

1 Minutes of the regular monthly meeting of the Planning Commission of the County of Henrico,
2 Virginia, held in the Board Room of the County Administration Building in the Government
3 Center at Parham and Hungary Springs Roads, Beginning at 9:00 a.m. Wednesday, December
4 14, 2005.

5

6 Members Present: Mr. C. W. Archer, C.P.C., Vice Chairperson (Fairfield)
7 Mr. Tommy Branin (Three Chopt)
8 Mrs. Bonnie-Leigh Jones (Tuckahoe)
9 Mr. E. Ray Jernigan, C.P.C. (Varina)
10 Mr. David A. Kaechele (Three Chopt) Board of Supervisors
11 Representative
12 Mr. Randall R. Silber, Director of Planning, Secretary

13

14 Member Absent: Mr. Ernest B. Vanarsdall, C.P.C., Chairman (Brookland)

15

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

26

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

29

30 Mr. Archer - The Planning Commission will come to order. Good morning everyone.
31 As you can see, Mr. Vanarsdall is not present today. This is the December 14 public hearing
32 for subdivisions and plans of developments. This is also our last meeting of the year and I
33 would like to take this opportunity to thank the staff and the director for doing such a
34 wonderful job in 2005. With that, I will turn it over to our Secretary, Mr. Silber. If you see
35 Mr. Silber get up and leave, in about an hour from now, it's because he has another meeting.
36 He's not being impolite, he just has to go. Mr. Silber.

37

38 Mr. Silber - Thank you, Mr. Archer. I appreciate that. Welcome everyone. Mr.
39 Kaechele, I understand that this will be your last meeting with the Planning Commission,
40 unless, you are blessed enough to come back next year in 2006, that will be fine. It's been
41 great having you on the Planning Commission for 2005.

42 Mr. Kaechele - We will see what happens at the first of the year but I'm sure that you
43 will have another Board member here to serve with you. I've enjoyed the year here. I've
44 learned a few more new things.

45

46 Mr. Archer - Thank you, Mr. Kaechele.

47

48 Mr. Silber - Okay. First on the agenda this morning would be consideration for
49 deferrals and withdrawals. I understand we have no withdrawals that I am aware of but we do
50 have a deferral. Ms. News.

51

52 Ms. News - Good morning, Mr. Secretary, members of the Commission. We have
53 one deferral on your agenda and we just received a second deferral request. The first is on
54 page 18 of your agenda and is located in the Varina District. This is POD-64-05, Antioch
55 Baptist Church. There has been a change to the date from what's posted on the screen. The
56 applicant is requesting a deferral to the January 12, 2006 meeting, which would be the
57 Rezoning meeting.

58

59 **PLAN OF DEVELOPMENT & MASTER PLAN**

60

POD-64-05

Antioch Baptist Church
1384 New Market Road
(POD-39-96 Revised)

Engineering Design Associates for Antioch Baptist Church:

Request for approval of a revised plan of development and master plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a Phase 1, two-story, 546-seat sanctuary and a one-story, 8475 square foot education building, a Phase 2 parking lot and a Phase 3, 2400 square foot education building expansion. The 4.62-acre site is located at 1384 New Market Road along the east line of New Market Road (State Route 5) between Chatsworth Road and Freeless Street on parcels 804-700-1773, 3054 and 3543. The zoning is A-1, Agricultural District. County water and sewer. **(Varina)**

61

62 Mr. Archer - Okay, Ms. News. Is there anyone in the audience in opposition to the
63 deferral of POD-64-05, Antioch Baptist Church, in the Varina District, to the January 12,
64 2006 meeting? No opposition. Mr. Jernigan.

65

66 Mr. Silber - Let me ask a question first.

67

68 Mr. Archer - Okay.

69

70 Mr. Silber - Are we able to get revised plans in and reviewed and handled in that
71 short period of time?

72

73 Ms. News - The applicant will have to work diligently due to the holidays. It can
74 happen but it's going to need immediate action.

75

76 Mr. Silber - Is the applicant here today?

77

78 Mr. Jernigan - Yes, well EDA. I told them that I would try to meet with them Friday
79 so that we can get on this. And I mentioned to them the same fact that the holidays are here
80 and it would create....

81

82 Mr. Silber - Well, my concern is I think the plans have been coming in late so we
83 need them immediately so that we can react to them and respond to them. We can't take them
84 in late and have another deferral. So, hopefully they can get those into us immediately.

85

86 Mr. Jernigan - The biggest problem is we have to get the parking straight.

87

88 Mr. Archer - We did say January 12, right, Rezoning meeting?

89

90 Mr. Silber - Yes.

91

92 Mr. Archer - All right. Mr. Jernigan.

93

94 Mr. Jernigan - With that, I will move for deferral of POD-64-05, Antioch Baptist
95 Church, to January 12, 2006, by request of the applicant.

96

97 Mrs. Jones - Second.

98

99 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mrs. Jones. All
100 in favor say aye...all opposed say nay. The motion passes.

101

102 At the request of the applicant, the Planning Commission deferred POD-64-05, Antioch Baptist
103 Church (POD-39-96 Revised) to its January 12, 2006, Rezoning Meeting.

104

105 Ms. News - We have received this morning another request and this is located on
106 page 16 of your agenda, and also located in the Varina District. This is POD-77-05, Byrd
107 Center Expansion - Phase 6 and 7. The applicant is requesting a deferral to the January 25,
108 2006 meeting.

109

110 **PLAN OF DEVELOPMENT**

111

POD-77-05

Byrd Center Expansion -
Phase 6 and 7
2800 Charles City Road
(POD-38-00 Revised)

**Engineering Design Associates for Medalist & Wre-Byrd
LLC:** Request for approval of a revised plan of development,
as required by Chapter 24, Section 24-106 of the Henrico
County Code, to construct two, one-story, office/warehouses
consisting of a 93,000 square foot Phase 6 and a 70,000 square
foot Phase 7. The 19.792-acre site is located at 2800 Charles
City Road, approximately 600 feet east of Laburnum Avenue
on parcel 818-709-1325. The zoning is M-1, Lighting
Industrial District. County water and sewer. (**Varina**)

112 Mr. Archer - Is there anyone in the audience in opposition to the deferral of POD-77-
113 05, Byrd Center Expansion – Phase 6 and 7 and the Varina District? No opposition. Mr.
114 Jernigan.

115

116 Mr. Jernigan - With that, Mr. Chairman, I will move for deferral of POD-77-05, Byrd
117 Center Expansion – Phase 6 and 7, to January 25, 2006 by request of the applicant.

118

119 Mrs. Jones - Second.

120

121 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mrs. Jones. All
122 in favor say aye...all opposed say nay. The motion passes.

123

124 The Planning Commission deferred POD-77-05 (POD-38-00 Revised), Byrd Center Expansion
125 – Phase 6 and 7, to its January 25, 2006, Meeting.

126

127 Mr. Silber - Are there any other deferrals, Ms. News?

128

129 Ms. News - No, sir. That's all we have.

130

131 Mr. Jernigan - Mr. Chairman, I have one that we couldn't get worked out. It's on page
132 20, Hoke Brady Farms.

133

134 **SUBDIVISION (Deferred from the November 16, 2005, Meeting)**

135

Hoke Brady Farms
(October 2005 Plan)
Kingsland Road

**Engineering Design Associates for Charlie H. Purks, Sr.
and D. P. Purks Trust and G & G Limited:** The 126.30-acre
site proposed for a subdivision of 43 single-family homes is
located on the north line of Kingsland Road between Varina
Road and the U.S. Park Service property on parcel 812-674-
1758 The zoning is A-1, Agricultural District. Individual well
and septic tank/drainfield. **(Varina) 43 Lots**

136

137 Mr. Archer - Is there anyone in the audience in opposition to the deferral of
138 subdivision Hoke Brady Farms (October 2005 Plan) in the Varina District? No opposition.
139 Mr. Jernigan.

140

141 Mr. Jernigan - With that, Mr. Chairman, I will move for deferral of subdivision Hoke
142 Brady Farms (October 2005 Plan) to January 25, 2006, by request of the Commission.

143

144 Mrs. Jones - Second.

145

146 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mrs. Jones. All
147 in favor say aye...all opposed say nay. The motion passes.

148 The Planning Commission deferred subdivision Hoke Brady Farms (October 2005 Plan), to its
149 January 25, 2006, Meeting.

150

151 Mr. Silber - Are there any other deferrals by Commission members? Hearing none,
152 we will move on to the Expedited Agenda. These are items that are placed on a separate
153 agenda. These plans are reviewed, and staff is recommending approval of these plans. The
154 Planning Commissioner from the district has no particular concerns and there is no known
155 opposition. If there is any opposition to these plans, these would come off of the Expedited
156 Agenda and will be heard in the order that they are found on the full agenda. I believe we
157 have five items on the Expedited Agenda.

158

159 Ms. News - That's correct.

160

161 Mr. Archer - All right. Let's proceed.

162

163 Ms. News - The first item is on page two of your agenda and is located in the
164 Brookland District. This is a transfer of approval POD-67-79, Carousel Office Building.
165 There is an addendum item on page one of your addendum and it just indicates that the
166 magisterial district is Brookland and not Three Chopt as originally noted.

167

168 **TRANSFER OF APPROVAL**

169

POD-67-79 Carousel Office Building - 7814 Carousel Lane	Hodes, Ulman, Pessin & Katz, P.A. for Carousel Lane, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Aspen Virginia LLC, Et Als and Carousel Associated Limited Partnership to Carousel Lane, LLC. The 3.860-acre site is located on the north line of Carousel Lane, approximately 425 feet west of the intersection of Carousel Lane and Shrader Road on parcel 763-754-3546. The zoning is O-3, Office District. County water and sewer. (Brookland) (Three Chopt)
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170

171 Mr. Archer - Is there anyone in the audience in opposition to the transfer of approval
172 for POD-67-79, Carousel Office Building in the Brookland District. If none, I will move
173 approval for the transfer of approval POD-67-79, Carousel Office Building, subject to the
174 conditions stated in the agenda and the addendum item which corrects it from Three Chopt to
175 Brookland.

176

177 Mr. Jernigan - Second.

178

179 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr. Jernigan.
180 All in favor say aye...all opposed say nay. The motion passes.

181 The Planning Commission approved the transfer of approval request for POD-67-79, Carousel
182 Office Building, subject to the standard conditions, the added conditions approved on the
183 original POD, and the following added condition:

184

185 1. The site deficiencies, as identified in the inspection report, dated **October 6, 2005**,
186 shall be corrected by **April 30, 2006**.

187

188 Ms. News - Next on page 3 of your agenda located in the Three Chopt District is a
189 landscape and lighting plan, LP/POD-21-04, Bowl America – Phase II.

190

191 **LANDSCAPE & LIGHTING PLAN**

192

LP/POD-21-04 Bowl America – Phase II Pouncey Tract Road	Dayton Thompson & Associates for Bowl America: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 3.61-acre site is located at the southwest corner of Pouncey Tract Road and I-64 on parcel 739-763- 7089. The zoning is M-1C, Light Industrial District (Conditional). (Three Chopt)
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193

194 Mr. Archer - Is there anyone in the audience in opposition to the landscape and
195 lighting plan for LP/POD-21-04, Bowl America – Phase II, in the Three Chopt District? No
196 opposition. Mr. Branin.

197

198 Mr. Branin - Mr. Chairman, I move to approve LP/POD-21-04, Bowl America –
199 Phase II, landscape and lighting plan on the Expedited Agenda.

200

201 Mr. Jernigan - Second.

202

203 Mr. Archer - The motion was made by Mr. Branin and seconded by Mr. Jernigan. All
204 in favor say aye...all opposed say nay. The motion passes.

205

206 The Planning Commission approved the landscape and lighting plan for LP/POD-21-04, Bowl
207 America – Phase II, subject to the annotations on the plans and the standard conditions attached
208 to these minutes for landscape and lighting plans.

209

210 Ms. News - Next on page 5 of your agenda and located in the Brookland District is
211 subdivision Holladay Hill (December 2005 Plan). There is an addendum item indicating that
212 there is a correction in the caption for 21 lots, not 49 as noted, and there is a revised map
213 included in your agenda which clarifies the zoning of the property.

214 **SUBDIVISION**

215

Holladay Hill
(December 2005 Plan)
Old Mountain Road

Foster & Miller, P.C. for Benjamin L., Jr. and Evelyn J. Holladay and Nora Investments, LC: The 12.65-acre site proposed for a subdivision of 21 single-family homes is located at the southeast corner of I-295 and Old Mountain Road on parcels 762-772-6237 and 5080. The zoning is R-3C, One-Family Residence District (Conditional). County water and sewer. **(Brookland) 21 Lots ~~49-Lots~~**

216

217 Mr. Archer - Is there anyone in the audience in opposition to Holladay Hill subdivision
218 in the Brookland District? No opposition, then I will move approval of Holladay Hill
219 subdivision subject to the annotations on the plan, the standard conditions for subdivisions
220 served by public utilities and additional conditions Nos. 12 through 17 and the addendum item
221 which corrects the number of lots.

222

223 Mrs. Jones - Second.

224

225 Mr. Archer - The motion was made by Mr. Archer and seconded by Mrs. Jones. All
226 in favor say aye...all opposed say nay. The motion passes.

227

228 The Planning Commission granted conditional approval to Holladay Hill (December 2005
229 Plan) subject to the standard conditions attached to these minutes for subdivisions served by
230 public utilities, the annotations on the plans and the following additional conditions:

231

232 12. Each lot shall contain at least 11,000 square feet exclusive of the flood plain areas.

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

236 14. The detailed plant list and specifications for the landscaping to be provided within the
237 25-foot-wide planting strip easement along I-295 shall be submitted to the Department
238 of Planning for review and approval prior to recordation of the plat.

239 15. Any necessary offsite drainage easements must be obtained prior to approval of the
240 construction plan by the Department of Public Works.

241 16. The proffers approved as part of zoning case C-47C-05 shall be incorporated in this
242 approval.

243 17. Any future building lot containing a BMP, sediment basin or trap and located within the
244 buildable area for a principal structure or accessory structure, may be developed with
245 engineered fill. All material shall be deposited and compacted in accordance with the
246 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
247 professional engineer. A detailed engineering report shall be submitted for the review
248 and approval by the Building Official prior to the issuance of a building permit on the
249 affected lot. A copy of the report and recommendations shall be furnished to the
250 Directors of Planning and Public Works.

251

252 Ms. News - Next on page 8 of your agenda and located in the Three Chopt District is
253 POD-72-05, Pouncey Tract Veterinary Hospital.

254

255 **PLAN OF DEVELOPMENT**

256

POD-72-05 **Koontz-Bryant, P.C. for The Zubowsky LLC:** Request for
Pouncey Tract Veterinary approval of a plan of development, as required by Chapter 24,
Hospital – Pouncey Tract and Section 24-106 of the Henrico County Code, to construct a
Nuckols Roads one-story, 5,896 square foot veterinary hospital with associated
parking and utilities. The 1.49-acre site is located at the
southwest corner of the intersection of Nuckols Road and
Pouncey Tract Road (State Route 161) on parcel 736-774-2105.
The zoning is B-1C, Business District (Conditional). County
water and sewer. **(Three Chopt)**

257

258 Mr. Archer - Is there anyone in the audience in opposition to POD-72-05, Pouncey
259 Tract Veterinary Hospital in the Three Chopt District? No opposition. Mr. Branin.

260

261 Mr. Branin - Mr. Chairman, I move to approve POD-72-05, Pouncey Tract
262 Veterinary Hospital, on the Expedited Agenda.

263

264 Mrs. Jones - Second.

265

266 Mr. Archer - The motion was made by Mr. Branin and seconded by Mrs. Jones. All
267 in favor say aye...all opposed say nay. The motion passes.

268

269 The Planning Commission approved POD-72-05, Pouncey Tract Veterinary Hospital, subject
270 to the standard conditions attached to these minutes, for developments of this type, the
271 annotations on the plans and the following additional conditions:

272

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

276 24. The right-of-way for widening of Pouncey Tract Road (State Route 161) as shown on
277 approved plans shall be dedicated to the County prior to any occupancy permits being
278 issued. The right-of-way dedication plat and any other required information shall be
279 submitted to the County Real Property Agent at least sixty (60) days prior to requesting
280 occupancy permits.

281 25. The easements for drainage and utilities as shown on approved plans shall be granted to
282 the County in a form acceptable to the County Attorney prior to any occupancy permits
283 being issued. The easement plats and any other required information shall be submitted
284 to the County Real Property Agent at least sixty (60) days prior to requesting
285 occupancy permits.

286 26. The entrances and drainage facilities on Pouncey Tract Road (State Route 161) shall be
287 approved by the Virginia Department of Transportation and the County.

- 288 27. A notice of completion form, certifying that the requirements of the Virginia
289 Department of Transportation entrances permit have been completed, shall be submitted
290 to the Department of Planning prior to any occupancy permits being issued.
- 291 28. The required building setback shall be measured from the proposed right-of-way line
292 and the parking shall be located behind the proposed right-of-way line.
- 293 29. The developer shall provide fire hydrants as required by the Department of Public
294 Utilities and Division of Fire.
- 295 30. A standard concrete sidewalk shall be provided along the east side of Pouncey Tract
296 Road.
- 297 31. The proffers approved as a part of zoning case C-55C-02 shall be incorporated in this
298 approval.
- 299 32. Any necessary off-site drainage and/or water and sewer easements must be obtained in
300 a form acceptable to the County Attorney prior to final approval of the construction
301 plans.
- 302 33. Deviations from County standards for pavement, curb or curb and gutter design shall be
303 approved by the County Engineer prior to final approval of the construction plans by
304 the Department of Public Works.
- 305 34. Insurance Services Office (ISO) calculations must be included with the plans and
306 contracts and must be approved by the Department of Public Utilities prior to the
307 issuance of a building permit.
- 308 35. Approval of the construction plans by the Department of Public Works does not
309 establish the curb and gutter elevations along the Virginia Department of Transportation
310 maintained right-of-way. The elevations will be set by the contractor and approved by
311 the Virginia Department of Transportation.
- 312 36. The location of all existing and proposed utility and mechanical equipment (including
313 HVAC units, electric meters, junction and accessory boxes, transformers, and
314 generators) shall be identified on the landscape plans. All equipment shall be screened
315 by such measures as determined appropriate by the Director of Planning or the
316 Planning Commission at the time of plan approval.

317

318 Ms. News - The last item is on page 27 of your agenda and is located in the Varina
319 District. This is subdivision Savannah Station (December 2005 Plan) for 22 lots. There is an
320 addendum item on page 7 of your addendum which indicates that the staff has received
321 documentation indicating that the Public Utilities Department has no objection to the applicant
322 purchasing a small portion of a corner of their property to provide right-of-way for access to
323 the property. Additionally, the applicant has agreed to added condition No. 16 in the
324 addendum which indicates he will explore the possibility of purchasing excess property owned,
325 but not currently utilized, by the School Board.

326 **SUBDIVISION**

327

Savannah Station
(December 2005 Plan)
Robin Avenue

Bay Design Group, P.C. for Theodore C. Dramer, Jr. and Roy Rogers Industries: The 9.72-acre site proposed for a subdivision of 22 single-family homes is located at the southern extent of Robin Avenue, at the intersection of Robin Avenue and Pine Street on part of parcels 818-726-1688 and 817-726-9388. The zoning is R-3, One-Family Residence District (Conditional). County water and sewer. **(Varina) 22 Lots**

328

329 Mr. Archer - Is there anyone in the audience in opposition to subdivision Savannah
330 Station (December 2005 Plan) in the Varina District? No opposition. Mr. Jernigan.

331

332 Mr. Jernigan - Mr. Chairman, with that, I will move for approval of subdivision
333 Savannah Station (December 2005 Plan) with standard conditions for subdivisions served by
334 public utilities and the following additional conditions Nos. 12 through 15, No. 16 added from
335 the addendum and recommended approval on the addendum, on the Expedited Agenda.

336

337 Mrs. Jones - Second.

338

339 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mrs. Jones. All
340 in favor say aye...all opposed say nay. The motion passes.

341

342 The Planning Commission granted conditional approval to subdivision Savannah Station
343 (December 2005 Plan) subject to the standard conditions attached to these minutes for
344 subdivisions served by public utilities, the annotations on the plans and the following additional
345 conditions:

346

347 12. Each lot shall contain at least 11,000 square feet.

348 13. Any necessary offsite drainage easements must be obtained prior to approval of the
349 construction plan by the Department of Public Works.

350 14. Any future building lot containing a BMP, sediment basin or trap and located within the
351 buildable area for a principal structure or accessory structure, may be developed with
352 engineered fill. All material shall be deposited and compacted in accordance with the
353 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
354 professional engineer. A detailed engineering report shall be submitted for the review
355 and approval by the Building Official prior to the issuance of a building permit on the
356 affected lot. A copy of the report and recommendations shall be furnished to the
357 Directors of Planning and Public Works.

358 15. The subdivision construction plans shall not be approved until such time that the
359 applicant has entered into all of the agreements deemed necessary by the County with
360 regards to the extension of Robin Avenue across the portion of County-owned property
361 (Parcel #817-727-9960) as shown on the staff plan.

362 16. The applicant shall use his best efforts in exploring the possibility of incorporating all
363 or part of the adjacent property owned by the Henrico County School Board (GPIN
364 #817-727-7702) into this development. Evidence of this effort shall be provided to the
365 Director of Planning prior to filing of an application for Final Subdivision approval.

366

367 Ms. News - That completes the Expedited Agenda.

368

369 Mr. Archer - Thank you, Ms. News.

370

371 Mr. Silber - Thank you. Next on the agenda would be information of Extension of
372 Conditional Subdivision Approval. There are two subdivisions that have conditional approval.
373 The time period has elapsed and they are up for extension of approval. There are 53 lots in
374 one case and 35 in the other and none of those lots have been recorded. They are up for
375 extension approval but none of these require Planning Commission action. They can be
376 extended administratively by the staff. We bring this to your attention for informational
377 purposes only. If you have any questions Ms. Goggin is here to answer your questions.

378

379 Mr. Archer - Thank you, Mr. Secretary. Are there any questions for Ms. Goggin?

380

381 Mr. Jernigan - I don't have any, Mr. Chairman. Both of them are in my district.

382

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

384

385 Mr. Silber - Next we will start into our regular agenda and the first case on the
386 regular agenda is on page 4, a landscape plan for LP/POD-34-05, The Village @ Osborne -
387 Zero Lot Line Dwellings.

388

389 **LANDSCAPE PLAN (Deferred from the November 16, 2005, Meeting)**

390

LP/POD-34-05	Foster & Miller, P.C. for FTF, LLC: Request for approval of
The Village @ Osborne -	a landscape plan, as required by Chapter 24, Sections 24-106
Zero Lot Line Dwellings	and 24-106.2 of the Henrico County Code. The 41.758-acre
Osborne Turnpike	site is located at 7101 Osborne Turnpike, approximately 4,500
	feet north of Burning Tree Road on parcels 802-696-9269 and
	803-696-6866. The zoning is R-5AC, General Residence
	District (Conditional) (Varina)

391

392 Mr. Archer - Is there anyone in the audience in opposition to this landscape plan,
393 LP/POD-34-05, The Village @ Osborne, in the Varina District? No opposition. Mr. Strauss.

394

395 Mr. Strauss - Good morning. Thank you, Mr. Secretary. As the Chairman said this
396 landscape plan has been deferred many times. The staff has been working with the applicant
397 on this project. You may recall, The Village at Osborne was a unique land plan. It was in the
398 context of the "rural by design idea." What we have been working with the applicant on is the
399 appropriate landscaping for this project that's very unique. I would like to walk you through a

400 few images and there is one image in particular that I think you would be interested in. We
401 have been working with Nelda Snyder also with Varina Beautification. We have been looking
402 for the right kind of landscaping and entrance feature for this project, and given that it was
403 rural, in its beginning, now it's going to have development on it. We were looking for themes
404 and the type of material that would be appropriate.

405

406 I'm going to walk you very quickly through these images. This is a split-rail fence, obviously,
407 (referring to rendering on the screen) with an entrance feature. Flowering ornamental trees.
408 Here is a combination of Dogwood and Red Bud and a split-rail fence. This is a Red Bud
409 again. We were talking with the applicant about an orchard effect. You are going to see that
410 in the landscape plan that is in your packet as well as the Red Buds. This was taken along
411 rural road. There was some interest in doing a multi-tiered effect with a variety of trees
412 included along the roadside. You are going to see that in the plan as well. This is Osborne
413 Turnpike which is in the vicinity of where this development is going to be. There was talk
414 about the Red Cedars that were in the median. You are going to see some of the Cedars in this
415 plan. This is a roadside with old Cedar growth. Like I said, this plan has some of those in
416 there. And then there is a variety of seasonal type plant material that you will also be seeing,
417 Black-eyed Susan. This is a wild flower mix. Now this is the picture in particular that we are
418 going to be talking about this morning.

419

420 What I have handed out is an entrance feature that the applicant has given us. It has brick in it.
421 We were interested in getting brick in this entrance feature. We have not quite decided yet,
422 with the applicant, whether the brick will be in the median or will the brick entrance feature be
423 on either side of the entrance. You may want to add to that, as we discussed this morning
424 about having an ornamental top to the brick entrance feature on either side of the road. I think
425 that is the direction that we are going in. I think the applicant would be agreeable to that.

426

427 What you see in your packet is not exactly where we were going with this but I think it's closer
428 than where we were when we started. So, at this point, I think staff can recommend approval
429 of the landscape plan in your packet. We may want to fine-tune the entrance feature a little
430 bit, but if you are happy to proceed with this, we would like to wrap this up. So, I'll take any
431 questions you may have and be happy to turn it over to the applicant if need be.

432

433 Mr. Jernigan - Well as you know, two minutes before this meeting started we all met
434 and....

435

436 Mr. Strauss - I guess we will have to waive the time limits then.

437

438 Mr. Jernigan - Yes. We will have to waive the time limits on that. What the applicant
439 and Ms. Snyder, what we agreed on is rather than having the signage on the median coming
440 in, that the applicant is willing to put a brick column, similar to this (referring to rendering) on
441 each corner with the signage on that. I'm in agreement with that. Ms. Snyder? She's
442 agreeing with it. And the landscape has been okay. The only hang up we had was the
443 entrance feature. So, the applicant has committed to me, verbally, that he will give us what we
444 want and I'm okay with that. So, I'm ready to move on with it.

445 Mr. Archer - All right. Are there any other questions for Mr. Strauss?
446

447 Mr. Jernigan - Mr. Chairman, with that I will move for approval of the landscape plan
448 LP/POD-34-05, The Village @ Osborne, with the standard conditions for landscape plans....
449 Excuse me. First of all, I've got to waive the time limits.
450

451 Mr. Archer - Is that going to be a condition, Mr. Jernigan?
452

453 Mr. Jernigan - Well, we don't have anything in hand to waive on.
454

455 Mr. Strauss - Well, that brick column picture, I guess, is the basis of what we were
456 given yesterday and that's just going to be added as an annotation to the approved plan.
457

458 Mr. Jernigan - But, we will make that as a condition that the....
459

460 Mr. Strauss - Entrance feature will include a brick pylon at either side of the entrance.
461 I will just write that on there. That's an example of what we were looking at.
462

463 Mr. Jernigan - Make that condition, No. 1.
464

465 Mr. Archer - All right.
466

467 Mr. Jernigan - First I will move to waive the time limit.
468

469 Mrs. Jones - Second.
470

471 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mrs. Jones. All
472 in favor say aye...all opposed say nay. The motion passes.
473

474 The Planning Commission approved to waive the time limit for LP/POD-34-05, The Village @
475 Osborne - Zero Lot Line Dwelling.
476

477 Mr. Jernigan - With that I will move for approval of landscape plan LP/POD-34-05,
478 The Village @ Osborne, with the standard conditions for landscape plans and additional
479 conditions No. 1 stated at this meeting.
480

481 Mr. Branin - Second.
482

483 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mr. Branin. All
484 in favor say aye...all opposed say nay. The motion passes.
485

486 The Planning Commission approved the landscape plan for LP/POD-34-05, The Village @
487 Osborne - Zero Lot Line Dwelling, with the standard conditions attached to these minutes and
488 the following additional condition:
489

490 1. The entrance feature will include a brick pylon with an ornamental cap at either side of
491 the main entrance.

492

493 **PLAN OF DEVELOPMENT RECONSIDERATION (Deferred from the November 16, 2005,**
494 **Meeting)**

495

POD-24-04

Hickory Corner Office Park
5310 – 5398 Twin Hickory
Road

D. Neil Rankins for Hickory Corner, L.C.: Request for approval of a reconsideration of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, for approval of revisions to site improvements, architectural and HVAC screening for a previously approved office park. The 5.135-acre site is located on the east line of Twin Hickory Road, approximately 170 feet north of Nuckols Road on parcel 747-773-1506. The zoning is O-2C, Office District (Conditional). County water and sewer. **(Three Chopt)**

496

497 Mr. Archer - Is there anyone in the audience in opposition to POD-24-04 Hickory
498 Corner Office Park in the Three Chopt District? No opposition. Good morning, Ms. Goggin.

499

500 Ms. Goggin - Good morning. This case was deferred from the November 16, 2005
501 Planning Commission hearing to allow the applicant time to revised the plan and architectural
502 to reflect the changes as agreed upon in a meeting held November 15 with the condo owners,
503 Planning staff and the Planning Commissioner. There are a number of items constructed on
504 the site which do not conform to the Planning Commission's reviewed plans and architectural
505 and the approved construction plans. Originally, the HVAC units were approved at ground
506 level and were to be screened by waist-high masonry walls, but the units have been installed on
507 the building's roof. The applicant proposes a continuous roof mounted brown metal screen for
508 each building to screen all of the units that can be seen from the property lines. A typical
509 elevation, with the screen, is in your agenda and staff has a sample of the screen color for
510 reference.

511

512 A copy of the signed construction plans were included in the agenda for a comparison to the
513 revised plans. The revised plans removes all of the decorative interior parking lot and drive-
514 aisle pavers and relocates sidewalk connections from the interior of the site to sidewalks
515 located in the right-of-way along Twin Hickory Road. The pavers at the three project
516 entrances have been installed.

517

518 Public Works is allowing the applicant to escrow two sections of sidewalk located in the right-
519 of-way along Twin Hickory and Nuckols Roads prior to issuance of final Certificate of
520 Occupancies.

521

522 Per condition No. 36 in the agenda, a revised grading and drainage plan to be reviewed and
523 approved by Public Works and Planning to reflect the changes approved by the Planning
524 Commission is required. This plan will also be the official revision to the approved
525 construction plan and will include the necessary information for the proposed retaining wall

526 behind "Building C."

527

528 Should the Commission act on this request, in addition to the annotations on the revised plans,
529 standard conditions for developments of this type, conditions 24 thru 35 of the original POD
530 and condition No. 36 in the addendum is recommended. The applicant is here to answer any
531 questions you may have of him.

532

533 Mr. Archer - Thank you, Ms. Goggin. Are there any questions for Ms. Goggin by the
534 Commission?

535

536 Mr. Branin - Ms. Goggin, have all of the questions and concerns that the tenants have
537 been addressed and resolved?

538

539 Ms. Goggin - The concern with the slope behind "Building C" is being addressed with
540 the retaining wall and that will be on the revised plan. The tenants wanted to keep the interior
541 sidewalk connections to the right-of-way sidewalks. So, we are keeping those. Otherwise,
542 their concerns, based on the approved plan, would be addressed with this.

543

544 Mr. Branin - Okay. Thank you.

545

546 Mr. Archer - All right, are there any further questions of Ms. Goggin? No questions.
547 Mr. Branin, are you ready?

548

549 Mr. Branin - Mr. Chairman, I move for approval of POD-24-04, Hickory Corner
550 Office Park, per staff's recommendations, annotations on the plans, the standard conditions
551 including Nos. 24 though 35 and No. 36.

552

553 Mr. Jernigan - Second.

554

555 Mr. Archer - The motion was made by Mr. Branin and seconded by Mr. Jernigan. All
556 in favor say aye...all opposed say nay. The motion passes.

557

558 The Planning Commission approved POD-24-04, Hickory Corner Office Park, subject to the
559 standard conditions attached to these minutes for developments of this type, the annotations on
560 the plans and the following additional conditions:

561

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

567 25. The developer shall provide fire hydrants as required by the Department of Public
568 Utilities and Division of Fire.

- 569 26. A standard concrete sidewalk shall be provided along the north side of Nuckols Road
570 and the east side of Twin Hickory Road.
- 571 27. All repair work shall be conducted entirely within the enclosed building.
- 572 28. The proffers approved as a part of zoning case C-70C-99 shall be incorporated in this
573 approval.
- 574 29. The certification of building permits, occupancy permits and change of occupancy
575 permits for individual units shall be based on the number of parking spaces required for
576 the proposed uses and the amount of parking available according to approved plans.
- 577 30. Any necessary off-site drainage and/or water and sewer easements must be obtained in
578 a form acceptable to the County Attorney prior to final approval of the construction
579 plans.
- 580 31. Deviations from County standards for pavement, curb or curb and gutter design shall be
581 approved by the County Engineer prior to final approval of the construction plans by
582 the Department of Public Works.
- 583 32. Insurance Services Office (ISO) calculations must be included with the plans and
584 contracts and must be approved by the Department of Public Utilities prior to the
585 issuance of a building permit.
- 586 33. Approval of the construction plans by the Department of Public Works does not
587 establish the curb and gutter elevations along the Henrico County maintained right-of-
588 way. The elevations will be set by Henrico County.
- 589 34. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
590 Department of Planning and approved prior to issuance of a certificate of occupancy for
591 this development.
- 592 35. The location of all existing and proposed utility and mechanical equipment (including
593 HVAC units, electric meters, junction and accessory boxes, transformers, and
594 generators) shall be identified on the landscape plans. All equipment shall be screened
595 by such measures as determined appropriate by the Director of Planning or the
596 Planning Commission at the time of plan approval.
- 597 36. **ADDED** - A revised construction plan to document all changes to the plan shall be
598 submitted for review and approval and any required additional work shall be completed
599 prior to release of the bonds.

600 **PLAN OF DEVELOPMENT**

601

POD-73-05
Short Pump Station –
Access Road
W. Broad Street

McKinney & Company for Henrico County School Board, The John J. and Ima M. Liesfield Family, LLC, Short Pump Station, LLC and Collins Goodman Development Company, 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 access road for a future commercial development. The 11.76-acre site is located at the southeast corner of W. Broad Street (U.S. Route 250) and John Rolfe Parkway (future) on parcels 741-761-2931, 3418, 4704(pt.), 4645, 8112, and 8532, 741-760-4323(pt.), 5792(pt.) and 6979(pt.), 741-759-0697(pt.) and 742-760-1598(pt.). The zoning is B-2C, Business District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

602

603 Mr. Archer - Is there anyone in the audience in opposition to POD-73-05, Short Pump
604 Station in the Three Chopt District? No opposition. Mr. Wilhite.

605

606 Mr. Wilhite - Thank you, sir. This is a request for construction of an access drive that
607 will eventually become part of the external access system for development on both the Short
608 Pump Station property and the adjacent Liesfield Farm site. In addition, the request does
609 involve clearing of the Short Pump Station, site rough, grading and utility installation. There
610 is no request for construction of any buildings or parking areas associated with that
611 development at this time.

612

613 Construction of the access drive will entail removal and abandonment of part of the existing
614 Three Chopt Lane and Old Three Chopt Road. Traffic currently using Three Chopt Lane will
615 be routed onto the access drive and to the intersection with W. Broad Street and to future John
616 Rolfe Parkway, until such time as John Rolfe Parkway is completed between W. Broad Street
617 and Three Chopt Road as it currently exist. The master plan that shows up on the layout sheet
618 is not a part of this approval. It is only submitted for informational purposes.

619

620 On page two of your addendum there is a condition dealing with the abandonment of Old
621 Three Chopt Road and Three Chopt Lane in accordance with a letter written by the County
622 Manager to the property owners. I'll be happy to answer any questions that you may have at
623 this time. There are also representatives from both the developer and the civil engineer,
624 McKinney & Company, here today.

625

626 Mr. Archer - Thank you, Mr. Wilhite. Are there any questions of Mr. Wilhite from
627 the Commission?

628

629 Mr. Branin - I would like to hear from the applicant?

630

631 Mr. Archer - All right. Will the applicant come forward please and identify yourself.
632 Good morning, Mr. Theobald.

633

634 Mr. Theobald - Good morning, Mr. Chairman, ladies and gentlemen. My name is Jim
635 Theobald and I'm here on behalf of Collins, Goodman Development Company, and Short
636 Pump Station, LLC. With me is Stacey Burcin and a number of representatives from the
637 principal. This is the first step in what has been a very long process in assembling a number of
638 parcels of land and this would allow some initial clearing in order to began to establish the
639 access roads. And with that, I'll be happy to answer any questions.

640

641 Mr. Archer - Thank you, Mr. Theobald.

642

643 Mr. Branin - Mr. Theobald, I would like for you to address...in your POD you show
644 the road that you will be constructing and the site that you will be clearing. I am aware of a
645 possible land swap between you all and a potential other developer. Can you address how you
646 guys will possibly be changing this road?

647

648 Mr. Theobald - Yes, I will try and when I trip I'm sure Stacey will help me here. But,
649 there is some suggestion that perhaps we try to square off the parcels and perhaps realign some
650 entrance roads. As a result of that, that has some benefit to us and to the proposed developers
651 of the Liesfield tract. However, if that were not to occur, my client already owns this piece of
652 ground and is prepared to go forward on this basis. So, if the swap can't occur and, please
653 keep in mind that the Unicorp people who have this site under contract, only have it under
654 contract and the swap is depended upon the Liesfield's agreeing to a number of provisions and
655 so what we are trying to do is work with Unicorp to see if this makes sense. But, we also need
656 the cooperation of the Liesfield because it involves some swapping of land down along John
657 Rolfe Parkway as well. So, while we are trying to work toward that result, it is not within our
658 control, frankly, to deliver.

659

660 Mr. Branin - Okay. The utilities and the John Rolfe... When are you planning to
661 actually, if this POD is approved, are there any other hang-ups that I am not aware of that
662 would prevent you from starting this?

663

664 Mr. Theobald - No, sir.

665

666 Mr. Branin - Okay.

667

668 Mr. Silber - What is before the Commission today is simply this proposed driveway.
669 At some point in time they will come in with a plan of development for their site. Do you
670 know what timing you have in mind for that, Mr. Theobald?

671 Mr. Theobald - I think we are trying to meet perhaps the next filing date. Some of that
672 will depend on our discussions with Unicorp. We would like to be able to move forward. We
673 are trying to make sure that we compliment one another. At this point, we don't know
674 compliment to what because we haven't seen any elevations. But, I think it is my anticipation
675 that they were trying to make the next filing deadline. Is that correct, Mr. Burcin?

676

677 Mr. Burcin - Probably around February.

678

679 Mr. Theobald - The February filing deadline. We have a little bit of time.

680

681 Mr. Silber - Maybe for the benefit of the Planning Commission. Some of you may
682 not know entirely what's going on here but what's before you is this driveway that's proposed
683 and the area shown on the slide in yellow is property that Collins Goodman controls and
684 proposes to develop and the POD that's just been indicated would come in sometime in
685 February. The property to the east and to the south is Liesfield property, owned by Liesfield
686 but Unicorp has a contract on it. Unicorp is planning on filing a rezoning request, I believe,
687 tomorrow. We are meeting with them this morning to learn more about their proposal, but
688 they have plans for a UMU (Urban Mix Use) zoning request on this piece of property. It's a
689 sizable piece of property, and what we are trying to do is best coordinate these two
690 developments so that in the end it doesn't look like two separate developments but in fact it
691 looks like a coordinated development that is well planned and integrated. So, while these
692 people have zoning and prefer to go on, the County is very interested in seeing that the two
693 developments happen in a fashion that does look like it is well planned and coordinated from
694 access standpoint and appearance.

695

696 Mr. Theobald - And in that regard, we would hope that they would catch up with us
697 rather than us being delayed by them.

698

699 Mr. Branin - And, Mr. Theobald, we are doing everything in our power to get them
700 caught up with you, sir.

701

702 Mr. Theobald - I appreciate that.

703

704 Mrs. Jones - Mr. Secretary, it's simply from a logistical standpoint, however, and the
705 aim to coordinate and have a unified presentation here, would it not be advantageous to think
706 about one month to let all of this shift through and come back up when everything is a little
707 more defined?

708

709 Mr. Silber - One month as far as deferring these driveways for a month?

710

711 Mrs. Jones - Yes. Is that advantageous to the goal of the whole project or no?

712

713 Mr. Silber - That probably has merit and consideration. I think these folks are
714 interested in moving forward at this point. They have indicated to us that they are more than
715 willing to work with Unicorp as far as a possible land swap or reconfiguration of these

716 driveways. I think it's also worth noting that Unicorp plans to file for zoning tomorrow and
717 this will be on the Planning Commission's docket for rezoning in February. The Board could
718 approve this in March. Their timetable has been sped up, it has been moved forward and
719 Stacey indicated that they are going to file a POD in February. We should know by today
720 what this Unicorp project is going to look like, their elevations, their layout, the master plan is
721 all coming forward. So, I think we are very close to having these move forward in a similar
722 fashion.

723

724 Mr. Theobald - And please remember, Mrs. Jones, and perhaps before you were on the
725 Commission, but this is the result of a process that took well over a year where Mr. Hinson
726 was very involved with the Nissan Dealership, The Massie Cancer Foundation in this area, and
727 the Liesfield tract where we just moved heaven and earth to swap properties. We have gone
728 from six property owners down to two. And, as a result, back when the Liesfield thing was
729 still a gleam in somebody's eye, we were moving forward working with the County negotiating
730 this as a stand alone site and we have done everything we committed to do with the County and
731 then the Massie Cancer Center sold the site. These folks have purchased it, they now own it
732 and now once again we have a project that I hope will take place, but it's still a gleam in
733 somebody's eye with Unicorp. So, this site is ready to go and they have done everything that
734 the County has asked them to do and so while they are prepared to cooperate, I don't think
735 they are prepared necessarily to just stand back, if this were to take a year. We would like to
736 get going. We are not putting anything beyond your control by allowing this roadwork to
737 move forward. And, if anything, you incentivize Unicorp to get on the same treadmill with us.

738

739 Mrs. Jones - Mr. Theobald, I would not stand in the way of moving heaven and earth.

740

741 Mr. Theobald - Excellent, particularly, at this time of year.

742

743 Mr. Kaechele - Mr. Secretary, this is kind of a side issue, but what's the legal status now
744 on the abandonment of Old Three Chopt Road?

745

746 Mr. Silber - Mr. Kaechele, the process is under way, Mr. Theobald may know more
747 about where that stands, but Old Three Chopt Road would be abandoned and access through
748 this property by way of what is being abandoned with Three Chopt Lane would go perhaps
749 through part of this private driveway on an interim basis until John Rolfe Parkway is built.
750 But, I don't know if I know the answer to your question as far as where they are with that.

751

752 Mr. Theobald - I think Stacey could probably answer that.

753

754 Mr. Archer - Good morning, Mr. Burcin.

755

756 Mr. Burcin - Good morning. My name is Stacey Burcin with McKinney & Company
757 and I'm here to answer your question regarding the access, abandonment, of Three Chopt
758 Road and Lane and Old Three Chopt Road. We are currently working with the County in
759 getting that. The land has been turned back over to Henrico County from the Commonwealth
760 Transportation Board and I'm meeting with Will Pope at 11:00 a.m. this morning to go over

761 some of the details to coordinate between the gas company who owns an easement there, the
762 Department of Public Utilities who owns some water line through there. And one of the things
763 I would like to point out about this plan is that the reason you are seeing a road only for a POD
764 and a private road at that, is that we have a commitment to Henrico County to actually provide
765 a secondary access through our private drives to abandon Three Chopt Lane. That's why this
766 road is here. Before we can do that, we have to coordinate with VDOT to change the signals
767 on Broad Street. VDOT will not approve our signal changes until we have this POD approved
768 to allow the road to connect to Broad Street. So, it's very much the tail wagging the dog here
769 but it's necessary because of the various swap agreements that have gone forth over the last
770 three or four years, since this first started out as a corner property on Three Chopt and Broad
771 with existing B-3 zoning which was going forth with development many years ago. We need
772 to move forward and we are more than willing to cooperate with the adjacent development as
773 they may be working toward a zoning case, but at the same time there are legs of this property
774 that have to go forth regardless of what happens with Unicorp, mainly the intersection of
775 Broad Street and what we call "Road A" which will be the western access to what was then
776 Englewood.

777

778 Mr. Silber - Mr. Burcin, could you show us with the pointer there, maybe for Mrs.
779 Jones benefit and the rest of the Planning Commission, how Three Chopt Lane will be
780 abandoned and how your private drive would pick up that.

781

782 Mr. Burcin - Three Chopt Lane currently comes through here today and intersects
783 Broad Street. The Old Three Chopt Road came in at an angle here (referring to screen).
784 Three Chopt Lane was created by in the late 80's early 90's to make this connection between
785 here. And here is where Three Chopt Road is located today. When we cut off this light here,
786 we then allow people to move through this way, which is road "B" out to road "A." There is
787 an existing signal here where the McDonald's is today. We now have to change that from a
788 three-legged intersection to a four-legged intersection which requires us to basically remove all
789 of the traffic signals on all corner and put in all new signals at this intersection. There is a
790 significant timing delay in ordering materials there. Once we have approval from VDOT we
791 have at least a six-month delay in getting the poles out on the site. So, that's partly why we
792 are so far ahead of the game. We have to get these signals operational before we can put
793 traffic out there. So, we wouldn't normally file a POD and bring it forth with just a private
794 drive to connect here to there with other than the commitment we already have that's further
795 outlined in the letter between Mr. Hazelett and Mr. Singley in the operation of this agreement.

796

797 Mr. Silber - And John Rolfe Parkway is proposed to be built from Three Chopt Road
798 to Broad Street. I believe that construction is suppose to start in the spring.

799

800 Mr. Burcin - Yes. As early of the Spring of 2006 with completion, I believe, in 2008.
801 That date has been sliding a lot. I don't really know the current date and I'm hoping to get an
802 update this afternoon.

803

804 Mr. Silber - If everything worked out your way, when would you anticipate the
805 abandonment of Three Chopt Lane and the access or movement of traffic from Three Chopt

806 Lane onto your private drive and out to Broad Street.

807

808 Mr. Burcin - Assuming that we get approval of this POD today, and we move forward
809 with the construction documents, and I would expect that we would have approval of
810 documents from the County hopefully by March. We would then get our signal plans
811 approved from VDOT, with probably another month in April. I would say probably by July of
812 this year at the earliest that we could actually facilitate the connection. And that's really
813 pushing it. It's probably closer to the end of this year, the end of 2006. It will be 2006 when
814 we could switch over to have a lot of traffic go through there. Now, we are looking at asking
815 Will Pope today to concurrently start the abandonment process because that itself could take
816 several months and kind of review and advertisement. So, we are asking concurrently asking
817 the Board to consider the abandonment of Three Chopt but allowing the conveyance of the land
818 to be held off administratively to a later date, wherever we have the roads complete.

819

820 Mr. Kaechele - It sounds a little complicated, but good.

821

822 Mr. Burcin - It's been a very complicated case as many of you who have been
823 following it knows. It's been going on for a number of years and has had many properties and
824 transfer and swaps.

825

826 Mr. Silber - It sounds like it took more than moving heaven and earth.

827

828 Mr. Branin - Thank you, Mr. Burcin. Mrs. Jones, so you can see why the POD for
829 just the road is necessary.

830

831 Mrs. Jones - Yes.

832

833 Mr. Branin - I agree, as I spoke to Mr. Goodman, and of course Mr. Theobald, to
834 hold it up, I would prefer to hold it up if it was just a matter of coordinating the two
835 developments, but due to roads and John Rolfe it needs to proceed.

836

837 Mrs. Jones - I understand.

838

839 Mr. Archer - All right. Thank you, Mr. Burcin. Are there any more questions for
840 anyone from anyone?

841

842 Mr. Branin - Mr. Goodman and Mr. Theobald, I look forward to working with you
843 and the other developer. And, again, I will voice my strong statement of we really need to
844 work together on these two projects to get them to where they both work together in a proper
845 manner. So with that, I move for approval of POD-73-05 per staff's recommendations with
846 standard conditions and annotations on the plan including additional conditions Nos. 24
847 through 34 and No. 35 on the addendum.

848

849 Mr. Jernigan - Second.

850

851 Mr. Archer - The motion was made by Mr. Branin and seconded by Mr. Jernigan. All
852 in favor say aye...all opposed say nay. The motion passes.

853

854 The Planning Commission approved POD-73-05, Short Pump Station – Access Road, subject
855 to the standard conditions attached to these minutes, the annotations on the plans and the
856 following additional conditions:

857

858 24. The right-of-way for widening of W. Broad Street and John Rolfe Parkway as shown
859 on approved plans shall be dedicated to the County prior to any occupancy permits
860 being issued. The right-of-way dedication plat and any other required information shall
861 be submitted to the County Real Property Agent at least sixty (60) days prior to
862 requesting occupancy permits.

863 25. The easements for drainage and utilities as shown on approved plans shall be granted to
864 the County in a form acceptable to the County Attorney prior to any occupancy permits
865 being issued. The easement plats and any other required information shall be submitted
866 to the County Real Property Agent at least sixty (60) days prior to requesting
867 occupancy permits.

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

870 27. A notice of completion form, certifying that the requirements of the Virginia
871 Department of Transportation entrances permit have been completed, shall be submitted
872 to the Department of Planning prior to any occupancy permits being issued.

873 28. The developer shall provide fire hydrants as required by the Department of Public
874 Utilities and Division of Fire.

875 29. A standard concrete sidewalk shall be provided along the south side of W. Broad Street.

876 30. The proffers approved as a part of zoning case C-18C-03 shall be incorporated in this
877 approval.

878 31. Any necessary off-site drainage and/or water and sewer easements must be obtained in
879 a form acceptable to the County Attorney prior to final approval of the construction
880 plans.

881 32. Deviations from County standards for pavement, curb or curb and gutter design shall be
882 approved by the County Engineer prior to final approval of the construction plans by
883 the Department of Public Works.

884 33. Approval of the construction plans by the Department of Public Works does not
885 establish the curb and gutter elevations along the Henrico County maintained right-of-
886 way. The elevations will be set by Henrico County.

887 34. A note in bold lettering shall be provided on the erosion control plan indicating that
888 sediment basins or traps located within buildable areas or building pads shall be
889 reclaimed with engineered fill. All materials shall be deposited and compacted in
890 accordance with the applicable sections of the state building code and geotechnical
891 guidelines established by the engineer. An engineer's report certifying the suitability of
892 the fill materials and its compaction shall be submitted for review and approval by the
893 Director of Planning and Director of Public Works and the Building Official prior to
894 the issuance of any building permit(s) on the affected sites.

895 35. This approval is contingent upon the abandonment of the Three Chopt Lane and Three
896 Chopt Road right-of-way's and its transfer to the property owner in accordance with the
897 letter from the County Manager to RJS and Associates, Inc., dated August 23, 2005.

898

899 **SUBDIVISION (Deferred from the November 16, 2005 Meeting)**

900

Michael's Way
(November 2005 Plan)
Madge Lane

McKinney & Company for Mindy Properties, LLC: The
10.73-acre site proposed for a subdivision of 18 single-family
homes is located 350 feet east of the intersection of Madge
Lane and Caddie Lane on parcel 804-724-9640. The zoning is
R-4, One-Family Residence District. County water and sewer.
(Fairfield) 18 Lots

901

902 Mr. Archer - Is there anyone in the audience in opposition to subdivision Michael's
903 Way (November 2005 Plan) in the Fairfield District? No opposition. Ms. Goggin.

904

905 Ms. Goggin - This plan was deferred at the November 16, 2005, Planning Commission
906 meeting and to give the applicant time to address some of staff's comments. The applicant has
907 submitted a revised plan which was just handed out to you. The new plan increases the
908 number of lots from 18 to 21 and addresses Public Works environmental divisions concerns
909 with adequate building area outside the RPA buffer and Planning's concern with the originally
910 proposed common area by incorporating the area into 14 and 21.

911

912 Planning requested and the applicant agreed to extend the Madge Lane temporary cul-de-sac
913 turnaround east to remove it from lot 21's buildable area and that is shown on the annotated
914 plan.

915

916 Staff is concerned about the buildable areas on lots 1, 12, 16 & 19 due to the narrowness after
917 setbacks and recommends an additional condition requiring the engineer to provide a plan
918 showing a dwelling on the aforementioned lots prior to final approval.

919

920 With that, staff can recommend approval of the revised plan with staff's annotations,
921 conditions for subdivisions served by public utilities, conditions 12 - 16 in the agenda and
922 additional condition 17 requiring a plan with a dwelling situated on lots 1, 12, 16 & 19 to
923 determine if the lot design is adequate to meet the requirements of chapter 24 of the Henrico
924 County Code prior to final approval.

925

926 I would be happy to answer any questions the Commission may have and the applicant/
927 engineer is here to answer any questions you may have of them.

928

929 Mr. Archer - Thank you, Ms. Goggin. You just said a mouth full. Are there any
930 questions of Ms. Goggin from the Commission members?

931

932 Mr. Silber - When was this plan received?

933

934 Ms. Goggin - Friday afternoon. The received date didn't quite make it very well on
935 the copy.

936

937 Mr. Archer - So, it doesn't require an additional motion. All right, I don't have any
938 question on it. Ms. Goggin, I appreciate your hard work on this and I know you worked on it
939 up until late evening yesterday.

940

941 Ms. Goggin - Thank you.

942

943 Mr. Archer - Are you discussing if there is a question?

944

945 Mr. Jernigan - Lot 14 looks a little rough, but....

946

947 Mr. Archer - Well, I think the applicant understands that there are a few lots that will
948 require some engineering miracles but it's gotten to the point, with the annotations, staff can
949 recommend approval. It will be up to the applicant to figure out how to make it work.

950

951 Mrs. Jones - Okay.

952

953 Mr. Archer - Okay. If there are no further questions, then I will move approval of
954 subdivision Michael's Way subject to the annotated plan, standard conditions for subdivision
955 served by public utilities and the additional conditions Nos. 12 through 17. Is that correct,
956 Ms. Goggin?

957

958 Ms. Goggin - Yes, sir.

959

960 Mr. Jernigan - Second.

961

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

964

965 The Planning Commission granted conditional approval for subdivision Michael's Way
966 (November 2005 Plan) subject to the standard conditions attached to these minutes for
967 subdivisions served by public utilities, the annotations on the plans and the following additional
968 conditions:

969

970 12. Each lot shall contain at least 8,000 square feet exclusive of the flood plain areas.

971 13. Prior to requesting final approval, the engineer shall furnish the Department of Planning
972 Staff a plan showing a dwelling situated on Lots 9 and 10 to determine if the lot design is
973 adequate to meet the requirements of Chapter 24, of the Henrico County Code.

974 14. The detailed plant list and specifications for the landscaping to be provided within the 25-
975 foot-wide planting strip easement along Madge Lane shall be submitted to the Department
976 of Planning for review and approval prior to recordation of the plat.

977 15. Any necessary offsite drainage easements must be obtained prior to approval of the
978 construction plan by the Department of Public Works.

- 979 16. Any future building lot containing a BMP, sediment basin or trap and located within the
980 buildable area for a principal structure or accessory structure, may be developed with
981 engineered fill. All material shall be deposited and compacted in accordance with the
982 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
983 professional engineer. A detailed engineering report shall be submitted for the review
984 and approval by the Building Official prior to the issuance of a building permit on the
985 affected lot. A copy of the report and recommendations shall be furnished to the
986 Directors of Planning and Public Works.
- 987 17. Prior to requesting final approval, the engineer shall furnish the Department of
988 Planning staff a plan showing a dwelling situated on Lots 1, 12, 16 and 19 to determine
989 if the lot design is adequate to meet the requirements of Chapter 24, of the Henrico
990 County Code.

991

992 **PLAN OF DEVELOPMENT**

993

POD-74-05

Reynolds Crossing I – Office
and Retail – Forest Avenue

Jordan Consulting Engineers for Reynolds Holdings, LLC and Reynolds Crossing One, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a three-story, 72,000 square foot office buildings, a one-story, 2,240 square foot coffee shop/restaurant, and a master plan for a future drug store. The 9.18-acre site is located on the southwest corner of the intersection of Glenside Drive and Forest Avenue on part of parcel 765-744-6557. The zoning is B-2C, Business District (Conditional) and O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

994

995 Mr. Archer - Is there anyone in the audience in opposition to POD-74-05, Reynolds
996 Crossing I in the Three Chopt District? No opposition. Mr. Strauss.

997

998 Mr. Strauss - Thank you, Mr. Chairman, members of the Commission. What we have
999 before you this morning is what we could call the second phase of the redevelopment of the
1000 Reynolds Metals Headquarters. You may recall the first phase of the POD, which included the
1001 Westin Hotel, which was before this Commission last October. This phase of the development
1002 includes an office building, a drive-thru coffee shop and a pad only for a future drug store
1003 which would come to this Commission in the future when the architectural plans are finalized.
1004 This portion of the project is the part that is of most interest to the adjacent neighborhood,
1005 which includes the Charles Glen, Crestview and Fort Hill subdivisions. The POD is subject to
1006 many proffers which were crafted during the rezoning to insure that the retail and office
1007 components are as compatible and high-quality as possible. And there are several proffered
1008 landscape buffers to protect the neighborhood and enhance the development.

1009

1010 The most important buffer is the 50-foot buffer along the southern property line with Charles
1011 Glen subdivision. This was the buffer that was the subject of a meeting this Monday
1012 afternoon. This buffer includes an eight-foot-high precast screen wall with a brick look and a

1013 brick color. The buffer also includes supplemental evergreen trees landscape screening, and
1014 the details of this screening were recently worked out with the neighbors and they were
1015 submitted yesterday so waiver of time limits would be the first order of business on this case.

1016

1017 We have distributed this morning a number of additional plan sheets. I would like to briefly
1018 describe what these additional staff plan sheets represent. The first sheet in your handout is a
1019 color rendering with two profiles, "A" and "B." They are cross sections that correspond to
1020 those profiles on the next sheet which is a fold-out sheet. This exhibit demonstrates how the
1021 office building would comply with the building height proffers of this case and how a triple
1022 row of 10 to 12 foot tall evergreens trees will be planted at the top of the slope adjacent to the
1023 Charles Glen neighborhood. The third plan sheet addresses the neighbor's concern that the
1024 entire eight-foot screen wall be placed along the neighborhood with this POD. And you will
1025 see the extent of the screen wall that's indicated as an annotation on that revised staff plan.
1026 The forth sheet is a refined site plan that further illustrates the location of the eight-foot screen
1027 wall, the clearing associated with that, the refinement of the restaurant coffee shop and the
1028 right-of-way dedication required along Glenside Drive, and these are refinements that address
1029 traffic concerns. The last sheet in the handout this morning is a color rendering of the proposed
1030 restaurant coffee shop.

1031

1032 Staff has distributed the black and white elevations in your original packet, but we had not
1033 received at that time a color rendering illustrating the finishes and color of the coffee shop.
1034 These colored elevations do appear to indicate some of the materials such as the stone veneer
1035 along the base.

1036

1037 Staff still has reservations about the color of the awnings, the red color on there. It is a little
1038 bit flamboyant and I don't think there is any other red on the site. I will note that the goal of
1039 the rezoning and the concept for this development included architectural treatments that all
1040 buildings shall have some common architectural features or elements with other buildings of
1041 the same use, and that there be some degree of compatibility, and that was discussed at the
1042 time of Rezoning.

1043

1044 So, staff would suggest before the Commission takes action on the architectural details of the
1045 coffee shop/restaurant, you might want to discuss this with the applicant. It may be possible to
1046 more closely match the color on that drawing with that office building, which was previously
1047 distributed in your packet. I believe there are more prominent browns and greens in that office
1048 color rendering.

1049

1050 So with that, I would like to summarize that staff is in a position to recommend approval, and
1051 also mention that the detailed landscaping plan is going to be coming back to this Commission
1052 in the near future as part of No. 9 amended for landscaping.

1053 I would also like to thank the neighbors in the Charles Glen subdivision. They spent a great
1054 deal of their time working with the Reynolds Development team. I would like to thank the
1055 Reynolds Development team for hosting that recent meeting. I believe we have some of them
1056 here today as well as Mr. Jack Shady, the architect, and Mr. Malacchi Mills of Jordan
1057 Engineering. I'll be happy to answer any questions you may have.

1058

1059 Mr. Archer - Thank you, Mr. Strauss. Are there questions for Mr. Strauss by the
1060 Commission?

1061

1062 Mr. Silber - Mr. Strauss, did you say that there is a color rendering of the office
1063 building?

1064

1065 Mr. Strauss - It should be in your original packet. If not, I can roll one out.

1066

1067 Mr. Silber - I don't have a color rendering. The reason I think that may be
1068 significant is I think at the time of zoning there was significant effort put in to try and
1069 coordinate the architectural appearance of these buildings. It looks as though, Mr. Strauss,
1070 you indicated, the Caribou Coffee Shop does have some colors that may not match with, or
1071 may set the stage for other colors and trends in this development that we may want to try to
1072 avoid. So, I want to make sure that the Commission is aware of the Caribou elevation. And I
1073 don't have a color rendering of the office building, but there should be some....

1074

1075 Mr. Strauss - Ted is going to help us with that. The applicant indicated to me this
1076 morning that the deal for the coffee shop has not been finalized. I think there may be some
1077 room to negotiate that, but I would like for the architect to speak to that.

1078

1079 Mr. Silber - Also, on the Caribou is that showing an outdoor order board, menu and
1080 outdoor speaker?

1081

1082 Mr. Strauss - If it does, it's because it is a prototype and I would also have to defer
1083 that question to the applicant.

1084

1085 Mr. Silber - I think the location of that and the impact of the neighborhood might be
1086 discussed too.

1087

1088 Mr. Strauss - And I would like to point out that there is an outdoor dining area shown.
1089 It is a convenient seating area as opposed to outdoor dining with servers. As you know an
1090 outdoor dining area would require a provisional use permit.

1091

1092 Mrs. Jones - Before you go, Mr. Strauss, may I ask you a quick question? The
1093 fencing that I see on here is it chain link in some areas?

1094

1095 Mr. Strauss - Well, there is an existing chain-link fence out there. The new eight-foot
1096 screen wall is going to be a brick form or brick impression texture and precast panels. I believe
1097 there is a tieback to an existing chain-link fence that's already back there. But, the

1098 predominant screening effect will be from the fence and the landscaping. You must be looking
1099 at the note that says “tie chain link fence into....”

1100

1101 Mrs. Jones - Yes, “fasten existing...” but I just want to make sure that chain link is
1102 not used....

1103

1104 Mr. Strauss - And it is not used as a new material.

1105

1106 Mr. Jernigan - Mr. Strauss, Caribou coffee I’m not familiar with that. Is that a chain?

1107

1108 Mr. Strauss - I believe it is and I think some staff members have seen one either in
1109 Toronto or California.

1110

1111 Mr. Branin - They are also in North Carolina. It is a chain and the ones that I have
1112 seen they don’t stay to that orange strip.

1113

1114 Mr. Jernigan - That was my next question. Is that there a corporate logo? Like Staples
1115 always have red on theirs.

1116

1117 Mr. Strauss - I’ll have to defer that question to the applicant too. I think he knows
1118 more about Caribou Coffee than I do.

1119

1120 Mr. Kaechele - Mr. Strauss, on this elevation are those awnings is that a rigid material?

1121

1122 Mr. Strauss - It appears rather than a cloth overhang, it appears to be a rigid
1123 component sticking out of the building. I called it an awning but it may not actually be an
1124 awning.

1125

1126 Mr. Kaechele - Well, it’s free band (unintelligible) material.

1127

1128 Mr. Strauss - That’s what I believe it is. Are there any questions?

1129

1130 Mr. Silber - Mr. Strauss, I have another question. On the profile of the cross section
1131 of these homes to the office buildings, the distance or horizontal separation, I can’t read that
1132 number I think it 200 and something.

1133

1134 Mr. Strauss - The proffer read like this.... I think I actually wrote that on the profile:
1135 within 200 feet the building can’t be any higher than 32 feet relative to ground plain of the
1136 adjacent houses. So, they should not see any higher structure than 32 feet. And this exhibit
1137 does demonstrate that. If you add 32 feet to the adjacent elevation you shouldn’t get any more
1138 than like 317 elevation or something. The building height falls below that. And what the
1139 profile also does is it shows a sight line to the building and where they would have screening
1140 for the mechanical on top of the building.

1141 Mr. Silber - You also noted to be 10 to 12-foot evergreens planted. I notice that the
1142 slopes drops off, will there be some flat area to plant those before dropping off?

1143

1144 Mr. Strauss - That was the topic of discussion at the meeting with the citizens. I
1145 believe there is a bench at the top that goes up to 15 feet wide. So, you could stagger a triple
1146 row of trees in there. That's the objective of the design at this point. We will be talking about
1147 the evergreens species in our meeting with the Commission for the detail landscape plan. Right
1148 now I've heard that it could be a mixture of cryptomeria or green giant arborviate. Leyland
1149 Cypress is falling out of favor with the nursery industry because it falls over in the wind. It is
1150 a fast-growing tree but we are hearing more from the industry to use other types. And we will
1151 be discussing that at the next Commission meeting.

1152

1153 Mr. Archer - All right. Are there any more questions? Thank you, Mr. Strauss.

1154

1155 Mr. Branin - I would like to hear from the applicant, please?

1156

1157 Mr. Archer - Would the applicant come forward, please.

1158

1159 Mr. Reynolds - Good morning. My name is Sarge Reynolds with Reynolds development.

1160

1161 Mr. Archer - Good morning, Mr. Reynolds.

1162

1163 Mr. Branin - Mr. Reynolds, first of all I would like to commend you on both this
1164 project and also Reynolds Crossing for working with the neighbors for working with the
1165 architecture, working diligently and being very flexible to ensure a quality product. I would
1166 also like to thank the neighborhood. Mr. Strauss has called me several times and commended
1167 the neighborhood on being patient and being very easy to work with. Mr. Reynolds, in this
1168 project the one thing that's come out is in the architecture, the Caribou, awnings. Can you
1169 address that?

1170

1171 Mr. Reynolds - Yes. What I think I would like to suggest, in talks with the Caribou to
1172 put a Caribou there, we have not discussed their architecture whatsoever. We just got these
1173 renderings to show you all today. I actually don't like them either, so I would move that we
1174 might, like the drug store pad, maybe approved the pad but come back to talk about Caribou
1175 once we get a little bit farther down the road and maybe pull that part of it from this
1176 application today.

1177

1178 Mr. Branin - Okay. So, what you are saying although we have elevations and
1179 architecture....

1180

1181 Mr. Reynolds - They have approved the site and we were going to have a meeting with
1182 them next week but we have not sat down to discuss how their architecture will be compatible
1183 with Reynolds Crossings. We have not gotten that far yet.

1184

1185 Mr. Branin - Most of it is okay. The main thing is the awning color.

1186 Mr. Reynolds - Okay. We will be happy to come back and make the color acceptable to
1187 you all, as well as us, at a later date. But, I can't speak to the color today, except to say that
1188 I'm sure they will be flexible. I've seen other Caribous and I think they do conform to the
1189 environment in which they are trying to operate.

1190

1191 Mr. Branin - Right. I've seen two, one had a brown awning and one had a green
1192 awning, two different ones in the Carolinas.

1193

1194 Mr. Reynolds - We are going to be very interested in that as well because we don't want
1195 it to stick out like a sore thumb.

1196

1197 Mr. Branin - That's all I have.

1198

1199 Mr. Archer - Are there any more questions for Mr. Reynolds? Thank you, Mr.
1200 Reynolds.

1201

1202 Mr. Reynolds - Thank y'all.

1203

1204 Mr. Archer - All right.

1205

1206 Mr. Branin - Mr. Chairman, I would like to move to waive the time limits on POD-
1207 74-05.

1208

1209 Mr. Jernigan - Second.

1210

1211 Mr. Archer - The motion was made by Mr. Branin and seconded by Mr. Jernigan on
1212 the time limits. All in favor say aye...all opposed say nay. The motion carries.

1213

1214 The Planning Commission approved to waive the time limit for POD-74-05, Reynolds
1215 Crossing I.

1216

1217 Mr. Archer - Now the case.

1218

1219 Mr. Branin - And with that, I would like to move that POD-74-05 be approved
1220 according to the standard conditions for developments of this type with the revised annotated
1221 plans as included in the addendum.

1222

1223 Mr. Jernigan - Well, you've got No. 9 amended and Nos. 24 through 32.

1224

1225 Mr. Branin - That's right. You are correct. Including conditions No. 9 amended and
1226 additional conditions Nos. 24 through 32.

1227

1228 Mr. Jernigan - Second.

1229 Mr. Archer - The motion was made by Mr. Branin and seconded by Mr. Jernigan on
1230 the time limits. All in favor say aye...all opposed say nay. The motion carries.

1231

1232 The Planning Commission approved POD-74-05, Reynolds Crossing I – Office and Retail,
1233 subject to the standard conditions attached to these minutes for developments of this type, the
1234 annotations on the plans and the following additional conditions:

1235

1236 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
1237 Planning for review and Planning Commission approval prior to the issuance of any
1238 occupancy permits.

1239 24. The right-of-way for widening of Glenside Drive (Route 356) as shown on approved
1240 plans shall be dedicated to the County prior to any occupancy permits being issued.
1241 The right-of-way dedication plat and any other required information shall be submitted
1242 to the County Real Property Agent at least sixty (60) days prior to requesting
1243 occupancy permits.

1244 25. The easements for drainage and utilities as shown on approved plans shall be granted to
1245 the County in a form acceptable to the County Attorney prior to any occupancy permits
1246 being issued. The easement plats and any other required information shall be submitted
1247 to the County Real Property Agent at least sixty (60) days prior to requesting
1248 occupancy permits.

1249 26. A notice of completion form, certifying that the requirements of the Virginia
1250 Department of Transportation entrances permit have been completed, shall be submitted
1251 to the Department of Planning prior to any occupancy permits being issued.

1252 27. The developer shall provide fire hydrants as required by the Department of Public
1253 Utilities and Division of Fire.

1254 28. Prior to issuance of a certificate of occupancy for any building in this development, the
1255 engineer of record shall certify that the site has been graded in accordance with the
1256 approved grading plans.

1257 29. A standard concrete sidewalk shall be provided along the north side of Forest Avenue.

1258 30. The proffers approved as a part of zoning case C-22C-04 shall be incorporated in this
1259 approval.

1260 31. Any necessary off-site drainage and/or water and sewer easements must be obtained in
1261 a form acceptable to the County Attorney prior to final approval of the construction
1262 plans.

1263 32. Deviations from County standards for pavement, curb or curb and gutter design shall be
1264 approved by the County Engineer prior to final approval of the construction plans by
1265 the Department of Public Works.

1266

1267 **MR. SILBER LEAVES AT THIS TIME AND DAVE O’KELLY TAKES OVER AS**
1268 **SECRETARY**

1269

1270 **PLAN OF DEVELOPMENT & MASTER PLAN**

1271

POD-75-05
Oakley's Center Industrial
Park, Phases 2 and 3
(POD-12-91 Expired)
4190 Oakley's Court

Bodie Consulting Engineers for Oakley Center, LLC and Lampe Management Company: Request for approval of a revised plan of development and master plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct two additional phases. Phase 2 consists of six, one-story buildings totalling 39,400 square feet for commercial mini-warehouses, manufacturing and office uses and Phase 3 consists of five, one-story buildings for the same uses. The 15.076-acre site is located at the southwest corner of Oakley's Lane and Oakley's Place on part of parcel 816-721-1410. The zoning is M-2C, Light Industrial District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Fairfield)**

1272

1273 Mr. Archer -

All right, we have a new Mr. Secretary. Good morning, Mr. O'Kelly.

1274

1275 Mr. O'Kelly -

Good morning, Mr. Chairman, members of the Commission.

1276

1277 Mr. Jernigan -

Good morning, Mr. McGarry.

1278

1279 Mr. McGarry -

Good morning, Mr. Chairman, members of the Commission.

1280

1281 Mr. Archer -

Is there anyone in the audience in opposition to POD-75-05, Oakley's Center Industrial Park, Phase 2 and 3, in the Fairfield District? No opposition. Mr.

1283 McGarry.

1284

1285 Mr. McGarry -

Staff requested additional brick on several sides of the buildings within this development that would be visible from Oakley's Place and Oakley's Court. The developer has agreed to provide that brick on any side that will be visible from those two streets, not from the railroad tracks to the south or the undeveloped parcels to the left, to the west. Addendum No. 31 further specifies which building faces will be provided with brick, buildings 1, 2 and 4. Buildings 5 and 6 plus the Phase 3 buildings are proposed to have brick on three sides but not the rear. Staff can recommend approval of this subject to the annotations on the plans, the standard conditions for developments of this type and the following additional conditions Nos. 24 through 30 and No. 31 on the addendum. I'll be happy to answer any questions.

1295

1296 Mr. Archer -

Thank you, Mr. McGarry. Are there questions for Mr. McGarry from the Commission? I don't have any and I don't believe I need to hear from the applicant. Do you have anything, Mr. Jernigan?

1299

1300 Mr. Jernigan -

No. It goes back a couple of years so I'll just.... We'll move it along.

1301

1302 Mr. Archer - All right. With that, I will move approval of POD-75-05, Oakley's
1303 Center Industrial Park, Phases 2 and 3, subject to the annotations on the plan, the standard
1304 conditions for developments of this type and additional conditions Nos. 24 through 30 and
1305 additional condition No. 31 added on this morning's addendum.

1306

1307 Mr. Branin - Second.

1308

1309 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr. Branin. All
1310 in favor say aye...all opposed say nay. The motion carries.

1311

1312 The Planning Commission approved POD-75-05, Oakley's Center Industrial Park, Phases 2
1313 and 3 (POD-12-91 Expired), subject to the standard conditions attached to these minutes for
1314 developments of this type, the annotations on the plans and the following additional conditions:

1315

1316 24. The developer shall provide fire hydrants as required by the Department of Public
1317 Utilities and Division of Fire.

1318 25. The proffers approved as a part of zoning case C-2C-92 shall be incorporated in this
1319 approval.

1320 26. Any necessary off-site drainage and/or water and sewer easements must be obtained in
1321 a form acceptable to the County Attorney prior to final approval of the construction
1322 plans.

1323 27. Deviations from County standards for pavement, curb or curb and gutter design shall be
1324 approved by the County Engineer prior to final approval of the construction plans by
1325 the Department of Public Works.

1326 28. Insurance Services Office (ISO) calculations must be included with the plans and
1327 contracts and must be approved by the Department of Public Utilities prior to the
1328 issuance of a building permit.

1329 29. Approval of the construction plans by the Department of Public Works does not
1330 establish the curb and gutter elevations along the Henrico County maintained right-of-
1331 way. The elevations will be set by Henrico County.

1332 30. The gravel area behind buildings 5 and 6 shall be constructed with an all weather
1333 treatment as approved by the Director of Public Works.

1334 31. The building exteriors shall be provided with brick veneer on the following elevations:

1335 a. Buildings 1, 2 and 4 east and north elevations

1336 b. Buildings 5 through 11 all sides except rear.

1337

1338 **SUBDIVISION**

1339

Turner Woods
(December 2005 Plan)
Creekridge Road

Engineering Design Associates for Judy M. Mason: The
17.9-acre site proposed for a subdivision of 5 single-family
homes is located west of Turner Road at the northern terminus
of Creekridge Road on parcel 829-695-4490. The zoning is A-
1, Agricultural District. Individual well and septic
tank/drainfield. **(Varina) 5 Lots**

1340

1341 Mr. Archer - Is there anyone in the audience in opposition to Turner Woods
1342 (December 2005 Plan) in the Varina District? No opposition. Mr. McGarry.

1343

1344 Mr. McGarry - There is a revised recommendation on the addendum. Staff has received
1345 a letter from the applicant stating the reasons Creekrige Road should not be extended to the
1346 parcel located to the north. It's owned by English Construction Company. The include crossing
1347 wetlands on their own parcel and they note that the English Construction Company was
1348 compensated for damages of I-895 for this parcel becoming residue of a larger parcel.
1349 Further, English Construction Co. appears to have used this parcel as a borrow pit to build I-
1350 895. Staff agrees to strike the plan annotation requiring the extension of Creekrige Road.
1351 Staff recommends approval of this plan as submitted. A motion by the Commission to waive
1352 the 50-lot limit on a single point of access would be required as currently there are 60 lots on a
1353 single point of access and this would add five more lots for a total of 65 lots. Remember, this
1354 is a landlocked parcel and the original Turner Woods subdivision, when it done in the 70s, did
1355 stub a road in to provide access to this parcel. So, we feel it is appropriate to go ahead and
1356 recommend waive of the limit on the 50 lots on a single point of access. I'll be happy to
1357 answer any questions.

1358

1359 Mr. Archer - Thank you, Mr. McGarry. Are there any questions of Mr. McGarry by
1360 the Commission?

1361

1362 Mr. Jernigan - I don't have any, Mr. Chairman, and I don't need to hear from the
1363 applicant. This was originally on the Expedited Agenda but was pulled off because of the
1364 number of lots. So what I want to say is that our normal policy is 50 lots.

1365

1366 Mr. McGarry - Correct.

1367

1368 Mr. Jernigan - And this subdivision was approved I think around 1977. Well, the five
1369 additional lots, it does have 60 homes in there now and this does create five more. Normally
1370 we would have to have two points of access but because of the situation here nobody is going
1371 to put a road through to join into this and it's the policy of the County not to landlock
1372 property. So, that's the reason this is here and normally I wouldn't approve a subdivision with
1373 this many lots but on this particular one we don't have a whole lot of choice and it has been
1374 endorsed by staff. I discussed this with Mr. McGarry yesterday so I'm okay with it now. So
1375 with that, I will move for approval of subdivision Turner Woods (December 2005 Plan) with
1376 the standard conditions for subdivisions not serve by public utilities and the recommendation
1377 on the addendum by staff.

1378

1379 Mr. Branin - Second.

1380

1381 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mr. Branin. All
1382 in favor say aye...all opposed say nay. The motion carries.

1383 The Planning Commission granted conditional approval to subdivision Turner Woods
1384 (December 2005 Plan) subject to the standard conditions attached to these minutes for
1385 subdivisions not served by public utilities and the annotations on the plans.

1386

1387 Mr. Archer - Do we need a separate motion to approve the 50-lot single point of
1388 access?

1389

1390 Mr. O’Kelly - No.

1391

1392 Mr. Jernigan - No. Approval takes care of the excessive lots. We don’t have to have a
1393 separate motion.

1394

1395 Mr. Archer - Thank you, sir. All right moving right along.

1396

1397 **PLAN OF DEVELOPMENT & MASTER PLAN**

1398

POD-79-05

Rocketts Landing Phase 1B -
Land Bay 4B-
Old Osborne Turnpike
(POD-25-05 Revised)

**Wiley and Wilson, Inc. for Central Virginia Investments/
Rocketts Landing LLC and WVS Rocketts Landing
Construction Management, LLC:** Request for approval plan of
development and amended master plan as required by Chapter
24, Section 24-106 of the Henrico County Code, to construct
Phase 1B improvements in Land Bay 4B consisting of: a
122,000 square foot eight-story mixed use building with 13,000
square feet of retail use on the first floor and 69 residential
multi-family apartments located on the upper floors (12D), a
283 vehicle five-story parking deck (located partially within the
City of Richmond) (12G), 3, three and four-story buildings
containing a total of 10 residential townhouse units each having
an attached two-car garage (13B-D) and a 165,000 square foot
eight-story building containing 60 residential condominium units
with parking under the building (13A). The 9.82-acre site is
located on the south side of Old Osborne Turnpike (State Route
5), where it intersects the Richmond City Line, 150 feet east of
Orleans Street on parcels 797-713-5542 and 797-713-4210. The
zoning is UMUC Urban Mixed Use district (conditional) County
water and sewer. **(Varina)**

1399

1400 Mr. Archer - Is there anyone in the audience in opposition to POD-79-05, Rocketts
1401 Landing Phase 1B – Land Bay 4B in the Varina District? No opposition. Good morning, Sir,
1402 Mike.

1403

1404 Mr. Kennedy - Good morning, Mr. Chairman, members of the Commission. I’ll try to
1405 go through this as quickly as possible. I know that it is a complicated case. There are two
1406 pages in the agenda, there are another 35 in the addendum with floor plans and the master plan
1407 with revisions to the master plan and there are 59 conditions. This is significantly consistent

1408 with the previous approval but I'm going to try to go over it quickly so that you can get an
1409 overview of where we are with the project.

1410

1411 As Mr. O'Kelly indicated, the subject plan of development would amend the previous
1412 approved plan of development, POD-25-05, which was approved by the Commission in
1413 September. At that time the Planning Commission approved a variety of different buildings.
1414 There is an office building, here (referring to the rendering), which was approved which
1415 contains 39,000 square feet of office space. It is an existing building and it will be renovated.
1416 There is a 100,000 square foot condo building, here, which is also a renovated building.
1417 There is a smaller office building with 11,000 square feet, a three-story office plan which is
1418 existing, and that will also be renovated. In addition, to approve the construction of these
1419 townhouse, here (referring to rendering), and here, for a total of 32 townhouses and a
1420 construction of an 88,000 square foot, four-story parking deck in this location, here, with a
1421 pedestrian bridge connecting it to the condos so that they would not have to go with the street
1422 level, they will have direct connection to the parking deck. And finally to approve this
1423 building, here, which is called the Fall-line condo building, and that's 113,000 square foot,
1424 seven-story, condo building with 49 residential units in it.

1425

1426 Okay. That is what was previously approved in September. What's before you now, as Mr.
1427 O'Kelly described, is this mixed-use building, here, which would have retail on the first floor.
1428 The parking deck which straddles the County line, which is partially in the County and the
1429 City, another condo building with sixty (60) units and some additional townhouse units.
1430 Previously, the Planning Commission approved, back in August, they approved the subdivision
1431 approval for this East Main Street, which is already under construction. And at our last POD
1432 meeting, the Planning Commission approved subdivision approval for, which would allow
1433 additional dedication of Old Osborne Turnpike, the dedication of Rocketts Way, the dedication
1434 of Hudson Street as well as the construction of these townhouse lots, in both sections. So,
1435 there have been some previous approval by the Planning Commission.

1436

1437 The master plan itself is a requirement of the UMU district and there are several pages in the
1438 addendum that describes that. The master plan is required to address density of the residential
1439 development. Percentage of commercial development is a requirement...in this case 18%
1440 commercial development, overall final plan of development, open space and buffering
1441 requirements as well as urban design. So, there are urban design presentations in there. As
1442 far as the conditions themselves, the conditions are significantly consistent with the previous
1443 approval. They are generally consistent. There are four additional conditions. One condition
1444 deals with the fact that the applicant has to have POD approval from the City concurrent for
1445 the parking deck because it straddles the line. The three other conditions deals with the design
1446 of this commercial building, here (referring to rendering) with the commercial mixed-use
1447 building having to do with access, access for loading access. Access for dumpsters, which
1448 they have given us preliminary designs to address staff's concerns, and the final conditions
1449 have to do with.... There are two, first stories along this side of the building. First-story
1450 studio apartments and the design of the building itself has got a very commercial character and
1451 staff has recommended that they consider commercial use of those units or add some more
1452 residential character to that side of the building. The developer has agreed to that and they will

1453 work that out in the construction plan details when they get to that point.

1454

1455 In addition, staff has expressed some concern about the Skyline building, here (referring to
1456 rendering), about its design, and the applicant has also agreed to address staff's concern in the
1457 final design stage. I'll address that a little bit briefly later. Basically, what I would like to do
1458 is kind of update you on where we are in the process.

1459

1460 There are three major issues that are contained in the conditions. Although, there were a lot of
1461 standard conditions that address it because it is just multifaceted, there are just a lot of
1462 conditions having to deal with the different sections, the townhouse section as opposed to
1463 commercial development. But, the three main construction issues are construction of East
1464 Main Street, the acquisition of the strip of property from CSX, and construction of Old
1465 Osborne Turnpike. The applicant is making consistent progress on all those facets.

1466

1467 As I indicated earlier, Main Street is under construction now and they are going through to the
1468 City Planning Commission for that process as well to dedicate their sections within the City.
1469 They are going to the Urban Design Committee in the City on January 9 and to the Planning
1470 Commission, in the City, on January 16. So it's moving forward on that front. As far as
1471 acquiring the property from CSX, they have an agreement to do that and proceeding with
1472 closing on that in the near future. And the final issue is the improvements along Old Osborne
1473 Turnpike, and a cross section has been approved by Public Works staff for that section of Old
1474 Osborne Turnpike and has been submitted to VDOT for approval. It is consistent with our
1475 discussion with VDOT so we don't anticipate any problems and they are moving forward with
1476 that as well.

1477

1478 Back to staff's concerns, the final concern we had was with the design of this building, which
1479 is the Skyline condominium building. Basically, staff was concerned about the architectural
1480 character making sure that it is high quality as the previously approved development. The
1481 developer indicated that this is a two-dimensional view and that they had provided the three-
1482 dimensional view of the other condominium building at a prior submission. We do have that
1483 available. Can you pick that up, Ted (speaking to planner to display rendering)? This is
1484 actually the previously approved plan, which is the Fall Line condominium building. As you
1485 can see on the far right, the condominium building, on the left you can see the two-dimensional
1486 view which is pretty similar to the view we previously had, and then on the far right is that
1487 Fall Line condominium building. And, as you can see, it's more articulated because of the
1488 dimension of the depth. So, the developer feels that when they do a three-dimensional view,
1489 which they are preparing for us now, that staff's concerns will be deeply allayed. They have
1490 agreed that the additional concerns that staff have about urban design, about having arch
1491 windows and some other brick features, they can work out with staff and they have agreed to
1492 work those issues out with staff.

1493

1494 Mr. Jernigan - And that's basically what's changed on that building. It was just the
1495 archways.

1496 Mr. Kennedy - Basically, the archways. What happen was on the third floor.... On this
1497 building, here (referring to rendering), the Fall Line building, this here, they have added
1498 another story here, basically. The penthouse, they have only added a very few penthouse units
1499 and they brought this upper floor out more. So, they have added those additional units. They
1500 went from 49 to 60. So, they added 11 units on those upper two floors. So, the building is
1501 not as quite articulate on that level but they have agreed that they will address rear windows
1502 and other design issues, at this level, here. So, if you go from this building here, this here is
1503 where they are adding it, on this level and this level (referring to rendering). If we go back to
1504 the earlier plan, as you can see on this plan, here, this level is now filled out. But, again, it
1505 would be articulated. This section will be set farther back and this section actually pulls in,
1506 pulls out. It wouldn't appear as flat as it does on this two-dimensional plan. We have talked
1507 about adding arch windows and some more brick features to this. And some of those brick
1508 features, like here (referring to rendering) and here, just don't stick out on this plan so they
1509 feel that they can address staff's concerns and make sure that it is going to be high quality.
1510 The same high quality of the previous plan.

1511

1512 Mr. Jernigan - Originally, when this came through. The Fall Line building and this
1513 other building were going to be of the same design.

1514

1515 Mr. Kennedy - Exactly.

1516

1517 Mr. Jernigan - But, they've changed.

1518

1519 Mr. Kennedy - They were going to be the same design but different brick, but they have
1520 added additional units, and that's what happened. They have added additional units on that
1521 upper level and so what they have agreed to is make sure that our concerns will be allayed at
1522 final design plans.

1523

1524 Mrs. Jones - Is that a condition somewhere in here?

1525

1526 Mr. Kennedy - That is not a condition but it could be added as a condition if you wish.
1527 With that, staff can recommend approval. We do feel that they have addressed our concerns.
1528 The master plan is consistent with the proffer requirements and this plan is consistent with the
1529 previously approved plan and the conditions are very similar. Although, there are still 59
1530 conditions, 55 of them are repeated from the previous plan.

1531

1532 Mr. Jernigan- Do what, now?

1533

1534 Mr. Kennedy - Fifty-five of the conditions are repeated from the previous plans. So, we
1535 are just continuing on the same mode. Just making sure that all the I's are dotted and all the
1536 T's are crossed and the development proceeds in a timely fashion. The staff and developer are
1537 working diligently. They would like to have the buildings open for the Jamestown celebration,
1538 so we are proceeding pretty diligently at making any approvals and working with them to get
1539 approvals in a timely fashion. And we really feel that we are doing our best efforts to meet
1540 that deadline.

1541 Mr. Archer - Thank you, Mr. Kennedy. Are there any questions of Mr. Kennedy
1542 from the Planning Commission? No questions.

1543

1544 Mr. Jernigan - I think they pretty well went over everything pre-meeting. I do want to
1545 say for Mr. Kennedy and Mr. Strauss both, this is a tough project and it takes two people to
1546 get this thing straight. It takes a lot of work and I guess that's the way UMU's are, but I want
1547 to thank both of you for diligent work and doing a nice job on this.

1548

1549 Mr. O'Kelly - Mr. Chairman, may I ask a question?

1550

1551 Mr. Archer - Certainly, Mr. O'Kelly.

1552

1553 Mr. O'Kelly - This is the second round of approvals that we've been through on this
1554 major project and one of the largest amenities associated with this project is the James River
1555 and I don't think any plan that we have seen so far has included any of the open space or
1556 amenities associated with the River or with the Marina. Do we have any idea when those will
1557 be coming forward for review and approval?

1558

1559 Mr. Kennedy - I do know that the applicant is working on getting the approvals from the
1560 State for the Marina work. I'm going to defer to him to answer that.

1561

1562 Mr. Branin - While he's coming down. Mr. Kennedy, did you say they plan to have
1563 these buildings open in 2007?

1564

1565 Mr. Kennedy - That's the intent to have the first buildings open in 2007, yes.

1566

1567 Mr. Jernigan - Mr. Kennedy, did you see the letter that came out on the Seismic Study?

1568

1569 Mr. Kennedy - Yes. There are some concerns with the Cedar Works building, 14A,
1570 with the historic character of it and making it meet today's Seismic standards and they have
1571 asked for a wavier of those standards based on the historic nature of the building. It should be
1572 noted that the building stood it for 120 years. It has withstood several earthquakes in the area
1573 and the design itself, since it is a big warehouse, it's kind of open bays, by putting in the
1574 dividing walls it is actually going to be stabilizing it structurally as well. But today's current
1575 design standards and newest 2005 design standard require significant changes to the building
1576 which they are asking waivers for.

1577

1578 Mr. Jernigan - Thank you.

1579

1580 Mr. Archer - Good morning, sir.

1581

1582 Mr. Souter - Good morning, Mr. Chairman and members of the Board (sic). I'm
1583 Richard Souter with WVS. I think your original question related to the Marina... What
1584 happens at the moment is a kind of a two-tier system. Up top here at an elevation of about 40
1585 above the river and then it drops to a kind of a middle tier of 20 feet above the river and then

1586 drops quite steeply off into the river. And at the moment, there is still a rail bed that runs on
1587 that intermediate tier that feeds one customer which is Lee Hi Cement. So, really it's a single
1588 track not part of the Norfolk Southern Railroad Network. We are working with the Virginia
1589 Capital Trail at the moment. They obviously have got large plans to move the Capital Trail
1590 from Jamestown to Richmond and there is already funding in the Richmond budget that is
1591 bringing the Canal Walk down to the great ship lot. So, the Canal Walk and the Virginia
1592 Capital Trail we've place (unintelligible) if they bring the Canal Walk to Rocketts Landing we
1593 will run it along the length of the river front and then tie into the Virginia Capital Trail on the
1594 far side of Rocketts Landing. So, that's kind of in the process, but what needs to happen first
1595 is that this railroad issue needs to be resolved. That's kind of being dealt with on a State level.
1596 We have gone to the permitting procedure for the Marina which is a rather lengthy, drawn
1597 out, procedure which I'm... There are numerous State and Federal levels entities that you have
1598 to apply to at least build this Marina. We suspect that's probably a nine-month to 12-month
1599 process to get that going. So, at the moment that's why you haven't seen them. You can see
1600 the proposed of the 15J. I mean, the marina is planned. At the moment there is kind of a gap
1601 between the high tier and the water mainly because of the railroad issue. So, it's a little
1602 premature for us to....we know exactly what we want to put down there, and we are planning
1603 toward it, but it's not in concrete yet.

1604

1605 Mr. O'Kelly - Thank you, Richard.

1606

1607 Mr. Jernigan - I think, Mr. O'Kelly, it is also in the proffers that there will be a park
1608 area and a marina. So, we know we are going to get it, we just haven't seen the plans on it
1609 yet.

1610

1611 Mr. O'Kelly - I was just curious as to the status.

1612

1613 Mr. Archer - All right. Are there any more questions?

1614

1615 Mr. Jernigan - I don't have any.

1616

1617 Mr. Archer - Thank you gentlemen. Mr. Jernigan.

1618

1619 Mr. Jernigan - Mr. Archer. Mr. Archer, would you make a motion for me.

1620

1621 Mr. Archer - Oh, that's right. I forgot. You need to abstain on this case?

1622

1623 Mr. Jernigan - Yes, sir.

1624

1625 Mr. Archer - Well, with Mr. Jernigan's approval, I will move for approval of plan of
1626 development, master plan POD-79-05, Rocketts Landing Phase 1B - Land Bay 4B on Old
1627 Osborne Turnpike.

1628

1629 Mrs. Jones - Second.

1630

1631 Mr. Archer - The motion was made by Mr. Archer and seconded by Mrs. Jones. All
1632 in favor say aye...all opposed say nay. The motion passes.

1633

1634 Mr. Jernigan - I abstain, Mr. Chairman.

1635

1636 Mr. Archer - So noted.

1637

1638 The Planning Commission approved POD-79-05, Rocketts Landing Phase 1B – Land Bay 4B
1639 (POD-25-05 Revised) subject to the standard conditions attached to these minutes for
1640 developments of this type, the annotations on the plans and the following additional conditions:

1641

1642 24. The unit house numbers shall be visible from the parking areas and drives.

1643 25. The names of streets, drives, courts and parking areas shall be approved by the Richmond
1644 Regional Planning District Commission and such names shall be included on the
1645 construction plans prior to their approval. The standard street name signs shall be
1646 ordered from the County and installed prior to any occupancy permit approval.

1647 26. The easements for drainage and utilities as shown on approved plans shall be granted to
1648 the County in a form acceptable to the County Attorney prior to any occupancy permits
1649 being issued. The easement plats and any other required information shall be submitted
1650 to the County Real Property Agent at least sixty (60) days prior to requesting
1651 occupancy permits.

1652 27. The limits and elevations of the 100-year frequency flood shall be conspicuously noted
1653 on the plan “Limits of 100 Year Floodplain.” In addition, the delineated 100-year
1654 floodplain must be labeled “Variable Width Drainage and Utility Easement.” The
1655 easement shall be granted to the County prior to the issuance of any occupancy permits.

1656 28. The entrances and drainage facilities on Old Osbourne Turnpike (State Route 5) shall be
1657 approved by the Virginia Department of Transportation and the County.

1658 29. A notice of completion form, certifying that the requirements of the Virginia
1659 Department of Transportation entrances permit have been completed, shall be submitted
1660 to the Department of Planning prior to any occupancy permits being issued.

1661 30. The developer shall provide fire hydrants as required by the Department of Public
1662 Utilities and Division of Fire.

1663 31. The proffers approved as a part of zoning case C-55C-04 and PUP cases P-14-04 and
1664 P-4-05 shall be incorporated in this approval.

1665 32. Any necessary off-site drainage and/or water and sewer easements must be obtained in
1666 a form acceptable to the County Attorney prior to final approval of the construction
1667 plans.

1668 33. Deviations from County standards for pavement, curb or curb and gutter design shall be
1669 approved by the County Engineer prior to final approval of the construction plans by
1670 the Department of Public Works.

1671 34. Insurance Services Office (ISO) calculations must be included with the plans and
1672 contracts and must be approved by the Department of Public Utilities prior to the
1673 issuance of a building permit.

1674 35. Approval of the construction plans by the Department of Public Works does not
1675 establish the curb and gutter elevations along the Virginia Department of Transportation

- 1676 maintained right-of-way. The elevations will be set by the contractor and approved by
1677 the Virginia Department of Transportation.
- 1678 36. The portion of proposed Main Street right of way located within the City of Richmond
1679 and any necessary offsite easements for the proposed sanitary sewer outfalls into the
1680 City of Richmond system shall be recorded prior to the approval of final construction
1681 plans.
- 1682 37. The portion of proposed Main Street right of way located within the County and the
1683 offsite easements shown on the tentative plat for Rocketts Landing Phase one shall be
1684 recorded prior to the approval of final construction plans.
- 1685 38. The proposed sanitary sewer outfall into the City of Richmond system shall be accepted
1686 by the City for maintenance prior to the issuance of any Certificates of Occupancy. The
1687 Developer shall coordinate plan review with the City of Richmond and provide
1688 evidence to the Director of Public Utilities that the City's requirements are satisfied.
- 1689 39. The owner of the strip of property adjacent to the west side of State Route 5 (Old
1690 Osborne Turnpike) shall dedicate all right of way and easements determined necessary
1691 by the Director of Public Works and the Virginia Department of Transportation
1692 (VDOT), for the widening of State Route 5 (Old Osborne Turnpike), in accordance
1693 with the proffers and the traffic impact study, prior to the approval of final construction
1694 plans for any portion of the property adjacent to State Route 5.
- 1695 40. The owner of the strip of property adjacent to the west side of State Route 5 (Old
1696 Osborne Turnpike) shall dedicate all right of way easements determined necessary by
1697 the Director of Public Works for the extension of Rocketts Way and Old Hudson Street
1698 in accordance with the proffers and the traffic impact study, prior to the approval of
1699 final construction plans for any portion of the property adjacent to State Route 5.
- 1700 41. A construction plan for the proposed offsite water main extension along State Route 5
1701 (Old Osborne Turnpike) and connection into the City of Richmond system shall be
1702 approved by the Department of Public Utilities, the City of Richmond, VDOT and the
1703 State Health Department prior to the approval of final construction plans. The
1704 Developer shall coordinate plan review with the City of Richmond, VDOT and the
1705 State Health Department, and provide evidence that their requirements are satisfied.
- 1706 42. All offsite easements necessary for the proposed offsite water main extension along
1707 State Route 5 (Old Osborne Turnpike) and connection into the City of Richmond system
1708 shall be recorded prior to the approval of final construction plans.
- 1709 43. The proposed water main connection into the City of Richmond system shall be
1710 accepted by the City for maintenance prior to the issuance of any Certificates of
1711 Occupancy. The Developer shall coordinate plan review with the City of Richmond and
1712 provide evidence to the Director of Public Utilities that the City's requirements are
1713 satisfied.
- 1714 44. The proposed offsite water main extension along State Route 5 (Old Osborne Turnpike)
1715 shall be accepted by the County for maintenance prior to the issuance of any
1716 Certificates of Occupancy.
- 1717 45. A construction plan for the widening of State Route 5 (Old Osborne Turnpike) and
1718 streetscape improvements along the west side of State Route 5 (Old Osborne Turnpike)
1719 abutting Land Bay 4 in accordance with the proffers and the developer's traffic study,
1720 shall be approved by the Department of Public Works, the Department of Planning, and

- 1721 VDOT prior to the approval of final construction plans for any portion of the property
1722 adjacent to State Route 5 (Old Osborne Turnpike). The Developer shall coordinate plan
1723 review with VDOT, and provide evidence that their requirements are satisfied.
- 1724 46. A performance bond for all required improvements to State Route 5 (Old Osborne
1725 Turnpike) including streetscape improvements along the west side of State Route 5 (Old
1726 Osborne Turnpike) abutting Land Bay 4 shall posted prior to the issuance of any
1727 building permits for any portion of the property adjacent to State Route 5 (Old Osborne
1728 Turnpike).
- 1729 47. All improvements to State Route 5 (Old Osborne Turnpike) including streetscape
1730 improvements along the west side of State Route 5 (Old Osborne Turnpike) abutting
1731 Land Bay 4 shall completed prior to the issuance of any Certificates of Occupancy for
1732 any portion of the property adjacent to State Route 5 (Old Osborne Turnpike), unless an
1733 exception is approved by the Directors of Public Works and Planning.
- 1734 48. A tentative subdivision plat for the dedication of Rocketts Way and Old Hudson Street
1735 shall be submitted for Planning Commission review and approval prior to the approval
1736 of any final construction plans abutting any portion of those proposed streets.
- 1737 49. A subdivision plat for the dedication of Rocketts Way shall be recorded prior to the
1738 approval of any building permits for property abutting any portion of those proposed
1739 streets.
- 1740 50. A subdivision plat for the townhouses shall be recorded prior to the approval of any
1741 building permits for any portion of the proposed townhouses.
- 1742 51. The service alleys shall be improved in accordance with the proffered design guidelines
1743 with a decorative pavement treatment that shall be submitted for review and approval
1744 by the Director of Planning prior to approval of final construction plans.
- 1745 52. A traffic control plan shall be approved by the County Traffic Engineer, prior to the
1746 final approval of construction plans, for any restricted structured parking.
- 1747 53. A CPTED plan shall be submitted to the Division of Police for review, prior to the
1748 approval of construction plans for any office building or multi-family residential
1749 building.
- 1750 54. A construction staging plan which includes details for traffic control, fire protection,
1751 stockpile locations, construction fencing, and construction trailer locations, shall be
1752 submitted for County review and prior to the approval of any final construction plans.
- 1753 55. The unfinished walls of the parking deck (Building No. 12G) shall be covered with a
1754 cityscape mural of such design as approved by the Director of Planning; within no more
1755 than two years from the date a Certificate of Occupancy is issued for the parking deck,
1756 However, this requirement may be waived at the discretion of the Director of Planning;
1757 if a POD is approved for the adjoining property within two years; or if a building
1758 permit is approved for an adjoining property within three years; or other cause. This
1759 requirement shall apply separately to each unfinished face of the building.
- 1760 56. A Plan of Development for the parking deck (Building No. 12G) shall be submitted to
1761 the City of Richmond for concurrent review and approval prior to the approval of any
1762 final construction plans for the deck. The Developer shall coordinate plan review with
1763 the City of Richmond, and provide evidence that their requirements are satisfied.
- 1764 57. Revise plan to indicate a dumpster location for the retail uses in Building 12D, subject
1765 to review and approval by staff.

1766 58. Revise plan to indicate off-street loading access for the retail uses in Building 12D,
1767 subject to review and approval by staff.

1768 59. Revise architectural plan for 1st floor loft units in Building 12D to either have more
1769 residential character or to substitute business use consistent with the proposed
1770 architectural character, subject to review and approval by staff.

1771

1772 Mr. O'Kelly - Mr. Chairman, the last case on our agenda is on page 28, subdivision
1773 Short Pump Place (December 2005 Plan).

1774

1775 **SUBDIVISION**

1776

Short Pump Place
(December 2005 Plan)
Pouncey Tract Road

Bay Design Group, P.C. for Target Golf of Richmond, Inc. and Pouncey Tract Development, LLC: The 11.9331-acre site proposed for a subdivision of 52 residential homes for sale is located on the east side of Pouncey Tract Road, approximately 80 feet north of I-64 on parcel 740-764-5065. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt) 52 Lots**

1777

1778 Mr. Archer - Is there anyone here in opposition to this case, subdivision Short Pump
1779 Place (December 2005 Plan)? No opposition. Mr. Kennedy, again.

1780

1781 Mr. Kennedy - Good morning, again. The subdivision plat before you proposes 52
1782 units. It's a little bit different from the proffered plan. I'm going to go back to that proffered
1783 plan so that you can see what the difference is. There are actually these three additional units,
1784 here (referring to rendering), which are proposed. Here is the proffered plan and instead of
1785 having just three units they have six units, so they have increased from the proffered plan by
1786 three additional units. It was authorized by the proffers. The proffers actually authorizes a
1787 total of 52 units which as I said the plan needs to be approved by the Planning Commission.
1788 The proffers also indicate that the BMP pond, which is in this location, here (referring to
1789 rendering), which has now been reduced in size, needs to have a fountain and be designed as
1790 an amenity. Staff was concerned that, with that as far as the design of the plan, because of the
1791 fact that they have reduced the area available to it, the developer has indicated that there will
1792 be landscaping around the pond and that there will be benches and they will make sure that
1793 there is an amenity. The plan does return back to the Planning Commission for POD
1794 approval, so that assurance will have to be met at that time. We have asked that the developer,
1795 actually have someone make that statement for the record, so that we have assurance for the
1796 Planning Commission that the pond itself will not just be a hole in the ground but will actually
1797 be an amenity to this facility as proffered.

1798

1799 We should indicate that on the plan itself, the new plan. The pond is surrounded by roads. The
1800 sign indicates it on this plan, but I'll go back to the earlier plan. It's surrounded by roads, the
1801 pond is in this area, here. And, instead of guardrails they are going to have post and chains
1802 basically to make it more residentially attractive. But, it does require vehicle protection and

1803 the pond will be design in accordance with Public Works Safety Design standards with a safety
1804 bench. Slight slopes so it won't be, you know, steep slopes. It will be 4 to 1 slopes, a safety
1805 bench and will have a fountain. I believe the engineer is here to make representation to the
1806 fact that it will be attractively designed.

1807

1808 Mr. Caskie - Good morning, I'm Dan Caskie with Bay Design Group. We do intend
1809 on making that an amenity of the community. We plan to do quite a bit of plantings around
1810 there, probably a lot of ornamental trees. This is going to be a very upscale community so it's
1811 really a necessity to not leave it as a standard BMP would look. We will have a fountain in it.
1812 We actually intend on having an area around the pond, behind the curb line to...it may be a
1813 grass area but it may be pavers or something like that to be able to walk around to have the
1814 residents be able to walk around it and there may be some decorative fencing as well. So,
1815 that's the intent.

1816

1817 Mr. Archer - Okay. Thank you, Mr. Caskie. Are there questions for Mr. Kennedy or
1818 Mr. Caskie?

1819

1820 Mr. Branin - Mr. Caskie, you know I'm glad you addressed that. I had spoken to
1821 Larry Horton yesterday and yes it is going to be very upscale. You guys have added some
1822 additional buildings since your first rendering, which is in the amount that you could, and I
1823 didn't have a problem with that. But, being upscale, he also told me that the pond, the original
1824 calculations of the pond or the rendering of the pond, it will actually be smaller. The BMP
1825 will be smaller which will allow you all to put the pedestrian friendly and actually make it
1826 more appealing to sitting out there and walkways and so forth.

1827

1828 Mr. Caskie - That's correct and we will provide benches and the necessary implements
1829 to do that. If we need to widen the pond or widen the walkways in some areas, we ought to be
1830 able to do that. It's a tight fit but....

1831

1832 Mr. Branin - It's a tight fit but you also have the ability, it doesn't have to be a perfect
1833 oval, you can kidney shape it. It's about the volume and if you do change the actual design of
1834 the pond you will be able to create more pleasant areas.

1835

1836 Mr. Caskie - That is correct.

1837

1838 Mr. Branin - And I voiced my concerns to him as I will to you.

1839

1840 Mr. Caskie - Right. And our intent is to make is like a pocket park, really.

1841

1842 Mr. Branin - Right. Okay. Thank you.

1843

1844 Mr. Kaechele - Just for clarification on the road on the eastern end of the property. That
1845 can be extended to the road running along the northern edge at a future time?

1846

1847 Mr. Caskie - The road on the eastern part of the property?

1848

1849 Mr. Kaechele - Yes.

1850

1851 Mr. Caskie - Yes, we are setting this up to extend into the VDOT parcel in the event
1852 that that becomes available.

1853

1854 Mr. O'Kelly - Mr. Caskie, during the rezoning of this property there was some
1855 discussion, perhaps later on that I personally had with Mr. Horton, who indicated that this
1856 would probably be a gated community.

1857

1858 Mr. Caskie - We are trying to do that. That's true.

1859

1860 Mr. O'Kelly - Good. Those details, since they are private roads, can be worked out
1861 with the plan of development application.

1862

1863 Mr. Caskie - Yes, sir, and that is the intent to come in right before the first building
1864 and put some type of automatic gate.

1865

1866 Mr. Branin - Mr. Caskie, are you aware that the widening of Pouncey Tract and the
1867 right-of-way of Pouncey Tract with VDOT, they had conveyed to me as well that there will
1868 be... there full intent is to make it a gated community whether they have to come in almost
1869 where the buildings are and create a gated area in there. The first concern I had was stacking
1870 traffic up on Pouncey Tract of neighbors trying to get into their gated community or stacking
1871 up trying to get out onto Pouncey Tract. So, that is what we are addressing, currently.

1872

1873 Mr. Caskie - That certainly is an issue, and we will have our own turn lane onto
1874 Pouncey Tract and if we have to have the gates open at rush hour or if we need to do
1875 something like that where they don't close at certain times of the day, we can certainly arrange
1876 that.

1877

1878 Mr. Archer - Okay. Are there any more questions? Thank you, gentlemen. Mr.
1879 Branin.

1880

1881 Mr. Branin - Mr. Chairman, I move to approve Short Pump Place with the standard
1882 conditions for subdivision served by public utilities and the additional conditions Nos. 13 and
1883 14 listed on the agenda.

1884

1885 Mr. Jernigan - Second.

1886

1887 Mr. Archer - The motion was made by Mr. Branin and seconded by Mr. Jernigan. All
1888 in favor say aye...all opposed say nay. The motion passes.

1889 The Planning Commission granted conditional approval to subdivision Short Pump Place
1890 (December 2005 Plan) subject to the standard conditions attached to these minutes for
1891 developments of this type, the annotations on the plans and the following additional conditions:

1892

1893 13. The proffers approved as part of zoning case C-66C-05 shall be incorporated in this
1894 approval.

1895 14. Any future building lot containing a BMP, sediment basin or trap and located within the
1896 buildable area for a principal structure or accessory structure, may be developed with
1897 engineered fill. All material shall be deposited and compacted in accordance with the
1898 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
1899 professional engineer. A detailed engineering report shall be submitted for the review
1900 and approval by the Building Official prior to the issuance of a building permit on the
1901 affected lot. A copy of the report and recommendations shall be furnished to the
1902 Directors of Planning and Public Works.

1903

1904 Mr. Archer - All right, Mr. Secretary, I think we have another item on the agenda.

1905

1906 Mr. O’Kelly - Mr. Chairman, might I make a suggestion, Mr. Chairman?

1907

1908 Mr. Archer - Sure.

1909

1910 Mr. O’Kelly - Perhaps the Planning Commission could consider the minutes before we
1911 begin the public hearing. Maybe take a short break after approving the minutes and I will have
1912 to move to the podium to address the Commission with the public hearing.

1913

1914 Mr. Archer - All right. That will be fine.

1915

1916 **APPROVAL OF MINUTES: November 16, 2005 Minutes**

1917

1918 Mr. Archer - Are there any corrections or amendments to the minutes? I have none.

1919

1920 Mrs. Jones - I have none.

1921

1922 Mr. Archer - Mr. Jernigan?

1923

1924 Mr. Jernigan - I’m clear today, Mr. Chairman.

1925

1926 Mr. Archer - All right. May we have a motion?

1927

1928 Mrs. Jones - I move that we accept the minutes as delivered.

1929

1930 Mr. Jernigan - Second.

1931 Mr. Archer - The motion was made by Mrs. Jones and seconded by Mr. Jernigan to
1932 approve the November 16, 2005, minutes. We will take a five or 10-minute break to allow
1933 Mr. O’Kelly time to set up for his presentation.

1934

1935 Mr. O’Kelly - Thank you, Mr. Chairman.

1936

1937 **AT THIS TIME THE PLANNING COMMISSION TOOK A BREAK AND THEN**
1938 **RESUMED THE MEETING.**

1939

1940 **PUBLIC HEARING: Zoning Ordinance Amendment pertaining to the permitted location of**
1941 **accessory buildings and structures on a lot or parcel in the A-1 Agricultural and Residential**
1942 **Districts.**

1943

1944 Mr. Archer - The Planning Commission will now reconvene.

1945

1946 Mr. Branin - Mr. Chairman, I would like to thank Mrs. Jones for the Christmas treats.

1947

1948 Mr. Kaechele - Oh, is that where these came from.

1949

1950 Mrs. Jones - You are very welcome, Mr. Branin. Merry Christmas.

1951

1952 Mr. Archer - Mrs. Jones, you do understand that when you do things like that it becomes
1953 a precedent. We will expect that every year.

1954

1955 Mrs. Jones - I know. I’m new, I’m learning.

1956

1957 Mr. Archer - A little something for Easter maybe.

1958

1959 Mrs. Jones - We’ll see.

1960

1961 Mr. Archer - All right, Mr. O’Kelly.

1962

1963 Mr. O’Kelly - Mr. Chairman, members of the Planning Commission, this Public Hearing
1964 is for your consideration for an amendment to the Zoning Ordinance pertaining to the permitted
1965 location of accessory buildings and structures, including swimming pools, on a residential lot.
1966 The current ordinance permits such location only in the rear yard. The past practices allowed
1967 accessory buildings to be placed in other yards, sides and fronts, with approval of a variance by
1968 the Board of Zoning Appeals. Up until this past year, this type of variance was routinely
1969 approved by the Board of Zoning Appeals, and I have an example on the screen of a list of 47
1970 variance applications which were considered, from 1997 up until 2005 for a variety of accessory
1971 structures, either pools inside yards, detached garages in side and front yards, other accessory
1972 structures such as gazebos or utility buildings and things of that nature which were approved in
1973 sides and front yards. Of the 47 applications considered during that period of time, more than
1974 90% of those were approved by the Board of Zoning Appeals.

1975

1976 Due to the recent ruling in the Cochran Decision by the Virginia Supreme Court, now a Board of
1977 Zoning Appeals has no option but to deny any application for a variance that would allow any type
1978 of structure or pool in the side or front yard. The Board of Zoning Appeals, according to the
1979 Supreme Court, is limited in granting any type of variance unless it would deny all reasonable use
1980 of the property taken as a whole. So, as long as a homeowner has the enjoyment of their home, if
1981 they want to make additions to the property, that are not in conformance with the Zoning
1982 Ordinance, they do not have the ability now to apply for a variance in order to allow the accessory
1983 building because they have otherwise use of their property as a single-family home.

1984

1985 In an effort to provide citizens some relief, and allow the Board of Zoning Appeals some
1986 flexibility in considering exceptions, the Board of Supervisors has requested the Planning
1987 Commission to adopt a resolution initiating this process which we are here for today, which would
1988 permit the location of accessory buildings and structures in a side or front yard with approval of a
1989 Conditional Use Permit. I do have copies of the proposed ordinance if any Commission members
1990 need another copy.

1991

1992 Mr. Archer - I think we all have a copy, Mr. O'Kelly.

1993

1994 Mr. O'Kelly - Everyone has a copy?

1995

1996 Mr. Archer - Yes.

1997

1998 Mr. O'Kelly - So, what we are suggesting today is a simple amendment to change the
1999 process for handling these various requests from a Variance procedure to a Provisional Use
2000 procedure. If I might just give you an overview of the powers of the BZA, for the record, I will
2001 just state those to you, Mr. Chairman. The powers of the BZA are to hear and decide appeals
2002 from any requirement decision ordered or determination made by an administrative officer in the
2003 administration or enforcement of the Zoning Ordinance. So they have the right to hear appeals
2004 from decisions made by any administrative officer in regard to enforcing the Zoning Ordinance of
2005 Henrico County. They also have the authority to authorize variance from the terms of the Zoning
2006 Ordinance, although, due to the Cochran Decision we know that that authority is now limited.
2007 The Board of Zoning Appeals also has the power to hear and decide appeals from the decisions of
2008 the Zoning Administrator. They also have the authority to hear and decide applications for
2009 Conditional Use Permits. The Board has granted the Board of Zoning Appeals that authority to
2010 hear cases for Conditional Use Permits. And the Board of Zoning Appeals, in the past, has
2011 routinely considered Use Permits for sand and gravel operations, for just a number of different
2012 type of uses. So, what staff is proposing, with just a simple amendment, is in keeping with the
2013 powers that the BZA currently has.

2014

2015 In considering a Conditional Use Permit, the BZA needs to determine that the use will not
2016 adversely affect the health, safety or welfare of persons residing or working on the premises or in
2017 the neighborhood; will not unreasonably impair inadequate supply of light and air to adjacent
2018 property nor increase congestion in the streets; nor increase public danger from fire or otherwise
2019 unreasonably affect public safety; nor impair the character of the district or adjacent districts; nor
2020 be incompatible with the general plans and objectives of the official Land Use Plan of the County;

2021 nor be likely to reduce or impair the value of buildings or properties in surrounding areas.

2022

2023 In deciding what conditions to impose on a permit, the BZA considers the following factors: In
2024 those instances where the Board finds a proposed use may be likely to have an adverse effect, the
2025 Board shall determine whether such effect can be avoided by the imposition of any special
2026 requirements or conditions with respect to location, design, construction, equipment, maintenance
2027 or operation in addition to those conditions, expressly stipulated in the Zoning Ordinance for that
2028 particular use.

2029

2030 Mr. Chairman, this is a simple to change to procedures but one that we believe will benefit the
2031 citizens of Henrico County in the long run. I'll be happy to answer any questions.

2032

2033 Mr. Archer - All right. Are there any questions for Mr. O'Kelly by Commission
2034 members? And, may I remind everyone that this is a public hearing. If there is anyone in
2035 audience that would like to speak to this issue, you are certainly welcome to do so. Mr.
2036 O'Kelly, this will probably be very rarely used. If it comes up to be a Conditional Use Permit
2037 does that have to come before the Planning Commission?

2038

2039 Mr. O'Kelly - No, sir. The State Code provides the Board of Zoning Appeals with the
2040 authority to hear Conditional Use Permits.

2041

2042 Mr. Archer - Is there any instance in which it would come before the Planning
2043 Commission, you think, or unless it is part of the subdivision?

2044

2045 Mr. O'Kelly - Currently, as you know, Mr. Chairman, with the plan of development,
2046 the Planning Commission many times considers Special Exceptions and Use Permits as part of
2047 the POD process and we have that authority in the Zoning Ordinance.

2048

2049 Mr. Archer - Okay.

2050

2051 Mr. O'Kelly - But other than that, these types of accessory buildings and structures to
2052 be located on a residential lot would be handled by the Board of Zoning Appeals.

2053

2054 Mrs. Jones - I have something, if you don't mind. This will not effect any change
2055 when ownership of the property changes, correct, if the Conditional Use Permit goes on with
2056 the land?

2057

2058 Mr. O'Kelly - The use permit runs with the property.

2059

2060 Mrs. Jones - I know there have been several cases in my particular district and this is
2061 one of these situations where a case-by-case assessment is really the common sense thing to do.
2062 There are many parcels that just don't lend themselves to the existing Zoning Ordinance
2063 because you just can't do anything with the way the property has been developed. So, this
2064 gives, I think, what is our job and that is to be responsive to the needs of the citizens.

2065

2066 Mr. O’Kelly - Thank you.
2067

2068 Mr. Archer - Are there any further questions or discussions?
2069

2070 Mr. Kaechele - I would like to make a comment, Mr. Chairman. With the Supreme
2071 Court decision limiting flexibility of the BZA, I think that, also being one of the sponsors with
2072 Mrs. O’Bannon, to ask for this ordinance amendment, to give our citizens more opportunity to
2073 utilize their property and under rare conditions, this is the best way to do it. While I can’t vote
2074 on this proposal today, when it comes before the Board, it’s something I think we need badly.
2075

2076 Mr. Archer - Thank you for that observation, Mr. Kaechele.
2077

2078 Mr. O’Kelly - Depending on your vote today, Mr. Chairman, the earliest that this could
2079 come before the Board of Supervisors would be at their January 24, 2006, meeting. But,
2080 really the scheduling of that is up to the County Manager’s Office but that is the earliest date
2081 that it could be heard.
2082

2083 Mr. Archer - Which would allow another opportunity for public input, if there is any.
2084

2085 Mr. O’Kelly - Yes, sir.
2086

2087 Mr. Archer - All right. Members of the Commission, what is your pleasure? We
2088 need a motion on the proposed Zoning Ordinance Amendment.
2089

2090 Mr. Jernigan - Mr. Chairman, I would like to make a motion to approve the proposed
2091 Zoning Ordinance Amendment for location of accessory buildings and structures on residential
2092 lots.
2093

2094 Mr. Branin - Second.
2095

2096 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mr. Branin to
2097 recommend the proposed zoning ordinance amendment to the Board of Supervisors. All in
2098 favor say aye...all opposed say nay. The motion passes.
2099

2100 The Planning Commission approved the proposed Zoning Ordinance Amendment for location
2101 of accessory buildings and structures on a lot to the Board of Supervisors.
2102

2103 Mr. Archer - Mr. O’Kelly, thank you for that presentation.
2104

2105 Mr. Branin - Mr. Chairman, I would like to take this opportunity to wish staff a happy
2106 holiday, Merry Christmas. And, also thank them for putting up with me for my first year.
2107

2108 Mrs. Jones - We all should say that.
2109 Mr. Branin - And I would also like to take this opportunity to thank my fellow
2110 Commissioners, again, for putting up with me.

2111
2112 Mrs. Jones - We put up with each other.
2113
2114 Mr. Archer - Would you like to put that in a form of a motion, Mr. Branin?
2115
2116 Mr. Branin - I don't think I can handle that, sir, my motion's stink.
2117
2118 Mr. Archer - With that, I would like to reiterate what Mr. Branin said and thank staff
2119 and wish everybody a happy holiday. And with that, I will bring the 2005 Planning
2120 Commission to a close.
2121
2122 Mr. Branin - Second.
2123
2124 On a motion by Mr. Archer and seconded by Mr. Branin, the Planning Commission adjourned
2125 its December 14, 2005 meeting at 11:10 a.m.
2126
2127
2128
2129
2130

C. W. Archer, C.P.C., Vice Chairperson
2131
2132
2133
2134
2135

Randall R. Silber, Secretary