 24-106, 24-
106.2 and 24-95(l)(6) b. and c. of the Henrico County
Code. The 20.63 acre site is located on the north line
of Three Chopt Road, approximately 1,000 feet west of
Pump Road on parcel 36-A-50A. The zoning is R-5C,
General Residence District (Conditional) and WBSO
(West Broad Street Overlay) District. **(Three Chopt)**

186

187 Mr. Archer - Is there opposition to this deferral, LP/POD-82-96, Madison @
188 Spring Oaks, Phase II – Three Chopt Road? No opposition. Mr. Taylor.

189

190 Mr. Taylor - Mr. Chairman, I move that the landscape, lighting and alternative
191 fence height plan for LP/POD-82-96, Madison @ Spring Oak, Phase II, Three Chopt
192 Road, be deferred at the request of the Planning Commissioner to November 28, 2001.

193

194 Mr. Vanarsdall - Second.

195

196 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr.
197 Vanarsdall. All in favor say aye...all opposed say nay. The motion carries.

198

199 The Planning Commission deferred the landscape, lighting and alternative fence height
200 plan for LP/POD-82-96, Madison @ Spring Oaks, Phase II, Three Chopt Road, to the
201 November 28, 2001, meeting.

202

203 Mr. Marlles - Mr. Chairman, the next item on the agenda is the Expedited
204 Agenda. And, again, this will be presented by Mr. McGarry.

205

206 Mr. Archer - All right. Mr. McGarry, carry on, sir.

207

208 Mr. McGarry - The first expedited case is on page 2 of your agenda.

209 **TRANSFER OF APPROVAL**

210

POD-100-93 **James W. Theobald:** Request for approval of a
New York Properties, L.C. transfer of approval, as required by Chapter 24,
9220 Brook Road Section 24-106 of the Henrico County Code, from
New York Properties, LLC to Huss Holdings, LLC.
The 1.431 acre site is located at 9220 Brook Road on
the southwest corner of the intersection of New York
Avenue and Brook Road (U.S. Route 1) on parcels 43-
2-14-18 and 21. The zoning is O-1C, Office District
(Conditional). County water and sewer. **(Fairfield)**

211

212 Mr. Archer - Is there anyone in the audience in opposition to the transfer of
213 approval request for POD-100-93, New York Properties, L.C.? No opposition. I
214 move approval of POD-100-93, New York Properties, L.C., subject to the standard
215 conditions and additional condition No. 1 listed on the agenda.

216

217 Mr. Vanarsdall - Second.

218

219 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr.
220 Vanarsdall. All in favor say aye...all opposed say nay. The motion carries.

221

222 The Planning Commission approved the transfer of approval request for POD-100-93,
223 New York Properties, L.C. – 9220 Brook Road, to transfer from New York Properties,
224 LLC to Huss Holdings, LLC, subject to the conditions previously approved by the
225 previous owner and the following additional conditional.

226

227 1. Deficiencies as identified in the inspector’s report dated October 10, 2001, shall
228 be corrected or bonded by December 1, 2001.

229

230 **TRANSFER OF APPROVAL (Deferred from the May 23, 2001 Meeting)**

231

POD-14-97 **McCandlish Kaine for Sky, Inc.:** Request for approval
Westwood Retail Center – of a transfer of approval, as required by Chapter 24,
6221 W. Broad Street Section 24-106 of the Henrico County Code, from
Richmond Horsepen, LLC to ~~David W. Clarke, Esquire~~
for Sky, Inc. The 1.837 acre site is located on the
southeast corner of W. Broad Street (U.S. Route 250)
on Horsepen Road on parcels 103-4-28-10 and 103-A-
1. The zoning is B-2C, Business District (Conditional).
County water and sewer. **(Three Chopt)**

232

233 Mr. McGarry - There is an addendum on this case, and the purpose of the
234 addendum is to correct the caption.

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Mr. Archer - Is there anyone in the audience in opposition to the transfer of approval request for POD-14-97, Westwood Retail Center? No opposition. Mr. Taylor

Mr. Taylor - Mr. Chairman, I move approval of transfer of approval POD-14-97, Westwood Retail Center at Three Chopt and the comments on the addendum.

Mr. Vanarsdall - Second.

Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall. All in favor say aye...all opposed say nay. The motion carries.

The Planning Commission approved the transfer of approval request for POD-14-97, Westwood Retail Center – 6221 W. Broad Street, to transfer from Richmond Horsepen, LLC to Sky, Inc., subject to the conditions previously approved by the previous owner and the following additional conditional.

1. The deficiencies as identified in the inspectors report dated April 11, 2001, shall be corrected or bonded by December 1, 2001.

SUBDIVISION

Groome Estates
(October 2001 Plan)

Engineering Design Associates for C. T. & Joanne S. Groome: The 0.930 acre site is located along the north line of Yates Lane approximately 150 feet west of Lowell Street on part of parcel 147-A-108. The zoning is R-2A, One-Family Residence District and ASO (Airport Safety Overlay) District. County water and sewer. **(Varina) 3 Lots**

Mr. Archer - Is there anyone in the audience in opposition to Groome Estates (October 2001 Plan)? No opposition. Mr. Jernigan.

Mr. Jernigan - Mr. Chairman, I make a motion to approve Groome Estates subdivision subject to the annotations on the plans and the standard conditions for subdivisions served by public utilities.

Ms. Dwyer - Second.

Mr. Archer - The motion was made by Mr. Jernigan and seconded by Ms. Dwyer. All in favor say aye...all opposed say nay. The motion carries.

303 **REVISION OF PLAN OF DEVELOPMENT**
304 **(Deferred from the September 26, 2001, Meeting)**

305

POD-70-01
Elko Union Church -
Elko Road

Engineering Design Associates for Elko Union Church: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, 12,000 square foot multi-purpose building and master plan that would authorize a future one-story, 12,000 square foot sanctuary as well as additional parking. The 7.45 acre site is located at 6861 Elko Road (State Route 156) on parcels ~~156-2-C, 6, 9, 13 and 16 and 156-2-D-1, 19 and 20~~ **210-A-16 and 19A and 210-6-B-6, 7, 8, and 9**. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield. **(Varina)**

306

307 Mr. McGarry - There is an addendum for this case and that addendum adds
308 conditions No. 34, which states that the access from Elko Road (State Route ~~163~~ 156)
309 shall be redesigned to satisfy the requirements of the County Traffic Engineer and the
310 Resident Engineer of VDOT's Sandston Residency Office.

311

312 Mr. Archer - Is there anyone in the audience in opposition to POD-70-01, Elko
313 Union Church? No opposition. Mr. Jernigan.

314

315 Mr. Jernigan - Mr. Chairman, I make a motion to approve POD-70-01, Elko
316 Union Church on Elko Road, subject to the annotations on the plans, the standard
317 conditions for developments of this type and the following additional conditions Nos. 23
318 through 33, plus No. 34 on the addendum.

319

320 Mr. Vanarsdall - Second.

321

322 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mr.
323 Vanarsdall. All in favor say aye...all opposed say nay. The motion carries.

324

325 The Planning Commission approved POD-70-01, Elko Union Church - Elko Road,
326 subject to the standard conditions attached to the minutes for developments of this type,
327 not served by public utilities, the annotations on the plan and the following additional
328 conditions.

329

330 23. The right-of-way for widening of Elko Road (State Route 156) as shown on
331 approved plans shall be dedicated to the County prior to any occupancy permits
332 being issued. The right-of-way dedication plat and any other required
333 information shall be submitted to the County Real Property Agent at least sixty
334 (60) days prior to requesting occupancy permits.

- 335 24. The easements for drainage and utilities as shown on approved plans shall be
336 granted to the County in a form acceptable to the County Attorney prior to any
337 occupancy permits being issued. The easement plats and any other required
338 information shall be submitted to the County Real Property Agent at least sixty
339 (60) days prior to requesting occupancy permits.
- 340 25. The entrances and drainage facilities on State Route 156 shall be approved by the
341 Virginia Department of Transportation and the County.
- 342 26. A notice of completion form, certifying that the requirements of the Virginia
343 Department of Transportation entrances permit have been completed, shall be
344 submitted to the Planning Office prior to any occupancy permits being issued.
- 345 27. Deviations from County standards for pavement, curb or curb and gutter design
346 shall be approved by the County Engineer prior to final approval of the
347 construction plans by the Department of Public Works.
- 348 28. The temporary parking areas shall be properly compacted and maintained at all
349 times.
- 350 29. The applicant shall furnish proof to the Planning Office that conditions
351 satisfactory to the Health Department have been met that insure the proposed
352 septic tank drainfield system is suitable for this project prior to the issuance of a
353 building permit.
- 354 30. Approval of the construction plans by the Department of Public Works does not
355 establish the curb and gutter elevations along the Henrico County maintained
356 right-of-way. The elevations will be set by Henrico County.
- 357 31. Approval of the construction plans by the Department of Public Works does not
358 establish the curb and gutter elevations along the Virginia Department of
359 Transportation maintained right-of-way. The elevations will be set by the
360 contractor and approved by the Virginia Department of Transportation.
- 361 32. The conceptual master plan, as submitted with this application, is for planning
362 and information purposes only. All subsequent detailed plans of development
363 and construction plans needed to implement this conceptual plan shall be
364 reviewed and approved by the Planning Commission and shall be subject to all
365 regulations in effect at the time such subsequent plans are submitted for
366 review/approval.
- 367 33. The section of Elko Station subdivision occupied by the site shall be vacated,
368 including a portion of landscape easements, utility easements and Caboose Lane
369 prior to issuance of certificate of occupancy.
- 370 34. Access from Elko Road (State Route 156) shall be redesigned to satisfy the
371 requirements of the County Traffic Engineer and the Resident Engineer of
372 VDOT's Sandston Residency Office.
373

374 **SUBDIVISION**

375

Millspring Townes
(October 2001 Plan)

Bay Design Group, P.C. for River Tower Building #3 and Wilton Development Corporation: The 23.43 acre site is located along the west line of Hungary Spring Road, approximately 200 feet north of Olde West Drive on parcel 50-A-39. The zoning is RTHC, Residential Townhouse District (Conditional) and C-1, Conservation District. County water and sewer. **(Brookland)**
150 Lots

376

377 Mr. McGarry - There is an addendum to this case also. The purpose of the
378 addendum is to revised the recommendation for an approval, plus you still have the
379 conditions Nos. 13 through 15 in your original staff report and the annotations have been
380 added to the revised plan and the annotations are for the design of traffic and they all
381 deal with improvements to Hungary Spring Road.

382

383 Mr. Archer - All right. Is there anyone in the audience in opposition to
384 subdivision to Millspring Townes?

385

386 Mr. Vanarsdall - Mr. Chairman, I believe Mr. Wilhite can shed some light on this
387 new plan. There are no changes on it, I believe.

388

389 Mr. Archer - All right.

390

391 Mr. Wilhite - Thank you. Staff received a revised plan prior to the
392 staff/developer meeting so we got one a lot earlier than we normally do. But, we did
393 not have time to get every agency's comments into that plan. We were lacking Design
394 from the Division of Public Works and the Traffic Engineer and those have been added
395 to this plan. They deal with the widening of Hungary Spring Road and the future
396 dedication of approximately 9 ½ feet of right-of-way right along Hungary Spring and
397 the escrow of the improvements required of the developer. There is no change to the
398 plan itself, other then the annotations. Staff can recommend approval.

399

400 Mr. Vanarsdall - Thank you.

401

402 Ms. Dwyer - I just have one question. This cul-de-sac that adds an access to the
403 school and then from that cul-de-sac there's a rather long access to this particular
404 development. Do you have any examples of those elsewhere in the County or is this
405 kind of a novel approach? I can't recall seeing anything like this. I was trying to
406 visualize what that would look like and I couldn't.

407

408 Mr. Wilhite - Off the top of my head, no I can not. We do have Todd Eure, the
409 traffic engineer, here. Perhaps he can give you some examples.

410
411 Ms. Dwyer - I think we looked at this at zoning time, didn't we Mr. Vanarsdall,
412 this access the way that would be configured? That's all right. I'll just talk to Mr. Eure
413 later. I was just trying to get an idea of how that would look.
414
415 Mr. Vanarsdall - I don't know why it would look any different then a regular cul-
416 de-sac, do you?
417
418 Mr. Wilhite - I would think it is more or less a standard cul-de-sac.
419
420 Mr. Vanarsdall - It was put in there to keep people from.... To give people a chance
421 to turnaround or something like that.
422
423 Ms. Dwyer - All right. I guess the difference is that you have a cul-de-sac....
424 Well, it looks like a long driveway with a cul-de-sac kind of in the middle of it and then
425 access to lots on the backside. It's just that I've never seen that before.
426
427 Mr. Wilhite - Yes. This would be a dedicated public road that goes to, at least
428 the rear of the parking lot on the school property. From that point on, it would be
429 private to the development itself.
430
431 Ms. Dwyer - I think I remember that coming up at zoning time.
432
433 Mr. Taylor - I think one of the reasons for that was to accommodate the school
434 buses, which needed a little wider space.
435
436 Ms. Dwyer - I think it gave the school an access point that they didn't already
437 have.
438
439 Mr. Wilhite - Yes. That's correct. The strip of land there now is all wooded, to
440 the road. There is no driveway there now. I've been informed by the traffic engineer
441 that this is a 45-foot radius, which is a standard size cul-de-sac that you would find in
442 normal subdivisions.
443
444 Mr. Archer - All right, is there any further discussion? There is no opposition.
445 Mr. Vanarsdall.
446
447 Mr. Vanarsdall - Mr. Chairman, I move Millspring Townes (October 2001 Plan)
448 subdivision be approved with the revised plans we have this morning dated October 7,
449 2001. Is that right, Kevin?
450
451 Mr. Wilhite - It's October 8.

452 Mr. Vanarsdall - October 8. The standard conditions for subdivisions of this type,
453 the annotations on the plans and then we have Nos. 13, 14, and 15 additional conditions
454 and then on the addendum on page 3 it just simply says that staff recommends
455 conditional approval.

456
457 Ms. Dwyer - Second.

458
459 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Ms.
460 Dwyer. All in favor of the motion say aye...all opposed say nay. The motion carries.

461
462 The Planning Commission granted conditional approval to subdivision Millspring
463 Townes (October 2001 Plan) subject to the standard conditions attached to these minutes
464 for residential townhouse subdivisions served by public utilities, the annotations on the
465 plans and the following additional conditions.

466
467 13. The limits and elevation of the 100 year frequency flood shall be conspicuously
468 noted on the plat and construction plans and labeled "Limits of 100 year
469 floodplain." Dedicate floodplain as a "Variable Width Drainage & Utilities
470 Easement."

471 14. The proffers approved as part of zoning case C-30C-01 shall be incorporated in
472 this approval.

473 15. Prior to requesting the final approval, a draft of the covenants and deed restrictions
474 for the maintenance of the common area by a homeowners association shall be
475 submitted to the Planning Office for review. Such covenants and restrictions shall
476 be in form and substance satisfactory to the County Attorney and shall be recorded
477 prior to recordation of the subdivision plat.

478
479 Mr. McGarry - On page 15 of your agenda, this is the Professional Office at
480 CrosssRidge, POD-74-01. Mr. Vanarsdall, I understand that you requested that this be
481 removed from the Expedited Agenda.

482
483 Mr. Vanarsdall - Yes. I would like to remove this from the Expedited Agenda.

484
485 Mr. Kennedy - The applicant is requesting the same thing.

486
487 **PLAN OF DEVELOPMENT**

488
POD-74-01
Professional Office at
CrossRidge –
Staples Mill Road
**Jordan Consulting Engineers, P. C. for Staples Mill,
L.C.:** Request for approval of a plan of development, as
required by Chapter 24, Section 24-106 of the Henrico
County Code to construct a two-story, 35,676 square
foot office. The 8.92 acre site is located 1,000 feet
south of Staples Mill Road (State Route 33) on part of
parcel 40-A-14. The zoning is O-2C, Office District

(Conditional). County water and sewer. **(Brookland)**

489 **At the request of the Planning Commissioner and the applicant this case was moved**
490 **from the Expedited Agenda and place on the regular agenda.**

491
492 Mr. McGarry - The last item of which staff is aware of is on page 25.

493
494 **LANDSCAPE PLAN**

495
LP/POD-12-00 **TIMMONS for Hunton Baptist Church:** Request for approval
Hunton Baptist Church of a landscape plan, as required by Chapter 24, Sections 24-106
Facility Expansions and 24-106.2 of the Henrico County Code. The 8.98 acre site
is located at the intersection of Old Washington Highway and
Greenwood Road on parcels 14-8-11-55A and 14-8-12-54B. The
zoning is District B-3, Business District and A-1, Agricultural
District. **(Brookland)**

496
497 Mr. Archer - Is there anyone in the audience in opposition to this landscape plan,
498 LP/POD-12-00, Hunton Baptist Church? No opposition. Mr. Vanarsdall.

499
500 Mr. Vanarsdall - Mr. Chairman, I recommend approval of landscape plan LP/POD-
501 12-00, Hunton Baptist Church Facility Expansion, with the annotations on the plans and
502 the standard conditions for landscape plans.

503
504 Mr. Taylor - Second.

505
506 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr.
507 Taylor. All in favor say aye...all opposed say nay. The motion carries.

508
509 The Planning Commission approved the landscape plan for LP/POD-12-00, Hunton
510 Baptist Church - Facility Expansion, subject to the annotations on the plans and the
511 standard conditions for landscape plans.

512
513 Mr. Archer - All right. We are done with the Expedited Agenda. Okay, Mr.
514 Secretary.

515
516 Mr. Marlles - Mr. Chairman, the next item on the agenda is a review of the
517 subdivision extensions of conditional approval. Those will be presented by Mr. Kevin
518 Wilhite. And, again, these are being presented for informational purposes only.

519
520
521 **(FOR INFORMATIONAL PURPOSE ONLY)**

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended
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Canterbury on The Tuckahoe James (October 1998 Plan)		11	11	2	1 Year 10/23/02
Dakota Estates (May 2000 Plan)	Varina	80	80	-0	Deny
Old Williamsburg Road (A Ded. of portion of Old Williamsburg Road)(October 1999 Plan)	Varina	0	0	1	1 Year 10/23/02
Townes @ Shady Grove RTH (Oct.2000 Plan)	Three Chopt	84	84	0	1 Year 10/23/02

523

524 Mr. Wilhite - We had four subdivisions listed for administrative extension on the
525 agenda. Dakota Estates, which was listed, has been pulled off and has been placed on the
526 agenda for Planning Commission approval of this extension. If you have any questions
527 of the other three subdivisions, I'll be happy to answer.

528

529 Mr. Archer - All right, are there any questions? No questions. Do we need to
530 take any further action, Mr. Secretary?

531

532 Mr. Jernigan - We have to vote on Dakota Estates for a 60-day extension.

533

534 Mr. Marlls - Right. That will be taken up under the next category of requests,
535 which do require Planning Commission approval. Mr. Wilhite, would you review those?

536

537 **FOR PLANNING COMMISSION APPROVAL**

538

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended
Magnolia Ridge Cluster Lot (Oct. 1994 Plan) (Formerly Stuarts Ridge)	Fairfield	387	21	5	1 Year 10/23/02
Millrace (October 1990 Plan)	Three Chopt	35	10	10	1 Year 10/23/02
Dakota Estates (May 2000 Plan)	Varina	80	80	0	2 Months 12/19/01

539

540 Mr. Wilhite - The first one is Magnolia Ridge Cluster Lot development October
541 1994 plan. There were 387 lots originally approved and there are only 21 lots remaining
542 lacking final approval. Staff recommends an extension of one year.

543

544 Mr. Archer - Do we need to move on that?
545
546 Mr. Marlles - Yes, sir.
547
548 Mr. Archer - Okay. I move to grant the extension.
549
550 Mr. Vanarsdall - Second.
551
552 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr.
553 Vanarsdall. All in favor of the motion say aye...all opposed say nay. The ayes have it.
554
555 Mr. Wilhite - The next case is Millrace (October 1990 Plan). This was extended
556 by the Planning Commission last year. There were 35 lots approved and there are 10 lots
557 remaining that lack final approval. We are recommending extension of one year with the
558 same condition that was attached to the extension last year. And that read: This
559 development shall meet all ordinance requirements currently in effect as of the date of
560 this extension. With that condition, staff recommends approval.
561
562 Mr. Archer - All right, we need a motion.
563
564 Mr. Taylor - Mr. Chairman, I'll move extension for Millrace subdivision for
565 one year to October 23, 2002, with the condition.
566
567 Mr. Vanarsdall - Second.
568
569 Mr. Wilhite - The subdivision that was removed from the administration portion,
570 Dakota Estates (May 2000 Plan) approved for 80 lots. This was eligible for
571 administrative extension by the Director of Planning. He has requested that this be pulled
572 and place on the agenda for Planning Commission approval due to the recent change in
573 the Multi-Family development standards. We have received a revised plan, which we
574 have started to review. Staff is recommending an extension of two months, to the
575 December 19, 2001, hearing.
576
577 Mr. Archer - All right, any discussion? We are ready for a motion.
578
579 Mr. Jernigan - Mr. Chairman, I make a motion to extend for 60 days, Dakota
580 Estates subdivision.
581
582 Mr. Vanarsdall - Second.
583
584 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mr.
585 Vanarsdall. All in favor of the motion say aye...all opposed say nay. The ayes have it.
586

587 The Planning Commission approved the extension of conditional approval for one year,
588 October 23, 2002, for Magnolia Ridge Cluster Lot and Millrace (October 1990 Plan).
589 The approval for Dakota Estates was approved for two months, to the December 19,
590 2001, meeting.

591 Mr. Archer - All right, Mr. Secretary.

592

593 Mr. Marles - Mr. Chairman, I believe the first case is way back on page 14 of
594 your agenda. This is a request by Hallwood Farms, Section B. It's a request for
595 approval of a steam lot exception as required by Chapter 24, Section 24-95(w) and in
596 Chapter 19, Section 19-4(c) of the Henrico Code to resubdivide an existing lot and
597 create two standard cul-de-sac lots and two stem lots. The 3.8 acre site is located on the
598 western terminus of Hallwood Farm Road. The staff report will be given by Mr.
599 Kennedy.

600

601 **SUBDIVISION & STEM LOT EXCEPTION**

602

Hallwood Farms, Section B (A Resubdivision of Lots 36 and 37 and Common Areas) (October 2001 Plan)	Engineering Design Associates for H. W. Owens, Inc.: Request for approval of a stem lot exception as required by Chapter 24, Section 24-95(w) and Chapter 19, Section 19-4(c) of the Henrico County Code to resubdivide an existing lot and create two standard cul-de-sac lots and two stem lots. The 3.8 acre site is located on the western terminus of Hallwood Farm Road (under construction) on parcels 140-7-A-100, 146-11-A- 36 and 37. The zoning is R-3AC, One-Family Residence District (Conditional) and ASO (Airport Safety Overlay) District. County water and sewer. (Varina) 4 Lots
---	--

603

604 Mr. Archer - Is there opposition to Subdivision and Stem Lot Exception? No
605 opposition. Mr. Kennedy. Good morning, sir.

606

607 Mr. Kennedy - Good morning, ladies and gentlemen of the Commission. I am
608 sorry, but I am kind of running in from trying to meet with people out in the hall.
609 Hallwood Farms was previously approved by the Commission and they were authorized
610 to have a maximum of 47 lots. They have 45. This would make, permit them to meet
611 under the proffers what is the maximum. However, the resubdivision to create these
612 two new lots, by the resubdivision of two existing lots and the BMP would require
613 Stem Lot Exception by the Planning Commission. The conditions of an exception by
614 the Planning Commission are contained in the addendum to the agenda and we provided
615 that to you, so that you know the four standards that have to be met. We'd like to just
616 draw your attention to the standards, so that you are aware of what is the criteria that is
617 necessary for someone to request an exception by the Planning Commission and I'd like
618 to read those to you for the purpose of putting it into the record.

619

620 (a) Generally. When the planning commission, as agent for conditional plat
621 approval, or the director of planning, as agent for final plat approval, finds that
622 extraordinary hardship may result from development of a particular parcel in
623 strict compliance with this chapter, either may grant an exception, provided:

- 624 (1) The exception substantially complies with the provisions of this
625 chapter, does not defeat the chapter's purposes, and protects the
626 public interest;
- 627 (2) The exception will not be detrimental to public safety, health or
628 welfare or injurious to surrounding property or improvements;
- 629 (3) The conditions on which the exception request is based are unique to
630 the property, are not generally applicable to other property and do
631 not create mere inconvenience; and
- 632 (4) The exception is not based exclusively on financial considerations.

633
634 So, that is the criteria you have to consider to an exception request. As we look at the
635 request, we requested the applicant provide you a house siting plan and that is attached
636 to the agenda. If you take a look at the orientation of the houses on it, they are not a
637 typical orientation. It is a very awkward orientation with the lots facing at very
638 awkward angles, and it is not a typical. It is one of the reasons we adopted stem lot
639 rules was to prevent this type of awkward orientation. The other thing I'd like to draw
640 your attention to is on Lot 36, the fact that it has got a very limited rear yard. The
641 RPA comes up basically to the house. Now the house that is shown on these plans is a
642 proffered house size. In this development there are proffered minimum house sizes.
643 Now, it could be a ranch, it would be a minimum of 1,100 square feet. It could be a
644 Cape Code, it would be a minimum of 1,350 square feet. Neither one of those would
645 fit on this lot. Or it could be a two-story house, with a minimum of 1,500 square feet,
646 with a 750 square foot footprint. That is what is placed on that lot. What you see is
647 what that person would get. They would be able to walk out their rear door and 10 feet
648 from their rear door they would hit the RPA and would not be able to have any
649 improvements, cut down a tree, put a playground in or do any development behind
650 their house. They could not put a shed or do any development. So, we don't feel that
651 this is appropriate development. We did talk to the applicant and the applicant did
652 provide a couple of alternative layouts with one three lots as stem lots. Again, we
653 found those same sorts of problems. The reality of it is that Lot 36 is not a very good
654 lot under the current layout, but it has open space next to it which is a BMP. It doesn't
655 have that. It does have an open field despite the fact that it doesn't have any
656 development potential. Now that the BMP is no longer there, staff's recommendation
657 is actually to incorporate that BMP site into Lot 36 and make it a true marketable lot
658 where someone can actually have a buildable area, and actually have a yard that they
659 can use. And that is what our feeling is. We don't feel that the conditions of the
660 special exception are met, and that is what our recommendation is at this time.

661
662 Ms. Dwyer - Where is the BMP located?
663

664 Mr. Kennedy - The BMP is located basically where those two stem lots are
665 created. That is where the BMP was located.

666
667 Ms. Dwyer - Is the 36A and 36B?

668
669 Mr. Kennedy - Right.

670
671 Mr. Marlles - Mr. Kennedy, is my memory right that this is the first time since
672 the Ordinance as amended that we actually had a request for the Planning Commission
673 for an exception?

674
675 Mr. Kennedy- To the best of my recollection, that is true, and that is the reason
676 why we listed the conditions. It is such a unique animal that we wanted the
677 Commission to understand the conditions, which would have to be offered.

678
679 Mr. Marlles - And also, this particular amendment was part of a series of
680 recommendations to improve the quality of lot design within the County?

681
682 Mr. Kennedy - That is true, sir. And we, actually that is the reason we asked for
683 a house siting plan because we wanted to see if it conformed to what we considered the
684 policy that we are trying to establish in the development of these stem lots. I am sure
685 there are cases where stem lots are effective on large lot subdivisions, when you have
686 large lots and small street frontages in a rural area, but in this case we don't think,
687 because of the orientation of the house being so close and the way they are crowded,
688 and the orientation, that it is appropriate, and meets the criteria that we set forth.

689
690 Ms. Dwyer - So what you are saying is that while we recognize the existence
691 of the wetlands and the floodplain create a problem for developing this site, it is not our
692 job to create unlivable or inappropriate lot design to compensate for that?

693
694 Mr. Kennedy- That is right. Those conditions existed prior to the development
695 of the site, and there is no guarantee that you get 47 lots just because you proffered for
696 it.

697
698 Ms. Dwyer - That would be the maximum.

699
700 Mr. Kennedy - That would be the maximum.

701
702 Mr. Jernigan - Mr. Kennedy, are there any hardships in this case that you know
703 of?

704
705 Mr. Kennedy - No, because they already have the lots as they are, so they have
706 the existing lots. They could move forward with it. They were moving forward with it

707 previously, so as far as, I mean it would be a financial incentive to them, but there is
708 no hardship if you don't have the development potential for the site.

709

710 Ms. Dwyer- Is it your opinion that two lots could be created instead of the
711 four and they would be acceptable? Is that what you were saying?

712

713 Mr. Kennedy- What we were saying is that the BMP lot that is there, which is
714 not really a lot. It is just a BMP common area could be incorporated into the current
715 lot 36 and make it a much more reasonable buildable area, and because it was open
716 space prior to this, the open space of that lot, it didn't have as much impact as putting
717 that house on that lot, and it already is a very tight site. So, we felt that the best thing
718 would be to accommodate the redevelopment of this site would be to incorporate the
719 BMP into existing Lot 36, which could be done administratively.

720

721 Ms. Dwyer- Are you saying Lot 36A and 36B would be one lot?

722

723 Mr. Kennedy - Exactly.

724

725 Ms. Dwyer- And then 37 would be the second lot?

726

727 Mr. Kennedy- Exactly, that is already there, but they were just changing the
728 boundary lines a little to adjust, but they would not require conditional approval to do
729 that. That is administrative action that could be done for the final by adjusting lot lines.

730

731 Ms. Dwyer - Have you discussed the potential for using this as common area?
732 The neighborhood could develop it or is it not appropriate for that?

733

734 Mr. Kennedy- We haven't, basically it becomes a maintenance item for a
735 common area, and we have continuing concerns about that, about income levels and
736 maintenance of common areas. As I discussed previously, house sizes are not extremely
737 large. You are talking about maintenance costs for a Homeowners Association which
738 becomes a hardship to be able to collect those things and maintain it, so our
739 recommendation is that it be incorporate into the adjoining lots.

740

741 Ms. Dwyer - OK, thank you.

742

743 Mr. Kaechele - On Lot 36B, that drainage easement that goes through the home,
744 is there room to relocate that?

745

746 Mr. Kennedy - It could be relocated along the property line, but as a matter of
747 course we just feel that, again, impacts the development of that site, limits the
748 development potential. What they have shown these house siting plans, the minimum
749 house size to be able to build doesn't give them a lot of buildable area outside those

750 areas to put thing in, particularly in Lot 36. There is no development potential outside
751 of that house.

752

753 Mr. Kaechele - So, there is no proffer in that subdivision as to the house size, it's
754 just minimum.

755

756 Mr. Kennedy - The house size is proffered. If it is a one-story house, it needs to
757 be 1,100 square feet, which is pretty minimal. If it is a two-story house, it's 1,350
758 feet, I mean one and a half story cape cod. If it is a two-story house, it has to be 1,500
759 square feet. What they have shown on these lots are 1,500 square foot two story
760 houses because that's the only thing that would fit on Lot 36. It is so tight that you
761 couldn't even fit a rancher on this property, under the proffers.

762

763 Mr. Kaechele - Thank you.

764

765 Mr. Kennedy - The applicant has a representative here to make a presentation.
766 They are entitled to make a presentation on the merits of the case. You have heard the
767 staff's recommendation.

768

769 Mr. Archer - Okay, Mr. Jernigan, are you ready to hear from the applicant?

770

771 Mr. Jernigan - Yes.

772

773 Mr. Archer - Good morning, Ms. Isaac.

774

775 Ms. Isaac - Good morning. As Mr. Kennedy told you there was a BMP and
776 under the Stream Restoration Program and Public Work, the BMP was eliminate. The
777 developer wanted to incorporate that area back into the subdivision as buildable lot.
778 Initially, the request was for four lots and after the staff/developer meeting with the
779 County a redesign was done, base on 3 lots. The lot layout was done. One of the
780 concerns in eliminating steam lots was that you had houses facing into the rear of other
781 houses. We tried to eliminate that with the layout that was presented. I have talked to
782 Mr. Kennedy and I've talked to Mr. Jernigan. I know their concerns and based on
783 that, I really have nothing else to say.

784

785 Mr. Jernigan - Ms. Isaac, is there any hardship case in this?

786

787 Ms. Isaac - I think not.

788

789 Mr. Jernigan - I see problems, first of all, on the condition No. 1. I don't feel
790 that, for public interest, we ought to have a house that has SPA coming up 10 feet
791 behind the door. And the second thing, I think is for financial consideration. The
792 BMP is gone, which means they had to make a donation to the SPA fund and that was
793 probably half or less than what the BMP was going to cost. I can't approve this.

794
795 Ms. Isaac - I understand.
796
797 Mr. Jernigan - Mr. Chairman, I want to make a motion that we deny subdivision
798 case Hallwood Farms, extension. Excuse me, lot split.
799
800 Mr. Archer - Hallwood Farms Resubdivision.
801
802 Mr. Vanarsdall - Second.
803 Mr. Jernigan - Hallwood Farms Resubdivision, excuse me. I'm sorry, Ms.
804 Isaac.
805
806 Ms. Isaac - I understand.
807
808 Mr. Jernigan - You do your job and I do mine.
809
810 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mr.
811 Vanarsdall. Those in favor of the motion say aye...those opposed say no. The ayes
812 have and the motion is granted.

813
814 The Planning Commission vote a 5 to 0 with Mr. Kaechele abstaining, denied the
815 subdivision request for Hallwood Farms, Section B (A Resubdivision of Lots 36 and 37
816 and Common Areas) (October 2001 Plan)

817
818 **PLAN OF DEVELOPMENT**

819
POD-74-01 **Jordan Consulting Engineers, P. C. for Staples**
Professional Office at **Mill, L.C.:** Request for approval of a plan of
CrossRidge – Staples Mill development, as required by Chapter 24, Section 24-
Road 106 of the Henrico County Code to construct a two-
story, 35,676 square foot office. The 8.92 acre site is
located 1,000 feet south of Staples Mill Road (State
Route 33) on part of parcel 40-A-14. The zoning is O-
2C, Office District (Conditional). County water and
sewer. **(Brookland)**

820
821 Mr. Archer - Is there anyone in the audience in opposition to POD-74-01,
822 Professional Office at CrossRidge? No opposition. Mr. Kennedy.

823
824 Mr. Kennedy - Hello ladies and gentlemen of the Commission, I'm back again.
825 There has been some public interest on this case and we do have a couple of the
826 neighbors who live in the Courtney Subdivision. They have had some discussion with
827 the applicant and with myself, but they still feel that they need to see a public
828 presentation. That's why I am making the presentation at this time. I think for the time

829 being the applicant has resolved their concerns but I think they need to hear the public
830 presentation of this.

831

832 Mr. Archer - Okay.

833

834 Mr. Kennedy - As we have gone through this, the CrossRidge development, we've
835 gotten an overall plan. Let me see if I can get it up on the screen. It's not very clear,
836 but in any case, as we have indicated we have the overall master plan for CrossRidge on
837 the screen in front of you. The Planning Commission has previously approved basically
838 everything that's shown on here.

839 Mr. Vanarsdall - What's wrong with the screen? It's jumpy and it's bothering my
840 eyes.

841

842 Mr. Kennedy - Yes, it is. I don't know what is going on with the screen. It's
843 pulsating. But, in any case, the Oaks, single-family residential development to the north
844 has been approved as a conditional and it's under Phase I construction. Phase II is
845 subject to conditional approval but has not had final approval. On the Carriage Homes,
846 coming down Staples Mill Road, the Carriage Homes are two-family condos. That's
847 under construction. It was previously approved by the Planning Commission as POD.
848 The Pavilion site that was previously approved is under construction, it's almost complete
849 and it's almost ready to be occupied. Of course, CrossRidge Way has been under
850 construction and was approved by the Planning Commission and they have landscape
851 plan approval. In front of the Pavilion, where it says proposed office, that's the United
852 Methodist Family Office Building. That also has POD approval. They are in for
853 construction plan signatures. They are getting sign plans now. They should start
854 construction shortly. Moving down along the site, the commercial property has no plan
855 right now. There are discussions but there is no current plan that has been before the
856 Commission or the staff. The next thing is, and it's very hard to read, is the The
857 Cottages, Section 1. That has subdivision and POD approval by the Planning
858 Commission and is under construction. Further down along, The Townes, Section 1,
859 also has POD and subdivision approvals under construction. The apartments have not
860 been seen by the Commission. The Townes, Section 2, and The Cottages, Section 2
861 have been tentatively approved by the Planning Commission, they have not come in for
862 final approval.

863

864 Basically, what we are now looking at is the office building along Staples Mill Road, the
865 southernmost one, which is adjacent to Courtney. On the other side of Courtney is The
866 Greens, which is a single-family subdivision. That is tentative approval. They are
867 working out permits with The Army Corps of Engineers and that should be under
868 construction some time in the spring. Courtney, of course, is a subdivision that's
869 surrounded by CrossRidge. There are a lot of other subdivisions that abut it, but
870 Courtney is the sole subdivision that's surrounded by CrossRidge and clearly is the
871 affected property by this development. Courtney was developed about 40 years ago. So,
872 they are used to having woods around them and this development is a severe change from

873 what they were used to do. The proposed office building is a two-story office building.
874 It's approximately 36,000 square feet. It has a standing seam metal roof and a brick
875 façade. The property, if you look at the site plan, is occupied by several large water
876 features. In the front you have property owned by somebody else, along Staples Mill
877 Road. It's zoned A-1 that person has had some discussion with staff and they are, more
878 then likely, going to come in for rezoning sometime in the future. Going along Staples
879 Mill Road, next to that other parcel there is a big wetland site. That's the reason why
880 there is no development there. And, then, along Staples Mill Road, there's the entrance
881 which lines up with the Warren Road signalized entrance of the signalized intersection on
882 Staples Mill Road, there a BMP. That BMP is approximately one acre in size. Then to
883 the back of the site you have the parking, in a row, and then you have the building and
884 behind the building there is another BMP, which is approximately three quarters of an
885 acre in size. Those two BMPs are actually BMPs that serve all of CrossRidge. The
886 drainage from CrossRidge from all the multi-family development cuts through this site
887 and actually crosses over. It eventually ends up in Laurel Lakes, the lakes on the other
888 side of Staples Mill and Hungary. So, basically, they crossover. The crossover point is
889 at this office building. That's the reason there is actually a wetlands in front of this
890 building, that's the natural drainage way was there. The proffers for CrossRidge require
891 that a masonry wall be constructed along the property line, the common line, for
892 Courtney subdivision. It says: The masonry wall may be up to eight feet in height. And
893 that "may be up to eight feet in height" actually is an exception. It would be an
894 exception under our rules. Normally, you can't have anything over six feet in height
895 without having an exception but that would be a fence height exception. But, that would
896 authorize them to have that as an exception. The intention of that wall was also to screen
897 and provide protection from the residents of Courtney from the intensity of this
898 development. The office building is set approximately 120 feet away from the nearest
899 property line. Primarily, what abuts the common property line of Courtney, are these
900 two BMPs. There are going to be ponds with water features. So, they will be wet
901 ponds, not dry ponds. There has been some concern by the neighbors about mosquitoes
902 breeding. The actual purpose of these ponds is, of course, for stormwater management
903 both quantity and quality. And we don't wish them to be mosquitoes breeding grounds.
904 That's the reason why we want them to be fountains. The office building sees them as an
905 amenity. They are substantial in size but they also will look and feel like this office
906 building of something you would find in Innsbrook, of that quality.

907
908 There is a conceptual landscape plan that has been submitted as well in your package.
909 That conceptual landscape plan was just for the buffer that surrounds the property. It's
910 between them and the adjoining residential property and along, because of the BMPs,
911 separation from Staples Mill Road. The buffer, in addition, they normally need to meet a
912 10-foot transitional buffer. If this was straight zoned property, without any proffers,
913 between the office and residential, they would be required to have a 10-foot transitional
914 buffer planting. They have the 10-foot transitional buffer planting and on top of that they
915 have the wall. So, they are more than exceeding what would be normal development
916 standards in this area. Along the front, along Staples Mill Road, they have a 30-foot

917 proffered buffer between them and any development along Staples Mill Road. That
918 shows planting equivalent to the 25-foot transitional buffer, which is pretty substantial.
919 It's meant to be screen so that that's not visible.

920

921 Basically, that's my presentation. I know I have overwhelmed you with a lot of material
922 and I know it's very difficult to see this plan because of the wobbling on the screen, but if
923 you have any questions I'll be happy to answer them. I guess the only other thing I can
924 tell you, as far as my understanding, is it is a professional office building, it's not
925 necessarily meant to be a medical office building, it's meant to be just a general
926 professional office building.

927

928 Mr. Archer - All right. Thank you, Mr. Kennedy. Are there any questions of
929 Mr. Kennedy by the Commission?

930

931 Ms. Dwyer - So, the wall is on the residence side of the property line?

932

933 Mr. Kennedy - Yes. That's the way it was proffered, on the residence side.

934

935 Ms. Dwyer - And the landscaping is on the opposite side.

936

937 Mr. Kennedy - Right. On the other side with trees that would go above the wall,
938 hopefully.

939

940 Ms. Dwyer - It looks like the slope for the BMP begins almost at the property
941 line.

942

943 Mr. Kennedy - Basically, it's a 10-foot shoulder.

944

945 Ms. Dwyer - On the first page it looks like the pond is somewhat removed from
946 the property line, but when you look at the topos it shows it sloping on this 10-feet off
947 and then it goes slightly in.

948

949 Mr. Kennedy - Right. The water quality limit can't be any closer than 10 feet
950 from the wall. So, the water level is there. Basically, the 100-year storm would be no
951 closer than 10 feet to the wall.

952

953 Ms. Dwyer - What would the water level be in the BMP, typically, do you
954 know?

955

956 Mr. Kennedy - Let me just take a look at the plan. I don't know offhand.

957

958 Ms. Dwyer - It's intended to be a wet pond.

959

960 Mr. Kennedy - It's intended to be a wet pond. I think it's shown on one of the
961 plan. The proposed surface elevation will be at 240 level. The wall itself is about 253
962 feet and the pond level is at 240 feet. So, it would be about 13 feet below grade, at the
963 wall.
964

965 Ms. Dwyer - Did you say that there will be fountains.
966

967 Mr. Kennedy - There will be fountains in both ponds. As far as protection, you
968 know, that there is always a concern that neighborhood children could fall in and that's
969 part of the basis of having a wall there as well. It provides, you know, fence or, you
970 know some point where it doesn't become an attraction nuisance.
971

972 Ms. Dwyer - What kind of masonry wall?
973 Mr. Kennedy - We haven't gotten to that point yet. It will be a part of the
974 landscape plan approval. I understand that it will be brick, at this point. We've raised
975 the issue with some of the neighbors that they may not want this wall to be the full eight
976 feet and we've encouraged Attack to have that discussion just because eight feet is actually
977 walling them out as opposing to walling in, what is almost a natural area. So, we've
978 asked them to reconsider that because we think that eight feet may be excessive. And
979 they may actually end up being happier with having the trees behind them, the tree
980 canopy at six feet, possibly even five feet. I think that they really need to think about
981 that. The neighbors have expressed concerned that their houses are on a higher grade
982 and slopes down, but I really don't think that there view is going to be terrible. The
983 majority of the parking lot is away from there and I think when it comes in for screening
984 I think we can do something, where the parking is abutting that section of the property
985 with providing some continuous evergreen screen at that location. So, basically,
986 everyone else is looking at ponds. I think it can be accommodated at landscape plan
987 approval.
988

989 Ms. Dwyer - So, maybe more evergreens around where the parking lot is.
990

991 Mr. Kennedy - Yes. I think we can concentrate that.
992

993 Ms. Dwyer - It looks like you have American Hollies, and you don't get any
994 better than that.
995

996 Mr. Kennedy - We wanted to have this schematic landscape plan so that we would
997 actually be able to give you some idea of what the developer was attempting to do on this
998 site. As with all development we have had so far, on the main entranceway on
999 CrossRidge, they well exceeded all of our landscape requirements. And, again, even
1000 here, even at this point, the typical landscape proffer, the typical transitional buffer
1001 requirement, they have already exceeded just because they have provided wall in addition
1002 to the landscape planting as well.
1003

1004 Mr. Kaechele - Is there potential for another building just to the right of the
1005 entranceway?
1006

1007 Mr. Kennedy - Yes. On the site plan there is a parcel indicated with the name
1008 Marketti.
1009

1010 Mr. Kaechele - Yes.
1011

1012 Mr. Kennedy - That's where potential... It's actually it's between Marketti's
1013 property and the pond is actually a large wetlands area, which is approximately three
1014 quarters of acre. So, it could be of that side but not any closer to the Courtney
1015 development. It would be closer to the office.
1016

1017 Mr. Kaechele - I understand, but it's going to remain natural for the time being.
1018 Mr. Kennedy - Yes. It will remain natural. As I said, in fact, someone from Mr.
1019 Marketti's came in this week to discuss with the staff future development of that site.
1020

1021 Mr. Kaechele - Is that zoned office?
1022

1023 Mr. Kennedy - No. That's zone A-1, Agricultural, right now. So, they would
1024 have to rezone it. We would expect that they would have the same 30-foot buffer along
1025 Staples Mill Road, the range of this development has, it runs along all of Staples Mill
1026 Road, that staff would request that. We would request the building to be one like or
1027 compatible to this proposed building, so it would be compatible in architecture.
1028

1029 Mr. Vanarsdall - It's been zoned a long time.
1030

1031 Mr. Kennedy - I will note to you that there is no requirement that the landscape
1032 plan comes back to the Commission, but staff is more than willing to encourage the
1033 Planning Commission, to give some additional comfort to the homeowners that they can
1034 have additional opportunity to have some input into that, as the site is developed to come
1035 back and actually maybe at that time the composition height of that wall could be
1036 determined in a public forum. This way the neighbors will have a little bit more input at
1037 that time. And we can work with them in the meantime to make sure that satisfactory
1038 plan comes forward.
1039

1040 Mr. Taylor - Mr. Kennedy, has any thought being given along that fence line,
1041 given that we don't know the character of the material. There's going to be some
1042 plantings on one side, I guess that will be towards the office building. Has there been
1043 any discussion within the homeowners or the developer to agree to put some plantings on
1044 the owners side to kind of screen that fence from their backyard given up to eight or six
1045 feet or whatever? Is that a possibility perhaps?
1046

1047 Mr. Kennedy - There hasn't been any discussion.

1048
1049 Mr. Vanarsdall - It's a possibility, yes.
1050
1051 Mr. Taylor - They will have either a fence of six feet or eight feet, as you
1052 describe it.
1053
1054 Mr. Kennedy - If they can come back with an agreement, which could be
1055 approved by the Planning Commission, it could be lower.
1056
1057 Mr. Taylor - As Ms. Dwyer said, American Hollies go a long way. Maybe on
1058 both sides we get a nice screen of hollies and that would screen the fence from some
1059 view.
1060
1061 Mr. Kennedy - Truly, the only thing that really needs to be screen is actually that
1062 section of the parking lot. Screening a lake feature is kind of overkill. A lot of people
1063 pay for water views. If you are up in Wyndham, you would pay a premium for those
1064 lots.
1065
1066 Mr. Taylor - But they really don't have a water view. I mean they have got that
1067 fence between them and the water.
1068
1069 Mr. Kennedy - Right. At this point. And that's the issue that they need to resolve.
1070 I think we need to have some sort of protection along there. The question is what height
1071 would satisfy them and provide them adequate screening, what kind of landscaping can
1072 they work out between now and the landscape plan approval that would satisfy the
1073 proffers and at the same time become a reasonable compromise between them and the
1074 developer.
1075
1076 Mr. Taylor - Because I see that there are four variables, the height of the fence,
1077 four, the height of the fence, the material in the fence, the trees behind the fence, the
1078 trees in front of the fence.
1079
1080 Mr. Kennedy - Right. That they can work with that.
1081
1082 Mr. Taylor - Yes.
1083
1084 Mr. Vanarsdall - Mr. Kennedy, do you have their names and so forth?
1085
1086 Mr. Kennedy - Yes.
1087
1088 Mr. Vanarsdall - Would you be sure that they are notified when it comes back for
1089 landscape?
1090
1091 Mr. Kennedy - Yes, sir.

1092
1093 Mr. Vanarsdall - And I appreciate you coming today. Thank you, Mr. Kennedy.
1094
1095 Mr. Kennedy - I just want to remind you, that they may not know that they have
1096 the opportunity to ask specific questions of the Commission. So, if they have any
1097 questions, I'm more than happy to address them in a public forum.
1098
1099 Mr. Archer - Mr. Vanarsdall, would you like to hear from the applicant?
1100
1101 Mr. Vanarsdall - I don't need to, unless someone else wants to.
1102
1103 Mr. Archer - Do you want to hear the questions the citizens may have?
1104
1105 Mr. Vanarsdall - I think we should ask them, yes, sir.
1106
1107 Mr. Archer - Okay. Does anyone care to make a remark or comment?
1108 Mr. Vanarsdall - Would you all like to come down and say anything about this or
1109 did Mr. Kennedy cover it pretty well?
1110
1111 Ms. Tate - (Ms. Tate was speaking from her seat in the audience and her
1112 comment is unintelligible).
1113
1114 Mr. Archer - Madam, would you mind coming down to the mike and identify
1115 yourself. We can't hear you from there and we would like to get this on the record.
1116
1117 Mr. Marlles - Madam, when you get down to the podium would you give your
1118 name and address too.
1119
1120 Ms. Tate - My name is Doris Tate and I live at 3306 Lanceor Drive. I've
1121 been there since the house was built. We are glad to hear your concern on the landscape
1122 and what we have to look at. I appreciate it. I know it's nothing else we can do but that
1123 will help.
1124
1125 Mr. Vanarsdall - Do you understand what we are going to do? When it comes back
1126 for landscaping you all will be notified and then you will have some input on what you
1127 want there and so forth. We will work it out.
1128
1129 Ms. Dwyer - I wonder, Mr. Kennedy, if, in the discussions about the height of
1130 the fence and what the neighbors want, what stage of development will this BMP be in
1131 when those discussions are held. You are suggesting that this is going to be a great,
1132 attractive area that the neighbors wouldn't mind looking at and if they could see that then
1133 it might help them decide exactly what they want. But, if it's just a lot of dirt moved
1134 around in an unattractive state of construction then they might have to make a decision
1135 that they won't be happy with in the long run. Do we know that?

1136
1137 Mr. Vanarsdall - Phil, do you want to get in on this?
1138
1139 Mr. Kennedy - Mr. Parker could probably answer that.
1140
1141 Mr. Archer - Thank you, ma'am for coming up.
1142
1143 Mr. Parker - My name is Philip Parker, vice president with Atack Properties.
1144 Ms. Dwyer, your question is what stage of construction would the BMP be under when
1145 we begin the wall. In all fairness, it would probably simply be exposed or seeded and
1146 sod earth. We would need to be in there with heavy equipment for the foundation of
1147 getting the brick and blocking there from our side of the property to build this wall prior
1148 to coming in with final grading tops or landscaping, etc. So, in fairness, what they
1149 would seed would be a hole in the ground. The question, as it seems right now, Mrs.
1150 Tate and Mrs. Willis and I were discussing, and Mr. Martin, is the questions of whether
1151 or not the wall is eight feet tall. And the three neighborhood residents that are here have
1152 agreed to go back and discuss with the other residents how high they would like that wall.
1153 From their initial discussion, we will meet with them and discuss do we do five feet, do
1154 we do six feet, do we eight feet. The requirement is not to exceed eight feet, and we are
1155 going to meet the intents and desires of their needs.
1156
1157 Ms. Dwyer - Will there be brick on their side?
1158
1159 Mr. Parker - Yes, ma'am. It's finished on both sides.
1160
1161 Mr. Taylor - And, Mr. Parker, you would agree to some kind of compromise of
1162 landscaping on both sides to make it attractive.
1163
1164 Mr. Parker - As far as the law would allow.
1165
1166 Ms. Dwyer - I don't think that they can landscape on other people's property,
1167 though.
1168
1169 Mr. Parker - As far as the law would allow, we can do that. There are ways to
1170 accommodate things. The law will allow us to do certain things with their approval and
1171 authorization.
1172
1173 Mr. Taylor - So, that can be considered.
1174
1175 Mr. Parker - That can be considered, yes.
1176
1177 Mr. Taylor - Okay. Thank you.
1178
1179 Mr. Vanarsdall - Thank you.

1180

1181 Mr. Archer - All right. Thank you, Mr. Parker. Is there anymore discussion
1182 and if not, Mr. Vanarsdall?

1183

1184 Mr. Vanarsdall - Thanks for all of the discussion and suggestions. I move that
1185 POD-74-01, Professional Office at CrossRidge – Staples Mill Road, be approved with the
1186 annotations on the plans and the standard conditions for developments of this type. I
1187 want Nos. 9 and 11 amended and additional conditions Nos. 23 through 32.

1188

1189 Mr. Taylor - Second.

1190

1191 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr.
1192 Taylor. All in favor of the motion say aye...all opposed say nay. The motion carries.

1193

1194 The Planning Commission approved POD-74-01, Professional Office at CrossRidge –
1195 Staples Mill Road, subject to the standard conditions attached to these minutes for
1196 developments of this type, the annotations on the plans and the following additional
1197 conditions:

1198 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Planning
1199 Office for review and Planning Commission approval prior to the issuance of
1200 any occupancy permits.

1201 11. **AMENDED** - Prior to the approval of an electrical permit application and
1202 installation of the site lighting equipment, a plan including depictions of light
1203 spread and intensity diagrams, and fixture specifications and mounting height
1204 details shall be submitted for Planning Office review and Planning Commission
1205 approval.

1206 23. The right-of-way for widening of Staples Mill Road (State Route 33) as shown
1207 on approved plans shall be dedicated to the County prior to any occupancy
1208 permits being issued. The right-of-way dedication plat and any other required
1209 information shall be submitted to the County Real Property Agent at least sixty
1210 (60) days prior to requesting occupancy permits.

1211 24. The easements for drainage and utilities as shown on approved plans shall be
1212 granted to the County in a form acceptable to the County Attorney prior to any
1213 occupancy permits being issued. The easement plats and any other required
1214 information shall be submitted to the County Real Property Agent at least sixty
1215 (60) days prior to requesting occupancy permits.

1216 25. The entrances and drainage facilities on Staples Mill Road (State Route 33) shall
1217 be approved by the Virginia Department of Transportation and the County.

1218 26. A notice of completion form, certifying that the requirements of the Virginia
1219 Department of Transportation entrances permit have been completed, shall be
1220 submitted to the Planning Office prior to any occupancy permits being issued.

1221 27. The developer shall provide fire hydrants as required by the Department of
1222 Public Utilities and Division of Fire.

- 1223 28. The proffers approved as a part of zoning case C-17C-00 shall be incorporated
 1224 in this approval.
- 1225 29. Deviations from County standards for pavement, curb or curb and gutter design
 1226 shall be approved by the County Engineer prior to final approval of the
 1227 construction plans by the Department of Public Works.
- 1228 30. Insurance Services Office (ISO) calculations must be included with the plans and
 1229 approved by the Department of Public Utilities prior to the issuance of a
 1230 building permit.
- 1231 31. Approval of the construction plans by the Department of Public Works does not
 1232 establish the curb and gutter elevations along the Virginia Department of
 1233 Transportation maintained right-of-way. The elevations will be set by the
 1234 contractor and approved by the Virginia Department of Transportation.
- 1235 32. The owners shall not begin clearing of the site until the following conditions
 1236 have been met:
 1237
- 1238 (a) The site engineer shall conspicuously illustrate on the plan of
 1239 development or subdivision construction plan and the Erosion and
 1240 Sediment Control Plan, the limits of the areas to be cleared and the
 1241 methods of protecting the required buffer areas. The location of utility
 1242 lines, drainage structures and easements shall be shown.
 - 1243 (b) After the Erosion and Sediment Control Plan has been approved but
 1244 prior to any clearing or grading operations of the site, the owner shall
 1245 have the limits of clearing delineated with approved methods such as
 1246 flagging, silt fencing or temporary fencing.
 - 1247 (c) The site engineer shall certify in writing to the owner that the limits of
 1248 clearing have been staked in accordance with the approved plans. A
 1249 copy of this letter shall be sent to the Planning Office and the
 1250 Department of Public Works.
 - 1251 (d) The owner shall be responsible for the protection of the buffer areas and
 1252 for replanting and/or supplemental planting and other necessary
 1253 improvements to the buffer as may be appropriate or required to correct
 1254 problems. The details shall be included on the landscape plans for
 1255 approval.
 1256

1257 **PLAN OF DEVELOPMENT (Deferred from the September 26, 2001, Meeting)**
 1258

POD-57-01
 The Virginia Diocesan
 Center at Roslyn - Phase 1
 and Master Plan -River Road

Draper Aden Associates for Memorial Trustees of the Virginia Diocese: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a two-story, 14,313 square foot dining hall, a two-story, 5,489 square foot community center, three, two-story guest residences totaling 4,950 square feet and a master plan for future development in an existing church

education and conference center. The 97.35 acre site is located along the south line of River Road approximately 1,300 feet east of Parham Road on parcel 125-A-25. The zoning is R-1, One-Family Residence District. County water and sewer.
(Tuckahoe)

1259

1260 Mr. Archer - Is there anyone in the audience in opposition to POD-57-01, The
1261 Virginia Diocesan Center at Roslyn? No opposition. Mr. Wilhite.

1262

1263 Mr. Wilhite - Thank you. This case was deferred last month, at the applicant's
1264 request to look more closely at the amount of parking to be provided on the site. An
1265 application of the parking requirements of the zoning ordinance was determined at 197
1266 spaces that were required by the ordinance. The applicant had originally requested that
1267 we consider them for approval under our joint parking section of the ordinance, which
1268 would allow them to reduce the parking to 70% of that total. They had proposed
1269 providing 141 spaces total plus an additional 45 spaces for overflow of parking. Staff
1270 determined that they did not fall within the provision of that ordinance requirement. We
1271 have annotated the plan to recommend approval in such a manner that 197 spaces would
1272 be provided here. In discussions with the applicant last week, they are asking us to
1273 reconsider the amount of parking that's going to be required under the ordinance. They
1274 will provide us some additional documentation on their parking needs, and it will be
1275 reviewed by the Director of Planning. Another option they have would be going to the
1276 Board of Zoning Appeals for a variance in order to reduce parking. As I said, the staff
1277 has annotated this plan to provide 197 spaces as required by Code. The applicant is in
1278 agreement with the annotation and is willing to go forward and concur with our
1279 annotations with provision that this issue will still be looked at by the Director of
1280 Planning at a future time. I'll be happy to answer any questions you may have at this
1281 time.

1282

1283 Mr. Archer - Thank you, Mr. Wilhite. Are there any questions of Mr. Wilhite
1284 by Commission members?

1285

1286 Mr. Kaechele - This is an incidental question. Is this tax-exempt property?

1287

1288 Mr. Wilhite - I believe so, yes. Actually, I think Henrico does tax them as a
1289 hotel/motel.

1290

1291 Mr. Archer - That's an interesting question, Mr. Kaechele. Are there any
1292 further questions or discussion? Ms. Dwyer, do you need to hear from the applicant?

1293

1294 Ms. Dwyer - No, I don't, unless they would like to come forward and speak.

1295

1296 Mr. Archer - All right.

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Ms. Dwyer - This is a wonderful space to have and we are lucky to have this oasis in the middle of suburbia and certainly this addition will create minimal if any impact on the surrounding neighborhood and traffic situations as used as a retreat. There's a commitment to maintain a lot of the open space, almost all the of the open space that currently exist. Mr. Marlles and I will get together with the applicant and discuss this parking issue further, but it appears to be annotated so that it's in a position to be approved today but allow continuing discussion among the applicant and the staff and myself. So with that, I will move the approval of POD-57-01, The Virginia Diocesan Center at Roslyn – Phase I and Master Plan and added conditions Nos. 23 through 29.

Mr. Taylor - Second.

Mr. Archer - The motion was made by Ms. Dwyer and seconded by Mr. Taylor. All in favor of the motion say aye...all opposed say nay. The motion carries.

The Planning Commission approved POD-57-01, The Virginia Diocesan Center at Roslyn – Phase I and Master Plan – River Road, subject to the standard conditions attached to these minutes for developments of this type, the annotations on the plans and the following additional conditions.

23. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
24. The limits and elevations of the 100-year frequency flood shall be conspicuously noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain must be labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the County prior to the issuance of any occupancy permits.
25. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
26. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
27. Insurance Services Office (ISO) calculations must be included with the plans and approved by the Department of Public Utilities prior to the issuance of a building permit.
28. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction plans needed to implement this conceptual plan may be

1340 administratively reviewed and approved and shall be subject to all regulations in
1341 effect at the time such subsequent plans are submitted for review/approval.
1342 29. The applicant shall widen both entrances drives off of River Road to the
1343 minimum County width standards with the next phase of this development.
1344

1345 **PLAN OF DEVELOPMENT**
1346

POD-75-01 **Balzer & Associates, Inc. for Jacques J. Moore, Jr.:**
Richmond Subaru – Request for approval of a plan of development, as
9177 W. Broad Street required by Chapter 24, Section 24-106 of the Henrico
County Code to construct a one-story, 6,364 square foot
building addition and associated parking. The 6.57 acre
site is located along the southern line of West Broad
Street (U.S. Route 250) approximately 490 feet west of
Tuckernuck Drive on parcel 59-A-37B. The zoning is
B-3C, Business District (Conditional). County water
and sewer. **(Three Chopt)**

1347
1348 Mr. Archer - Is there anyone in the audience in opposition to POD-75-01,
1349 Richmond Subaru? No opposition. Ms. Goggin.

1350
1351 Ms. Goggin - Good morning. The revised plan in your addendum has
1352 incorporated most of the previous staff annotations on the plan in your packet.
1353 Specifically, it addresses the shared entrance between the future Haynes Jeep, which is
1354 POD-20-01 and Moore Cadillac. This entrance was proposed and approved by the
1355 Planning Commission on February 28, 2001, with the Haynes Jeep plan and needs to be
1356 shown on this plan submission to ensure that the proposed addition and improvements are
1357 coordinated between the two sites. At staff's request, the applicant has provided a color
1358 rendering of the proposed addition to provide a reference for the colors and building
1359 materials specified in the Commission's packet to help determine compatibility with the
1360 existing sales center. The addition would extend the window pattern that runs the length
1361 of the existing building and will continue the colors of the existing Moore Cadillac sale
1362 center. Staff recommends approval subject to the annotations on the revised staff plan,
1363 the standard conditions for developments of this type, and additional conditions Nos. 23
1364 through 36 specified in the agenda. I'll be happy to answer any questions from the
1365 Planning Commission. The project engineer is also present, but unfortunately the
1366 architect is not here, if you have any questions for the applicant.

1367
1368 Mr. Archer - Thank you, Ms. Goggin. Are there any questions from the
1369 Commission members?

1370
1371 Ms. Goggin - Just for the record, I also have the site map from the Haynes Jeep
1372 POD approval if you would like to see that in relation to this site.
1373

1374 Mr. Kaechele - This is a totally separate building, there's no through pass way
1375 from the exiting showroom?

1376
1377 Ms. Goggin - It's a totally separate building.

1378
1379 Mr. Vanarsdall - This is the old Hawthorne Volkswagen, isn't it?

1380
1381 Ms. Goggin - I think it's always been a Cadillac dealership. It was Jone's Motor
1382 Car Company, and it's now Moore Cadillac.

1383
1384 Mr. Archer - All right. Are there any further questions? Do we need to hear
1385 from the applicant, Mr. Taylor?

1386
1387 Mr. Taylor - No, Mr. Chairman. There is no opposition and I think that the
1388 staff has reviewed this case and the applicant was grandly responsive to providing us a
1389 color rendering yesterday. We have gone over this, this, of course, is going to be next to
1390 the planned jeep facility and on that one there is a shared entrance and that's incorporated
1391 in the design. So, as far as I am concerned, it is a complete package and it fits with the
1392 neighborhood.

1393
1394 Mr. Archer - All right.

1395
1396 Mr. Taylor - And with that, Mr. Chairman, I'll move approval of POD-75-01,
1397 Richmond Subaru - 9177 W. Broad Street, subject to the annotations on the plans, the
1398 comments in the addendum, the standard conditions for developments of this type, and
1399 additional conditions Nos. 23 through 36.

1400
1401 Mr. Vanarsdall - Second.

1402
1403 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr.
1404 Vanarsdall. All in favor of the motion say aye...all opposed say nay. The motion
1405 carries.

1406
1407 The Planning Commission approved POD-75-01, Richmond Subaru - 9177 W. Broad
1408 Street, subject to the standard conditions attached to these minutes the annotations on the
1409 plans and the following additional conditions.

1410
1411 23. The easements for drainage and utilities as shown on approved plans shall be
1412 granted to the County in a form acceptable to the County Attorney prior to any
1413 occupancy permits being issued. The easement plats and any other required
1414 information shall be submitted to the County Real Property Agent at least sixty
1415 (60) days prior to requesting occupancy permits.

1416 24. The entrances and drainage facilities on W. Broad Street (U.S. Route 250) shall
1417 be approved by the Virginia Department of Transportation and the County.

- 1418 25. A notice of completion form, certifying that the requirements of the Virginia
1419 Department of Transportation entrances permit have been completed, shall be
1420 submitted to the Planning Office prior to any occupancy permits being issued.
- 1421 26. The developer shall provide fire hydrants as required by the Department of
1422 Public Utilities and Division of Fire.
- 1423 27. A standard concrete sidewalk shall be provided along the south side of W.
1424 Broad Street (U.S. Route 250).
- 1425 28. All repair work shall be conducted entirely within the enclosed building.
- 1426 29. The proffers approved as a part of zoning case C-50C-81 and C-54C-83 shall be
1427 incorporated in this approval.
- 1428 30. Any necessary off-site drainage and/or water and sewer easements must be
1429 obtained in a form acceptable to the County Attorney prior to final approval of
1430 the construction plans.
- 1431 31. Deviations from County standards for pavement, curb or curb and gutter design
1432 shall be approved by the County Engineer prior to final approval of the
1433 construction plans by the Department of Public Works.
- 1434 32. Storm water retention, based on the 50-10 concept, shall be incorporated into
1435 the drainage plans.
- 1436 33. Insurance Services Office (ISO) calculations must be included with the plans and
1437 approved by the Department of Public Utilities prior to the issuance of a
1438 building permit.
- 1439 34. Approval of the construction plans by the Department of Public Works does not
1440 establish the curb and gutter elevations along the Henrico County maintained
1441 right-of-way. The elevations will be set by Henrico County.
- 1442 35. Approval of the construction plans by the Department of Public Works does not
1443 establish the curb and gutter elevations along the Virginia Department of
1444 Transportation maintained right-of-way. The elevations will be set by the
1445 contractor and approved by the Virginia Department of Transportation.
- 1446 36. Evidence of a joint ingress/egress and maintenance agreement must be submitted
1447 to the Planning Office and approved prior to issuance of a certificate of
1448 occupancy for this development.
- 1449

1450 **PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION**
1451 **(Deferred from the September 26, 2001, Meeting)**

1452
POD-60-01
Virginia Eye Institute -
ASC Building – Huguenot
Road

TIMMONS FOR SBB Associates: 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 two-story, 14,315 square foot medical office building. The 2.68 acre site is located along the south line of Huguenot Road, approximately 1,100 feet west of River Road on parcel 126-A-8A. The zoning is B-1, Business District and O-1, Office District. County

water and sewer. **(Tuckahoe)**

1453

1454 Mr. Archer - Is there anyone in the audience in opposition to POD-60-01,
1455 Virginia Eye Institute? We have opposition. Thank you, sir, we will get to you in a
1456 moment. Okay. Mr. Wilhite.

1457

1458 Mr. Wilhite - Thank you, sir. This case was deferred from last month's
1459 meeting. At that time, they needed to act on a transitional buffer deviation request.
1460 There is an O-1/B-1 zoning line that runs right through the middle of this property. Staff
1461 supports the waiver of this requirement since this site function as an addition to the
1462 existing medical office building. Also, since that time, there has been a meeting with the
1463 applicant concerning the design of the building. We do have a revised rendering here
1464 today, which shows some changes to the canopy roof design over top of the entrance and
1465 some changes to the materials used on the building. The architect is here if you do have
1466 any questions about what's being proposed, as far as the changes. Staff is in a position to
1467 recommend approval of this plan.

1468

1469 Mr. Archer - All right. Are there any questions by Commission members for
1470 Mr. Wilhite?

1471

1472 Ms. Dwyer - This revised rendering then would just be submitted today, as of
1473 today.

1474

1475 Mr. Wilhite - Yes. They are going to provide us with a paper copy and it would
1476 be part of the record.

1477 Mr. Jernigan - What's the exterior of this building?

1478

1479 Mr. Wilhite - A combination of metal and masonry construction.

1480

1481 Mr. Taylor - Looking at this, there are gray panels or gray sections and tan
1482 sections. Can you tell us the type of masonry? Is it stone or brick?

1483

1484 Mr. Price - My name is Ron Price and I'm with Odell Associates. I'm the
1485 architect for this project. The metal panel of gray is actually the metal panel that matches
1486 the existing Eye Hospital. It's kind of blue/silver. The block you are seeing there is a
1487 ground face masonry unit, 8 inches by 16 inches. It's going to be a neutral color, on the
1488 tan side. Fairly close to what that rendering represents. I guess, the specific color of
1489 that sample has not been selected at this time. If you have an opinion about that I'll be
1490 happy to listen to that.

1491

1492 Ms. Dwyer - Maybe you could just expand a little bit on the features and virtues
1493 of this particular design and how it compares with the existing building.

1494

1495 Mr. Price - I'll be happy to. One thing, it is raised 12 feet above the floor
1496 because of the floodplain issue, so it does match floor to floor high of the existing. So,
1497 all the 14,000 square feet is on level two. There is a small lobby that you will see in that
1498 rendering on the far right (referring to rendering on the screen). So, you can walk in that
1499 lobby and take the stairs or elevator upstairs. There is no ramp like there is on the
1500 existing building. Beneath the building, which is screened by landscaping, is the
1501 physician parking. The employee/visitor parking is going to be around the outside.
1502 Again, the metal panel matches the existing building. The block is a fairly new material
1503 and that's almost.... It's been a warmer color it kind of match the new shopping center
1504 next door. The windows you are seeing there, that's the view facing Huguenot Road,
1505 that's what you will see when drive out Huguenot Road. We have a metal roof to match
1506 the existing building. We have a large glass window that kind of gives you a, I guess, a
1507 size view of what's going on inside and that's a two-story (piece?). The window to the
1508 left, that's the waiting room for the hospital itself. There's a small strip of windows on
1509 the far left; that's the recovery area. And, that's really about the only windows we need
1510 in this facility. We are trying to put all of that on Huguenot Road, just to kind of jazz up
1511 and make that front elevation as appealing as possible. So, again, it's more of a recall
1512 existing building. It's a simplified version of what's already there.

1513
1514 Mr. Kaechele - You describe that gray panel as a metal panel, is that siding?

1515
1516 Mr. Price - If you go out there now, it's the exact same material you see on the
1517 building right now.

1518
1519 Mr. Kaechele - Is that aluminum siding?

1520
1521 Mr. Price - That's correct, it's corrugated metal, so it's got a ribbed look.
1522 And, again, it's the same material as you see on the hospital right now.

1523
1524 Mr. Taylor - Sir, as you say gray, it's not reflective is it?

1525
1526 Mr. Price - No.

1527
1528 Mr. Taylor - Is it low tones?

1529
1530 Mr. Price - Correct.

1531
1532 Mr. Vanarsdall - You say it is metal?

1533
1534 Mr. Price - Yes, sir.

1535
1536 Mr. Vanarsdall - And it won't rust, I'm sure.

1537
1538 Mr. Price - No, it won't rust. It's a painted metal, that's correct.

1539
1540 Mr. Taylor - The interesting feature that you state is that this is going to be
1541 above the floodplain.
1542
1543 Mr. Price - That's correct.
1544
1545 Mr. Taylor - That indicates that there's basically no utilities up to about level
1546 eight.
1547
1548 Mr. Price - That's correct. The only thing we have below that is actually the
1549 stair and the elevator. But, in the time of a flood, the elevator will be raised up so the
1550 elevator is not affected, but the pit in the lower level would be suspect. But, nothing else
1551 is beneath that line.
1552
1553 Mr. Taylor - In the event of flooding, you would assume that the James River is
1554 going to take over and flow right through the lower level of that.
1555
1556 Mr. Price - That's correct.
1557
1558 Mr. Taylor - With that, of course, we don't want to put a dam in the way of
1559 Mother Nature, so I would guess that the siding is meant to either be hydraulic stream
1560 line or capable of being carried away.
1561
1562 Mr. Price - If you look at the far right. I have drawn some holes down low.
1563 There are holes on that first floor all the way around this building that will allow air and
1564 water to go through this building.
1565
1566 Mr. Taylor - Well, what about trees and logs and such?
1567
1568 Mr. Price - I can't speak for trees and logs. I guess there is always an issues
1569 with trees and logs.
1570
1571 Mr. Taylor - Mother Nature is not going to sort those out and the question of
1572 safety, I think.... If we start accumulate trees and logs, the hydraulic load is going to be
1573 such that there may be a point that this entire structure will float. At what state do you
1574 think that might be?
1575
1576 Mr. Price - Well, I think the structure is actually a concrete frame, concrete
1577 columns. The skin you are seeing down there could be just knocked off. It's not going
1578 to jeopardize the structure integrity of the building to have any kind of debris to hit that in
1579 a flood situation. The metal panels themselves may be damaged and dented but I doubt
1580 the structure will not be impacted.
1581

1582 Mr. Taylor - So, structurally there will be piles that can substantially resist
1583 trees, floating debris and other stuff.
1584
1585 Mr. Parker - Yes.
1586
1587 Mr. Taylor - But everything else might be capable of being carried away.
1588
1589 Mr. Parker - Could be, that's correct.
1590
1591 Mr. Taylor - Now, on a happier note. Looking at the size of the floor plan.
1592 How many patients can you treat in here at one time?
1593
1594 Mr. Parker - Kathy, correct me if I'm wrong (referring to lady in the audience).
1595 There could be 40 visitors, I think, could be waiting there at one time. Is that correct?
1596
1597 Kathy - (Speaking from her seat) On an average 25 patients a day, as many
1598 as 40 a day.
1599
1600 Mr. Taylor - And these are all ambulatory, I understand.
1601
1602 Kathy - Yes.
1603
1604 Mr. Taylor - There's no overnight residence at this facility.
1605
1606 Kathy - Absolutely.
1607
1608 Mr. Taylor - So, in the event, of a flood, there wouldn't be any patients that
1609 would reasonably be there or couldn't be quickly removed.
1610
1611 Mr. Price - That's correct.
1612
1613 Mr. Vanarsdall - Do you want to repeat the number she gave because I'm not sure if
1614 we picked it up on the tape or not?
1615
1616 Mr. Price - I think we said 25 per day would be an average patient load,
1617 maybe up to 40.
1618
1619 Mr. Taylor - Thank you. Those are all of the questions that I have.
1620
1621 Mr. Archer - All right. Is there anybody else? We did have opposition so could
1622 you please come forward.
1623
1624 Mr. Bostic - Good morning. My name is Bryan Bostic and I live at 6500
1625 Westham Station Road.

1626

1627 Mr. Archer - Good morning, Mr. Bostic.

1628

1629 Mr. Bostic - If you could put back up the drawing again I would appreciate it.
1630 I'm here on behalf of the neighbors that live in and around Westham Station Road and on
1631 Panorama Road and on Kanawha Drive. My property is the R-1 directly to the left of the
1632 Eye Center (referring to rendering on the screen). It's a five and a half-acre parcel. Our
1633 neighborhood has great, great, concern over the traffic issues that are created with the
1634 new River Road Shopping Center but not with our neighbors with the Eye Center. They
1635 are excellent neighbors. We backed the project for them, but we also want noted that
1636 they also would also like a stop light and has requested a stop light some two and a half
1637 years ago. We are very concerned about accidents that have occurred. We know that
1638 there are elderly constituents that participate at the eye institute. We do not want their
1639 safety to be jeopardized nor do we want the safety of our children. The neighborhood
1640 has changed. We now have young families present. We also know that the bridge
1641 construction, at some point, will take place and we have renderings of that bridge and a
1642 stop light would dramatically impact the cost of that structure and I have that from
1643 engineers with VDOT as well. So, on the record, we would like a traffic light
1644 considered for the intersection and Kanawha Drive and Huguenot Road in order to better
1645 control the traffic flow in and around that area while at the same time, noting that this
1646 will save tax payers dollars for a future construction of the Huguenot bridge. Thank you.

1647

1648 Mr. Archer - Thank you, sir. Are there any questions?

1649

1650 Ms. Dwyer - I guess I'm not following how the stop light saves money in the
1651 construction of the Huguenot Bridge or the reconstruction of it.

1652

1653 Mr. Bostic - Well, in discussing the current plans with VDOT and with County
1654 engineers, there was a plan for Westham Station Road, which currently comes off of
1655 Huguenot as a very small 12-foot junction, really. It's not even a real road. That would
1656 not be needed. And the plan was for that to be an off ramp and to raise Panorama eight
1657 feet higher to meet Code. That would no longer be necessary. In order to do that, they
1658 would also have to put an enormous drainpipe underneath that road. So, the structure of
1659 Westham Station Road, where it meets Panorama, all would raise eight feet above its
1660 current position. At the same time, as you can see my driveway, links out up from
1661 Panorama that would be heavily impacted from and encroachment standpoint. I'm not
1662 opposing the bridge reconstruction, I'm sure it's falling down at this point, but I am
1663 saying, as a taxpayer, a large taxpayer, that we do not need Westham Station Road to be
1664 reconstructed the way it's planned. The only way that can happened is if there is a stop
1665 light present on Huguenot Road. So there are two reasons; One, safety because as you
1666 well know by supercharging that bridge to what they are calling a two-lane bridge, which
1667 is two and a half time larger than the current design, it will be four lanes, rated at 55 mph
1668 and we don't think that that is in the best interest of the Eye Institute or the
1669 neighborhood. Now, is that a matter for here today, probably not? But it is a matter,

1670 from a traffic light standpoint when it comes to that intersection and how it impacts the
1671 Eye Institute, our neighborhood and the rest of that development in that corridor.

1672

1673 Ms. Dwyer - I know you have spoken to Mr. Eure because you were here last
1674 month and you are aware, I'm sure, that VDOT is beginning to have hearings on bridge
1675 design.

1676

1677 Mr. Bostic - I am aware of that and participating in that actively. I just want it
1678 on the record here that our friends at the Eye Institute also would like a stop light there
1679 for their constituents and I'm sure that Mr. Lacy and the other owners of River Road
1680 Shopping Center would encourage a stop light at some point as well. I'm sure they
1681 didn't want to have to pay for it, and I'm sure that was the issue at the time. But, as a
1682 resident of the area who watches this traffic everyday, we are greatly concerned about
1683 that intersection.

1684

1685 Ms. Dwyer - Thank you, Mr. Bostic.

1686

1687 Mr. Bostic - Thank you.

1688

1689 Mr. Vanarsdall - Mr. Eure is here.

1690

1691 Ms. Dwyer - I know. I was just going to ask Mr. Eure if you would just speak
1692 briefly, not to the Huguenot Bridge issue, necessarily, because we all understand that's a
1693 VDOT matter and not one that we have any control over here today. But, if you would
1694 speak briefly to the stop light issue. I know it came up before with the shopping center
1695 and if you would just summarize the traffic engineer's point of view on putting a stop
1696 light at this intersection.

1697

1698 Mr. Eure - Yes, ma'am. Good morning. My name is Todd Eure, Traffic
1699 Engineering. The issue with a traffic signal at the crossover.... I've spoken with VDOT
1700 traffic engineering folks several times over the course of the last month. They are doing
1701 projections there and they are anticipating full build out of the Eye Institute as well as the
1702 shopping center and taking existing counts and projecting added traffic on top of that to
1703 look at what the ultimate needs are. I have not heard back from them as far as any
1704 conclusions. So, I assume that they have not completed their full review, but I'll be glad
1705 to share that with Mr. Bostic and anybody else that's interested once we get the results.
1706 And, at the same time, consideration does need to be taken into what the ultimate design
1707 of Huguenot Road, in relation to the bridge replacement, is to.... I'm not as familiar with
1708 the proposed plans as Mr. Bostic is in terms of the grade changes with the roads and so
1709 forth. But, I can relay my conversation with him after last month's meeting with Bob
1710 Thompson, Public Works Director, make him aware of the issues and the concerns. We
1711 will certainly be glad to follow up with him as we get feedback from VDOT.

1712

1713 Ms. Dwyer - Okay. As far as placing a stop light here, at this particular
1714 location, is that something that the traffic engineer's office would support and if so, why
1715 or if not, why?
1716

1717 Mr. Eure - Well, as with any location, we support the insulation of a signal if
1718 it meets warrants. Warrants consider everything from traffic volumes on your main
1719 road, your side streets, and in this case driveways. As well as your accident history and
1720 type of accidents. And, as we discussed last time, outside of the public forum, we did do
1721 a very in-depth analysis at this crossover, prior to the shopping center POD. And, we
1722 looked very closely at the type of accidents that were occurring there because there had
1723 been some concern about, I guess, a huge number of accidents, which there has been
1724 along this whole corridor of Huguenot but we've focus on the crossover itself and.... I
1725 don't have the numbers with me, but there had been some accidents that would be
1726 correctable by a traffic signal at that location, ankle-type accidents. That's something
1727 that VDOT is updating, that accident analysis, because that's several years old now and
1728 they are looking at the full accident history and whether the insulation of a signal would
1729 actually help that situation. As we tell citizens that call us on a daily basis requesting
1730 traffic signal, that they don't always solve the problem, sometimes they make the
1731 problem worst. And I'm not saying that's the case here, but that's the reason that they
1732 have to do a very careful analysis of the location to see if they think the signal is going to
1733 be the long term best solution in conjunction with the bridge project.
1734

1735 Ms. Dwyer - And there were issues, as I recall, about traffic backing up onto the
1736 bridge. There are issues about the proximity of existing stop light a little farther east, I
1737 guess, of this location and concerns about putting a stop light there. There are a number
1738 of very real, I guess as a real downside to putting a stop light there. If the spread was
1739 wider between this location and the location of the bridge and you had a stoplight, then
1740 certainly would be something more viable. I would like to say also, my understanding,
1741 that costs was not a factor in not putting a stop light in there when the shopping center
1742 went in. That was not an issue at all. I believe Mr. Bostic may be under the
1743 misimpression that it was, but it was not. Also, is it true that if we put a stop light here
1744 now, not that we have the authority to do that, but that wouldn't necessarily change what
1745 VDOT is going to do in terms of bridge design.
1746

1747
1748 Ms. Dwyer - I think I understood, maybe I misunderstood Mr. Bostic to say
1749 that if we have a stop light here, then VDOT will be less inclined to have to have the
1750 kind of design that would impinge on his property.
1751

1752 Mr. Eure - That issue I can't speak to because that goes back to the issue
1753 with realigning Westham Station and during the grade changes and retaining walls and
1754 all of those issues, and I have not been as heavily involved in the meeting with VDOT
1755 as Mr. Bostic has, so that I can really speak to that, but as far as certainly putting in a
1756 traffic signal now would be, I think, a big concern from the standpoint of the backup

1757 and the sight distance available, the available sight distance that we would have for
1758 traffic coming off of the bridge without long curves, and what we don't want to do is
1759 take, take a potential problem with angle accidents that we have now by not having a
1760 signal and making the problem, changing the problem and making it worse by having
1761 backed up traffic stopped at the signal coming off of the bridge and having an increase
1762 in rear end accidents, and certainly with the bridge redesigned, if consideration is given
1763 to a traffic signal, which VDOT is looking at, then we'd be looking at, hopefully, a
1764 better alignment of the bridge that would allow a better line of sight to this intersection.

1765

1766 Ms. Dwyer - So, VDOT, whether or not a traffic signal is placed is here now,
1767 that is certainly an option that VDOT will consider as one of the alternatives available
1768 in designing the bridge. So, it would not necessarily preclude the grade changes that
1769 they are considering, but it may be considered as one alternative.

1770

1771 Mr. Eure - I would agree with that, yes.

1772

1773 Ms. Dwyer - Getting to the matter at hand, the issue before us today, we have
1774 property that is both zoned B-1 and 0-1. Could you comment briefly on, this is actually
1775 to be used as 0-1 for an office-type facility and will not be used as a commercial use,
1776 which could be under its zoning, so could you expound a little bit on the traffic
1777 advantages of using this as an office as opposed to a business.

1778

1779 Mr. Eure - Sure. Certainly with the use they have there and what they are
1780 proposing with the addition, the traffic generation numbers are much lower than they
1781 would be with many business uses, and the pattern of traffic arriving and leaving the
1782 site is a little bit more diverse than it could be with a business use, and that is always a
1783 big concern with, with access locations, what your distribution of traffic is. Everybody
1784 is coming and leaving at once. For example, if you have a restaurant with a heavy
1785 lunch-time usage, for example, of morning usage, you have more traffic concern issues
1786 than if it is a facility like this that is, by the nature of their business, spreads the arrivals
1787 and departures over the course of a day.

1788

1789 Ms. Dwyer - The volume is lower and the traffic pattern is spread out over the
1790 course of the day as opposed to having heavy peaks. That is what I am looking for.
1791 OK. Thank you. I don't have any more questions.

1792

1793 Mr. Kaechele - Well, do you have a traffic count for Huguenot Road through this
1794 area today? Do you happen to have that with you?

1795

1796 Mr. Eure - I did not bring those numbers with me. I am sorry, sir. If I can
1797 think back what we had a couple of years ago, I believe we are - don't quote me on this
1798 but I'm going on record - I think we are upper 30,000 vehicles per day, but I am not
1799 100% sure, and if that is something that you want specific numbers on, I'd be glad to
1800 follow up with it.

1801

1802 Mr. Kaechele - I was just curious, and then I guess VDOT has the ultimate
1803 jurisdiction on this signal.

1804

1805 Mr. Eure - That is correct. Both the bridge as well as Huguenot Road up to
1806 the City line are VDOT maintained facilities, but the County is actively involved in the
1807 Huguenot Road project and that is being handled at this point in time at least by
1808 Chesterfield.

1809

1810 Ms. Dwyer - Are you involved with VDOT or who is representing the County
1811 in these meetings?

1812

1813 Mr. Eure - Most of the meetings so far, Bob Thompson, Public Works, has
1814 been involved in the meetings, and I am sure that as the project progresses more of the
1815 staff and Public Works will be involved.

1816

1817 Mr. Taylor - Mr. Eure, on that project for the bridge, for the VDOT project,
1818 there is an area here where it is four lanes up by the B-1 area, and I would presume that
1819 a traffic study would start there and do Huguenot Bridge, Westham Station Road,
1820 Panorama Drive, and Kanawha Drive in its entirety, both for traffic flow and for
1821 safety, and I would think that, at that time, that there would be some thought given to
1822 widening certainly and merging with Panorama and Kanawha and the grade in there.
1823 Because as I remember going over there, the grades are not, grades are something that
1824 have to be carefully considered in the design of the bridge, so it seems to me that
1825 between Huguenot – between the time you get to the edge of the river and you are up to
1826 the area of four lanes, which I guess is maybe the property line between Richmond and
1827 Henrico County, or our jurisdiction and VDOT's jurisdiction, could we be assured that
1828 that higher avenue, that starts at the four lanes, all the way through the (unintelligible),
1829 Kanawha Drive, Panorama Drive, and Westham Station Road is going to be studied
1830 comprehensively and together with regard to the lane width, grades, elevations,
1831 merging and lights?

1832

1833 Mr. Eure - Yes, sir. That is what VDOT is looking into, the entire section
1834 of roadway, because obviously you don't want to build a bridge without consideration
1835 of what it is tying into, and what effects along that segment of road are, and,
1836 consequently, that also requires them to look at the neighborhood that is adjacent to the
1837 roadway where Mr. Bostic lives and the surrounding streets right there, and how to best
1838 tie those into the existing roadway, and deal with the grades that we have out there.

1839

1840 Mr. Taylor - Yes, and I think to the extent that is done and good engineering
1841 principles applied, and I am sure that they will, if Mr. Bostic keeps his eye on that, I
1842 am sure there are going to be lots of opportunities for public meetings, public input,
1843 and public review. So, it is a matter, I think, of staying abreast of what the County is
1844 doing in their overview, and then VDOT, what they are doing in terms of their design,

1845 and I believe there are requirements for public hearings by VDOT of that entire design
1846 before funding and before proceeding with the project. Am I correct?

1847

1848 Mr. Eure - Yes, sir. If there is anything that VDOT does well, it is that they
1849 hold a lot of public meetings on projects, so there are many meetings to come on this
1850 because they do not have final approved plans yet, so that will be something that will be
1851 at least several meetings in the foreseeable future.

1852

1853 Mr. Taylor - And Henrico is pretty adept at public meetings, too.

1854

1855 Mr. Eure - We do our best.

1856

1857 Mr. Taylor - So I just wanted to make sure that Mr. Bostic was assured that
1858 there will be lots of opportunities for public scrutiny, private scrutiny, staff scrutiny,
1859 zoning people scrutiny and Planning Commission scrutiny.

1860

1861 Mr. Eure - Absolutely, and I got Mr. Bostic's card at the last meeting and
1862 the only reason I had not contacted him between then and now is because I have not
1863 heard anything back from VDOT as far as their analysis of the intersection, but I will
1864 be glad to follow up with him personally once I hear from them.

1865

1866 Mr. Taylor - With regard now to Case POD-60, the entrance that I see going
1867 into the Eye Center is right across from Kanawha Drive. This, I guess, begs the
1868 question that this, that the location of the entrance at this point, is that futuristic in your
1869 view?

1870

1871 Mr. Eure - That is already an existing entrance in there. They are just going
1872 to use it as it still is.

1873

1874 Mr. Taylor - That will be respected in the final design?

1875

1876 Mr. Eure - Yes, sir.

1877

1878 Mr. Taylor - Do the grades and everything match?

1879

1880 Mr. Eure - Well, I assume that they do. I think if the...you are talking about
1881 the grades where the bridges are going to tie back in?

1882

1883 Mr. Taylor - I guess I would mean the elevation match, as you come out of the
1884 Eye Institute and the elevation of Huguenot Road at that point, which then becomes the
1885 approach to the bridge, that they all have to be matched, and I guess that it is VDOT's
1886 requirement to match that up so that traffic flows freely, and at that point in time that
1887 would be the opportunity to address traffic signals and turning radius and details of that
1888 type. Correct?

1889
1890 Mr. Eure - Yes, sir. I would assume that VDOT would have the bridge
1891 grade tied back into the existing grade prior to the intersection at the Eye Institute.
1892
1893 Mr. Taylor - My thought would be that the approach to the bridge would tie all
1894 the way back to the four-lane width. Correct?
1895
1896 Mr. Eure - Correct.
1897
1898 Mr. Taylor - I have no further questions. Thank you very much.
1899
1900 Mr. Vanarsdall - Todd, I have a question. You mentioned they had had accidents
1901 there?
1902
1903 Mr. Eure - Yes, sir.
1904
1905 Mr. Vanarsdall - Is that at the intersection there in front of the shopping center?
1906
1907 Mr. Eure - The shared entrance the shopping center has with the Eye
1908 Institute, and when the POD came in for the shopping center, there was a lot of concern
1909 and interest from the adjacent neighbors about the accident hazards at that intersection,
1910 and we did a detailed analysis, listed all of the accidents for about a five-year period.
1911 As for as what the potential causes were and there were a number of angle accidents
1912 there. Again, I don't have the figures.
1913
1914 Mr. Vanarsdall - There were some fatalities there as I remember. I know of two
1915 that were done there.
1916
1917 Mr. Eure - In that vicinity? Yes, sir.
1918
1919 Mr. Vanarsdall - Thank you.
1920
1921 Ms. Dwyer - Were they at that intersection or were they, some of them were
1922 on the bridge or related?
1923 Mr. Eure - On the approach to the bridge, I believe one of them, and there
1924 had been one on the bridge itself.
1925
1926 Mr. Vanarsdall - And one was at the driveway past the Chatham Square. That
1927 driveway there, a lady got killed.
1928
1929 Mr. Eure - I mean it is, certainly the whole segment of road through there
1930 has had a long accident history, and to some degree that is a result of the volume of
1931 traffic that we have out there, but there are some other issues that need to be looked at,
1932 and that is what VDOT is in the process of doing.

1933

1934 Mr. Archer - Thank you, Mr. Eure. All right. No further discussion. Ms.
1935 Dwyer.

1936

1937 Ms. Dwyer - About the traffic, I think I will address that now. I think as far as
1938 this particular case is concerned, the traffic impact is much less with this proposed
1939 development than it could be if this were developed as a matter of right, in accordance
1940 with this B-1 zoning, so I think in terms of the traffic generated and the spacing of the
1941 traffic throughout the day, we are in a much better position to be looking at this
1942 development than we could be otherwise, so while it may add a few more cars to this
1943 particular intersection, they are fewer cars than could be added by right if this were
1944 developed for B-1. So, traffic-wise, this is a good scenario.

1945

1946 My colleagues on the Commission know that I am a real advocate for roads,
1947 particularly having the Commission stick to the Major Thoroughfare Plan that we have
1948 adopted, and this is one of the reasons why this and some other intersections and the
1949 road systems we have in the Tuckahoe area, which were designed for far less traffic,
1950 and which cannot be improved without major trauma to existing development, and this
1951 is just one of those situations where if a stop light could be put there and we would
1952 know that it would be appropriate and, in fact, improve the safety and not actually
1953 make the situation less safe, then certainly we would do that. The Traffic Engineer
1954 tells us it is a little more complicated than that, because of the configuration of the
1955 roads that currently exist because the development already exists, so there are no easy
1956 solutions to the traffic issue. I think the County, Mr. Eure, Mr. Thompson, are aware
1957 of the traffic issues here and we will do everything that is humanly possible to do to
1958 make this as safe a thoroughfare as it can possibly be. The other reality is this is a State
1959 road, a VDOT road, and so we have to work certainly through the State and there is a
1960 governmental entity that dictates what will happen here. So, I hope, Mr. Bostic, that we
1961 have assured you that we will do what we can as a staff, as a County, to insure that this
1962 is a safe a roadway as it can be made retroactively, considering the existing
1963 development and increasing traffic loads.

1964

1965 As far as the development itself, I will move to approve POD-60-01, Virginia Eye
1966 Institute – ASC Building – Huguenot Road, including the revised architectural that
1967 were received today, including annotations to the plan and standard conditions for
1968 developments of this type, and conditions Nos. 23 through 29, but I will add No. 9
1969 Amended, which requires the applicant to come back for Planning Commission review
1970 of their landscape plan.

1971

1972 Mr. Vanarsdall - Second.

1973

1974 Mr. Archer - OK. Motion by Ms. Dwyer and seconded by Mr. Vanarsdall.
1975 All in favor of the motion say aye. All opposed say no. The ayes have it. The motion
1976 carries. Mr. Kaechele abstained.

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The Planning Commission approved POD-60-01, Virginia Eye Institute – ASC Building – Huguenot Road, subject to the revised architectural plans, the annotations on the plan, the standard conditions attached to these minutes for developments of this type, and added conditions No. 9 Amended and the following additional conditions Nos. 23 through 29.

23. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
24. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
25. Outside storage shall not be permitted.
26. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
27. Insurance Services Office (ISO) calculations must be included with the plans and approved by the Department of Public Utilities prior to the issuance of a building permit.
28. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Planning Office and approved prior to issuance of a certificate of occupancy for this development.
29. A VDOT standard concrete sidewalk shall be provided along the south side of Huguenot Road from the eastern property line to the Huguenot Bridge. The applicant may escrow sufficient funds for construction of said sidewalk in conjunction with future improvements to the Huguenot Bridge.

2006
2007

LANDSCAPE PLAN

LP/POD-32-99

St. Paul's Baptist Church –
Creighton Road

Steve Harvey for St. Paul's Baptist Church: Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 46.27 acre site is located on the south line of Creighton Road, approximately 1,200 feet east of Cedar Fork Road on parcel 130-A-20. The zoning is A-1, Agricultural District, and ASO District (Airport Safety Overlay District). **(Varina)**

2008
2009
2010

Mr. Archer -

Is there opposition to St. Paul's Baptist Church? All right.

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Ms. News-

Good morning, Mr. Chairman. The revised plan, which is being distributed, now addresses staff's one main comment, which was to provide additional landscaping along Creighton Road. The applicant will be providing a combination of Red Maple Trees, Yoshino Cherries and Nelly Stevens Hollies in this area. The plan has been annotated to shift the trees back from the right of way a minimum of 8 feet, and to take the cherry trees and pull them closer to the parking lot. The trees right now are proposed in a single line, and we feel we could make better use of that space. The applicant has agreed to that. Staff believes this planting, in combination with the generous landscaping of the ceremonial entrance to the church, will be an attractive addition to the Creighton Road Corridor. An adjacent neighbor, Ms. Betty Walters, who is present, has requested that the church provide an additional 10 Evergreen trees adjacent to the rear property line in an area where the buffer is thin. It is this area right here (referring to slide). The church has indicated they are willing to accommodate this request. The trees will be shown on the final plan. This plan was received after the deadline, so it will be necessary to waive the time limit. With that said, staff recommends approval of the revised plan, as annotated, subject to the standard conditions for landscape plans. I will be happy to answer any questions.

2029
2030
2031

Mr. Archer -

Thank you, Ms. News. Are there any questions for Ms. News from the Commission?

2032
2033
2034

Mr. Jernigan -

Mr. Chairman, I went over this a lot with her yesterday in a meeting and I think they have met all of the criteria that is required on this.

2035
2036

Mr. Archer -

All right. Anything else? All right. Mr. Jernigan.

2037
2038

Mr. Jernigan -

Do we need to waive the time limits?

2039
2040

Ms. News -

Yes, sir. This plan was received after the deadline.

2041 Mr. Jernigan - OK. I make a motion that we waive the time limits on LP/POD-
2042 32-99.
2043 Mr. Taylor - Second.
2044
2045 Mr. Archer - Motion by Mr. Jernigan and seconded by Mr. Taylor.
2046
2047 Ms. News - Excuse me, Mr. Chairman. I believe Ms. Walters may want to
2048 speak.
2049
2050 Mr. Archer - We will hold the motion for a moment. Good morning, ma'am.
2051
2052 Ms. Walters - Good morning. I am Betty Walters and I live off of the property
2053 to the south of this. My concern was that there was very little of a buffer; a natural
2054 buffer there, and for my protection and I would think for theirs, too, that they would
2055 like better screening in that particular area. My property is on the market and I don't
2056 know what might be there. At least, for my protection right now I would like to see a
2057 buffer along that whole area, and I think this would make that possible, and that was
2058 my reason for feeling that way. I think that has been answered.
2059
2060 Ms. Dwyer - So your concerns have been taken care of?
2061
2062 Ms. Walters - Yes. Actually, the back part of this is not included, I understand
2063 today. That is for some future development, and because there should be a buffer left
2064 there, there is some natural buffer material that was left by the nursery that abandoned
2065 this property. If they don't get rid of all of that, that would still suffice, I think for that
2066 area, but this is, it was my understanding it was only the front part of this property that
2067 is being approved today for the landscaping. Thank you.
2068
2069 Mr. Jernigan - Ms. Walters, I rode through there yesterday and it looked like
2070 you had a fair amount of buffering across the back side. There's trees and all through
2071 there.
2072
2073 Ms. Walters - On the back, to me?
2074
2075 Mr. Jernigan - Yes, ma'am. On the back side.
2076
2077 Ms. Walters - It is up on the high part, there is some. There are some natural cedars in
2078 there, but the lower view of it, it is, I don't think a rabbit could get through it. It is briars,
2079 poison ivy, honeysuckle, just a little of everything, and, of course, the foliage of those trees
2080 won't be there when winter comes, and that was the reason that I had hoped that it could be
2081 something along there that would block it. Thank you.
2082
2083 Mr. Archer - Thank you, Ms. Walters.
2084

2085 Mr. Jernigan - Thank you, ma'am. Ms. News. You rode out there and I spoke
2086 to you. I mean, what is your opinion?
2087

2088 Ms. News - Yes. What Ms. Walters is asking for is provision of 10
2089 Evergreen trees in this area right here (referring to slide), and the church has already
2090 agreed to do that. So we will be annotating the final plan to add those trees. I think she
2091 is just expressing her concerns, but they have been satisfied.
2092

2093 Mr. Taylor- Where is her residence? Just south of the...that over there?
2094

2095 Ms. News - This whole property (referring to slide).
2096

2097 Mr. Taylor - So that is quite a distance from her house, too? And that is all
2098 treed in there?
2099

2100 Ms. News - No. There is a heavy buffer of woods along this area. There is a
2101 large BMP in this area, but there is a thick stand of trees here (referring to slide), and
2102 this area is all a combination of wooded areas, wet areas, old landscape material that
2103 was left from the nursery. And this whole area has not been touched except for the
2104 installation of the septic system in the center of it, but there is substantial existing
2105 landscaping all around this. She was referring to around the back, at a later date, to get
2106 approval to do this area (referring to slide), and we may want to look at doing some
2107 more screening along the property line right there (referring to slide).
2108

2109 Mr. Taylor - Is that area between where the marker is now where you have it,
2110 and her house a clear field, or it that wooded?
2111

2112 Ms. News - I believe it is clear on her property, but there are all woods and
2113 plants, existing plant material, on this property (referring to slide).
2114

2115 Mr. Jernigan - Would you like to speak again, ma'am?
2116

2117 Ms. Walters - I just want to say I think it is about a 13-acre field between my
2118 house and their property there. I have sold part of my property to the Nature
2119 Conservatory, but I still have 195 acres.
2120

2121 Mr. Archer - All right. Mr. Jernigan. I believe you were about to waive the
2122 time limits.
2123

2124 Mr. Jernigan - Mr. Chairman, I would like to make a motion to waive the time
2125 limits on landscape plan LP/POD-32-99, on October 24, 2001.
2126

2127 Mr. Taylor - Second.
2128

2129 Mr. Archer - Motion by Mr. Jernigan and seconded by Mr. Taylor. All in
2130 favor of the motion say aye. All opposed say no. The ayes have it. The motion is
2131 granted. Mr. Kaechele abstained.

2132

2133 The Planning Commission voted to waive the time limits on LP/POD-32-99, St. Paul's
2134 Baptist Church – Creighton Road.

2135

2136 Mr. Jernigan - Mr. Chairman, I'd like to move for approval of Landscape Plan
2137 LP/POD-32-99, with standard conditions for landscape plans.

2138

2139 Mr. Vanarsdall - Second.

2140

2141 Mr. Archer - Motion made by Mr. Jernigan and seconded by Mr. Taylor. All
2142 in favor say aye. All opposed say no. The ayes have it. The motion is granted.

2143

2144 The Planning Commission approved Landscape Plan for LP/POD-32-99, St. Paul's
2145 Baptist Church – Creighton Road, subject to the revised plan, the annotations on the
2146 plan and the standard conditions for landscape plans.

PUBLIC HEARING: Residential Set Back Ordinance

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Mr. Householder - The concern is that single-family homes are not being placed far enough from major roads to minimize the impact on these residents from these roads. Currently, the requirements of our existing Code, there are no specific setback requirements to apply to lots that abut major roads. This picture has kind of been our poster child for this Ordinance (referring to slide) and it is just an example of how some houses are being put close to major roadways. We added a few more photos this time to show how some houses are not quite set back as far as they could be in order to reduce the impact. This is along Nuckols Road (referring to slide). Also, at the last work session, there were some comments that not only major roads are a factor, especially when it comes to side yards, but sometimes entranceways to subdivisions have houses that are almost right up on the subdivision street, so we went out and got a few examples of how some homes are right up on those streets, and we will get into that issue in a little while. But, we didn't just want to show all of the negative things, so when I was on Nuckols I did find what I thought was a very good example of how these houses are, luckily they have preserved the buffer and they are setback significantly (referring to slide), and I think that is what we'd try to achieve with this Ordinance.

Also, this is an example (referring to slide), I don't know if it is a good or a bad example, but this is a typical example of what we think a side yard should at least appear like, and we'll get into that later, but this is what a typical side yard setback should be that is not too close, but maybe not too far either.

Additional background, this was actually recommended by the Planning Commission for approval on May 24, 2000. It was then given to the Board, who held three work sessions, and they raised three major concerns which regarded the landscaping that was proposed at the time, the increased setback distance that they thought it should be, and that it should be applicable not only to single-family but also to multifamily districts. The Ordinance was modified from a subdivision ordinance amendment to a zoning ordinance amendment, and it was remanded back to the Planning Commission in June of this past summer, and the Planning Commission work session was held shortly afterwards, on the 31st to review the Board's ordinance and look at alternatives to that. A work session was held again on September 26th and we had a lengthy discussion and this was the ordinance that was proposed that I'm going to go over, and we have made slight changes. In general, as you know, the Ordinance requires 35-foot setbacks from major arterials, minor arterials and interstate highways for single-family homes. That would be the front, rear or side yards. Also, if it is a minor collector or a major collector, it would be a 25-foot setback instead. As it was proposed on that day, it was all districts, and it addressed fencing also, which would be any fence that is greater than 42 inches would be set back 15 feet. There is no landscaping requirement, and there is a fairly lengthy grandfathering provision, which still exists, now in the current

2191 ordinance. So, any subdivision that has conditional approval or proffers that were
2192 related to buffers or a POD approval or an approved special exception would not be
2193 affected by the proposed ordinance.

2194

2195 One of the major discussion points at the July 31st work session was that there should be
2196 some sort of flexibility built in or a tiered approach, and staff recommended an
2197 exception provision be granted, and Mr. Kennedy went over this provision when it
2198 came up earlier in this public hearing, where he read off Section 19.4, and this would
2199 be the same section that would grant an exception for reduced setbacks that was gone
2200 over earlier. The changes come in the fact of the few concerns of the work session on
2201 September 26th. Some members of the development community felt that the Ordinance
2202 should not be applicable to R-5, R-6 or the RTH Districts. Staff felt the direction from
2203 the Planning Commission at that time was to reduce the setback requirements for
2204 multifamily districts, and that was done. We reduced the additional setback to 15 feet
2205 when adjacent to any road on the Major Thoroughfare Plan being major arterials, minor
2206 arterials, connector streets and controlled access ways. This 15-foot setback would not
2207 have any exception provision. The other major point of discussion at that work session
2208 was that the proposed amendment didn't address the side yards on subdivision streets,
2209 which I was showing you the pictures of, and the Commission asked us to take a look at
2210 that requirement when it is adjacent to any public road. What we have done is we have
2211 revised the Ordinance to require a minimum side yard setback of 25 feet when a side
2212 yard is adjacent to any public street. This typically would be any corner lot, and right
2213 now we have a reverse corner lot with 25 feet, but you could have a corner lot that is
2214 not reverse corner and we're saying that the minimum in any corner lot situation or any
2215 side yard situation shall be 25 feet. That is not an additional 25 feet; if it is an R-2
2216 District with 15 feet, you would not add 25 feet. You'd just simply make it 25, and
2217 this would only apply...

2218

2219 Mr. Kaechele - Excuse me. Today the minimum is 15?

2220

2221 Mr. Householder - For an R-2 District. As an example, that leads me to my next
2222 slide actually. Where this kind of conceptually shows how an Ordinance would be
2223 enforced in an R-2 example, in this case if you are adjacent to a minor collector with a
2224 rear yard, so you would have the additional 25 feet plus the 45-foot requirement in the
2225 rear yard for the R-2 District, and also, you see that this area, here (referring to slide)
2226 is a regular side yard next to a public street, so that would be a 25-foot setback. In R-
2227 2, a minimum side-yard setback is 15, and I have a couple more examples that show
2228 how this would be enforced and this would be a major arterial example (referring to
2229 slide), a very similar situation. The only difference in this example is that this number
2230 is now 35 instead of 25. Also, this orientation could be for an R-2 lot, where a side
2231 yard was abutting a major road, and in this case the minimum side yard is 15. You
2232 would add 35 feet for a total of a 50-foot setback adjacent to a major arterial. Also,
2233 this line here (referring to slide) refers to fencing and that should be 15 feet. And, the
2234 last slide is an example of an apartment development with a 35-foot setback

2235 requirement for R-5 would then be added to 15 feet, so you'd have a 50-foot front yard
2236 setback in this example for an R-5 District. That will just summarize where we are
2237 with this Ordinance. It has not changed in concept from the last work session where
2238 we now have a 35-foot setback requirement or a 25-foot setback requirement,
2239 depending on the type of major road. Now this requirement only applies to single-
2240 family districts and the fencing would be the same 15 feet and when a side yard is
2241 adjacent to any public street, it would be a minimum 25. Also, we have multifamily and
2242 have kind of separated it out and an additional 15-foot setback for multifamily
2243 structures when adjacent to any major roads, and this again would not have an
2244 exception provision. That concludes my presentation and staff does recommend
2245 approval of this Ordinance, and I will take any questions that you may have.

2246
2247 Mr. Archer - Thank you, Mr. Householder. Are there questions for the
2248 Commission?

2249
2250 Mr. Vanarsdall - Mr. Kaechele, I believe, you brought up last time something
2251 about - does this pertain to the streets that are going to the main - and I don't know if I
2252 ever understood what that does or does not?

2253
2254 Mr. Householder - I will address that. I think what we were talking about was this
2255 type of example (referring to screen), where a side yard is very short in a subdivision
2256 street, and that is why I added that 25 feet. In staff's view, that is how we addressed
2257 that concern, but it would not address rear or front. It would just be a plain increase in
2258 setbacks.

2259
2260 Mr. Archer - So the illustration in this case is, this looks like maybe 15 feet...

2261
2262 Mr. Householder - Yes. That is about 15 feet.

2263
2264 Mr. Archer - We would pick up an additional 10 feet with that Ordinance in
2265 effect.

2266
2267 Mr. Householder - Correct. And I was hoping that was addressing Mr. Kaechele's
2268 concern.

2269
2270 Mr. Kaechele- It is. I don't know how the development community may view
2271 this, but I think this is a step in the right direction.

2272
2273 Mr. Archer - I do, too. That seems to be a little dangerous situation right
2274 there.

2275
2276 Mr. Vanarsdall - I think the development community is satisfied with this, from the
2277 one that spoke.

2278

2279 Mr. Householder - I think they agreed that it was an issue. Mr. David Root is here
2280 to speak on behalf of the development community.

2281

2282 Mr. Taylor - I have one additional question. Just a procedural question.
2283 Where we have a major arterial, we've got a distance in there of 80 feet. That is clear
2284 to me from the developer. What happens when a property owner decides he wants to
2285 expand his house, he wants to put an addition on the back. Is he precluded from doing
2286 that?

2287

2288 Mr. Householder - Let me pull up the 80-foot example.

2289

2290 Mr. Taylor - Suppose he wants to put an addition on the back. He can't.

2291

2292 Mr. Householder - This example shows the house maxed out. Hopefully they would
2293 not build it to the maximum setback point, but in this example, yes, they would have to
2294 get a variance in order to put an addition on. A deck could go in.

2295

2296 Mr. Taylor - A swimming pool?

2297

2298 Mr. Householder - A swimming pool is an accessory structure, so that would be
2299 allowed.

2300

2301 Mr. Taylor - A swimming pool or bathing house?

2302

2303 Mr. Householder - That is also, if it is not connected to the house, it is still an
2304 accessory structure so that would not be affected. They could put that in that area.

2305

2306 Mr. Vanarsdall - They would be going to the BZA just as they are doing now.

2307

2308 Mr. Householder - Correct. Just like if the house was built at the 45-foot setback
2309 line...

2310

2311 Mr. Vanarsdall- The BZA already has twice as much and then some cases as they
2312 ever had because of all of this, so it would not be any different.

2313

2314 Mr. Householder - You are right.

2315

2316 Mr. Archer - I think it is also important to note that these are recommended
2317 minimums. It does not mean you have to build it out to the extent of the minimum
2318 every time you build, although I guess in most cases that will occur, but it is something
2319 for us to remember as a Commission, I believe, when we approve subdivision plans.
2320 OK. Any further discussion? Thank you, Mr. Householder. I believe there was
2321 someone here to speak from the development community. Good morning, sir.

2322

2323 Mr. Root - Good morning. I am David Root with the Richmond
2324 Homebuilders Association. We are satisfied with the proposal as you have it before
2325 you, and we are quite pleased that we have had an opportunity to work with Lee and
2326 you all to finally get to this point. At this point, we are very satisfied with it. I think
2327 that it accomplishes the goal that you all had had and it allows us also some flexibility
2328 in order to continue making our products. So, unless there are any questions, thank
2329 you.

2330
2331 Mr. Archer - We appreciate that, sir. All right. I suppose we need a motion
2332 for recommendation, do we not, Mr. Secretary? Would someone care to make that
2333 motion?

2334
2335 Mr. Taylor - I move approval of the Residential Setback Requirements as
2336 presented.

2337
2338 Mr. Jernigan - Second.

2339
2340 Mr. Archer - OK. Motion by Mr. Taylor and second by Mr. Jernigan. All in
2341 favor of the motion say aye. All opposed say no.

2342
2343 Mr. Kaechele - Mr. Chairman, I abstained.

2344
2345 Mr. Archer - Mr. Kaechele abstained. Motion passes.

2346
2347 Mr. Householder- Kevin wanted me to clarify something. I said the minimum
2348 setback in side yards is 15, but that was for R-2. It could be at an R-4 or R-3 District
2349 and be as little as 10 feet in some cases.

2350
2351 Mr. Archer - Now those are adjacent to side streets?

2352
2353 Mr. Householder - Correct.

2354
2355 The Planning Commission voted to recommend approval of the Residential Setback
2356 Requirements.

2357

2358 **PUBLIC HEARING: 2010 Plan Environmental Element Update –**
2359 **Chesapeake Bay Act Compliance**

2360
2361 Mr. Marlles - Mr. Chairman, the next item on the agenda, this is also a public
2362 hearing. This is an amendment to the County's Land Use Plan, the Environmental
2363 Element. It does have to do with coming into compliance with two findings from the
2364 CBLAB. That presentation will be given by Ms. Audrey Anderson.

2365
2366 Mr. Archer - Good morning, Ms. Anderson.

2367
2368 Ms. Anderson - Good morning, Mr. Chairman, and members of the Commission.
2369 I just want to briefly review the information that I gave you during the work session we
2370 had on September 19th. There haven't been any substantial revisions to this, to what the
2371 staff has proposed since that work session, but I can, just for the record, go through the
2372 presentation again.

2373
2374 Mr. Archer - What is your pleasure, members? No. The consensus is that we
2375 don't think that it will be necessary, but we appreciate you offering.

2376
2377 Ms. Anderson - All right. Staff does recommend approval of the amendments that
2378 we proposed.

2379
2380 Mr. Archer - All right. Is there anyone else here to speak to this issue? Then
2381 we would need a motion for recommendation.

2382
2383 Mr. Taylor - Mr. Chairman, I move approval of the Comprehensive Plan
2384 Amendment as presented dated October 17, 2001.

2385
2386 Mr. Vanarsdall - Second.

2387
2388 Mr. Archer - Motion by Mr. Taylor and seconded by Mr. Vanarsdall. Those in
2389 favor of the motion say aye. All opposed say no. The motion is granted to recommend
2390 approval.

2391
2392 The Planning Commission voted to recommend approval to the Board of Supervisors
2393 the 2010 Plan Environmental Element Update – Chesapeake Bay Act Compliance. Mr.
2394 Kaechele abstained.

2395 **RESOLUTION: Henrico Theatre Expansion – Substantially In Accord with the**
2396 **County of Henrico Comprehensive Plan (Varina District)**

2397
2398 Mr. Marlles - Mr. Chairman, the next item on the agenda is a Resolution. This
2399 has to do with a Substantially in Accord request for the Henrico Theatre Expansion.
2400 The staff report will be given by Ms. Audrey Anderson. I would note that Karen
2401 Maier, who is the Assistant Director of Recreation and Parks, is in the audience to
2402 answer any questions. She is actually here filling in for Chuck Schroll, who some of
2403 you may be aware or you may not be aware, passed away last weekend of a heart
2404 attack, and we are certainly sorry to hear that and offer our condolences to Recreation
2405 and Parks.

2406
2407 Mr. Archer - All right. Thank you, Mr. Secretary. Ms. Anderson, again.

2408
2409 Ms. Anderson- Thank you. On the Henrico Theatre Expansion and Renovation,
2410 the theatre first opened in April of 1938 and after 24 years of operation it closed in
2411 1962, and reopened in 1966. The theatre closed again in 1996 and is closed until
2412 today. The County purchased the theatre property in 1999. The theatre is significant
2413 as an example of what is called art deco design, which is characterized by smooth
2414 exteriors with straight lines and accents of stone and metal. It also has what is known
2415 as stylized or naturalized motifs in the decorations on the interior of the structure. The
2416 theatre design is noted for its trim and accented with carved wood decorations, vertical
2417 light fixtures, exit door decoration and center ceiling stylized nature motif decoration in
2418 its auditorium.

2419
2420 The Division of Recreation and Parks proposes to reopen the theatre as a community
2421 facility. Some of the possible uses include visiting dramatic and local theatre groups,
2422 children's and puppet theatre, movies, a place for meetings for the government, small-
2423 scale musicians and similar activities.

2424
2425 As noted on the vicinity map that is shown on the screen here, the theatre site is located
2426 in the Varina District on the southwest line of East Nine Mile Road at its intersection
2427 with North Linden Avenue at 305 East Nine Mile Road. The site consists of Parcel
2428 148-A-14, which is the existing theatre site, containing approximately 1.45 acres. The
2429 area proposed for expanded parking consists of part of parcel 148-A-17, which is under
2430 contract for purchase, and part of parcels 148-A-12 and 148-9-L-1, which is proposed
2431 for shared parking in agreement with the Henrico County School Administration. The
2432 total site for the proposed renovation and expansion is approximately 2.5 acres.

2433
2434 The site's characteristics are suitable for the proposed site. The theatre property is
2435 zoned for B-1, Business District. The property is surrounded by other business district
2436 zonings, and on the west side of the site and further out beyond the commercial
2437 corridor is surrounded by R-4, One-Family Residence District zoning, which represents
2438 the Highland Springs community.

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As far as the topography on this site, it is basically a flat area, so there shouldn't be any concerns with any of the expansion and renovation as far as topography is concerned. The Land Use Plan recommends the existing theatre property, parcel 14, for Commercial Arterial Development. The portion of parcel 17 proposed for additional parking is designated for commercial arterial and SR-2, Suburban Residential 2 development. Open space recreation is also on parcels 1 and 12. Although, the Plan does not designate the site for a public use, the proposed use supports a number of the historic and cultural goals of the plan that are designed to generally protect the cultural integrity of the County and guide development in the vicinity of historic resources.

Based upon the staff's review of this site for the proposed use, we have concluded that the proposed improvements will create a cultural activity that is not in conflict with or a significant departure from the Comprehensive Plan, and the staff, therefore, recommends approval of the Resolution for the proposed Henrico Theatre Renovation and Expansion site substantially in accord with the Comprehensive Plan for the County. That concludes my report and if you have any questions, I will be happy to address those. Thank you.

Mr. Archer - Thank you, Ms. Anderson. Are there questions for Ms. Anderson or from the representative from Parks and Recreation?

Mr. Marlles - Mr. Chairman, I would like to just comment that, I think over the past years we've heard a lot about revitalization and redevelopment, but I think this is a very good example of an appropriate adaptive reuse of a vacant structure, and by bringing this structure back to life again, it will assist in the redevelopment and attract, we think, new investment into this area. So, from a revitalization standpoint, it is very consistent with what the County's plans and strategies are for redevelopment and revitalization.

Mr. Archer - Thank you, Mr. Marlles.

Mr. Jernigan - Also, this is a good area to work with. Like she said, it is perfectly flat through there. They won't have any topo problems, plus right to the west of that is the Henrico County Senior Training Center there.

Mr. Archer - Ms. Anderson, do we know what time frame we are looking at here in terms of starting and finishing the restoration? Or has one been done?

Ms. Anderson- I believe it was 2003, but Mr. Hart from General Services can answer that.

Mr. Archer - Good morning, Mr. Hart.

2483 Mr. Steve Hart - Good morning. My name is Steve Hart and I am the project
2484 coordinator, and I work with Bill Smith in General Services. The renovation and
2485 addition projects is about a four and a half million dollar construction project and we
2486 hired an architect Guernsey Tingle and they are about 60% through design drawings.
2487 We plan to submit to the POD process in early December and we plan to have funding
2488 available to start construction in July of next year, 2002.
2489
2490 Mr. Archer - And that would last approximately how long?
2491
2492 Mr. Hart - About 12 months.
2493
2494 Mr. Archer - OK. That is all of the questions I have. Anybody else?
2495
2496 Mr. Jernigan - I would just like to say, Mr. Chairman, that I'd like to see the
2497 blue prints and all on that when they are available if you have a copy.
2498
2499 Mr. Hart - OK.
2500
2501 Mr. Archer- OK. We need a motion for recommendation.
2502
2503 Mr. Jernigan - Mr. Chairman, being as that is in my district, I will make a
2504 recommendation to approve Resolution for Henrico Theatre Expansion – Substantially
2505 In Accord with the County of Henrico Comprehensive Plan.
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2507 Mr. Vanarsdall - Second.
2508
2509 Mr. Archer - Motion by Mr. Jernigan and seconded by Mr. Vanarsdall. All in
2510 favor of the motion say aye. All opposed say no. The ayes have. Mr. Kaechele
2511 abstained. We have found this to be Substantially in Accord. Thank you, Ms.
2512 Anderson.
2513
2514 The Planning Commission voted to approved the Henrico Theatre Expansion and found
2515 it to be substantially in accord with the County of Henrico Comprehensive Plan.
2516
2517 Ms. Anderson - Thank you.
2518
2519 Mr. Vanarsdall - I make a motion that we adjourn, Mr. Chairman.
2520
2521 Mr. Marlles - Mr. Chairman, I just have two quick announcements, if I may. I
2522 would just like to recognize Mr. Kennedy, who was promoted to a Planner II position,
2523 from a Planner I.
2524
2525 Mr. Archer - They will give you more responsibility now.
2526

2527 Mr. Marlles- More work. Very little extra pay. Also, I would like to just note
2528 for the record, that last night at the Board meeting, the Board did recognize the
2529 Planning Commission and Planning staff as part of the Celebration of Community
2530 Planning Day. Officially, it is celebrated on November 8, but a Resolution was
2531 approved by the Board commending the Commission and staff and public and private
2532 planners in the Commonwealth.

2533
2534 Mr. Archer- You are so commended. Thank you, Mr. Marlles.

2535
2536 Mr. Marlles- One last item, Mr. Silber just reminded me, Mr. Chairman, and
2537 this is just for information purposes, but the information for the upcoming APA
2538 Conference in Chicago, Illinois is starting to become available on the APA web site.
2539 Mr. Silber has that web address if you need it. You can get it by just plugging in
2540 American Planning Association into your search engine, but as we found out last year,
2541 since you can now register for the hotel on line, the space, particularly at the main
2542 hotels, does fill up very quickly. So, we would encourage you to check that web site.
2543 As we get additional information, we will let you know, but we do need to monitor that
2544 very closely and make sure you register sooner rather than later. Otherwise, you may
2545 find yourself out of a hotel room.

2546
2547 Mr. Taylor - One thing about that registration on line, we have done it last
2548 year and in a few cases it is not fail safe, so if we can also get the phone number, some
2549 of us can just call and get a person to acknowledge that.

2550
2551 Mr. Marlles - It is on the web site, Mr. Taylor, but if we get any written
2552 information, and I do expect them to send us a mailing. They normally do.

2553
2554 Mr. Taylor - Well, just let us know the phone number. If we just get an e-mail
2555 or something to give us a phone number and a date, then we can do it. I want to put a
2556 plug in for some of the field trips that they said we were going to do. They are going
2557 to have open tours to the Field Museum to see the U-505. There are a couple of good
2558 field trips there.

2559
2560 Mr. Archer - I have a motion for adjournment. Do I have a second?

2561
2562 Mr. Taylor- Second.

2563
2564 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr.
2565 Taylor to adjourn this meeting. All in favor say aye...all opposed say nay. This
2566 meeting is adjourned.

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2569 On a motion by Mr. Vanarsdall and seconded by Mr. Taylor, the Planning Commission
2570 adjourned its meeting for October 24, 2001, at 11:38 a.m.

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C. W. Archer, C.P.C., Chairman

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John R. Marlles, AICP, Secretary

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