

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County,
2 held in the Board Room of the County Administration Building in the Government Center
3 at Parham and Hungary Spring Roads, beginning at 9:00 a.m. Wednesday, December
4 12, 2007.

5

Members Present: Mr. Tommy Branin, Chairperson (Three Chopt)
Mr. E. Ray Jernigan, C.P.C. (Varina)
Mr. C. W. Archer, C.P.C. (Fairfield)
Mr. Ernest B. Vanarsdall, C.P.C. (Brookland)
Mrs. Bonnie-Leigh Jones (Tuckahoe)
Mr. Randall R. Silber, Director of Planning, Secretary
Mr. Frank Thornton (Fairfield)
Board of Supervisors Representative

Others Present: Mr. David D. O'Kelly, Assistant Director of Planning
Ms. Leslie A. News, CLA, Principal Planner
Mr. James P. Strauss, CLA, County Planner
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner
Mr. Michael F. Kennedy, County Planner
Ms. Christina L. Goggin, AICP, County Planner
Mr. Tony Greulich, C.P.C., County Planner
Mr. Matt Ward, County Planner
Mr. Gregory Garrison, County Planner
Mr. Lee Pambid, C.P.C., County Planner
Mrs. Aimee Berndt, County Planner
Mr. Jonathan W. Steele, G.I.S. Manager
Mr. Michael Jennings, Traffic Engineer
Ms. Diana B. Carver, Recording Secretary
Mrs. Ann B. Cleary, Office Assistant

6

7 **Mr. Frank J. Thornton, the Board of Supervisors representative, abstains from**
8 **voting on all cases unless otherwise noted.**

9

10 Mr. Branin - Good morning. Welcome to the POD meeting for December
11 12, 2007. We have our Supervisor on the Board. This is one of the last meetings. This
12 is the last POD that you'll be serving with us. No one from the press. Randy, it's up to
13 you.

14

15 Mr. Silber - Thank you, Mr. Chairman. It is in fact Mr. Thornton's last
16 meeting with us, as this is the last Planning Commission meeting for 2007. We
17 appreciate the time and effort you have given the Planning Commission, Mr. Thornton,
18 during this past year.

19

20 Mr. Thornton - Thank you, Mr. Silber, you're very kind.

21

22 Mr. Silber - With that, the first item on the agenda would be
23 consideration of deferrals and withdrawals. I'm not aware we have any withdrawals, but
24 we have a number of deferrals. Ms. News, can you tell us about those, please.

25
26 Ms. News - Yes sir. Good morning, Mr. Chairman, members of the
27 Commission. We actually have seven requests. We have one request for withdrawal
28 and six deferrals; I'll go through those. The first request is on page 4 of your agenda
29 and is located in the Brookland District. This is transfer of approval POD-47-84,
30 Landmark Office Center, Phase 2. The Planning Commission is requesting a deferral
31 until March 26, 2008.

32
33 **TRANSFER OF APPROVAL** *(Deferred from the November 14, 2007 Meeting)*
34

POD-47-84 Landmark Office Center, Phase 2 – 8651 Staples Mill Road	Donald N. Blake: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Landmark Office Center, LLC to Donald Blake. The 0.98-acre site is located on the east line of Staples Mill Road approximately 525 feet south of E. Parham Road and 275 feet north of Janway Road on parcel 770-754-483. The zoning is O-2, Office District. County water and sewer. (Brookland)
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35
36 Mr. Branin - Is anyone in opposition to deferral of POD-47-84, Landmark
37 Office Center, Phase 2? No one?

38
39 Mr. Vanarsdall - With that, Mr. Chairman, I move that transfer of approval
40 POD-47-84, Landmark Office Center, Phase 2, be deferred to the 26th of March 2008, at
41 the request of the Commissioner.

42
43 Mrs. Jones - Second.

44
45 Mr. Branin - Motion made by Mr. Vanarsdall, seconded by Mrs. Jones. All
46 in favor say aye. All opposed say no. The ayes have it; the motion carries.

47
48 At the request of the Commissioner, the Planning Commission deferred Transfer of
49 Approval POD-47-84, Landmark Office Center, Phase 2, to its March 26, 2008 meeting.

50
51 Ms. News - Next on page 18 of your agenda, and located in the Three
52 Chopt District is POD-41-07 (POD-57-86 Revised), Pouncey Place, Phase 1. The
53 applicant has requested a deferral to the February 27, 2008 meeting.
54

55 **PLAN OF DEVELOPMENT** *(Deferred from the October 24, 2007 Meeting)*

56

POD-41-07 **Bay Design Group, P.C. for Pouncey Place, LLC:**
Pouncey Place, Phase 1 – Request for approval of a plan of development as required
Twin Hickory Lake Drive by Chapter 24, Section 24-107 of the Henrico County
and Pouncey Tract Road Code, to construct a shopping center with two one-story
(POD-57-86 Revised) buildings for a total of 27,630 square feet. The 5.25-acre
site is part of a 10.10-acre parcel and is located on the
southeast corner of Pouncey Tract Road (State Route
271) and Twin Hickory Lake Drive on part of parcel 740-
765-2150. The zoning is B-2C, Business District
(Conditional) and WBSO, West Broad Street Overlay
District. County water and sewer. **(Three Chopt)**

57

58 Mr. Branin - Is anyone in opposition to the deferral of POD-41-07
59 Pouncey Place, Phase I (POD-57-86 Revised)? No one? Then I would like to move
60 that POD-41-07 Pouncey Place, Phase I (POD-57-86 Revised), be deferred to the
61 February 27, 2008 meeting, per the applicant's request.

62

63 Mr. Jernigan - Second.

64

65 Mr. Branin - Motion made by Mr. Branin, seconded by Mr. Jernigan. All
66 in favor say aye. All opposed say no. The ayes have it; the motion carries.

67

68 At the request of the applicant, the Planning Commission deferred POD-41-07 Pouncey
69 Place, Phase I (POD-57-86 Revised) to its February 27, 2008 meeting.

70

71 Ms. News - The next item is on page 20 of your agenda, and is located
72 in the Three Chopt District. This is POD-53-07 or POD-51-97 Revised, Home Depot @
73 Brookhollow, The Garden Center Expansion. The applicant has requested a deferral to
74 the January 23, 2008 meeting.

75

76 **PLAN OF DEVELOPMENT** *(Deferred from the November 14, 2007 Meeting)*

77

POD-53-07 **McKinney & Company for Home Depot USA Inc.:**
Home Depot @ Request for approval of a plan of development, as required
Brookhollow Garden by Chapter 24, Section 24-106 of the Henrico County
Center Expansion – Code, to construct 6,372 square feet of outdoor garden
W. Broad Street and I-64 center display areas for an existing building. The 7.95-acre
(POD-51-97 Revised) site is located at 11260 W. Broad Street on parcel 742-
762-4307 in the Brookhollow Shopping Center. The zoning
is M-1C, Light Industrial District (Conditional). County
water and sewer. **(Three Chopt)**

78

79 Mr. Branin - Is anyone in opposition to the deferral of POD-53-07, Home
80 Depot @ Brookhollow Garden Center Expansion (POD-51-97 Revised)? No one? Then
81 I would like to move that POD-53-07, Home Depot @ Brookhollow Garden Center
82 Expansion (POD-51-97 Revised), be deferred to the January 23, 2008 meeting, per the
83 applicant's request.

84
85 Mrs. Jones - Second.

86
87 Mr. Branin - Motion made by Mr. Branin, seconded by Mrs. Jones. All in
88 favor say aye. All opposed say no. The ayes have it; the motion carries.

89
90 At the request of the applicant, the Planning Commission deferred POD-53-07, Home
91 Depot @ Brookhollow Garden Center Expansion (POD-51-97 Revised), to its January
92 23, 2008 meeting.

93
94 Ms. News - Next on page 34 of your agenda, and located in the
95 Tuckahoe District, is POD-68-07. This is a POD and Master Plan for The Shire @ Pump
96 and Church. The applicant is requesting a deferral to the January 23, 2008 meeting.

97
98 **PLAN OF DEVELOPMENT & MASTER PLAN**
99 *(Deferred from the November 14, 2007 Meeting)*

100
POD-68-07 **Kimley Horn for Kevin McFadden and The Rebkee**
The Shire @ Pump and **Company:** Request for approval of a plan of development
Church – Church Road and master plan as required by Chapter 24, Section 24-
and Pump Road 106 of the Henrico County Code, to construct four, one-
story retail buildings totaling 35,810 square feet and a
master plan for two future one-story retail buildings totaling
27,550 square feet. The 21-acre site is located at the
southwest corner of the intersection of Pump and Church
Roads on parcels 739-754-7156 and 739-753-1396. The
zoning is B-2C, Business District (Conditional), C-1C,
Conservation District, RTHC, Residential Townhouse
District (Conditional) and R-3AC, One-Family Residence
District (Conditional). County water and sewer.
(Tuckahoe)

101
102 Mr. Branin - Is anyone in opposition to the deferral of POD-68-07, The
103 Shire @ Pump and Church? No one. Mrs. Jones?

104
105 Mrs. Jones - I move deferral of POD-68-07, The Shire @ Pump and
106 Church, to the January 23, 2008 meeting.

107
108 Mr. Vanarsdall - Second.

110 Mr. Branin - Motion made by Mrs. Jones, seconded by Mr. Vanarsdall. All
111 in favor say aye. All opposed say no. The ayes have it; the motion carries.

112
113 At the request of the applicant, the Planning Commission deferred POD-68-07, The
114 Shire @ Pump and Church, to its January 23, 2008 meeting.

115
116 Ms. News - Next on page 43 of your agenda, and located in the Varina
117 District, is POD-34-06 (POD-83-97 Revised). This is Gillies Creek Recycling – Office
118 Area. The applicant has requested a withdrawal of this item.

119
120 **PLAN OF DEVELOPMENT (*Deferred from the September 26, 2007 Meeting*)**
121

POD-34-06 Gillies Creek Recycling – Office Area – Masonic Lane and I-64 (POD-83-97 Revised)	Engineering Design Associates for Gillies Creek Industrial Recycling: Request for approval of a plan of development as required by Chapter 24, Section, 24-106 of the Henrico County Code, to construct a one-story, 6,000 square foot office/repair shop and two equipment sheds for an existing recycling center on the landfill property. The 3.57-acre site is located at 4200 Masonic Lane on parcel 806-719-8851. The zoning is M-2, General Industrial District. Individual well and septic tank/drainfield. (Varina)
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122
123 Mr. Branin - Has requested withdrawal?

124
125 Ms. News - Yes sir.

126
127 Mr. Branin - Okay. Do we make a motion?

128
129 Mr. Jernigan - Yes, we still have to vote on it.

130
131 Mr. Branin - Is anyone in opposition to the withdrawal of POD-34-06,
132 Gillies Creek Recycling – Office Area? No one.

133
134 Mr. Jernigan - Mr. Chairman, I move for POD-34-06, Gillies Creek
135 Recycling – Office Area, to be withdrawn.

136
137 Mrs. Jones - Second.

138
139 Mr. Branin - Motion made by Mr. Jernigan, seconded by Mrs. Jones. All
140 in favor say aye. All opposed say no. The ayes have it; the motion carries.

141
142 At the request of the applicant, the Planning Commission withdrew POD-34-06, Gillies
143 Creek Recycling, from further consideration by the Commission.

144

145 Ms. News - Next on page 44 of your agenda, and located in the Fairfield
146 District, is POD-77-07 (POD-83-00 Revised), Ennis Paint Company. The applicant has
147 requested a deferral to the January 23, 2008 meeting.

148
149 **PLAN OF DEVELOPMENT & SPECIAL EXCEPTION**
150 *(Deferred from the November 14, 2007 Meeting)*
151

152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172	POD-77-07 Ennis Paint Company – 4400 Vawter Avenue (POD-83-00 Revised)	Engineering Design Associates for Ennis Paint, Inc.: Request for approval of a plan of development and special exception to permit the expansion of an existing paint manufacturing facility, as required by Chapter 24, Sections 24-106, 24-2 and 24-71.(b) of the Henrico County Code, to improve and enlarge an outdoor storage area with related site improvements. The 9.7-acre site is located approximately 1450 feet north of E. Laburnum Avenue on the west line of Vawter Avenue at 4400 Vawter Avenue on parcel 799-739-2764. The zoning is M-2, General Industrial District and ASO, Airport Safety Overlay District. County water and sewer. (Fairfield)
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152
153 Mr. Branin - Is anyone in opposition to the deferral of POD-77-07, Ennis
154 Paint Company (POD-83-00 Revised)? No one? Mr. Archer.

155
156 Mr. Archer - Mr. Chairman, I move deferral of POD-77-07, Ennis Paint
157 Company (POD-83-00 Revised), to the January 23, 2008 meeting, at the applicant's
158 request.

159
160 Mr. Vanarsdall - Second.

161
162 Mr. Branin - Motion made by Mr. Archer, seconded by Mr. Vanarsdall. All
163 in favor say aye. All opposed say no. The ayes have it; the motion carries.

164
165 At the request of the applicant, the Planning Commission deferred POD-77-07, Ennis
166 Paint Company (POD-83-00 Revised), to its January 23, 2008 meeting.

167
168 Ms. News - The final item we have is on page 46 of your agenda, and is
169 located in the Varina District. This is a reconsideration of SUB-28-06, Selph Ridge (May
170 2006 Plan). The Planning Commission has requested a deferral to the January 23,
171 2008 meeting.

173 **SUBDIVISION RECONSIDERATION**

174

SUB-28-06 **Engineering Design Associates for FJCB, LLC:** The
Selph Ridge 9.997-acre site proposed for a subdivision of 8 single-
(May 2006 Plan) family homes is located approximately 700 feet north of
White Oak and Elko Chillie Lane and Scaffold Court on parcel 856-705-2677.
Roads The zoning is A-1, Agricultural District. Individual well and
 septic tank/drainfield. **(Varina) 8 Lots**

175

176 Mr. Branin - Is anyone in opposition to the deferral of SUB-28-06, Selph
177 Ridge (May 2006 Plan)? No one? Mr. Jernigan.

178

179 Mr. Jernigan - Mr. Chairman, with that, I move for deferral of SUB-28-06,
180 Selph Ridge (May 2006 Plan), to January 23, 2008, by request of the Commission.

181

182 Mr. Vanarsdall - Second.

183

184 Mr. Branin - Motion made by Mr. Jernigan, seconded by Mr. Vanarsdall.
185 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

186

187 At the request of the Commissioner, the Planning Commission deferred SUB-28-06,
188 Selph Ridge (May 2006 Plan), to its January 23, 2008 meeting.

189

190 Ms. News - Staff is not aware of any further requests.

191

192 Mr. Silber - Do any Commissioners have any additional? None?

193

194 Mr. Vanarsdall - I'll have one sometime this morning, but I don't know when.

195

196 Mr. Branin - Thank you, Mr. Vanarsdall.

197

198 Mr. Silber - Okay. With that, moving on to the expedited items. These
199 are—

200

201 Mr. Vanarsdall - I didn't mean it the way it sounded.

202

203 Mr. Silber - The items on the expedited agenda are plans that are
204 somewhat minor in nature. Staff has reviewed the plans, they have no outstanding
205 issues, the applicant is in agreement with the annotations on the plan and the
206 recommended conditions, and the Planning Commission member from the district is
207 comfortable with the plan. If there is any opposition to the items on the expedited
208 agenda, they will be pulled off this agenda and heard in the order in which they're found
209 on the full agenda. There are several that are to be considered this morning on our
210 expedited agenda.

211

212 Ms. News - Yes sir. We have 12 items on the expedited agenda this
213 morning. The first item is found on page 5 of your agenda, and is located in the Varina
214 District. This is a Transfer of Approval of POD-65-98, NAPA Retail Store. Staff can
215 recommend approval.

216
217 **TRANSFER OF APPROVAL**

218
219 **POD-65-98 Nancy Billings for Sun Trust Equity Funding, LLC:**
220 **NAPA – Retail Store – Request for transfer of approval as required by Chapter**
221 **Williamsburg Road and Klockner Drive B. and Helen F. Lowe, Genuine Parts Company, Atlantic**
222 **Financial Group and Atlantic Equity Partners to GP**
223 **Portfolio Landlord #1, LLC. The two-acre site is located at**
224 **the southeast corner of Klockner Drive and Williamsburg**
225 **Road (U.S. Route 60) on parcel 813-714-6009. The zoning**
226 **is B-3C, Business District (Conditional). County water and**
227 **sewer. (Varina)**

219
220 Mr. Branin - Is anyone in opposition to POD-65-98, NAPA Retail Store?
221 No one?

222
223 Mr. Jernigan - Mr. Chairman, with that, I'll move for approval of transfer of
224 approval POD-65-98, NAPA Retail Store on Williamsburg Road.

225
226 Mrs. Jones - Second.

227
228 Mr. Branin - Motion made by Mr. Jernigan, seconded by Mrs. Jones. All
229 in favor say aye. All opposed say no. The ayes have it; the motion carries.

230
231 The Planning Commission approved the transfer of approval request for POD-65-98,
232 NAPA Retail Store, from Riley B. and Helen F. Lowe, Genuine Parts Company, Atlantic
233 Financial Group and Atlantic Equity Partners to GP Portfolio Landlord #1, LLC, subject
234 to the standard and added conditions previously approved, and the following additional
235 condition:

- 236
237 1. The site deficiencies, as identified in the inspection report, dated October 5,
238 2007, shall be corrected by March 1, 2008.

239
240 Ms. News - The next item is on page 6 of your agenda, and is located in
241 the Varina District. This is transfer of approval POD-23-80, Honey Brook Apartments.
242 Staff can recommend approval.

243

244 **TRANSFER OF APPROVAL**

245

POD-23-80 **Andrew B. Wiltshire for TGM Realty Investors:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Honey Brook Associates to TGM Realty Investors, Inc. The 8.83-acre site is located approximately 1100 feet north of Gay Avenue on the west line of Millers Lane on parcel 811-718-9908. The zoning is R-5, General Residence District and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

246

247 Mr. Branin - Is anyone in opposition to POD-23-80, Honey Brook
248 Apartments? No one?

249

250 Mr. Jernigan - Mr. Chairman, I move for approval of transfer of approval
251 POD-23-80, Honey Brook Apartments.

252

253 Mrs. Jones - Second.

254

255 Mr. Branin - Motion made by Mr. Jernigan, seconded by Mrs. Jones. All
256 in favor say aye. All opposed say no. The ayes have it; the motion carries.

257

258 The Planning Commission approved the transfer of approval request for POD-23-80,
259 Honey Brook Apartments, from Honey Brook Associates to TGM Realty Investors, Inc.,
260 subject to the standard and added conditions previously approved.

261

262 Ms. News - Next on page 7 of your agenda, and located in the Three
263 Chopt District, is transfer of approval POD-89-84, Broadmoor Apartments. There is an
264 addendum item on page 1 of your addendum. The addendum includes a revised
265 recommendation indicating that it has been determined that this applicant is not
266 responsible for replacement of the sidewalk along Mayland Drive. The County will
267 replace the sidewalk, and all other issues have been resolved. Staff can recommend
268 approval.

269

270 **TRANSFER OF APPROVAL**

271

POD-89-84 **Intrepid Residential for Jeff Sirkin:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Broadmoor Apartments, LLC to Intrepid Residential. The 18.313-acre site is located at the southeastern intersection of W. Broad Street (U.S. Route 250) and Old Springfield Road on parcel 755-756-5194. The zoning is R-6C, General Residence District (Conditional). County water and sewer. **(Three Chopt)**

272

273 Mr. Branin - Is anyone in opposition to transfer of approval POD-89-84,
274 Broadmoor Apartments? No one? Then I would like to move for approval of transfer of
275 approval POD-89-84, Broadmoor Apartments, including the addendum.

276
277 Mr. Jernigan - Second.

278
279 Mr. Branin - Motion made by Mr. Branin, seconded by Mr. Jernigan. All in
280 favor say aye. All opposed say no. The ayes have it; the motion carries.

281
282 The Planning Commission approved the transfer of approval request for POD-89-84,
283 Broadmoor Apartments, from Broadmoor Apartments, LLC to Intrepid Residential,
284 subject to the standard and added conditions previously approved.

285
286 Ms. News - Next on page 8 of your agenda, and located in the Fairfield
287 District, is a transfer of approval for POD-59-07, Dominion Fiber Technologies. Staff can
288 recommend approval.

289
290 **TRANSFER OF APPROVAL**

291
POD-59-07 **Pinnacle Resource Group, LLC for Stephen Bassett:**
Dominion Fiber Request for transfer of approval as required by Chapter
Technologies – 4590 24, Section 24-106 of the Henrico County Code from E. G.
Vawter Avenue Bowles, Jr. to Pinnacle Resource Group, LLC. The 5.966-
acre site is located on the west line of Vawter Avenue
approximately 2,000 feet north of Laburnum Avenue on
part of parcel 799-741-3832. The zoning is M-2, General
Industrial District. County water and sewer. **(Fairfield)**

292
293 Mr. Branin - Is anyone in opposition to transfer of approval POD-59-07,
294 Dominion Fiber Technologies? No one? Mr. Archer?

295
296 Mr. Archer - Mr. Chairman, I move approval of transfer of approval POD-
297 59-07, Dominion Fiber Technologies.

298
299 Mr. Jernigan - Second.

300
301 Mr. Branin - Motion made by Mr. Archer, seconded by Mr. Jernigan. All in
302 favor say aye. All opposed say no. The ayes have it; the motion carries.

303
304 The Planning Commission approved the transfer of approval request for POD-59-07,
305 Dominion Fiber Technologies, from E. G. Bowles, Jr. to Pinnacle Resource Group, LLC,
306 subject to the standard and added conditions previously approved.

307
308 Ms. News - The next item is on page 12 of your agenda, and is located
309 in the Tuckahoe District. This is a landscape and lighting plan for LP/POD-23-07, Bank
310 of Virginia. Staff can recommend approval.

311 **LANDSCAPE & LIGHTING PLAN**

312
LP/POD-23-07 **Kenneth C. Magalis for Bank of Virginia:** Request for
Bank of Virginia – approval of a landscape and lighting plan, as required by
Patterson Avenue and Chapter 24, Sections 24-106 and 24-106.2 of the Henrico
Otlyn Road County Code. The 1.32-acre site is located on the
southwest corner of the intersection of Patterson Avenue
and Otlyn Road on parcel 742-741-5389. The zoning is O-
2, Office District. **(Tuckahoe)**

313
314 Mr. Branin - Is anyone in opposition to LP/POD-23-07, Bank of Virginia?
315 No one?

316
317 Mrs. Jones - I move approval of LP/POD-23-07, Bank of Virginia on the
318 expedited agenda.

319
320 Mr. Vanarsdall - Second.

321
322 Mr. Branin - Motion made by Mrs. Jones, seconded by Mr. Vanarsdall. All
323 in favor say aye. All opposed say no. The ayes have it; the motion carries.

324
325 The Planning Commission approved the landscape and lighting plan for LP/POD-23-07,
326 Bank of Virginia, subject to the standard conditions attached to these minutes for
327 landscape and lighting plans.

328
329 Ms. News - The next item is on page 13 of your agenda, and is located
330 in the Three Chopt District. This is a landscape and lighting plan, LP/POD-57-05, The
331 Villas @ Grey Oaks. Staff can recommend approval.

332 **LANDSCAPE & LIGHTING PLAN**

333
334 LP/POD-57-05 **Boone Homes, Inc. for Shady Grove Company, Inc.**
The Villas @ Grey Oaks – **and Loftis Real Estate & Development, Inc.:** Request for
Grey Oaks Park Drive 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 24.22-acre site is located on the south
side of Grey Oaks Park Drive, approximately 400 feet east
of Pouncey Tract Road on parcel 738-772-9227. The
zoning is RTHC, Residential Townhouse District
(Conditional). **(Three Chopt)**

335
336 Mr. Branin - Is anyone in opposition to LP/POD-57-05, The Villas @ Grey
337 Oaks? No one? Then I'd like to move that LP/POD-57-05, The Villas @ Grey Oaks, be
338 approved on the expedited agenda.

339
340 Mr. Jernigan - Second.

341 Mr. Branin - Motion made by Mr. Branin, seconded by Mr. Jernigan. All
342 in favor say aye. All opposed say no. The ayes have it; the motion carries.

343
344 The Planning Commission approved the landscape and lighting plan for LP/POD-57-05,
345 The Villas @ Grey Oaks, subject to the standard conditions attached to these minutes
346 for landscape and lighting plans.

347
348 Ms. News - Next on page 16 of your agenda, and located in the Varina
349 District, is SUB-64-07, Pine Dale Forest (December 2007 Plan). Staff can recommend
350 approval.

351
352 **SUBDIVISION**

353
SUB-64-07 **Koontz-Bryant, P.C. for 4C2, LLC:** The 35-acre site
Pine Dale Forest proposed for a subdivision of 25 single-family homes is
(December 2007 Plan) located on the north line of Warriner Road at the
Warriner Road and intersection with Cookes Farm Drive, approximately 4,900
Cookes Farm Drive feet south of Charles City Road on parcel 854-686-4340.
The zoning is A-1, Agricultural District and ASO, Airport
Safety Overlay District. Individual well and
septic/drainfield) **(Varina). 25 Lots**

354
355 Mr. Branin - Is anyone in opposition to SUB-64-07, Pine Dale Forest
356 (December 2007 Plan)? No one? Mr. Jernigan?

357
358 Mr. Jernigan - Mr. Chairman, with that, I move for approval of SUB-64-07,
359 Pine Dale Forest (December 2007 Plan), subject to the annotations on the plans,
360 standard conditions for subdivisions not served by public utilities, and the following
361 additional conditions #11 through 15.

362
363 Mrs. Jones - Second.

364
365 Mr. Branin - Motion made by Mr. Jernigan, seconded by Mrs. Jones. All
366 in favor say aye. All opposed say no. The ayes have it; the motion carries.

367
368 The Planning Commission granted conditional approval to SUB-64-07, Pine Dale Forest
369 (December 2007 Plan), subject to the standard conditions attached to these minutes for
370 subdivisions not served by public utilities, the annotations on the plans, and the
371 following additional conditions:

- 372
373 11. Prior to requesting recordation, the developer shall furnish a letter from Dominion
374 Virginia Power stating that this proposed development does not conflict with its
375 facilities.
376 12. Each lot shall contain at least 43,560 square feet.
377 13. Detailed construction plans shall be submitted to the Department of Planning
378 before the final plats are submitted for final approval.

- 379 14. The detailed plant list and specifications for the landscaping to be provided within
380 the 25-foot-wide planting strip easement along Warriner Road and Street A shall
381 be submitted to the Department of Planning for review and approval prior to
382 recordation of the plat.
383 15. Any necessary offsite drainage easements must be obtained prior to approval of
384 the construction plan by the Department of Public Works.
385

386 Ms. News - The next item is on page 17 of your agenda, and located in
387 the Three Chopt District. This is a landscape and lighting plan LP/POD-46-03, Mayland
388 Townes. Staff can recommend approval.
389

390 **LANDSCAPE & LIGHTING PLAN**
391

LP/POD-46-03 **Bay Design Group Jane Patterson Bernhard and**
Mayland Townes – **Accent Builders & Developers, LLC:** Request for
Mayland Drive 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 7.6-acre site is located on the north line
of Mayland Drive, approximately 820 feet west of Parham
Road on parcel 757-753-0796. The zoning is RTHC,
Residential Townhouse District (Conditional). **(Three
Chopt)**

392
393 Mr. Branin - Is anyone in opposition to LP/POD-46-03, Mayland Townes?
394 No one? Then I would like to move that LP/POD-46-03, Mayland Townes, be approved
395 on the expedited agenda.
396

397 Mr. Jernigan - Second.
398

399 Mr. Branin - Motion by Mr. Branin, seconded by Mr. Jernigan. All in favor
400 say aye. All opposed say no. The ayes have it; the motion carries.
401

402 The Planning Commission approved the landscape and lighting plan for LP/POD-46-03,
403 Mayland Townes, subject to the standard conditions attached to these minutes for
404 landscape and lighting plans.
405

406 Ms. News - Next on page 30 of your agenda, and located in the Varina
407 District, is POD-84-07, Wachovia Bank @ The Shops at White Oak Village. Staff can
408 recommend approval.
409

410 **PLAN OF DEVELOPMENT**

411

POD-84-07

Wachovia Bank @ The Shops at White Oak Village – S. Laburnum Avenue and Audubon Drive

Vanasse Hangen Brustlin, Inc. for Laburnum Investments, LLC and Wachovia Bank: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 5,215 square foot bank with drive-thru facilities in The Shops at White Oak Village Shopping Center. The 1.00-acre site is located on the northeast corner of the intersection of S. Laburnum Avenue and Audubon Drive on part of parcel 815-718-5710. The zoning is B-3C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

412

413 Mr. Branin - Is anyone in opposition to POD-84-07, Wachovia Bank @
414 The Shops at White Oak Village? No one?

415

416 Mr. Jernigan - Mr. Chairman, I move for approval of POD-84-07, Wachovia
417 Bank @ The Shops at White Oak Village, subject to the annotations on the plans,
418 standard conditions for developments of this type, and the following additional
419 conditions #24 through 38, on the expedited agenda.

420

421 Mr. Vanarsdall - Second.

422

423 Mr. Branin - Motion made by Mr. Jernigan, seconded by Mr. Vanarsdall.
424 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

425

426 The Planning Commission approved POD-84-07, Wachovia Bank @ The Shops at
427 White Oak Village, subject to the annotations on the plans, the standard conditions
428 attached to these minutes for developments of this type, and the following additional
429 conditions:

430

431 24. Only retail business establishments permitted in a B-3, business zone may be
432 located in this center.

433 25. The ground area covered by all the buildings shall not exceed in the aggregate
434 25 percent of the total site area.

435 26. No merchandise shall be displayed or stored outside of the building(s) or on
436 sidewalk(s).

437 27. The easements for drainage and utilities as shown on approved plans shall be
438 granted to the County in a form acceptable to the County Attorney prior to any
439 occupancy permits being issued. The easement plats and any other required
440 information shall be submitted to the County Real Property Agent at least sixty
441 (60) days prior to requesting occupancy permits.

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

- 444 29. Outside storage shall not be permitted.
- 445 30. The proffers approved as a part of zoning case C-29C-06 shall be incorporated in
- 446 this approval.
- 447 31. Any necessary off-site drainage and/or water and sewer easements must be
- 448 obtained in a form acceptable to the County Attorney prior to final approval of the
- 449 construction plans.
- 450 32. Deviations from County standards for pavement, curb or curb and gutter design
- 451 shall be approved by the County Engineer prior to final approval of the
- 452 construction plans by the Department of Public Works.
- 453 33. The loading areas shall be subject to the requirements of Chapter 24, Section
- 454 24-97(b) of the Henrico County Code.
- 455 34. Storm water retention, based on the 50-10 concept, shall be incorporated into the
- 456 drainage plans.
- 457 35. Insurance Services Office (ISO) calculations must be included with the plans and
- 458 contracts and must be approved by the Department of Public Utilities prior to the
- 459 issuance of a building permit.
- 460 36. Approval of the construction plans by the Department of Public Works does not
- 461 establish the curb and gutter elevations along the Henrico County maintained
- 462 right-of-way. The elevations will be set by Henrico County.
- 463 37. Evidence of a joint ingress/egress and maintenance agreement must be
- 464 submitted to the Department of Planning and approved prior to issuance of a
- 465 certificate of occupancy for this development.
- 466 38. The location of all existing and proposed utility and mechanical equipment
- 467 (including HVAC units, electric meters, junction and accessory boxes,
- 468 transformers, and generators) shall be identified on the landscape plans. All
- 469 equipment shall be screened by such measures as determined appropriate by
- 470 the Director of Planning or the Planning Commission at the time of plan approval.

471
 472 Ms. News - The next item is on page 39 of your agenda, and is located
 473 in the Three Chopt District. This is POD-81-07, First Market Bank @ West Broad
 474 Village. There is an addendum item on page 6 of your addendum, which includes a
 475 revised recommendation indicating that additional architectural information has been
 476 provided to staff, and staff is now satisfied and can recommend approval.

477 **PLAN OF DEVELOPMENT**

478 POD-81-07 479 First Market Bank @ West Broad Village - W. Broad Street	Timmons Group for West Broad Village, LLC & West Broad Village, II, LLC and First Market Bank, FSB: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 2,750 square foot bank with drive-thru facilities. The 0.46-acre site is located on the south line of W. Broad Street (U. S. Route 250), approximately 200 feet east of future Brownstone Boulevard (private) on part of parcel 742-760-7866. The zoning is UMUC Urban Mixed Use District (Conditional)
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and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

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Mr. Branin - Is anyone in opposition to POD-81-07, First Market Bank @ West Broad Village? No one? Then I'd like to move that POD-81-07, First Market Bank @ West Broad Village, be approved on the expedited agenda, including the annotations on the plan, and the added addendum.

Mr. Jernigan - Second.

Mr. Branin - Motion made by Mr. Branin, seconded by Mr. Jernigan. All in favor say aye. All opposed say no. The ayes have it; the motion carries.

The Planning Commission approved POD-81-07, First Market Bank @ West Broad Village, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

24. The easements for drainage and utilities as shown on approved plans shall be granted to the County in a form acceptable to the County Attorney prior to any occupancy permits being issued. The easement plats and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
25. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
26. Outside storage shall not be permitted.
27. The proffers approved as a part of zoning case C-12C-06 shall be incorporated in this approval.
28. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
29. In the event of any traffic backup which blocks the public right-of-way as a result of congestion caused by the drive-up teller facilities, the owner/occupant shall close the drive-up teller facilities until a solution can be designed to prevent traffic backup.
30. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

518 Ms. News - Next on page 41 of your agenda, and located in the Fairfield
519 District, is POD-86-07, Best Western. There is an addendum item on page 7 of your
520 addendum, indicating that there is a revised plan and a revised recommendation. The
521 recommendation indicates that the revised plan addresses additional right-of-way
522 dedication and sidewalk on Telegraph Road, and the architectural plans were also
523 revised to address staff concerns in providing additional brick shutters and improved
524 roofing materials. Staff can recommend approval.

525
526
527

PLAN OF DEVELOPMENT

POD-86-07
Best Western – 8607
Telegraph and Brook
Roads

Timmons Group for Bhupendra B. Patel: 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, 11,860 square foot, 63-room hotel and 37 feet in height. The 1.89-acre site is located on the east line of Telegraph Road, approximately 80 feet east of the intersection of Brook Road (U.S. Route 1) and Telegraph Road on parcel 784-758-4424. The zoning is M-1, Light Industrial District and B-3, Business District. County water and sewer. **(Fairfield)**

528
529 Mr. Silber - Ms. News, the applicant has stood up in the back. I don't
530 know if they want this to be removed from the expedited agenda.

531
532 Mr. Branin - Mr. Condlin, are you opposing your own case?

533
534 Mr. Condlin - Either that or [unintelligible]. Actually, I'm not representing
535 the applicant in this case, I'm representing an adjacent landowner, and they had some
536 questions. They just got notice on Monday. They've got their engineer coming. They
537 talked to Mr. Crutchfield and just had some questions we want to talk about. Take it off
538 the expedited agenda, but keep it on the regular agenda for now, if we could.

539
540 Mr. Branin - Your request will be met, Mr. Condlin. Mr. Secretary, will
541 that go to the end of the agenda?

542
543 Mr. Silber - It will just be heard in the order that's found in the agenda,
544 which is page 41. When we get to it, we'll hear it.

545
546 Mr. Branin - Mr. Archer, we're not going to take any action on this now?

547
548 Mr. Archer - I don't think we need to.

549
550 Mr. Branin - Okay, sir.

551
552 **THIS CASE WAS REMOVED FROM THE EXPEDITED AGENDA AND HEARD**
553 **LATER ON PAGE 49**

554 Ms. News - The final item is on page 52 of your agenda, and located in
555 the Varina District. This is a master plan and POD-80-07 for Laburnum and Eubank
556 Center. There is an addendum item on page 8 of your addendum, which includes a
557 revised plan and a revised recommendation indicating that the storm and sanitary sewer
558 improvements have been relocated outside of required landscape strips, the right-of-
559 way dedication requirements have been annotated, and all future plans for development
560 of this site will return to the Planning Commission for approval. Staff can recommend
561 approval.

562

563 **PLAN OF DEVELOPMENT**

564

POD-80-07 **Townes Site Engineering for Julia F. Robins Family
Laburnum and Eubank Center – Master Plan – Laburnum Avenue and Eubank Road**
Ltd. And Summit Investment, LLC: Request for approval of a plan of development master plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct drainage and utilities for a future retail and service center. The 12.77-acre site is located on S. Laburnum Avenue, Robins Road and Raleigh Road on parcels 817-711-0454, 816-712-7520, 816-711-8151, 817-711-0712 and 817-710-0397. The zoning is B-2C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer.
(Varina)

565

566 Mr. Branin - Is anyone in opposition to POD-80-07, Laburnum and
567 Eubank Center-Master Plan? No one? Mr. Jernigan.

568

569 Mr. Jernigan - I just wanted to say for the record that this is just for utilities
570 and drainage. As you said, everything has—

571

572 Ms. News - And right-of-way dedication.

573

574 Mr. Jernigan - Okay. Mr. Chairman, with that, I'll move approval of POD-
575 80-07, Laburnum and Eubank Center-Master Plan, subject to the standard conditions
576 for developments of this type, and the following additional conditions #24 through 28,
577 and the addendum.

578

579 Mr. Vanarsdall - Second.

580

581 Mr. Jernigan - Motion made by Mr. Jernigan, seconded by Mr. Vanarsdall.
582 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

583

584 The Planning Commission approved POD-80-07, Laburnum and Eubank Center-Master
585 Plan, subject to the annotations on the plans, the standard conditions attached to these
586 minutes for developments of this type, and the following additional conditions:

587

- 588 24. The proffers approved as a part of zoning cases C-60C-06 and C-63C-06 shall
 589 be incorporated in this approval.
 590 25. Any necessary off-site drainage and/or water and sewer easements must be
 591 obtained in a form acceptable to the County Attorney prior to final approval of the
 592 construction plans.
 593 26. Deviations from County standards for pavement, curb or curb and gutter design
 594 shall be approved by the County Engineer prior to final approval of the
 595 construction plans by the Department of Public Works.
 596 27. Approval of the construction plans by the Department of Public Works does not
 597 establish the curb and gutter elevations along the Henrico County maintained right-
 598 of-way. The elevations will be set by Henrico County.
 599 28. The conceptual master plan, as submitted with this application, is for planning
 600 and information purposes only. All subsequent detailed plans of development
 601 needed to implement this conceptual plan shall be submitted for staff review and
 602 Planning Commission approval, and shall be subject to all regulations in effect at
 603 the time such subsequent plans are submitted for review/ approval.
 604

605 Ms. News - That concludes our expedited agenda.

606
 607 Mr. Branin - Thank you, ma'am.

608
 609 Mr. Silber - Next on the agenda is consideration of subdivision
 610 extensions of conditional approval. In fact, the three that are on the agenda today can
 611 all be approved administratively, so we're listing them for the Planning Commission's
 612 information only. These include Michael's Way, Turner Woods (Section C), and Wilton
 613 Parkway (December 2006 Plan). These can be handled administratively, but Ms.
 614 Goggin is here if you have any questions.
 615

616 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**
 617 **FOR INFORMATIONAL PURPOSES ONLY**
 618

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
Michael's Way (October 2005 Plan)	18	18	1	Fairfield	12/17/08
Turner Woods, Section C (December 2005 Plan)	5	5	1	Varina	12/17/08
Wilton Parkway (December 2006 Plan)	0	0	0	Varina	12/17/08

619
 620 Mr. Silber - Seeing that there are no questions, we will process those
 621 and move on to the first item on the agenda.
 622

623 **TRANSFER OF APPROVAL** *(Deferred from the November 14, 2007 meeting)*
624

POD-17-89
Southern Health
Management Corporation
(formerly Control Data
Building)

Chuck Richardson for Southern Health Management Corporation: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Rowe Development to Southern Health Management Corporation. The 2.699-acre site is located on the southwest corner of Mayland Drive and Mayland Court on parcel 752-757-8975. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Three Chopt)**

625
626 Mr. Branin - Is anyone in opposition to POD-17-89, Southern Health
627 Management Corporation? No one.

628
629 Mr. Wilhite - I was just notified by our inspector this morning that the
630 landscaping deficiencies were corrected yesterday. On page 1 of your addendum, we
631 were recommending approval, but with the condition requiring the deficiencies to be
632 corrected by April 30th. That's no longer going to necessary, and staff recommends
633 approval.

634
635 Mr. Branin - Okay, thank you. Does anybody have any questions for Mr.
636 Wilhite? None? Then I'd like to move for approval of transfer of approval POD-17-89,
637 Southern Health Management Corporation.

638
639 Mr. Jernigan - Second.

640
641 Mr. Branin - Motion made by Mr. Branin, seconded by Mr. Jernigan. All
642 in favor say aye. All opposed so no. The ayes have it; the motion carries.

643
644 The Planning Commission approved the transfer of approval request for POD-17-89,
645 Southern Health Management Corporation, from Rowe Development to Southern
646 Health Management Corporation, subject to the standard and added conditions
647 previously approved.

648
649 **TRANSFER OF APPROVAL**

650
POD-41-05
Brook Run Shopping
Center – Phase 6 –6000
Brook Road

Mary D. Ellis, Esq. for Unicorn Holdings, LLC: Request for a transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Tetra Associates, LLC to Unicorn Holdings, LLC. The 1.84-acre site is located on the west line of Brook Road (U.S. Route 1), 1,773 feet north of Brook Road Drive (private) at 6020-6040 Brook Road on parcel 784-748-8296. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Fairfield)**

651 Mr. Branin - Is anyone in opposition to transfer of approval POD-41-05,
652 Brook Run Shopping Center-Phase 6? No one? Mr. Kennedy.

653
654 Mr. Kennedy - Good morning. It has come to staff's attention that the
655 retention basin serving this site requires some maintenance. Staff can recommend
656 approval, subject to the addition of an additional condition to make sure that
657 maintenance is done on the retention basin. The condition will read as follows: The
658 owners shall be responsible for providing retention of water as required by the plans for
659 POD-41-05, and the DPW Design Manual. Within 180 days of the approval of the
660 transfer of approval of the POD, the owners shall submit to the Directors of Planning and
661 Public Works an engineers' seal and certification that the retention requirements are
662 met, along with supporting calculations. With that, staff can recommend approval.

663
664 Mr. Branin - Thank you, Mr. Kennedy. Mr. Archer?

665
666 Mr. Archer - Do we need to number that condition just for the record?
667 Are there additional conditions?

668
669 Mr. Silber - Is that the only condition—

670
671 Mr. Jernigan - That's the only condition.

672
673 Mr. Silber - —that's applied to this transfer?

674
675 Mr. Vanarsdall - That's the only one on there.

676
677 Mr. Silber - So this can be Condition #1.

678
679 Mr. Archer - Then I will move for approval of POD-41-05, Brook Run
680 Shopping Center-Phase 6, subject to staff's recommendation, and the added condition.

681
682 Mr. Jernigan - Second.

683
684 Mr. Branin - Motion by Mr. Archer, seconded by Mr. Jernigan. All in favor
685 say aye. All opposed say no. The ayes have it, the motion carries.

686
687 The Planning Commission approved the transfer of approval request for POD-41-05,
688 Brook Run Shopping Center-Phase 6, from Tetra Associates, LLC to Unicorn Holdings,
689 LLC, subject to the standard and added conditions previously approved, and the
690 following additional condition:

- 691
692 1. The owners shall be responsible for providing retention of water as required by
693 the plans for POD-41-05, and the DPW Design Manual. Within 180 days of the
694 approval of the transfer of approval of the POD, the owners shall submit to the
695 Directors of Planning, and Public Works, an engineers' seal and certification that
696 the retention requirements are met, along with supporting calculations.

697 **LANDSCAPE PLAN & LIGHTING PLAN**

698

LP/POD-74-05 **Higgins & Gerstenmaier for Reynolds Holdings, LLC:**
Reynolds Crossings West, Request for approval of a landscape and lighting plan, as
Phase 3 – Glenside Drive required by Chapter 24, Sections 24-106 and 24-106.2 of
And Forest Avenue the Henrico County Code. 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 O-3C, Office District (Conditional) and B-2C,
Business District (Conditional). **(Three Chopt)**

699

700 Mr. Branin - I anyone in opposition to LP/POD-74-05, Reynolds Crossing
701 West, Phase 3? No one? Mr. Strauss.

702

703 Mr. Strauss - Thank you, Mr. Chairman, members of the Commission.

704

705 This is a request for approval of the overall landscape plan for the Reynolds Crossing
706 West development, located at the western most portion of the Reynolds tract, at West
707 Broad Street and Forest Avenue.

708

709 The Commission may recall seeing both a Phase 1 and Phase 2 landscape plan in
710 November of 2006, and most recently in April of this year. These approvals were to
711 allow construction of the proffered eight-foot screen wall and a double row of evergreen
712 trees along the southern property line at the Charles Glen and Crestview subdivisions.
713 The screen wall is installed, and the Phase 1 buffer is installed with the exception of two
714 areas, which are going to be installed before completion of the construction of the
715 project. That would be the landscape planting I've shown in yellow here and here.

716

717 Staff has walked the site, and I can report that with the exception of two dead trees in
718 this location and over here, the Phase 1 buffer is healthy, which given the quantity of
719 trees involved, and the dry spell we've had, it's rather a remarkable success rate.

720

721 The plan we are handing out today is basically a completion of the landscaping for a
722 single office building to be located at the corner of Glenside Drive. There is a proposal
723 to make two changes to the previously approved buffer plan with this landscaping. We
724 are approving the landscaping for the building itself, which is quite substantial, as you'll
725 see in your packet. But we're also proposing to move previously approved oak and
726 maple trees to a location up the slope. That would be these trees in green here. These
727 are deciduous shade trees, which will help screen the office building from the
728 neighborhood.

729

730 The second is the addition of seven red maple trees in this area here, which would help
731 screen the parking lot. The applicant has met with the neighbors, and I have spoken
732 with the neighbors' representatives. We understand that they are in agreement with this
733 proposal. With that, we are recommending the Commission approve this proposal, the
734 overall landscape plan, and this modified buffer plan. I'll be happy to answer any

735 questions you may have. Mr. Keith VanInwegan of Higgins and Gerstenmaier is also
736 here, and I see we have our lovely neighbors from the Crestview subdivision—
737

738 Mr. Vanarsdall - That was going to be my question, what the neighborhood
739 thinks of it, and I see they're here. Evidently, you're okay with it, then (neighbors in
740 audience nod).
741

742 Mr. Branin - Thank you, Mr. Strauss. Does anybody have any questions
743 for Mr. Strauss?
744

745 Mr. Vanarsdall - Don't ever stop coming over (to neighbors).
746

747 Mr. Branin - None? Ms. Kuester, could you come down for a minute?
748 Your neighborhood's been very active in this case, and you guys are doing a great job.
749 The trees that are going in will help, I believe.
750

751 Ms. Kuester - I think it's the best that we've got right now, the coverage.
752

753 Mr. Branin - You mentioned another Planning problem with some
754 construction going on. Could you tell us?
755

756 Ms. Kuester - Yes. We believe it may be part of the Public Works
757 operations that are going on, on the property. At the end of Charles Street at the
758 Charles and Colgate intersection, it would be on the Reynolds' property behind the
759 Colgate row of houses. Charles Street enters into a large easement, so on the
760 Reynolds' property, there is sewage overhauling that's being done, new pipes being put
761 in. Also, Verizon has been doing fiber optics planning. Our houses have been shaking
762 for about a month and a half now at various times of the day and night. One was due to
763 the Verizon fiber optics. This was at the end of November, the day after Thanksgiving.
764 That was a 10 p.m. to 4 a.m. install that we were unaware of. It involved lights glaring
765 into the backs of our houses, and shaking houses. That completed quickly; it was a
766 two-day operation. However, on the bookends of that specific date, our houses have
767 been shaking between 4 and 5 in the morning, 3 to 5 in the afternoon. I live on Charles
768 Street, four houses up from the Reynolds' property, and my house is shaking
769 significantly. So, I've received a lot of phone calls with concern about foundations and
770 homes, and what exactly is going on, but to no avail to get information as to who the
771 installer is, what particular branch of Public Works is working on the property. We just
772 wanted to perhaps get contact information, someone that we can touch base with to
773 know what's going on, and to possibly have some of the houses that have been affected
774 the most, have their foundations checked out.
775

776 Mr. Branin - If it's Verizon of—
777

778 Mr. Vanarsdall - I passed it one day and did see some County trucks, but I
779 didn't—
780

781 Ms. Kuester - And they're there all the time.
782
783 Mrs. Jones - On the other hand, Verizon did a number in our
784 neighborhood, and specifically my yard to install their fiber optic network. There was no
785 shaking involved. I'm concerned.
786
787 Ms. Kuester - That was the first time it coincided with a Verizon project that
788 I was able to nail down a specific start and stop date. I do have a contact through
789 Verizon's construction department now, and she can only tell me work permits that are
790 submitted on a weekly basis, who's going to be there and who the sub is on that
791 particular job. Reynolds' and their project manager, Cheryl Toy, we've been in contact
792 with them. They were able to tell us it was Verizon, but I had to figure out who to
793 contact, and that person's been helpful. But we haven't gotten any additional
794 information on all of these other times this has been occurring, and they've been unable
795 to give us information on that.
796
797 Mr. Vanarsdall - Who has been unable?
798
799 Ms. Kuester - They've been unable to tell us who has been working on the
800 property at the times the houses have been shaking.
801
802 Mr. Vanarsdall - And who is "they"?
803
804 Ms. Kuester - But there are bulldozers and everything that are permanently
805 parked in that area and functioning. But it does start up at least two or three times a
806 week at 4:00 in the morning.
807
808 Mr. Silber - I guess I'm just somewhat unclear as to who may be doing
809 this. We can look into this and explore with the developer who they think is out there
810 doing the work. If it is Verizon doing fiber optic, as Mrs. Jones indicated, that usually is
811 not something that is noisy or has any vibration associated with it.
812
813 Ms. Kuester - No. And that install coincided with the shaking only once,
814 and Verizon hasn't been back out there.
815
816 Mr. Vanarsdall - Well, the bottom line is, it's your neighborhood and whether
817 the shaking stops or doesn't stop, you need to know what it's for and how long it'll be.
818
819 Ms. Kuester - And whether or not it's affecting our homes.
820
821 Mr. Vanarsdall - So, we'll get somebody there.
822
823 Mr. Branin - Ms. Kuester, can you give—I'm sure we have your contact
824 information.
825
826 Ms. Kuester - Mmm-hmm.

827 Mr. Branin - But make sure that we have it.
828
829 Mr. Silber - If you can give that to Mr. Strauss, and we'll see if we can
830 contact the developer and see if we can find out what the situation is and get to the
831 bottom of it.
832
833 Ms. Kuester - Okay. Thank you.
834
835 Mr. Branin - Thank you. Does anybody have any questions for Mr.
836 Strauss? None? Then I would like to move that LP/POD-74-05, Reynolds Crossing
837 West, Phase 3, be approved.
838
839 Mr. Vanarsdall - Second.
840
841 Mr. Branin - Motion by Mr. Branin, seconded by Mr. Vanarsdall. All in
842 favor say aye. All opposed say no. The ayes have it; the motion carries.
843
844 The Planning Commission approved the landscape plan for LP/POD-74-05, Reynolds
845 Crossing West, Phase 3, subject to the standard conditions attached to these minutes
846 for landscape plans.

847 **LANDSCAPE & LIGHTING PLAN**
848
849

<p>LP/POD-05-06 St. Claire Ridge Townhomes 2807 – 2815 Mechanicsville Turnpike</p>	<p>Higgins & Gerstenmaier for J. H. and Russell R. Thompson, R., Josephine O. & I. B. McGhee, Joann Turner, V. M. Little and Loftis Real Estate Development: 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 4.85-acre site is located on the east side of Mechanicsville Turnpike (U.S. Route 360) approximately 350 feet north of St. Claire Lane on parcel 800-730-3962 and part of parcel 800-730-7438. The zoning is R-5, General Residence District. (Fairfield)</p>
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850
851 Mr. Branin - Is anyone in opposition to LP/POD-05-06, St. Claire Ridge
852 Townhomes? No one? Mr. Garrison.
853
854 Mr. Garrison - Good morning. Lee is handing you a revised plan that
855 addresses the 15% of tree canopy cover. Additional trees have been provided, and
856 staff can now recommend approval subject to the annotations on the plan, and the
857 standard conditions for landscape and lighting plans. Staff, and Randy Biltz with
858 Higgins & Gerstenmaier, are available to answer any questions you may have.
859
860 Mr. Branin - Does anybody have any questions for Mr. Garrison?
861

862 Mr. Garrison - I think this gentleman does.
863
864 Mr. Branin - Sir, I didn't see you say you were in opposition. Did you say
865 you were in opposition?
866
867 Mr. Crowder - No I didn't, but.
868
869 Mr. Branin - Okay.
870
871 Mr. Crowder - I guess I'm representing my neighbors.
872
873 Mr. Branin - Okay.
874
875 Mr. Crowder - My name is Lorenzo Crowder. I live at 17 Watts Lane, and
876 the property in question is being built directly behind us. I have a letter from a few of my
877 neighbors that I could get to sign, and it says, "To Whom it May Concern, I am
878 concerned about the construction of the townhomes near the property. I feel that they
879 will lower the value of my home. I would like to see a border of fast-growing evergreen
880 trees planted around the perimeter of the existing neighborhood to help lessen the
881 visual impact of the homes, and decrease the amount of noise coming from the new
882 area." As of yet, we haven't received any plans to show us how far the townhomes are
883 coming back to our property, and we're concerned about the lighting. Right now, it's a
884 country feeling, and we kinda like the country feeling of the neighborhood. You know,
885 you look out and it's dark and you can see the outlines of the city. As of now, we're
886 concerned about the change that's going to come to our neighborhood.
887
888 Mrs. Jones - Greg, could you indicate where this gentleman's
889 neighborhood is around the proposal?
890
891 Mr. Garrison - Yes. I believe your house is back here, is that correct?
892
893 Mr. Crowder - That would be Mechanicsville up here? Yes.
894
895 Mr. Garrison - Okay. That's going to come back for a review. Right now, the
896 only thing that's in discussion is the townhomes directly adjacent to Mechanicsville
897 Turnpike. This condo unit, right here, is coming back for review. At that time, we can
898 address the buffer issue against your property.
899
900 Mrs. Jones - So what is before us now is not adjacent to your
901 neighborhood.
902
903 Mr. Crowder - Correct, yes. We just received a notice from the County that
904 there was going to be a hearing today.
905
906 Mrs. Jones - This is a partial treatment of the—
907

908 Mr. Crowder - There are two phases, more or less. So, basically, this is
909 Phase 1.
910
911 Mr. Garrison - Exactly, exactly.
912
913 Mr. Crowder - So, it's not going to interfere with us as of yet.
914
915 Mr. Silber - What Mr. Garrison is saying is that the project that's being
916 considered this morning is for the lighting and landscape plan for the portion that's up
917 on Mechanicsville Turnpike. The second phase that's back towards your neighborhood
918 would be a landscape and lighting plan that would be submitted later. You would
919 receive notification again at that time, and you could speak to it when that comes in.
920 This portion is not adjacent to your neighborhood. I believe we contacted all the
921 adjacent property owners all the way around both phases of this project, but this one is
922 not immediately adjacent to you.
923
924 Mr. Crowder - Okay.
925
926 Mrs. Jones - But we appreciate you coming because we need to know
927 that you're interested and want to see what's going on.
928
929 Mr. Crowder - So I just hold this and bring it back to the next meeting.
930
931 Mrs. Jones - Yes.
932
933 Mr. Silber - Maybe we should have the applicant come up and speak to
934 when we might know something about Phase 2 from a timing standpoint.
935
936 Mr. Archer - I was going to say, Mr. Crowder, before you leave, if you're
937 not exactly clear on what we're doing here today, I'll be happy to discuss it with you any
938 time you need to.
939
940 Mr. Crowder - Thank you, sir.
941
942 Mr. Archer - You're welcome.
943
944 Mr. Biltz - To address the two issues.
945
946 Mr. Branin - I'll have to stop you. State your name for the record.
947
948 Mr. Biltz - My name's Randy Biltz. I'm with Higgins & Gerstenmaier.
949 The townhouses, as you already addressed, are what's being under review today. The
950 condos, all we're waiting on is the final engineering plan. So, within the next two
951 Planning Commission hearings, it'll be submitted for review. I haven't received the final
952 civil plans, but everything's in the works. So, within the next two hearings, it'll be back.
953 And we are in the process of addressing the landscape buffer that he has brought up.

954 There is a significant need. Without addressing what we're doing there, I think his
955 concerns will be addressed with evergreens across the back. I don't think that'll be an
956 issue when we come back for that one.

957
958 Mr. Branin - Mr. Archer, do you have any other questions?

959
960 Mr. Archer - No, but I would like to say, if you could give your information
961 to Mr. Crowder—

962
963 Mr. Blitz - Sure.

964
965 Mr. Archer - —so that he can contact you if you have some question as
966 to what's going on without having to—

967
968 Mr. Blitz - Absolutely.

969
970 Mr. Archer - —jump through hoops to get there.

971
972 Mr. Silber - Mr. Crowder, does that solve the question? Good.

973
974 Mr. Branin - Thank you. Mr. Archer?

975
976 Mr. Archer - Mr. Thornton was just suggesting something to me. Mr.
977 Crowder, when you talk to this gentleman, it may be a good idea if you all can set up a
978 meeting so the rest of the neighborhood who could not make it here today could get an
979 idea of what's going on, too. Do you think that'd be possible? I'm sure he's willing to do
980 it. Okay. All right, thank you. Any other questions from the Commission? With that, I
981 will move for approval of LP/POD-05-06, St. Claire Ridge Townhomes, subject to the—
982 Well, there's nothing there to subject to. Was there an item on the addendum?

983
984 Mr. Garrison - Yes sir.

985
986 Mr. Archer - Subject to the addendum item and the plan that we received
987 this morning.

988
989 Mr. Jernigan - Second.

990
991 Mr. Branin - Motion made by Mr. Archer, seconded by Mr. Jernigan. All in
992 favor say aye. All opposed say no. The ayes have it; the motion carries.

993
994 The Planning Commission approved the landscape plan for LP/POD-05-06, St. Claire
995 Ridge Townhomes, subject to the standard conditions attached to these minutes for
996 landscape and lighting plans.

997

998 **LANDSCAPE & LIGHTING PLAN**

999

LP/POD-77-02
St. Mary's Catholic
Church-9505 Gayton
Road

Koontz-Bryant, P.C. for Catholic Diocese of Richmond and St. Mary's Catholic Church: 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 8.83-acre site is located on the south side of Gayton Road approximately 950 feet east of Gaskins Road at 9505 Gayton Road, on parcel 747-743-4993. The zoning is R-3, One-Family Residence District. **(Tuckahoe)**

1000

1001 Mr. Branin - Is anyone in opposition to LP/POD-77-02, St. Mary's
1002 Catholic Church? No one. Mr. Kennedy again.

1003

1004 Mr. Kennedy - Good morning again. In the addendum, there is the revised
1005 photometrics that have been submitted by the applicant. Staff notes that much of the
1006 site lighting was installed by Virginia Dominion Power under their franchise agreement.
1007 Unfortunately, Dominion Virginia Power is not required to obtain building permits under
1008 this franchise agreement. So, the church was not aware that they didn't necessarily
1009 comply with all our design standards. In particular, the fixtures are not the sharp cutoff
1010 shoebox type fixtures that we normally use, they are sharp cutoff field lights, and they're
1011 set at 37 feet as opposed to 25 feet, which is the normal height that we would have
1012 under our design guidelines. Staff does note that the facilities will be used for a lot of
1013 nighttime functions, but the rear parking area is well insulated from adjoining residential
1014 single-family properties. It's primarily surrounded by institutional uses. There's a school
1015 on one side and an area of apartments on the other side. And Marywood is actually
1016 operated by the Diocese of the church as well. Due to these exceptional
1017 circumstances, staff does not object to the lighting provided in the rear parking area.
1018 However, staff was concerned about the intensity of new lighting in the front parking
1019 area. We've worked with the applicant and we had suggested that they reduce the
1020 wattage of the fixtures from 400 watts to 250 watts on the three poles which actually
1021 have five fixtures on the front of the building. They've agreed to do that. With that
1022 reduced intensity, we feel that it meets our guidelines as far as lighting intensity. It
1023 doesn't quite meet it as far as height, but primarily what we're concerned about is the
1024 intensity of lighting in the neighborhood. That's the goal, to make sure that it doesn't
1025 have an impact on the neighborhood. With the reduction, we feel comfortable that it will
1026 be at an appropriate level. The lights have been in at the higher level for several months
1027 now. We have not received any complaints, primarily because it's a high traffic area.
1028 We still feel that we probably should reduce the intensity to the lower level, and the
1029 applicant has agreed to that. With that, we can recommend approval.

1030

1031 Mr. Branin - Thank you, Mr. Kennedy. Does anybody have any questions
1032 for Mr. Kennedy?

1033

1034 Mrs. Jones - No, I don't have a question, but I wanted to thank you, Mike,
1035 for working with me to try to find a compromise here that was going to solve the problem

1036 in the best way we could for the church, as well as to meet the County standards and
1037 guidelines. I guess I do have one question, now that I think about it. Have you
1038 discussed at all with the applicant the timing of this?
1039
1040 Mr. Kennedy - No, I haven't, but the representative of the applicant is here.
1041
1042 Mrs. Jones - Okay. I'd like to ask him.
1043
1044 Mr. Fitz - Good morning, my name is Bob Fitz. I'm with Koontz
1045 Bryant. I'm the applicant's representative, and I do have the representative from the
1046 church here as well.
1047
1048 Mrs. Jones - Good morning, Bob. How about the timing of getting the light
1049 wattage reduced? Will application be made immediately for that?
1050
1051 Mr. Fitz - Yes. If I might, I would ask Mr. Yeager to come down. He's
1052 had direct conversations, I believe, with Virginia Power.
1053
1054 Mrs. Jones - Okay.
1055
1056 Mr. Yeager - Good morning. My name is Mark Yeager. I work for St.
1057 Mary's Catholic Church. We have been in touch with Virginia Dominion Power. The
1058 gentleman that we are speaking with there is relatively new to his position, but
1059 suggested that probably within 10 days of a formal request by the church, that they
1060 would be able to get in and reduce the wattage on those five fixtures/three poles.
1061
1062 Mrs. Jones - When will that formal request be made?
1063
1064 Mr. Yeager - Today.
1065
1066 Mrs. Jones - Okay. Well, I appreciate you doing that. I think the impact on
1067 the neighbors will be dramatically reduced.
1068
1069 Mr. Yeager - Yes.
1070
1071 Mrs. Jones - All right, thank you very much.
1072
1073 Mr. Yeager - Thank you very much.
1074
1075 Mr. Branin - Do you have any other questions?
1076
1077 Mrs. Jones - No sir.
1078
1079 Mr. Branin - Does anybody else have any other questions for the
1080 applicant ? None? Okay.
1081

1082 Mrs. Jones - With that, yes, I'd like to move approval of LP/POD-77-02,
1083 St. Mary's Catholic Church, subject to the annotations on the plan and standard
1084 conditions for landscape and lighting plans, the additional condition #6 about reduced
1085 wattage, and the comments on the addendum on page 2.

1086
1087 Mr. Vanarsdall - Second.
1088
1089 Mr. Branin - Motion made by Mrs. Jones, seconded by Mr. Vanarsdall. All
1090 in favor say aye. All opposed say no. The ayes have it; the motion carries.

1091
1092 The Planning Commission approved the landscape plan for LP/POD-77-02, St. Mary's
1093 Catholic Church, subject to the standard conditions attached to these minutes for
1094 landscape and lighting plans, and the following additional condition:

1095
1096 6. The wattage of the Dominion Virginia Power spotlight fixtures shall be reduced
1097 from 400 watts to 250 watts along the front parking.
1098

1099 **PLAN OF DEVELOPMENT**
1100

1101
1102 **POD-65-07 McKinney & Company for Lowe's Home Centers, Inc.:**
1103 **Lowe's #381 Expansion – Request for approval of a plan of development as required**
1104 **W. Broad Street and Old by Chapter 24, Section 24-106 of the Henrico County**
1105 **Springfield Road Code, to construct a two phase expansion to an existing**
1106 **(POD-45-91 Revised) one-story, 103,000-square-foot building. The first phase of**
1107 **construction is for a 11,633 square foot garden center**
1108 **expansion and outdoor display areas; and the second**
1109 **phase is for a 5,890 square foot building expansion and a**
1110 **4,472 square foot loading canopy. The 10.41-acre site is**
1111 **located at the northeast corner of W. Broad Street (U.S.**
1112 **Route 250) and Old Springfield Road on parcel 755-758-**
1113 **9551. The zoning is B-3C, Business District (Conditional).**
1114 **County water and sewer. (Brookland)**

1101
1102 Mr. Branin - This is the case that we don't have opposition, but we want
1103 some questions answered, correct?

1104
1105 Mr. Silber - No.

1106
1107 Mr. Jernigan - No, this is a regular case.

1108
1109 Mr. Branin - Okay. Is anyone in opposition to POD-65-07, Lowe's #381
1110 Expansion (POD-45-91 Revised)? No one? Mr. Kennedy?

1111
1112 Mr. Kennedy - Good morning again. The original agenda suggested that
1113 additional plans would be submitted for review and approval for the outdoor display
1114 area. Staff has met with the applicant and asked if they would resubmit those outdoor

1115 display area features with the landscape and lighting plan. The intention is that the
1116 outdoor display area for new sheds would be inset into the hillside on the east side of
1117 the parking lot, and would look like—What they advertise is brick, kind of display
1118 gardens for sheds, as opposed to just falling out in the parking lot. So, it's going to be a
1119 landscape feature. They've agreed to submit that with the landscape plan so it'll come in
1120 as one package.

1121
1122 Otherwise, there are some significant conditions on the agenda addressing some
1123 operational issues. There have been some operational concerns. Since this
1124 development was originally established in 1996, which allowed outdoor storage behind
1125 the building, there is a proffer requirement from the original proffers in 1996, which
1126 requires a 50-foot transitional buffer, as well as a brick screen wall. Those are in place.
1127 There are also some operational controls about operations behind the building. These
1128 new additions would actually remove more of the work from behind the building by
1129 enclosing it and actually forcing loading to the front of the building. One of the conditions
1130 does address the circulation, which is they're required to put in a speed control platform
1131 similar to what you would find at Ukrop's in front of the building to address pedestrian
1132 conflicts between people picking up in the front of the building and also pedestrians
1133 crossing as customers. So, we've addressed that. There's also another condition having
1134 to do with the applicant requesting the vacation or the barricading of Old Springfield
1135 Road. That's because there tends to be a lot of trucks parking there and it tends to
1136 become a littering area for people who are either parking trucks or sleeping in their
1137 trucks at night. It's become a problem for that neighborhood. So, the applicant has
1138 already made application to VDOT to barricade that area to prevent trucks from parking
1139 there. One of the conditions requires them to pursue that to the extent necessary with
1140 VDOT.

1141
1142 With that, we can recommend approval per the conditions on the agenda.

1143
1144 Mr. Branin - Okay. Does anybody have any questions for Mr. Kennedy?

1145
1146 Mr. Vanarsdall - Mike and I have had several conversations. I wanted to ask
1147 you, on the emergency generator that changed the hours, have you had any complaints
1148 since they changed them?

1149
1150 Mr. Kennedy - No. We did have some operational complaints on that noise,
1151 but the applicant has worked on resolving those issues. They've changed the hours of
1152 testing from—They were originally testing at 5:30 in the morning on Sunday.

1153
1154 Mr. Vanarsdall - That's the reason I asked you had you had any complaints.

1155
1156 Mr. Kennedy - It's now during the day. They're not testing the generator in
1157 the morning.

1158
1159 Mr. Vanarsdall - So, you haven't had any on that particular thing, but I know
1160 you have on noise.

1161 Mr. Kennedy - On noise. Yes, there have been some complaints about
1162 noise. The applicant's finally figured out what it was. It was actually the garbage
1163 compactor. Although they're not doing work outside the building, they're using a
1164 compactor at night when they actually stock the building. And a compactor still makes
1165 noise. So, they're going to change their operational plans so that they don't compact
1166 cartons, cardboard boxes at night. We think that will be the solution to that. In the
1167 meantime, the proposed plan actually does provide better protection for the
1168 neighborhood by moving more of those activities to the front of the building, and
1169 enclosing more of those activities. So, we feel that the plan itself is fine. Operationally,
1170 we're going to monitor them, and we have them coming back for landscape plan
1171 approval, so they'll be back here. If we continue to have complaints, we can address it
1172 then.

1173
1174 Mr. Silber - Mr. Kennedy, can you advance the slide to the plan that
1175 we're discussing? And also, on the barricading of Old Springfield, did you indicate
1176 there's a condition that speaks to the possible vacation of Old Springfield?
1177

1178 Mr. Kennedy - They would have to apply to VDOT to vacate or barricade
1179 Old Springfield. It depends on what VDOT will allow. Our intention is to close off that
1180 cul-de-sac. This cul-de-sac area here is the problem, where trucks are parking and
1181 littering, and actually throwing their garbage and stuff like that, because Tractor-trailer
1182 drivers are just looking for a place to hang out.
1183

1184 Mr. Silber - Do you know whether Old Springfield, any portion of that has
1185 been vacated up towards Huron, or is it still a public right-of-way?
1186

1187 Mr. Kennedy - It's actually still a public right-of-way, it's just barricaded. It's
1188 all owned by VDOT. It's Old Springfield, which is part—When Springfield Road got
1189 relocated, they still retained the right-of-way. It's not a County right-of-way.
1190

1191 Mr. Vanarsdall - Subject to the resident engineer. Mr. Secretary, the resident
1192 engineer has been contacted. The person who's handling this for McKinney has
1193 already written him a letter. What happened was, when they widened Springfield Road,
1194 they stopped Old Springfield Road right below Lowe's. Then the 7-Eleven is over past
1195 that thing. So what it's been used for is people work on their automobiles, and now
1196 people park their tractor-trailers there, and it's become an eyesore. Lowe's has agreed
1197 to the vacating when they get to the Board. That's what caused all that. It's just an
1198 eyesore.
1199

1200 Mr. Silber - Right. I'm aware of that, I just wanted to make sure that
1201 there's some effort being made to vacate that portion of the right-of-way that's no longer
1202 needed. Sounds like that has possibilities.
1203

1204 Mr. Vanarsdall - I want to thank Mike for all the work he's done on this. He's
1205 been the architect on everything. One of our former staff members, Stacy Burcin in the
1206 back, has been spearheading that also. But Mike worked it out to where it's satisfactory

1207 to everyone. Then one of the Lowe's officials, Derrick Melton, is sitting there with Stacy,
1208 from North Carolina. We appreciate you being here. I think we're going to have a good
1209 thing. One of the improvements they're doing is on the front of the building, is on the
1210 front of the building, they're going to, for a lack of words, knock a hole in the wall and it's
1211 going to have a space that you can come up and get lumber, and it's going to be
1212 covered. That's going to take some of the noise away from the back, and it's also going
1213 to give better service to the contractors especially, or anybody, even the do-it-
1214 yourselfer. It will be nice.

1215
1216 Mr. Branin - Does anybody else have any questions for Mr. Kennedy or
1217 the applicant? Mr. Vanarsdall?

1218
1219 Mr. Vanarsdall - Thank you, Mike, for your help. I move that POD-65-07,
1220 Lowe's #381 Expansion (POD-45-91 Revised), be approved with the annotations on the
1221 plans, the standard conditions for developments of this type, and the following
1222 conditions 9 amended, 11 amended, and down to 33.

1223
1224 Mr. Archer - Second.

1225
1226 Mr. Branin - Motion made by Mr. Vanarsdall, seconded by Mr. Archer. All
1227 in favor say aye. All opposed say no. The ayes have it; the motion carries.

1228
1229 The Planning Commission approved POD-65-07, Lowe's #381 Expansion (POD-45-91
1230 Revised), subject to the annotations on the plans, the standard conditions attached to
1231 these minutes for developments of this type, and the following additional conditions:

- 1232
1233 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
1234 Planning for review and Planning Commission approval prior to the issuance of any
1235 occupancy permits.
- 1236 11. **AMENDED** - Prior to the approval of an electrical permit application and installation
1237 of the site lighting equipment, a plan including depictions of light spread and
1238 intensity diagrams, and fixture specifications and mounting height details shall be
1239 submitted for Department of Planning review and Planning Commission approval.
- 1240 24. Provide a bold note on the construction plans indicating: "The emergency
1241 generator will only be tested during the hours of 7 AM thru 6 PM.
- 1242 25. Provide a bold note on the construction plans indicating: The emergency
1243 generator will be maintained and operated so that it does not generate smoke,
1244 noise or vibration, so as to cause a nuisance to the adjoining residentially zoned
1245 property. The noise on the property shall be limited, so that hearing protection in
1246 accordance with OSHA standards is not required by anyone outside of the
1247 screen walls." Please note: if, in the opinion of the County, the noise containment
1248 is not effective, the Commission retains the right to review and direct additional
1249 measures shall be used or the emergency generator removed.
- 1250 26. The engineer shall certify that the hazardous materials storage area has been
1251 designed in accordance the requirements of the building and fire codes, as well
1252 as any applicable environmental regulations. The hazardous materials storage

- 1253 area shall be limited to accessory storage of waste generated on site and shall
 1254 be maintained so that it does not become hazardous, objectionable, or offensive
 1255 for any reason.
- 1256 27. The applicant shall take all such steps as necessary to request that the Virginia
 1257 Department of Transportation barricade and/or vacate the cul-de-sac at the
 1258 terminus of Old Springfield Road and to implement such request as necessary, to
 1259 discourage loitering and illicit activities at that location.
 - 1260 28. A layout plan for the outdoor display areas shall be submitted for Planning
 1261 Commission for review and approval in conjunction with the revised lighting and
 1262 landscape plan. The outdoor display areas shall be designed to function as a
 1263 landscape feature and shall have a pedestrian aisle exclusive of any drive aisle.
 - 1264 29. A raised speed platform or some other traffic calming device, submitted for
 1265 review and approval by planning staff, shall be provided along the main drive
 1266 aisle in front of the store, to serve as a physical separation between the customer
 1267 loading canopy and the main store entrances.
 - 1268 30. A solid wall shall be provided along the north side of the garden center expansion
 1269 area, facing the adjoining residential properties.
 - 1270 31. The rear storage area shall be screened at each end by solid gate of such design
 1271 submitted for review and approval by Planning Staff.
 - 1272 32. A fire lane shall be marked and maintained along the entire length of the rear of
 1273 the building rear, in accordance with the requirements of the Fire Marshall.
 - 1274 33. Signs will be posted along the rear of the building indicating that "Motor vehicles
 1275 shall not idle engines for more than 5 minutes. No deliveries or cleaning before
 1276 7AM or after 6 PM", and the store manager will take steps necessary to
 1277 implement those policies.

1278
 1279 **PLAN OF DEVELOPMENT**
 1280

POD-55-07 Staples Mill Centre, Phase I - Staples Mill Road and Bethlehem Road	E. D. Lewis & Associates for Staples Mill Centre, LLC: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code to: demolish 19 existing apartment buildings (Yorkshire and Crestwood Apartments) and related parking areas, to demolish an existing office building (2381 Staples Mill Road) and related parking area, to demolish 17 single-family dwellings(4907-5007 Bethlehem Road) and related structures, to demolish streets and utilities to be vacated, and to provide road improvements, including underground utilities, to Staples Mill Road (State Route 33) and Bethlehem Road in contemplation of future development. The property consists of two sites: a 0.638- acre site located on the east side of Staples Mill Road (State Route 33) approximately, 600 feet south of Bethlehem Road at 2381 Staples Mill Road on parcel 774- 740-9115; and a 79.5-acre site located on the west line of Staples Mill Road, approximately 225 feet south of
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Bethlehem Road on parcels: 771-740-9118; 772-740-1743, 1137, 0431, 2836, 4023, 2229; 773-739-8155; 773-740-5043, 9498, 8899; 773-741-3132, 2637, 4222, 3726, 6011, 7505, 5414, 6808, 8102; 774-739-3999, 4569, 5043; 774-740-0096, 3584, 2888, 2190, 4182, 0894, 1592 and 8236. The zoning is UMUC Urban Mixed Use District (Conditional) and B-2 Business District. County water and sewer. **(Brookland)**

1281
1282 Mr. Branin - Is anyone in opposition to POD-55-07, Staples Mill Centre,
1283 Phase 1? No one? Mr. Kennedy, you again.

1284
1285 Mr. Kennedy - I'd like to address this plan, as well as the companion case.

1286
1287 Mr. Silber - Okay.

1288
1289 **SUBDIVISION**

1290
SUB-53-07
Staples Mill Centre
(September 2007 Plan)
Bethlehem Road
E. D. Lewis & Associates for Ollin Toler: The 1.06-acre site proposed for a subdivision of 31 townhouses for sale is located on the south line of Bethlehem Road, approximately 370 feet west of the west line of Staples Mill Road on parcels 773-40-5043, 8899, 9498; 774-740-0096, 0894, 1592, 2190 and 773-741-8102. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Brookland) 31 Lots**

1291
1292 Mr. Branin - Is anyone in opposition to SUB-53-07, Staples Mill Centre
1293 (September 2007 Plan)? No one? Mr. Kennedy?

1294
1295 Mr. Kennedy - This is the initial phase of development for Staples Mill
1296 Centre, which is another UMU. We think it's going to be their flagship for development
1297 in the Brookland District, and match the quality of development we've seen in the other
1298 UMU projects, and that you heard last night at the Board meeting. So, we think this is
1299 going to be a flagship for this area. Basically at this point, they're just doing the
1300 groundwork, removing old utilities and removing old buildings. Some of those buildings
1301 have been removed. As you can see, the apartment complex that previously occupied
1302 this area has been removed. There are still some apartments here, in this area here,
1303 and there are some houses along Bethlehem Road that need to be removed in
1304 contemplation of development of the site. The plan also provides for improvements
1305 along Staples Mill Road and Bethlehem Road for site development. This is basically the
1306 first phase. Additional plans of development will be coming forward the beginning of
1307 next year, which provide for development consistent with the master plan approved with
1308 the provisional use permit (PUP). That was approved by the Planning Commission and
1309 the Board of Supervisors. This is just the first step. The subdivision is also a conditional
1310 plan. Basically, it provides for conditional approval, a tentative layout for the

1311 townhouses, which are in the first phase. Our rule of approval requires that a
1312 conditional approval be submitted first as part of this plan, but when they come back
1313 with construction plans for the next phase, they will have construction plans for those as
1314 well. There are conditions on the agenda having to do with the vacation of the old
1315 subdivision that was there, which are these lot lines, for the old houses as well as the
1316 vacation of the streets.

1317
1318 With that, staff can recommend approval of both the POD and the subdivision. The
1319 applicant's engineer is here to answer any questions. We have addressed some
1320 questions from neighboring property owners; I think we've resolved them. I think
1321 they've already left. With that, we can recommend approval.

1322
1323 Mr. Branin - Does anybody have any questions for Mr. Kennedy in either
1324 the POD or the subdivision? Anyone? Mr. Vanarsdall, do you want to hear from the
1325 applicant?

1326
1327 Mr. Vanarsdall - I don't.

1328
1329 Mr. Branin - Okay.

1330
1331 Mr. Vanarsdall - If there ever was a time to have a ribbon cutting to tear
1332 something down or demolish it—I see Jim Theobald smiling because he worked through
1333 the whole UMU. You all remember that book that thick and that long. Anyway, I
1334 recommend approval of POD-55-07, Staples Mill Centre, Phase 1. And on the
1335 addendum we have one added—Let's see. I'm going to take them separately. For
1336 POD-55-07, Staples Mill Centre, Phase 1, I recommend approval, subject to the
1337 annotations on the plans, standard conditions for developments of this type, and the
1338 following conditions 24 through 35, and on the addendum, it's 36 added.

1339
1340 Mr. Jernigan - Second.

1341
1342 Mr. Branin - Motion made by Mr. Vanarsdall, seconded by Mr. Jernigan.
1343 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

1344
1345 The Planning Commission approved POD-55-07, Staples Mill Centre, Phase 1, subject
1346 to the annotations on the plans, the standard conditions attached to these minutes for
1347 developments of this type, and the following additional conditions:

- 1348
1349 24. The right-of-way for widening of Staples Mill Road (State Route 33) as shown on
1350 approved plans shall be dedicated to the County prior to any occupancy permits
1351 being issued. The right-of-way dedication plat and any other required information
1352 shall be submitted to the County Real Property Agent at least sixty (60) days
1353 prior to requesting occupancy permits.
- 1354 25. The easements for drainage and utilities as shown on approved plans shall be
1355 granted to the County in a form acceptable to the County Attorney prior to any
1356 occupancy permits being issued. The easement plats and any other required

- 1357 information shall be submitted to the County Real Property Agent at least sixty
1358 (60) days prior to requesting occupancy permits.
- 1359 26. The limits and elevations of the 100-year frequency flood shall be conspicuously
1360 noted on the plan "Limits of 100 Year Floodplain" In addition, the delineated 100-
1361 year floodplain must be labeled "Variable Width Drainage and Utility Easement."
1362 The easement shall be granted to the County prior to the issuance of any
1363 occupancy permits.
- 1364 27. The entrances and drainage facilities on Staples Mill Road (State Route 33) shall
1365 be approved by the Virginia Department of Transportation and the County.
- 1366 28. A notice of completion form, certifying that the requirements of the Virginia
1367 Department of Transportation entrances permit have been completed, shall be
1368 submitted to the Department of Planning prior to any occupancy permits being
1369 issued.
- 1370 29. The developer shall provide fire hydrants as required by the Department of Public
1371 Utilities and Division of Fire.
- 1372 30. The proffers approved as a part of zoning case C-5C-07 shall be incorporated in
1373 this approval.
- 1374 31. Prior to issuance of a building permit, the developer must furnish a letter from
1375 Dominion Virginia Power stating that this proposed development does not conflict
1376 with their facilities.
- 1377 32. Any necessary off-site drainage and/or water and sewer easements must be
1378 obtained in a form acceptable to the County Attorney prior to final approval of the
1379 construction plans.
- 1380 33. Deviations from County standards for pavement, curb or curb and gutter design
1381 shall be approved by the County Engineer prior to final approval of the
1382 construction plans by the Department of Public Works.
- 1383 34. Approval of the construction plans by the Department of Public Works does not
1384 establish the curb and gutter elevations along the Henrico County maintained
1385 right-of-way. The elevations will be set by Henrico County.
- 1386 35. Approval of the construction plans by the Department of Public Works does not
1387 establish the curb and gutter elevations along the Virginia Department of
1388 Transportation maintained right-of-way. The elevations will be set by the
1389 contractor and approved by the Virginia Department of Transportation.
- 1390 36. The applicant shall obtain vacation of any County right-of-way to be impacted by
1391 this project, prior to approval of construction plans for that portion of the work, as
1392 determined by the Director of Public Works.

1393
1394 Mr. Branin - Next one, Mr. Vanarsdall.

1395
1396 Mr. Vanarsdall - Now, on the subdivision, I recommended SUB-53-07,
1397 Staples Mill Centre (September 2007 Plan), be approved with the annotations on the
1398 plan, standard conditions for residential townhouses served by public utilities, and the
1399 following conditions 13, 14, and on the addendum, #15 is added.

1400
1401 Mrs. Jones - Second.

1402

1403 Mr. Branin - Motion made by Mr. Vanarsdall, seconded by Mrs. Jones. All
1404 in favor say aye. All opposed say no. The ayes have it; the motion carries.

1405
1406 The Planning Commission granted conditional approval to SUB-53-07, Staples Mill
1407 Centre (September 2007 Plan), subject to the standard conditions attached to these
1408 minutes for subdivisions served by public utilities, the annotations on the plans, and the
1409 following additional conditions:

- 1410
1411 13. A County standard sidewalk shall be constructed along the south side of
1412 Bethlehem Road.
1413 14. The proffers approved as a part of zoning case C-5C-07 shall be incorporated in
1414 this approval.
1415 15. The applicant shall obtain vacation of any lots in Westbourne Subdivision which
1416 are within the limits of this subdivision prior to final approval of the plat.

1417
1418 **PLAN OF DEVELOPMENT & MASTER PLAN** (*Deferred from the November 14, 2007,*
1419 *Meeting*)

1420
1421 **POD-76-07** **Vanasse Hangen Brustlin for Retail South**
1422 Laburnum Station – Gay **Development:** Request for approval of a plan of
1423 Avenue and S. Laburnum development and master plan, as required by Chapter 24,
1424 Avenue Section 24-106 of the Henrico County Code, to construct a
shopping center with three, one-story retail buildings
totaling 48,940 square feet and two future one-story
retail/office buildings totaling 15,000 square feet. The
10.19-acre site is located at the southern corner of the
intersection of S. Laburnum and Gay Avenues on parcels
814-717-0480 and 813-717-7951 (part). The zoning is B-
2C, Business District (Conditional) and ASO, Airport
Safety Overlay District. County water and sewer. **(Varina)**

1421
1422 Mr. Branin - Is anyone in opposition to POD-76-07, Laburnum Station?
1423 No one. Ms. Goggin?

1424
1425 Ms. Goggin - Good morning. In your handout addendum is a plan that
1426 addresses staff's concern for the screening of the proposed Best Buy from Gay Avenue
1427 and the existing shopping center across the street. As you can tell from what was in
1428 your delivered packet, the loading now comes from this direction versus facing Gay
1429 Avenue and the—I'm just going to call it Ukrop's Shopping Center. The new plan also
1430 provides a raised median, which will provide area for additional landscaping, and the
1431 separation as required from this drive aisle and the entrance, per Public Works. With
1432 the loading area turned this way, there is also area for additional landscaping right here,
1433 as well as this landscaping area here, to help screen it from the neighborhood. These
1434 are the proposed color architectural, as provided by the applicant, but because it's
1435 been flipped, the screening that was shown on this side of the building is now on this
1436 side of the building. I just wanted to show you that the applicant has proposed brick and

1437 block to match the building. It's going to blend in with the building. Let me go back to
1438 the staff plan. It has also been redesigned to proffer a 25-foot landscape strip along
1439 Laburnum Avenue.

1440
1441 Staff has not been contacted by any concerned citizens or other parties concerning this
1442 development. Staff can recommend approval subject to the annotations on the plans
1443 handed out to you this morning, the standard conditions for developments of this type,
1444 conditions 24 through 43 in the agenda. John Carty, from VHB, the engineering firm,
1445 and Carolyn Nadal from Hirschler Fleischer are here to speak on behalf of the applicant.
1446 And I would be happy to answer any questions the Commission may have.

1447
1448 Mr. Branin - Thank you. Does anybody have any questions for Ms.
1449 Goggin?

1450
1451 Mrs. Jones - A quick one about the re-oriented store and the loading area.

1452
1453 Ms. Goggin - Yes ma'am.

1454
1455 Mrs. Jones - So, the trucks would come on in off of, well, I guess of
1456 Laburnum.

1457
1458 Mr. Jernigan - Gay.

1459
1460 Mrs. Jones - Off of Gay. Would they be involved in the front area at all,
1461 where the major parking is, or is there turning or backing in? How would they do that?
1462 That looks tight to me.

1463
1464 Ms. Goggin - I would like to defer that question to John Carty.

1465
1466 Mr. Branin - Sir, when you come down, if you'd please state your name
1467 for the record. Thank you.

1468
1469 Mr. Carty - Good morning. My name is John Carty. I'm with VHB.

1470
1471 Mrs. Jones - Mr. Carty, just educate me a minute here, how these trucks
1472 will come for their delivery.

1473
1474 Mr. Carty - Due to the fact that we've now flipped the building, the game
1475 plan would be for the trucks to enter through Gay Avenue. That way, they could pull
1476 directly forward and then just back straight in. But then they would be required to exit
1477 out the main entrance to Laburnum.

1478
1479 Mrs. Jones - Okay.

1480
1481 Mr. Carty - So, basically, the truck would come in this way and back in.

1482 Mrs. Jones - And can come from Laburnum down Gay and make a left-
1483 hand turn into the shopping center because there is not a median there, right?
1484
1485 Mr. Carty - Correct.
1486
1487 Mrs. Jones - So, it's up and back.
1488
1489 Mr. Carty - Correct.
1490
1491 Mr. Jernigan - When they pull in, they just back. They don't even have to
1492 turn around. They pull in and back straight in, and then when they come out, they come
1493 straight out.
1494
1495 Mrs. Jones - Straight out here.
1496
1497 Mr. Jernigan - Come through the shopping center and exit on Laburnum.
1498
1499 Mrs. Jones - And that's not going to be a conflict with customer cars. I
1500 would guess they could go back there, but they probably won't because of the
1501 orientation of the major parking areas.
1502
1503 Mr. Carty - I would tend to agree, yes.
1504
1505 Mrs. Jones - Okay, thank you. I understand.
1506
1507 Mr. Branin - Does anybody else have any questions for the applicant or
1508 Ms. Goggin?
1509
1510 Mr. Jernigan - No. I just want to thank Christina. I know this has been a
1511 long one, but it looks good now. Flipping the building did make things a whole lot better.
1512 The reason Best Buy's going to make their rear of this building look as good as the front
1513 is because there will be future development behind them, either an office or retail, so we
1514 wanted it looking good on all four sides. I do want to thank you.
1515
1516 Ms. Goggin - Thank you.
1517
1518 Mr. Jernigan - Mr. Chairman, I don't really need to hear from the applicant
1519 on this, unless they want to say something. But I don't think they do. With that, I will
1520 move for approval of POD-76-07, Laburnum Station, with the annotations on the plan,
1521 and standard conditions for developments of this type, and the following additional
1522 conditions #24 through 43, and on the addendum.
1523
1524 Mr. Vanarsdall - Second.
1525
1526 Mr. Branin - Motion made by Mr. Jernigan, seconded by Mr. Vanarsdall.
1527 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

1528 The Planning Commission approved POD-76-07, Laburnum Station, subject to the
1529 annotations on the plans, the standard conditions attached to these minutes for
1530 developments of this type, and the following additional conditions:

- 1531
- 1532 24. The right-of-way for widening of Laburnum Avenue and Gay Avenue as shown
1533 on approved plans shall be dedicated to the County prior to any occupancy
1534 permits being issued. The right-of-way dedication plat and any other required
1535 information shall be submitted to the County Real Property Agent at least sixty
1536 (60) days prior to requesting occupancy permits.
 - 1537 25. The easements for drainage and utilities as shown on approved plans shall be
1538 granted to the County in a form acceptable to the County Attorney prior to any
1539 occupancy permits being issued. The easement plats and any other required
1540 information shall be submitted to the County Real Property Agent at least sixty
1541 (60) days prior to requesting occupancy permits.
 - 1542 26. The developer shall provide fire hydrants as required by the Department of Public
1543 Utilities and Division of Fire.
 - 1544 27. A concrete sidewalk meeting County standards shall be provided along east side
1545 Gay Avenue and the west side of Laburnum Avenue.
 - 1546 28. All repair work shall be conducted entirely within the enclosed building.
 - 1547 29. Outside storage shall not be permitted.
 - 1548 30. The proffers approved as a part of zoning case C-51C-06 shall be incorporated in
1549 this approval.
 - 1550 31. The developer shall install an adequate restaurant ventilating and exhaust
1551 system to minimize smoke, odors, and grease vapors. The plans and
1552 specifications shall be included with the building permit application for review and
1553 approval. If, in the opinion of the County, the type system provided is not
1554 effective, the Commission retains the rights to review and direct the type of
1555 system to be used.
 - 1556 32. Any necessary off-site drainage and/or water and sewer easements must be
1557 obtained in a form acceptable to the County Attorney prior to final approval of the
1558 construction plans.
 - 1559 33. Deviations from County standards for pavement, curb or curb and gutter design
1560 shall be approved by the County Engineer prior to final approval of the
1561 construction plans by the Department of Public Works.
 - 1562 34. The loading areas shall be subject to the requirements of Chapter 24, Section
1563 24-97(b) of the Henrico County Code.
 - 1564 35. Storm water retention, based on the 50-10 concept, shall be incorporated into the
1565 drainage plans.
 - 1566 36. Insurance Services Office (ISO) calculations must be included with the plans and
1567 contracts and must be approved by the Department of Public Utilities prior to the
1568 issuance of a building permit.
 - 1569 37. Approval of the construction plans by the Department of Public Works does not
1570 establish the curb and gutter elevations along the Henrico County maintained
1571 right-of-way. The elevations will be set by Henrico County.

- 1572 38. Evidence of a joint ingress/egress and maintenance agreement must be
 1573 submitted to the Department of Planning and approved prior to issuance of a
 1574 certificate of occupancy for this development.
- 1575 39. The conceptual master plan, as submitted with this application, is for planning
 1576 and information purposes only.
- 1577 40. The location of all existing and proposed utility and mechanical equipment
 1578 (including HVAC units, electric meters, junction and accessory boxes,
 1579 transformers, and generators) shall be identified on the landscape plans. All
 1580 building mounted equipment shall be painted to match the building and all
 1581 equipment shall be screened by such measures as determined appropriate by
 1582 the Director of Planning or the Planning Commission at the time of plan approval.
- 1583 41. Only retail business establishments permitted in a B-2, Business District may be
 1584 located in this center.
- 1585 42. The ground area covered by all the buildings shall not exceed in the aggregate 25
 1586 percent of the total site area.
- 1587 43. No merchandise shall be displayed or stored outside of the building(s) or on
 1588 sidewalk(s).

1589
 1590 **PLAN OF DEVELOPMENT**
 1591

1592 1593 1594 1595 1596 1597 1598 1599 1600 1601 1602	POD-82-07 TGI Friday's @ The Shops at White Oak Village – Laburnum Avenue	Vanasse Hangen Brustlin, Inc. for Laburnum Investments, LLC and United Restaurant Group: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 7,096 square foot restaurant in The Shops at White Oak Village Shopping Center. The 1.30-acre site is located on the eastern side of S. Laburnum Avenue, approximately 1,300 feet north of Audubon Drive on part of parcel 815-718-5710. The zoning is B-3C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. (Varina)
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1592
 1593 Mr. Branin - Is anyone in opposition to POD-82-07, TGI Friday's @ The
 1594 Shops at White Oak Village? No one? Ms. Goggin.

1595
 1596 Ms. Goggin - Hello again. Since the preparation of this agenda, staff has
 1597 received revised architectural renderings, and they are in your handout addendum.
 1598 These renderings provide the additional brick on the rear and sides of the building, as
 1599 requested. As you can tell in your handout addendum, we now have a brick knee wall at
 1600 the rear and side of the tan hardi panel. Staff requested prior to the agenda, and the
 1601 applicant agreed, to provide brick around the rear instead of a wood screen.

1602
 1603 The applicant also provided color elevations for your information. These do not reflect
 1604 the architectural changes, but are for informational purposes. So, like I said, this brick

1605 knee wall has been continued where the tan hardi board is and this wooden screen
1606 around the back has been replaced with brick.

1607
1608 Staff can now recommend approval, subject to the annotations on the plan, standard
1609 conditions for developments of this type, and conditions 24 through 37 in the agenda.
1610 The applicant's representative, John Carty, is here to answer any questions you may
1611 have of them, and I would be happy to answer any questions of the Commission.

1612
1613 Mr. Branin - Does anybody have any questions for Ms. Goggin?

1614
1615 Mr. Jernigan - Christina, I want to thank you again for doing this. This
1616 wasn't that bad. There was some question about the awnings, which are red and white.
1617 As you can see in their logo down on the bottom, red and white seem to be—As I
1618 brought to the Commission before, that we have corporate logos that I guess we need
1619 to address at some point. I guess we need to make sure they're adhered to, or have a
1620 policy on it. But anyway, I think that when you see the red and white stripes, you pretty
1621 much know that's a Friday's. Thank you.

1622
1623 Ms. Goggin - You're welcome.

1624
1625 Mr. Branin - Would you like to hear from the applicant?

1626
1627 Mr. Jernigan - No sir.

1628
1629 Mr. Vanarsdall - Don't you think of the flag when you see red and white?

1630
1631 Mr. Jernigan - Sir?

1632
1633 Mr. Vanarsdall - You don't just think of Friday's, don't you think of the flag?

1634
1635 Mr. Jernigan - Well, yes. If you're looking for something to eat, though—

1636
1637 Mrs. Jones - Apple pie and America.

1638
1639 Mr. Jernigan - We need the blue, Ernie, we need the blue in there. All right.
1640 With that, Mr. Chairman, I will move for approval of POD-82-07, TGI Friday's @ The
1641 Shops at White Oak Village, with standard conditions for developments of this type, and
1642 the following additional conditions #24 through 37, and the addendum.

1643
1644 Mr. Vanarsdall - Second.

1645
1646 Mr. Branin - Motion made by Mr. Jernigan, seconded by Mr. Vanarsdall.
1647 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

1648

1649 **PLAN OF DEVELOPMENT**

1650
POD-83-07
7-11 Convenience Store
@ The Shops at White
Oak Village – S.
Laburnum Avenue and
Audubon Drive

Blakeway Corporation for Laburnum Associates, LLC and 7-Eleven Inc.: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 3,186 square foot, convenience store with fuel pumps in The Shops at White Oak Village Shopping Center. The 1.06-acre site is located on the east line of Laburnum Avenue approximately 250 feet north of Audubon Drive on part of parcel 815-718-5710. The zoning is B-3C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

1651
1652 Mr. Branin - Is anyone in opposition to POD-83-07, 7-Eleven
1653 Convenience Store, at the Shops at White Oak Village? No one?
1654

1655 Mr. Strauss - Thank you, Mr. Chairman, members of the Commission.
1656 This application is for approval of a one-story 7-Eleven convenience store with fuel
1657 pumps at the Shops at White Oak Village Shopping Center. This outparcel is located
1658 west of the intersection of Laburnum Avenue and Audubon Drive. During our review, it
1659 was discovered that this project will require a provisional use permit in order to allow for
1660 24-hour operation, so the applicant will be submitting separately for this approval. You
1661 will note in the agenda, condition 40 requires that a PUP be submitted for and approved
1662 prior to 24-hour operation.
1663

1664 All agencies at this time are recommending approval of the site plan. Staff has
1665 requested that the applicant agree to a deferral of the architectural plans for the building
1666 and fuel pump canopy, because we had some questions about the architectural design.
1667 The canopy had changed since the staff developer meeting, and we are still working
1668 with the applicant on the architectural for this. So, we will be seeing this architecture at
1669 the January meeting. So, with that, staff can recommend approval of the site plan
1670 component of the plan of development. I'll be happy to answer any questions with
1671 respect to that. I believe Mr. Bill Axelle is here. Brendan Fisher planned to be here,
1672 from Forest City Development, but the weather out west caused him some travel
1673 problems. I'll do the best I can, answering questions on their behalf.
1674

1675 Mr. Branin - Does anybody have any questions for Mr. Strauss?
1676

1677 Mr. Jernigan - Jim, thanks for working on this the way you did. And as Jim
1678 said, this approval is for the site plan only. The architectural have to come back for
1679 approval because they made changes on the other part. So, with that, I don't need to
1680 hear from the applicant on this either. Mr. Strauss has done a good job on this.
1681

1682 Mr. Branin - All right.
1683

1684 Mr. Jernigan - With that, I will move for approval of POD-83-07, 7-Eleven
1685 Convenience Store, at the Shops at White Oak Village, site plan only, subject to the
1686 annotations on the plan, the standard conditions for developments of this type, and the
1687 additional conditions #24 through 40.

1688
1689 Mrs. Jones - Second.

1690
1691 Mr. Branin - Motion by Mr. Jernigan, seconded by Mrs. Jones. All in favor
1692 say aye. All opposed say no. The ayes have it; the motion carries.

1693
1694 The Planning Commission approved POD-83-07, 7-Eleven Convenience Store, at the
1695 Shops at White Oak Village (site plan only), subject to the annotations on the plans, the
1696 standard conditions attached to these minutes for developments of this type, and the
1697 following additional conditions:

- 1698
1699 24. Only retail business establishments permitted in a B-3, business zone may be
1700 located in this center.
- 1701 25. The ground area covered by all the buildings shall not exceed in the aggregate 25
1702 percent of the total site area.
- 1703 26. No merchandise shall be displayed or stored outside of the building(s) or on
1704 sidewalk(s).
- 1705 27. Bulk storage of fuel shall be underground.
- 1706 28. The easements for drainage and utilities as shown on approved plans shall be
1707 granted to the County in a form acceptable to the County Attorney prior to any
1708 occupancy permits being issued. The easement plats and any other required
1709 information shall be submitted to the County Real Property Agent at least sixty
1710 (60) days prior to requesting occupancy permits.
- 1711 29. The developer shall provide fire hydrants as required by the Department of Public
1712 Utilities and Division of Fire.
- 1713 30. Outside storage shall not be permitted.
- 1714 31. The proffers approved as a part of zoning case C-29C-06 shall be incorporated in
1715 this approval.
- 1716 32. Any necessary off-site drainage and/or water and sewer easements must be
1717 obtained in a form acceptable to the County Attorney prior to final approval of the
1718 construction plans.
- 1719 33. Deviations from County standards for pavement, curb or curb and gutter design
1720 shall be approved by the County Engineer prior to final approval of the
1721 construction plans by the Department of Public Works.
- 1722 34. The loading areas shall be subject to the requirements of Chapter 24, Section
1723 24-97(b) of the Henrico County Code.
- 1724 35. Storm water retention, based on the 50-10 concept, shall be incorporated into the
1725 drainage plans.
- 1726 36. Insurance Services Office (ISO) calculations must be included with the plans and
1727 contracts and must be approved by the Department of Public Utilities prior to the
1728 issuance of a building permit.

- 1729 37. Approval of the construction plans by the Department of Public Works does not
 1730 establish the curb and gutter elevations along the Henrico County maintained
 1731 right-of-way. The elevations will be set by Henrico County.
 1732 38. Evidence of a joint ingress/egress and maintenance agreement must be
 1733 submitted to the Department of Planning and approved prior to issuance of a
 1734 certificate of occupancy for this development.
 1735 39. The location of all existing and proposed utility and mechanical equipment
 1736 (including HVAC units, electric meters, junction and accessory boxes,
 1737 transformers, and generators) shall be identified on the landscape plans. All
 1738 equipment shall be screened by such measures as determined appropriate by
 1739 the Director of Planning or the Planning Commission at the time of plan approval.
 1740 40. The applicant will submit a request for review and approval of a Provisional Use
 1741 Permit, in accordance with Proffer #28, prior to any 24-hour operation of this
 1742 facility.
 1743

1744 **PLAN OF DEVELOPMENT – TOWNHOUSES**
 1745

POD-42-06 **Timmons Group and Lessard Group, Inc. for Eagle
 Construction of Virginia and Unicorp National
 West Broad Village – Developments, Inc.:** Request for approval of architectural
 W. Broad St./Three Chopt plans, as required by Chapter 24, Section 24-106 of the
 Road Henrico County Code, to construct 148 townhouses for
 sale (brownstones). The 16-acre portion of the 115.04-
 acre site is located along the south line of W. Broad Street
 (U. S. Route 250), the north line of Three Chopt Road, and
 the east line of the future John Rolfe Parkway on part of
 parcel 742-760-7866. The zoning is UMUC, Urban Mixed
 Use District (Conditional) and WBSO, West Broad Street
 Overlay District. County water and sewer. **(Three Chopt)**

1746
 1747 Mr. Branin - Is anybody in opposition to POD-42-06, West Broad Village?
 1748 No one? Mr. Kennedy.
 1749

1750 Mr. Kennedy - Good morning again. Staff is recommending approval of
 1751 these elevations. I'm going to open them up and put them on display. We're very
 1752 satisfied with the design that has been presented by Eagle for the townhouses. They
 1753 truly meet the guidelines that are set forth in the design guidelines. They look like
 1754 brownstones. They are brick in nature in the front and on the sides. There are
 1755 entrances on the sides of these buildings so they are full three-surface buildings. The
 1756 rear of the buildings will be finished with hardiplank. There are a lot of nice features on
 1757 these. They were all set up to have elevators, and they have some nice balconies,
 1758 which provide some private open space. They're made like city homes with true
 1759 balconies, not just false facades. We feel that it raises the bar for development in this
 1760 community, and we look forward to seeing this development move forward. This is the
 1761 second developer for homes. We've seen Ryan Homes; this is Eagle. Prospect will be

1762 coming forward next year with their development. We expect the bar to be raised, and it
1763 has been raised by this, and that they will have suitably appropriate buildings as well.
1764

1765 With that, we can recommend approval. If you have any questions, there is a
1766 representative from Eagle Construction here. We just wanted to give him the
1767 opportunity to blow their own horn, because we really feel it's a very satisfactory
1768 development.
1769

1770 Mr. Branin - Does anybody have any questions for Mr. Kennedy?
1771

1772 Mr. Thornton - Yes, Mr. Kennedy. Can you give me a ballpark price of what
1773 these might run for?
1774

1775 Mr. Kennedy - I'll ask Joyce Wolfe that.
1776

1777 Mr. Branin - Ma'am, when you come down, could you state your name for
1778 the record
1779

1780 Ms. Wolfe - Joyce Wolfe, Eagle Construction. Good morning. Yes. And
1781 I appreciate Mr. Kennedy's kind comments. We do feel we've raised the bar with our
1782 elevations and our floor plans and the options that we'll be offering. The square footage
1783 range will run from approximately 2300 square feet up to 3200 square feet, with the
1784 fourth floor a finished loft. Our price range, minus the loft—we haven't quite finished our
1785 option pricing yet—would run from 399,950, up to 475,000 in today's dollars. I'd be
1786 happy to answer any other questions.
1787

1788 Mr. Branin - Does anybody else have any other questions? No. Thank
1789 you so much.
1790

1791 Ms. Wolfe - Thank you.
1792

1793 Mr. Branin - With that, then, I would like to move approval of POD-42-06,
1794 West Broad Village, subject to the conditions and annotations on the plans.
1795

1796 Mr. Jernigan - Second.
1797

1798 Mr. Branin - Motion made by Mr. Branin, seconded by Mr. Jernigan. All in
1799 favor say aye. All opposed say no. The ayes have it; the motion carries.
1800

1801 The Planning Commission approved POD-42-06, West Broad Village, subject to the
1802 annotations on the plans, and the standard conditions attached to these minutes for
1803 developments of this type.
1804

1805 Mr. Silber - The next one is the item that was pulled off of your expedited
1806 agenda.
1807

1808 **PLAN OF DEVELOPMENT**

1809
POD-86-07
Best Western – 8607
Telegraph and Brook
Roads

Timmons Group for Bhupendra B. Patel: 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, 11,860 square foot, 63-room hotel and 37 feet in height. The 1.89-acre site is located on the east line of Telegraph Road, approximately 80 feet east of the intersection of Brook Road (U.S. Route 1) and Telegraph Road on parcel 784-758-4424. The zoning is M-1, Light Industrial District and B-3, Business District. County water and sewer. **(Fairfield)**

1810
1811 Mr. Branin - We do have opposition, I believe, or questions to be asked.
1812 Is anyone else in the room in opposition to POD-86-07, Best Western? Mr. Condlin.

1813
1814 Mr. Archer - Mr. Chairman, I'm sure it's opposition.

1815
1816 Mr. Branin - That's what I said.

1817
1818 Mr. Archer - But it had been approved for the expedited agenda.

1819
1820 Mr. Branin - All right. Mr. Ward, you're on.

1821
1822 Mr. Ward - Good morning. Since preparation of this agenda, staff has
1823 received a revised plan that addresses all the additional right-of-way dedication, and a
1824 sidewalk to be installed on Telegraph Road. Also, staff wanted revised architectural
1825 plans. The revised elevation shows more brick, shutters on the windows, and replaced
1826 the 30-year shingles to be architectural shingles. Like we said at the time, staff could
1827 recommend approval on the expedited agenda. However, I think there are some issues
1828 with the drainage on the site, and that's why the adjoining property owners are here
1829 today to discuss that matter.

1830
1831 Mr. Branin - Does anybody have any questions for Mr. Ward? No one?
1832 Okay. Then Mr. Condlin, if you'd like to come down and state your questions so we can
1833 address them?

1834
1835 Mr. Condlin - Sure. Mr. Branin, members of the Planning Commission,
1836 thank you. Andy Condlin here. I'm actually representing Mr. Locke, who owns a couple
1837 of properties, but there are property owners of eight properties that surround this
1838 property that are actually here today that received notice. They want to state for the
1839 record—at least on behalf of Mr. Locke, I'd like to state for the record that they're not
1840 opposed to the concept, or to the development itself. They're very much encouraged by
1841 and excited about the building to upgrade the area. However, there is a major drainage
1842 issue that they feel needs to be addressed as part of the POD, as part of this approval
1843 process. It's affecting all of these properties. Quite frankly, it's an inadequacy of the

1844 drainage outfall. We understand from the County, from the Department of Public Works,
1845 that the plans that have been submitted are not approvable at this point, with respect to
1846 the drainage. Quite frankly, we'd like a little time. We're not opposed to the concept, or
1847 to the development, or even to the plan itself at this point, but we just would like some
1848 time, since notice was sent only nine days ago and was received in the last week by the
1849 various property owners. They want to review the plans with their own engineers. They
1850 would like to have a plan submitted that actually works for the drainage, so that they can
1851 review that adequately, and then also have time to meet with the County. Thirty days, I
1852 assume, would be adequate for that, but we want to be able to have a time to look at
1853 these plans and make sure the right plans have been submitted, that actually work,
1854 because the plans that currently have been submitted do not work and they're not
1855 approvable by the County at this point.

1856
1857 With that, that's really our position at this point, to ask for more time and for deferral at
1858 this point. I know there are a couple of the property owners here as well, in case you
1859 have any questions for them about the drainage. But it is a major drainage issue. And
1860 the property owners are both north and south of this property.

1861
1862 Mr. Branin - Thank you, Mr. Condlin. Does anybody else have any
1863 questions for Mr. Condlin? No? Mr. Archer, would you like to hear from the applicant?

1864
1865 Mr. Archer - Yes sir.

1866
1867 Mr. Branin - Okay. Would the applicant please come down?

1868
1869 Mr. Crutchfield - Hello, my name is Brian Crutchfield. I'm with Timmons
1870 Group, representing the applicant in this case. As Mr. Condlin said, we were, I guess,
1871 on the expedited agenda, and just this morning we heard about some concerns of
1872 adjacent property owners regarding the storm water on this site. The comments we
1873 received from Public Works at this time have basically said that our storm water design,
1874 in concept, will work. We certainly have to work out the technical details. This is on a
1875 50/10 detention area, so it seems like the concerns are more of an adequacy of a
1876 channel. Kind of downstream of us is where the worse of the problems are. Certainly,
1877 with the 50/10 detention of this site, we're going to be releasing the storm water at a
1878 lower rate than what is currently existing out there now. We haven't had a lot of time to
1879 study exactly what the problems are, whether it's a restriction downstream that's
1880 causing a backwater condition onto these properties. Certainly, it's in the best interest of
1881 this developer to also look into it to make sure it's not going to affect his property. But as
1882 far as this POD today goes, we feel like we're meeting the requirements. We're not
1883 going to be putting any more water into this channel. That's kind of where we stand.
1884 Certainly, we have been talking with the adjacent property owners, and we will continue
1885 to do so to make sure if there is a solution that can be met, whether it's with this POD or
1886 some other measure, we'll try to accommodate so everybody has a good situation
1887 there. At least from the preliminary information we'd gotten, I don't know that it's an
1888 easy fix for anybody to go in there. We haven't had any detailed discussions with Public

1889 Works, or nothing has been brought to us from Public Works about any concerns
1890 downstream or upstream of this site.

1891
1892 Mr. Silber - Where is the proposed outfall?

1893
1894 Mr. Crutchfield – It's in the very rear of the property. The proposed storm
1895 water management facility is in the back kind of wedge of the property. There is an
1896 existing ditch that runs—it's kind of off the page a little bit on the site plan. But there's a
1897 ditch that runs along the back and flows to the north and across Telegraph Road. It
1898 seems like it gets really flat and not very well-defined as you get close to Telegraph
1899 Road. At our release point back there, there's actually a paper street, that there is right-
1900 of-way that the ditch exists in, and that's going to be our outfall point into that ditch.

1901
1902 Mr. Branin - Mr. Crutchfield, hold on one second. Mr. Condlin? You just
1903 stated the Public Works says the outfall will not work, correct?

1904
1905 Mr. Condlin - We were told there was an understanding that it was
1906 inadequate, but we haven't had our engineer take a look at that. We're not asking for a
1907 comprehensive resolution, but that was my understanding. That was our
1908 understanding, that currently the plans that have been submitted are not going to work.
1909 They can look at that outfall. That's what we're looking for. We just need to see what the
1910 answers are. We're not asking for specific construction plans, but we are asking for
1911 maybe, because of the bad drainage problems, maybe a little bit more comprehensive
1912 look at the overall, and see if there are other alternatives, and least have a plan in front
1913 of them that works.

1914
1915 Mr. Branin - Do we have a representative from Public Works here?

1916
1917 Mr. Silber - Yes, we do. I don't know if we can resolve all of this today,
1918 but Steve Bandura is here from Public Works. Perhaps Steve can enlighten us on the
1919 County's position based on the plans they've reviewed so far.

1920
1921 Mr. Bandura - Good morning. I'm Steve Bandura, a staff engineer at the
1922 Department of Public Works. Chuck Loving is the engineer who's handling this case,
1923 and he had a family emergency this morning and had to leave. I had gone over with
1924 Chuck yesterday, and his engineer, Phil Schmidt, who represents, I guess, some of the
1925 downstream property owners. We had met with the property owners before on other
1926 drainage issues, and Public Works has cleaned roadside ditches and unclogged
1927 culverts in an effort to help them. We reviewed the plans yesterday, and the outfall, as
1928 they're proposing now, would not get approval from Public Works. There needs to be
1929 more comprehensive information provided as far as adequacy of the offsite outfall.

1930
1931 Mr. Archer - Mr. Ban—Is it Bandura?

1932
1933 Mr. Bandura - Bandura, yes sir.

1934

1935 Mr. Archer - I've heard two sets of terminology. One is that drainage is
1936 not approvable, and the other one is it will not work. Which one of those is apropos in
1937 light of this discussion?
1938

1939 Mr. Bandura - Well, both are apropos. One is, as it's shown now, it will not
1940 work. We will not accept what is there. They're proposing now just a discharge and
1941 overland flow without any—as far as what I saw on the plan—information providing
1942 adequacy of the offsite channel, which eventually leads across the properties of the
1943 people in opposition to this, or concerns to this.
1944

1945 Mr. Archer - What do you think would be a workable solution to this?
1946

1947 Mr. Bandura - Well—
1948

1949 Mr. Archer - We need to determine whether or not the applicant is willing
1950 to come up with—
1951

1952 Mr. Bandura - Well, it's an engineering solution. It would either be pipe or
1953 improve the ditch, or something of that nature, or see if they can get to the storm sewer
1954 in Brook Road. There are items that have to be worked out yet. I don't know if the
1955 engineer, if you have that much information at this time to address those issues. We
1956 are aware of the concerns of the property owners downstream of this.
1957

1958 Mr. Archer - But in your opinion, there is a workable solution?
1959

1960 Mr. Bandura - There could be, yes. Again, I don't have any information,
1961 engineering data survey information below stream, but it's an engineering issue that
1962 probably can be worked out. It's cost, and time, and engineering effort.
1963

1964 Mr. Branin - Mr. Archer, is the actual applicant here?
1965

1966 Mr. Archer - I'm not sure.
1967

1968 Mr. Crutchfield - The actual applicant is out of the country. The seller of the
1969 property is here, the current owner of the property. But I don't know that he would be
1970 able to speak directly to those. Certainly, to add onto that, we certainly will be working
1971 closely with Public Works to resolve this. We want to have a solution that's going to be
1972 best for everybody. If that means we need to take some more time before we come
1973 back to the Planning Commission, we can certainly do that. My understanding is that
1974 under the current comments, we were going to work those technical issues out; they
1975 were going to be required anyway. But it sounds like the adjacent property owners
1976 were more looking at a bigger picture problem that maybe we need to get them involved
1977 when we're working out those technical solutions to see if we can come to some type of
1978 resolution.
1979

1980 Mr. Branin - I just wanted to it be clarified, Mr. Crutchfield, because you
1981 had said there isn't a problem. But, obviously, there is a problem.
1982
1983 Mr. Crutchfield - Well, I think the problem is that we need to work out the
1984 technical issues with Public Works, as far as the outfall. The information that we've
1985 gotten, as far as we've done, we can show that there is an adequate channel at our
1986 property line. We certainly have not gone downstream to where the bigger problems are
1987 to look at that. But if that's going to be a requirement of Public Works, then certainly
1988 we'll be doing that.
1989
1990 Mr. Branin - So, you do see that there is a problem, then.
1991
1992 Mr. Crutchfield - We haven't studied it far enough downstream. We haven't
1993 witnessed a problem on our site, but we haven't gone to the adjacent property owners
1994 and looked at that as of yet.
1995
1996 Mr. Branin - Mr. Archer?
1997
1998 Mr. Archer - Mr. Crutchfield—Mr. Thornton has a comment.
1999
2000 Mr. Thornton - Mr. Chairman, my concern about this—and let me ask a
2001 question first. As this was on the expedited agenda, and then we have this most recent
2002 information, my question is, had this been determined by Public Works at first, or had
2003 this issue come up subsequently. Can anyone answer that?
2004
2005 Mr. Branin - Mr. Thornton, I ask that same question.
2006
2007 Mr. Thornton - Can anyone answer that? That is rather of a concern to me.
2008 So, what I'm really asking is, if Mr. Condlin hadn't come and made his comments, would
2009 this have been approved and then we would have had these extenuating
2010 circumstances. That's my concern, Mr. Silber. Were we on top of this?
2011
2012 Mr. Silber - Mr. Thornton, that's a good question. I'm going to ask Mr.
2013 Bandura to elaborate on my response. Typically, a plan of development that comes
2014 forward to the Planning Commission has a certain level of detail and engineering
2015 associated with it. All of the details associated with a full drainage plan with all the
2016 calculations and specifications are not necessarily entirely worked out before it's
2017 handled by the Planning Commission. But keep in mind, after the Planning Commission
2018 acts on a plan of development, they have to then submit the full construction plans for
2019 signature as another more detailed level of review. Public Works would not sign off on
2020 any construction plans if it didn't meet all their requirements on site and downstream.
2021 So, while this has been brought to our attention by the adjacent property owners—I
2022 appreciate that happening— I feel confident that even if Mr. Condlin wasn't here
2023 representing adjacent property owners, this would have been addressed at the next
2024 level of review and sign-off by Public Works.
2025

2026 Mr. Branin - And I've got a question in regards to Mr. Thornton's to take it
2027 one step further. Mr. Bandura.

2028
2029 Mr. Bandura - Yes.

2030
2031 Mr. Branin - If this plan had been approved by Commission today, and it
2032 had gone through and forward, would Public Works be looking at strictly controlling the
2033 water onsite, or would you be looking at—Without Mr. Condlin and Mr. Alocka coming in
2034 today, would we be looking at the downstream effect, if it was not brought to our
2035 attention?

2036
2037 Mr. Bandura - Yes, we were aware of the downstream conditions prior to
2038 this POD coming to the Commission.

2039
2040 Mr. Branin - So you feel confident that if it had gone through today—

2041
2042 Mr. Bandura - Oh yes. Like I say, we had met with the downstream
2043 property owners earlier in the year to address their concerns, so we were well aware of
2044 it. With this coming up, we were just reiterating that there is a problem, that there does
2045 need to be a solution to the offsite drainage.

2046
2047 Mr. Archer - Mr. Chairman, staff did include conditions 25, 29, and 30,
2048 which address those issues, and state that they must be approved before occupancy
2049 permits could be granted. I think they were up to snuff on that part of it. I think in light of
2050 the way this has turned out, and also the terminology of “not approvable,” and “will not
2051 work,” even though there are items that can probably be addressed to make it workable,
2052 and since Mr. Crutchfield apparently does not have the permission to say yes, we'll do
2053 whatever it takes, I feel like, sir, you probably should defer this until you can get some
2054 guidance from your folks who are out of the country or whatever. Even if we go forward
2055 with it—apparently the site plan is approvable, but you would be stymied when you got
2056 to that point. I don't see where it makes sense to forward with it until we know what
2057 we're able to do.

2058
2059 Mr. Crutchfield - Exactly. We'd be willing to accept a deferral on this, if that's
2060 the desire of everyone on the Commission. It just kind of caught us a little by surprise.
2061 We haven't heard this from Public Works. We heard it from Mr. Condlin on Monday, so
2062 we haven't had a whole lot of time to study to see what it's going to take to get it worked
2063 out. If we would have had a little more notice, we hopefully could have had a definite
2064 solution for you guys today. Whether that approval needs to take place with Public
2065 Works down the line, as far as satisfying all their comments, or whether that needs to
2066 come back before the Planning Commission, we can do it either way.

2067
2068 Mr. Branin - Mr. Crutchfield, do you know when the applicant will be back
2069 in this country?

2070

2071 Mr. Crutchfield - I believe in another week or two. But certainly he would be
2072 willing to authorize us to go ahead and make whatever change is necessary, or do
2073 whatever study to make sure we get this taken care of.
2074
2075 Mr. Branin - Mr. Archer, you know why I bring that up, with how far out
2076 they should defer this.
2077
2078 Mr. Archer - Well, I was thinking the same thing. Two weeks, I don't
2079 know if 30 days, with the holidays coming. I don't know if 30 days would be enough, do
2080 you?
2081
2082 Mr. Crutchfield - I'm going to try to set up a meeting with Public Works and
2083 with the property owners so everybody can get to the table. However quickly that can
2084 happen is as quick as we can get that set up.
2085
2086 Mr. Archer - Do you feel confident, sir, you could do that in 30 days, or
2087 would 60 be more appropriate?
2088
2089 Mr. Crutchfield - I think we can get a resolution in 30 days.
2090
2091 Mr. Archer - Okay.
2092
2093 Mr. Branin - We'll entertain you requesting a deferral.
2094
2095 Mr. Crutchfield - On behalf of the applicant, we request a 30-day deferral of
2096 this POD until the January meeting.
2097
2098 Mr. Archer - The 23rd, I believe it is.
2099
2100 Mr. Branin - That's correct.
2101
2102 Mr. Vanarsdall - January 23rd.
2103
2104 Mr. Branin - Mr. Archer, would you like to make that motion?
2105
2106 Mr. Archer - I would. Just to lend some deference to what Mr. Ward had
2107 talked about. He and I had discussed this before. And, of course, the three conditions
2108 do put the onus on the applicant to make sure things are right before the plan is
2109 approved. But I sense that there is a little bit too much received in here today. With that,
2110 I will grant the applicant's request for a 30-day deferral.
2111
2112 Mr. Jernigan - Second.
2113
2114 Mr. Branin - Motion by Mr. Archer, seconded by Mr. Jernigan. All in favor
2115 say aye. All opposed say no. The ayes have it; the motion carries.
2116

2153 Mr. Branin - Any other questions for Mr. Ward? Mr. Jernigan, would you
2154 like to hear from the applicant?
2155

2156 Mr. Jernigan - No. We've worked on this quite a while, and I think we've
2157 got it straight. That's the reason we were late starting the meeting this morning. We still
2158 had a little fine detail on here. But no, thank you, Matt. We finally got this thing worked
2159 out. With that, Mr. Chairman, I will move for approval of POD-60-07, which is
2160 reconsideration for New Market Veterinary Clinic. We'll be striking Condition #37 on the
2161 agenda, and replacing it with #38 revised on the addendum.
2162

2163 Mr. Vanarsdall - Second.
2164

2165 Mr. Branin - Motion made by Mr. Jernigan, seconded by Mr. Vanarsdall.
2166 All in favor say aye. All opposed say no. The ayes have it; the motion carries.
2167

2168 The Planning Commission approved POD-60-07, New Market Veterinary Clinic
2169 (reconsideration), subject to the annotations on the plans, the standard conditions
2170 attached to these minutes for developments of this type, and the following additional
2171 conditions:
2172

2173 37. ~~DELETED - Road widening, curb and gutter, and sidewalk shall be constructed~~
2174 ~~by the owner along the north side of New Market Road (State Route 5), in~~
2175 ~~accordance with Henrico County and Virginia Department of Transportation~~
2176 ~~standards, when the adjacent property to the west (parcel 814-690-1456) is~~
2177 ~~developed.~~

2178 38. **ADDED** - Road widening, curb and gutter, and sidewalks shall be constructed by
2179 the owner along the north side of New Market Road (State Route 5), in
2180 accordance with Henrico County and Virginia Department of Transportation
2181 standards, with future development on this site.
2182

2183 Mr. Silber - Before I move on to the next case, I wanted to interrupt for just a minute
2184 and introduce some staff, because these staff may need to go back to their workstation.
2185 I didn't want to miss the opportunity to introduce them before they had to leave. I'm not
2186 suggesting that they leave, but if you have to leave, I wanted to provide the opportunity
2187 for the Commission to meet you.
2188

2189 You may recall that Fred Overman left the Permit Center approximately two months
2190 ago, and Lee Tyson from the Comprehensive Planning Division was promoted to the
2191 Director's position in the Permit Center. Lee is making an effort to introduce his staff, or
2192 have his staff come to some Planning Commission meetings so that they have a better
2193 understanding of the entire process from start to finish. When plans come in, or zoning
2194 cases come in and end up in Plans, and end up in Permits, that they understand the
2195 process better, and understand how the Planning Commission interacts with that
2196 process. So, I wanted to introduce two staff today, just so that you're familiar with them.
2197 They do not work in the Planning Department; they work in the Permit Center. But just

2198 in case you ever call the Permit Center and you hear these names, these are the two
2199 that I wanted to introduce.

2200
2201 One is Lisa Taylor. Lisa, just raise your hand or stand. Lisa started in the Permit Center
2202 back in June, I understand, so she's been with us for about six months. Prior to that,
2203 she was employed by VDOT, and also with the County Public Schools. She received
2204 her bachelors in Economics from Virginia Tech, but she also has her masters in
2205 Planning from VCU. So, welcome, Lisa.

2206
2207 Mr. Silber - And you may have to help me with that name (speaking to
2208 Mr. Madrigal).

2209
2210 Mr. Madrigal - It's Miguel Madrigal.

2211
2212 Mr. Silber - Thank you, Mr. Madrigal. He started in the Permit Center
2213 yesterday, so he is brand new with us. He has extensive experience in permit centers.
2214 He was employed in California for 12 years in the Long Beach, California, Permit Center
2215 office. He has his bachelors in Business Administration from Cal State in Long Beach.

2216
2217 So, I wanted to introduce the two of them to you and let you know that they will be more
2218 than happy to assist you when you call the Permit Center.

2219
2220 Mr. Jernigan - Glad to have you aboard.

2221
2222 Mr. Branin - Welcome to Virginia.

2223
2224 **PLAN OF DEVELOPMENT**

2225
2226 **POD-78-07 Resource International, Ltd. For Parham Forest**
2227 **Parham Forest West – Partners, LLC:** Request for approval of a plan of
2228 **E. Parham Road and development, as required by Chapter 24, Section 24-106**
2229 **Ackley Avenue office/warehouse condominium buildings totaling 110,000**
2230 **square feet. The 12.197-acre site is located on the**
2231 **northwest corner of E. Parham Road and Ackley Avenue**
2232 **and the northwest corner of Peyton Street and Ackley**
2233 **Avenue on parcels 771-756-7746 and part of 771-757-**
2234 **8224. The zoning is M-1, Light Industrial District. County**
2235 **water and sewer. (Fairfield)**

2226
2227 Mr. Branin - Is anyone in opposition to POD-78-07, Parham Forest West?
2228 No one? Okay, Mr. Wilhite.

2229
2230 Mr. Wilhite - Thank you, sir. I'm handing out a revised site plan. We just
2231 received this on Monday, so it will be necessary to waive time limits in order to accept it.
2232 The revised plan addresses staff's comments in relation to the storm water

2233 management basin. It's been redesigned with more natural contours. The basin right at
2234 the corner of Parham Road and Ackley Avenue, would also be landscaped within the
2235 basin. On page 8 of your addendum, we have suggested a revised condition dealing
2236 with the landscape plan, requiring that it come back to the Planning Commission for
2237 approval. The revised site plan also addresses staff's concern regarding the sidewalks
2238 on the site. They have now connected the sidewalks so you can get from one end of
2239 the site to all the buildings. In addition, the applicant has shown potential outdoor
2240 storage areas. These would be located behind the buildings that run along Parham
2241 Road, including the one at the far west next to the railroad track; that one didn't show up
2242 on the plan, but they do show that as well. In addition, the buildings that are on the
2243 other side of Peyton Street have potential outdoor storage areas as well. These show
2244 the worst-case scenario. The ultimate area that would be included would be based on
2245 which tenants occupy the site. Page 8 of your addendum also shows revised Condition
2246 #26 dealing with the outside storage. The applicant has committed to providing screen
2247 fencing around these areas. They would be of aluminum design similar to a wrought
2248 iron look with opaque fabric backing attached to it as well.

2249
2250 Staff can recommend approval of the revised site plan, with the changes to the
2251 conditions as shown on your addendum.

2252

2253 Mr. Branin - Does anybody have any questions for Mr. Wilhite?

2254

2255 Mr. Archer - Mr. Wilhite, after you and I talked yesterday, the aluminum
2256 fence is the one we're finally going to end up with?

2257

2258 Mr. Wilhite - Yes. We confirmed that with them this morning. It would be
2259 similar to the treatment out at Greendale Railing about a block away from this site.

2260

2261 Mr. Archer - I went out there yesterday after you and I talked, for a couple
2262 of reasons. One of them was I wanted to see what kind of traffic flow came by there on
2263 Peyton Street going down to connect up with it—now what is it, Oakview, I think. I think
2264 it's Oakview. Oakview runs between Hungary Road and Peyton. And I notice that the
2265 County has a pressure reducing something out there. Can you tell me what that does?
2266 Or do you know?

2267

2268 Mr. Wilhite - I'm not sure exactly how that site functions.

2269

2270 Mr. Archer - Mr. Silber, do you know?

2271

2272 Mr. Silber - Is it this site or is it the site adjacent to this?

2273

2274 Mr. Archer - It's adjacent to it. It's between the railroad track—

2275

2276 Mr. Wilhite - Next to the railroad track.

2277

2278 Mr. Silber - Where the M2 is at, or is it—

2279
2280 Mr. Wilhite - Right where the cursor is.
2281
2282 Mr. Silber - I don't know exactly, Mr. Archer. This area—I thought it was
2283 immediately to the north of this—was one of the super fund sites.
2284
2285 Mr. Archer - It is a Superfund site.
2286
2287 Mr. Silber - Yes, from years past. I thought it was where the M2 is at. I
2288 don't know where this feature is that you've just described in order to know what its
2289 purpose is.
2290
2291 Mr. Archer - If you turn left on Peyton and you go all the way down to the
2292 end, there's a brick building down there and it has a black chain link fence around it. It
2293 says, "County of Henrico Pressure Reducing Facility." My blood pressure was a little
2294 high when I got there, and felt better when I left.
2295
2296 Mr. Silber - I don't know. That may be unrelated to the super fund site.
2297
2298 [Off mike] - [Unintelligible].
2299
2300 Mr. Silber - It's water pressure?
2301
2302 [Off mike] - [Unintelligible].
2303
2304 Mr. Silber - Okay. So, it's unrelated to the Superfund Hazard Area. It's
2305 water pressure.
2306
2307 Mr. Archer - It's unrelated entirely. I was just curious.
2308
2309 Mr. Silber - So, you didn't hang around there long?
2310
2311 Mr. Archer - No, I didn't.
2312
2313 Mr. Branin - Heck, I might stop by there—
2314
2315 Mr. Archer - I never feel very comfortable out there for some reason.
2316
2317 Mrs. Jones - I'd like to just ask a quick question, or maybe make a
2318 comment about this.
2319
2320 Mr. Branin - You can ask as many as you want.
2321
2322 Mrs. Jones - Mr. Wilhite, because of the grade—When I was out there the
2323 other day, the grade is really quite a drop from Parham to this site. Screening that has
2324 been addressed in a number of ways that will work at the level of the offices, but from

2325 Parham, everything will be pretty much in full view, including outside storage and, I'm
2326 sure, rooftop anything. I guess we'll address that at landscape time?
2327

2328 Mr. Wilhite - If you're familiar with the area, we have similar types of
2329 businesses, and we do have those situations here. One of the reasons why we wanted
2330 the landscape plan to come back before you is because we still have to determine how
2331 much the existing vegetation will be saved along Parham Road, what needs to be
2332 supplemented there. Staff is aware of that, and we do have concerns.
2333

2334 Mrs. Jones - I just wanted to plant that seed, because it sure is wide open
2335 from the roadway. Okay.
2336

2337 Mr. Silber - Mr. Wilhite, can you show us the elevations of the buildings
2338 that would be facing Parham Road?
2339

2340 Mr. Wilhite - Facing Parham, they would be the top one here.
2341

2342 Mr. Silber - Which would resemble the top one—
2343

2344 Mr. Wilhite - It's one at the very top of the rendering here. Actually, the
2345 outside storage area would be on the other side of the building away from Parham
2346 Road.
2347

2348 Mr. Branin - That's what I was going to explain to Mrs. Jones, is the
2349 loading is sort of within a courtyard, if you will. I don't think it will be as visible from
2350 Parham Road as if the buildings had been turned with the loading toward the—
2351

2352 Mrs. Jones - Well, it's just so far below grade of the road.
2353

2354 Mr. Silber - You will see the tops of these buildings.
2355

2356 Mr. Wilhite - The only area possibly along Parham would be the building
2357 at the very end here. This one here. But that's where it's highest. And there's existing
2358 vegetation, so it still will probably be fairly well screened from Parham Road.
2359

2360 Mrs. Jones - Okay, just thought I'd mention it.
2361

2362 Mr. Branin - Anybody else have any other questions for Mr. Wilhite?
2363 None? Mr. Archer, would you like to hear from the applicant?
2364

2365 Mr. Archer - I don't think it's necessary. When Mr. Wilhite and I talked
2366 yesterday, they were having discussions as to the type of fence, and it seems as though
2367 staff has gotten what is required. So, unless somebody else has questions of the
2368 applicant, I don't think I have any.
2369

2370 Mr. Branin - No one? Okay, then, I'll entertain a motion.

2371
2372 Mr. Archer - Okay. Well, the first motion is to waive the time limits on the
2373 plan that was received Monday.
2374
2375 Mr. Jernigan - Second.
2376
2377 Mr. Branin - Motion made by Mr. Archer, seconded by Mr. Jernigan. All
2378 in favor say aye. All opposed say no. The ayes have it; the motion carries and the time
2379 limits are waived.
2380
2381 Mr. Archer - Second, I would move to approve this plan based on the
2382 staff report, the new plan received this morning, the additional conditions 24 through 32,
2383 and 9 amended, and 26 revised on the addendum.
2384
2385 Mr. Jernigan - Second.
2386
2387 Mr. Branin - Motion made by Mr. Archer, seconded by Mr. Jernigan. All in
2388 favor say aye. All opposed say no. The ayes have it; the motion carries.
2389
2390 Mr. Archer - Thank you, Mr. Wilhite.
2391
2392 The Planning Commission approved POD-78-07, Parham Forest West, subject to the
2393 annotations on the plans, the standard conditions attached to these minutes for
2394 developments of this type, and the following additional conditions:
2395
2396 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
2397 Planning for review and Planning Commission approval prior to the issuance of
2398 any occupancy permits.
2399 24. The easements for drainage and utilities as shown on approved plans shall be
2400 granted to the County in a form acceptable to the County Attorney prior to any
2401 occupancy permits being issued. The easement plats and any other required
2402 information shall be submitted to the County Real Property Agent at least sixty
2403 (60) days prior to requesting occupancy permits.
2404 25. The developer shall provide fire hydrants as required by the Department of Public
2405 Utilities and Division of Fire.
2406 26. **REVISED** - Outside storage shall not be permitted **except where shown on the**
2407 **approved plans.**
2408 27. The certification of building permits, occupancy permits and change of
2409 occupancy permits for individual units shall be based on the number of parking
2410 spaces required for the proposed uses and the amount of parking available
2411 according to approved plans.
2412 28. Any necessary off-site drainage and/or water and sewer easements must be
2413 obtained in a form acceptable to the County Attorney prior to final approval of the
2414 construction plans.

- 2415 29. Deviations from County standards for pavement, curb or curb and gutter design
 2416 shall be approved by the County Engineer prior to final approval of the
 2417 construction plans by the Department of Public Works.
 2418 30. Approval of the construction plans by the Department of Public Works does not
 2419 establish the curb and gutter elevations along the Henrico County maintained
 2420 right-of-way. The elevations will be set by Henrico County.
 2421 31. The location of all existing and proposed utility and mechanical equipment
 2422 (including HVAC units, electric meters, junction and accessory boxes,
 2423 transformers, and generators) shall be identified on the landscape plans. All
 2424 equipment shall be screened by such measures as determined appropriate by
 2425 the Director of Planning or the Planning Commission at the time of plan approval.
 2426 32. The property owner shall provide the Planning Department a copy of the
 2427 business owner's restrictive covenants that will govern this site prior to their
 2428 recordation and prior to the issuance of a certificate of occupancy for this
 2429 development.

2430 **PLAN OF DEVELOPMENT**

2431 POD-79-07 **Barthol Design Associates for Armando Benitez and**
 2432 Arco Iris Latino Mart – **Kings Construction:** Request for approval of a plan of
 6111 & 6115 Staples Mill development, as required by Chapter 24, Section 24-106
 Road (State Route 33) of the Henrico County Code, to construct a 2,000 square
 foot addition to an existing retail building and a two-story
 building with a 5,000 square foot restaurant on the first
 floor and 5,000 square feet of office on the second floor.
 The 1.72-acre site is located on the east line of Staples
 Mill Road (State Route 33) approximately 200 feet south of
 Penick Road on parcels 773-747-8814 and 773-747-8402.
 The zoning is B-1, Business District. County water and
 sewer. **(Brookland)**

2433
 2434 Mr. Branin - Is anyone in opposition to POD-79-07, Arco Iris Latino Mart?
 2435 No one? Hello again, Ms. Goggin.

2436
 2437 Ms. Goggin - The applicant has not submitted revised plans addressing
 2438 VDOT's requirement for a right turn lane. In addition to the right turn lane, once this
 2439 right turn lane is provided, it will also require them to go from two entrances to one
 2440 entrance. Planning has also requested that the dumpster at the terminus of the
 2441 entrance be relocated so it is less visible from the main thoroughfare of Staples Mill
 2442 Road. Additionally, staff has not received revised architectural renderings that provide
 2443 additional windows—here we go—windows along all elevations. Staff has requested,
 2444 and has not received, color renderings to enhance staff's understanding of how the
 2445 proposed unique architectural style will visually alter the commercial frontage along
 2446 Staples Mill Road.
 2447

2448 Unfortunately, the applicant nor the engineer, are here to speak on their behalf. Should
2449 the Commission choose to approve this POD, staff recommends that it is subject to the
2450 annotations on the staff plan, standard conditions for developments of this type, 9 and
2451 11 amended, and conditions 24 through 41 in the agenda.

2452
2453 Mr. Vanarsdall - Is the applicant here?

2454
2455 Mr. Branin - Mr. Vanarsdall, do you have any questions for Ms. Goggin?

2456
2457 Ms. Goggin - I'm it.

2458
2459 Mr. Vanarsdall - The applicant is not here.

2460
2461 Ms. Goggin - Neither, the applicant, nor his engineer is here.

2462
2463 Mr. Branin - I hope no one has any questions for the applicant.

2464
2465 Mr. Vanarsdall - Do I have any for them? I have a list as long as my arm.

2466
2467 Mr. Branin - Mr. Vanarsdall, would you like to deny this one or defer it?

2468
2469 Mr. Vanarsdall - Well, Mr. Chairman, if he's not here, I refuse to ask them.

2470
2471 Mr. Branin - Well, then how about I deny it?

2472
2473 Mr. Vanarsdall - I will thank Ms. Goggin for struggling along, and I mean
2474 struggling with this. I can do one of two things. I can defer it myself, or recommend
2475 denial, but I don't like to recommend denial without giving someone a chance to do
2476 much, much more than they're going to do. So, I'll just defer it. I would like to ask Kim
2477 Vann, I understand they set aside all the things the—Do you want to come up to the
2478 mike? The police have been in on this, as they are on all cases, and have done a good
2479 job of suggesting what to put there.

2480
2481 Ms. Vann - Yes sir. Kim Vann with Henrico Police. I did attend the staff
2482 developer meeting. I tried to have a discussion with the architect or engineer prior to the
2483 staff developer meeting, and no e-mail or phone calls were returned. They did respond
2484 back after our staff developer meeting with what they would agree to. There are still
2485 some things that concern me, mostly, as Ms. Goggin referenced, the lack of visibility
2486 with the unique design to Staples Mill Road. I think it would be prudent for us to be able
2487 to sit down and talk to them again, especially with the site changing a little bit because
2488 of VDOT's requirements, and some other things. To me, there are still a lot of things
2489 that are outstanding, even though they are willing to go so far with putting it in writing,
2490 what they would address. It does look like they are attempting to meet some of our—

2491
2492 Mr. Vanarsdall - So, you just have a verbal?

2493

2494 Ms. Vann - No, they actually put it in writing where they took my memo
2495 and literally addressed each item in my memo.
2496
2497 Mr. Vanarsdall - And that included a video system?
2498
2499 Ms. Vann - Yes, I believe so. But one of the concerns was that at the
2500 time of staff developer, we didn't, or at least I was not clear on the fact that the zoning
2501 category does not allow them to have outdoor dining. And to have such a large
2502 courtyard area, the big question is what is it going to be for and, of course, clarify that it
2503 does not allow outdoor dining in that particular zoning district. That is a big concern for
2504 us. I think one of the things they're hoping to address that with is that they agreed to
2505 put a wrought iron fence along that arched opening, and that would not allow people in
2506 after hours. But at what point would they close that, and we still wouldn't know what
2507 was taking place within that enclosed area that's very hidden.
2508
2509 Mr. Vanarsdall - Okay, thank you. You don't have a meeting scheduled with
2510 them either, do you?
2511
2512 Ms. Vann - No sir.
2513
2514 Mr. Vanarsdall - Okay. Well, I'm going to be gone until the first of the year, so
2515 whatever you have, I'd like to be in on it.
2516
2517 Ms. Vann - I understand.
2518
2519 Mr. Branin - Mr. Vanarsdall, are you thinking about deferring this?
2520
2521 Mr. Vanarsdall - Oh, yes.
2522
2523 Mr. Branin - Do you want to defer it out for three months?
2524
2525 Mr. Vanarsdall - For three months?
2526
2527 Mr. Silber - Well, that could be a problem because the Planning
2528 Commission has to take action.
2529
2530 Mr. Vanarsdall - I would like to defer it until the summer, but I'm not allowed
2531 to do that.
2532
2533 Mr. Jernigan - But you can do 60.
2534
2535 Mr. Branin - You can do 60.
2536
2537 Mr. Vanarsdall - I think it would be wise to do 60. What do you think?
2538

2575 Ms. Goggin - I have consecutive presentations today. Since the
2576 preparation of this agenda, staff has received a revised plan addressing staff's concerns
2577 about the realignment of Woodman Road. As you can tell from the aerial, we have the
2578 existing right-of-way for Woodman Road over here. Unfortunately, the existing
2579 Woodman Road is here. So, one day in the future, Woodman Road is going to be
2580 extended to match up to existing Woodman Road.

2581
2582 The revised plan is in your handout addendum. As you can tell, the realignment of
2583 Woodman Road will affect the layout of the subdivision. The applicant has cooperated
2584 with all requests of Public Works and Planning to ensure that the realignment of
2585 Woodman Road would be accounted for in all phases of construction. The applicant is
2586 aware that the new alignment must be determined by the County prior to construction
2587 plan approval, and the center line alignment must be shown on the construction plans.
2588 To help address this, staff has revised Condition 12, and added two additional
2589 conditions. These are in your handout addendum.

2590
2591 With this, staff can recommend approval, subject to the annotations on the revised plan,
2592 standard conditions for developments of this type, and Condition 11 in the agenda,
2593 Condition 12 revised, and the additional conditions 13 and 14 in the addendum. The
2594 applicant's representative, Brandon Sovick, is here to answer any questions, as well as
2595 the applicant, Mr. Jinnett. Since the revised plan was received this week—like I said,
2596 the applicant and the engineer have worked with staff, so the plan was late due to our
2597 request, not their reaction—there will need to be a waiver of time limits. The time limit
2598 waiver motion can be made in conjunction with the subdivision motion, should the
2599 Commission choose to do so. I'd be happy to answer any questions that you may have.

2600
2601 Mr. Branin - Does anybody have any questions for Ms. Goggin?
2602

2603 Mr. Vanarsdall - No, we've talked at length about this one, too. Mr.
2604 Secretary, are you satisfied with the wording that's on there now?
2605

2606 Mr. Silber - Yes I am.
2607

2608 Mr. Vanarsdall - Okay.
2609

2610 Mr. Branin - Mr. Vanarsdall, do you need to hear from the applicant?
2611

2612 Mr. Vanarsdall - I'm satisfied. I don't need to talk to the applicant.
2613

2614 Mr. Branin - Okay. Then I'll entertain a motion.
2615

2616 Mr. Vanarsdall - I move SUB-60-07, Winfrey (November 2007 Plan), be
2617 recommended for approval.
2618

2619 Mr. Branin - Time limits.

2620 Mr. Vanarsdall - Time limits. I was going to incorporate that in there. I waive
2621 the time limits on SUB-60-07, Winfrey (November 2007 Plan).

2622
2623 Mr. Jernigan - Second.

2624
2625 Mr. Branin - Motion made by Mr. Vanarsdall, seconded by Mr. Jernigan.
2626 All in favor say aye. All opposed say no. The ayes have it; time limits are waived.

2627
2628 Mr. Vanarsdall - I recommend SUB-60-07, Winfrey (November 2007 Plan),
2629 be approved with annotations on the plan, standard conditions for subdivisions not
2630 served by public utilities, and the following conditions. We have #11 on the agenda, she
2631 said, and then we're going to revise #12 on the addendum, and add 13 and 14.

2632
2633 Mrs. Jones - Second.

2634
2635 Mr. Branin - Motion made by Mr. Vanarsdall, seconded by Mrs. Jones. All
2636 in favor say aye. All opposed say no. The ayes have it; the motion carries.

2637
2638 The Planning Commission granted conditional approval to SUB-60-07, Winfrey
2639 (November 2007 Plan), subject to the standard conditions attached to these minutes for
2640 subdivisions not served by public utilities, the annotations on the plan, and the following
2641 additional conditions:

- 2642
2643 11. Any necessary offsite drainage easements must be obtained prior to approval of
2644 the construction plan by the Department of Public Works.
- 2645 12. **REVISED** – The applicant shall dedicate right-of-way for Woodman Road
2646 relocated as required by the Director or Public Works when a new alignment has
2647 been determined by the County. ~~In conjunction with this right-of-way, the applicant~~
2648 ~~shall petition the County to vacate any unneeded portions of the current alignment~~
2649 ~~of Woodman Road as dedicated in Deed Book 885, Page 79.~~
- 2650 13. **ADDED** - Prior to recordation of the plat, the subdivider shall obtain a statement
2651 from the Director of Public Works concerning the location of the proposed right-
2652 of-way on the property. The subdivider shall prominently show the location of the
2653 proposed right-of-way on the plat.
- 2654 14. **ADDED** - The developer will be required to submit a centerline alignment for
2655 Woodman Road extended to the north to be approved by Public Works prior to
2656 construction plan approval of this subdivision.

2657
2658 **SUBDIVISION (Deferred from the November 14, 2007 Meeting)**

2659
SUB-58-07
South Lake
(October 2007 Plan)
Hawkes Lane and S.
Lake Avenue
**Foster & Miller, P.C. for Roger B. Riggle, E. W. Riggle
and David Riggle:** The 1.100-acre site proposed for a
subdivision of 3 single-family homes is located at 6115
Hawkes Lane on the southwest corner of Hawkes Lane
and S. Lake Avenue on parcel 819-724-8059. The zoning
is R-2A, One-Family Residence District. County water and

sewer. (Varina) 3 Lots

2660
2661 Mr. Branin - Is anyone in opposition to SUB-58-07, South Lake (October
2662 2007 Plan)? No one? Mr. Ward.
2663
2664 Mr. Ward - Staff has received a revised plan at this meeting that has
2665 provided the requested right-of-way dedication along South Lake Avenue, which is right
2666 here. Also, Public Works, Traffic Engineering Division is not requiring any road
2667 widening along South Lake Avenue. Our revised plan that we're going to show over
2668 here on the light table provides lot dimensions that show the lot width area and setback
2669 lines that were requested by staff. It was an original lot with an existing dwelling on it,
2670 and they propose these new lot lines. The creating of lots 2 and 3 left a residual lot 1
2671 with the existing dwelling.
2672
2673 Staff can recommend approval subject to the annotations on the plans, the standard
2674 conditions for subdivisions of this type, and conditions 12 and 13 on the agenda. Also,
2675 a waiver of time limits would be required. Their representative, Spud Mister, is here
2676 today to discuss any matter, and I'm happy as well to answer any questions.
2677
2678 Mr. Jernigan - Matt, #13 says that the lots shall be redesigned to be 80
2679 foot.
2680
2681 Mr. Ward - Right.
2682
2683 Mr. Jernigan - I'm told they are 80 foot.
2684
2685 Mr. Ward - Right. He meets that for the lot 2 and 3 that he created.
2686
2687 Mr. Jernigan - Right. But they're legal lots now on this new drawing.
2688
2689 Mr. Ward - Right.
2690
2691 Mr. Jernigan - Okay. All right. The second thing is - I don't know if I got to
2692 tell you, but I told Mike Jennings when we came in. After my meeting last night in which
2693 they agreed to give up the 10 foot of additional road frontage on the existing lot, I found
2694 out that they had already dedicated 10 feet to the County before. So, Mr. Chairman,
2695 what I want to do, I want to move this case along as it is today, but Mr. Jennings is
2696 going to search the archives and see. The applicant's fine with what we're doing right
2697 now, but I don't want to be double-dipping on them if we've already taken 10 and taking
2698 10 more. What happened is these lots were original R-2A lots, and on the front on
2699 Hawkes Lane, it shows now it's 150 feet. Well, the County came to them some years
2700 ago and got 10 feet, which made one of them a non-conform—Well, they couldn't go
2701 two lots then. The vacant lot to the west on Hawkes now, they couldn't put another
2702 house on that because they only have 150 feet on the front and they needed 160.
2703

2704 As I said, I'm going to move this along as it is. Mr. Jennings is going to look into the
2705 fact. And also, Mike, if they dedicate that 10 feet, they become non-conforming. So,
2706 can we get a letter from Public Works that'll go with them as a record if they go to sell
2707 this house that there's no problem with the banks?
2708

2709 Mr. Ward - I could try to answer that question. The house that exists is
2710 non-conforming right now. With us governing the additional right-of-way, we would not
2711 be putting the house in any sort of situation where they'd have to get a variance in front
2712 of the BZA.
2713

2714 Mr. Jernigan - It's non-conforming now, before you give up the 10 feet?
2715

2716 Mr. Ward - Correct.
2717

2718 Mr. Silber - The existing house is.
2719

2720 Mr. Jernigan - Because of the 10 feet they gave up before?
2721

2722 Mr. Ward - Well, I don't know if that's what caused them to go to non-
2723 conforming, but the front yard setback is the only part that would be non-conforming.
2724 But it's non-conforming at this time.
2725

2726 Mr. Jernigan - Okay. Mr. Silber, the reason this one took so long—Matt
2727 showed me in the Code book that when you subdivide a lot, if you have a corner lot,
2728 then when those lots are trimmed off, the lesser of the two distance lot lines becomes
2729 the front yard. In this case, this house faces Hawkes Lanes, but when they split these
2730 two lots off in the back, that would have made the side yard now that he has, the front
2731 yard, which made him non-conforming. That's the reason Foster and Miller redesigned
2732 these lots to keep that side yard as it is right now, and that's still his side yard. It's 150
2733 foot and an inch, and Hawkes Lane is 150 foot. I didn't know that until we got into this
2734 pretty deep that that's what changed. But it is non-conforming now before we do
2735 anything more on this.
2736

2737 Mr. Ward - That's correct.
2738

2739 Mr. Jernigan - Okay.
2740

2741 Mr. Archer - Good case study, Mr. Jernigan.
2742

2743 Mr. Jernigan - Yes.
2744

2745 Mr. Silber - Mr. Jernigan, I think it becomes complicated when you have
2746 an orientation towards one street and then you carve off a portion of the property
2747 because there's a new shorter dimension on a public road, and there's a new
2748 orientation. That becomes more significant when there is no building on that property.
2749 That new building would have to meet the setbacks. This is an existing dwelling.

2750 Mr. Jernigan - The guy lived in there 44 years.
2751
2752 Mr. Silber - Right. So, I don't see that this is an issue. It looks as
2753 though—The way I'm looking at it, it looks as though it would not meet the front yard
2754 setback either on Hawkes Lane or South Lake Lane.
2755
2756 Mr. Jernigan - Well, the thing of it is when this house was built, what was
2757 the front yard setback? You remember I had a case one time of a zoning that came
2758 through in the 50's. A gentleman came through for a POD on an A-1 lot that was 149
2759 feet, 11-3/4 inches. He was a quarter inch short of being 150. When we searched the
2760 archives, we found out at the time that when it came through, it was 125-foot minimum.
2761 The developer just actually split each lot to be exactly the same size when he did it, and
2762 it worked out to that odd number.
2763
2764 Mr. Silber - Yes, you're right, you'd have to determine what the
2765 ordinance requirements were at the time this house was built.
2766
2767 Mr. Jernigan - When they come to sell the house, I don't want the people to
2768 have a problem with it being non-conforming.
2769
2770 Mr. Silber - I don't think they would on an existing house, no sir.
2771
2772 Mr. Jernigan - Okay. All right. Well, with that, Mr. Chairman, I will move for
2773 approval of—Excuse me; I have to waive the time limits on SUB-58-07, South Lake
2774 (October 2007 Plan).
2775
2776 Mr. Vanarsdall - Second.
2777
2778 Mr. Branin - Motion made by Mr. Jernigan, seconded by Mr. Vanarsdall.
2779 All in favor say aye. All opposed say no. The ayes have it; the motion carries.
2780
2781 Mr. Jernigan - I'd like to move for approval of SUB-58-07, South Lake
2782 (October 2007 Plan).
2783
2784 Mr. Vanarsdall - Second.
2785
2786 Mr. Jernigan - Motion made by Mr. Jernigan, seconded by Mr. Vanarsdall.
2787 All in favor say aye. All opposed say no. The ayes have it; the motion carries.
2788
2789 The Planning Commission granted conditional approval to SUB-58-07, South Lake
2790 (October 2007 Plan), subject to the standard conditions attached to these minutes for
2791 subdivisions served by public utilities, the annotations on the plans, and the following
2792 additional conditions:
2793
2794 12. Each lot shall contain at least 13,500 square feet.

2795 13. The plan must be redesigned to provide at least the 80-foot minimum lot width
2796 required and as regulated by Chapter 24, of the Henrico County Code.
2797

2798 **SUBDIVISION**
2799

SUB-65-07 **Mike Morgan Engineering, LLC for Dakota Associates, LLC and Tetra Associates, LLC:** The 3.31-acre site
Dumbarton proposed for a subdivision of 3 15 single-family homes is
(December 2007 Plan) located approximately 200 feet to ~~Greendale Road~~
Irisdale Road and **Greenway Avenue** on parcels 775-745-8761, 9842 and
Greenway Avenue 9463. The zoning is R-4, One-Family Residence District.
County water and sewer. **(Brookland) 15 Lots**

2800
2801 Mr. Branin - Is anyone in opposition to SUB-65-07, Dumbarton
2802 (December 2007 Plan)? No one? Mr. Ward again.
2803

2804 Mr. Ward - Since the preparation of the agenda, staff has received a
2805 revised plan. Also, Public Works, Traffic Engineering Division, has determined that the
2806 additional right-of-way that had been asked for is no longer required. Also, staff has
2807 shown the plan that was received providing the sidewalk along Greenway Avenue as
2808 requested, as well as some lot dimensions, lot width, lot area, and setback lines that
2809 you can see we passed out in the handout addendum.
2810

2811 Staff can recommend approval, subject to the annotations on the plans, the standard
2812 conditions for subdivisions of this type, and conditions 24 through 31 on the agenda.
2813 Also, a waiver of time limits is required. The representatives, Chris Winters and Mike
2814 Morgan, are here today to discuss any matters, and I would also be happy to answer
2815 any questions.
2816

2817 Mr. Branin - Anybody have any questions for Mr. Ward?
2818

2819 Mr. Vanarsdall - I don't have any.
2820

2821 Mr. Branin - Okay. Mr. Vanarsdall, do you need to hear from the
2822 applicant?
2823

2824 Mr. Vanarsdall - Don't need to hear from the applicant.
2825

2826 Mr. Branin - And we're fine on time, Mr. Ward?
2827

2828 Mr. Ward - The waiver of time limits.
2829

2830 Mr. Branin - They have to be waived? Okay. Mr. Vanarsdall, do you want
2831 to waive those time limits?
2832

2833 Mr. Vanarsdall - I move that we waive the time limit on SUB-65-07,
2834 Dumbarton (December 2007 Plan).

2835
2836 Mrs. Jones - Second.

2837
2838 Mr. Branin - Motion by Mr. Vanarsdall, seconded by Mrs. Jones. All in
2839 favor say aye. All opposed say no. The ayes have it; the motion carries.

2840
2841 Mr. Vanarsdall - I move SUB-65-07, Dumbarton (December 2007 Plan), be
2842 approved with annotations on the plan, standard conditions for subdivisions served by
2843 public utilities, and the following additional conditions 12, 13, through 17, and then the
2844 addendum says that staff is recommending it, and Mr. Jennings has approved.

2845
2846 Mr. Archer - And I second said motion.

2847
2848 Mr. Branin - Motion made by Mr. Vanarsdall, seconded by Mr. Archer. All
2849 in favor say aye. All opposed say no. The ayes have it; the motion carries.

2850
2851 Mr. Vanarsdall - Thank you, Matt.

2852
2853 The Planning Commission granted conditional approval to SUB-65-07, Dumbarton
2854 (December 2007 Plan), subject to the standard conditions attached to these minutes for
2855 subdivisions served by public utilities, the annotations on the plans, and the following
2856 additional conditions:

- 2857
- 2858 11. Each lot shall contain at least 8,000 square feet.
 - 2859 12. Prior to requesting final approval, the engineer shall furnish the Department of
2860 Planning Staff a plan showing a dwelling situated on Lots 6 and 9 to determine if
2861 the lot design is adequate to meet the requirements of Chapter 24, of the Henrico
2862 County Code.
 - 2863 13. The plan must be redesigned to provide at least the 65-foot minimum lot width
2864 required and as regulated by Chapter 24, of the Henrico County Code.
 - 2865 14. A County standard sidewalk shall be constructed along the north side of Greenway
2866 Avenue.
 - 2867 16. A plan shall be submitted prior to recordation of the plat showing the buildable area
2868 for each lot to properly recognize the limitations for dwelling unit dimensions and
2869 setbacks. Buildable area is that area within which a dwelling unit may legally be
2870 located considering the front yard, side yard, and rear yard setback requirements
2871 of Chapter 24, of the Henrico County Code.
 - 2872 17. Any necessary offsite drainage easements must be obtained prior to approval of
2873 the construction plan by the Department of Public Works.
- 2874

2875 **SUBDIVISION**

2876

SUB-66-07
Hungary Grove
(December 2007 Plan)
Hungary and Francistown
Roads

QMT Corporation for William H. & Amy B. Muller and Robert P. Bain: The 4.95-acre site proposed for a subdivision of 15 single-family homes is located at on the north line of Hungary Road, approximately 700 feet east of Francistown Road on parcels 759-761-4076 and 5776. The zoning is R-3C, One-Family Residence District (Conditional). County water and sewer. **(Brookland) 15 Lots**

2877

2878 Mr. Branin - Is anyone in opposition to SUB-66-07, Hungary Grove
2879 (December 2007 Plan)? No one? Mr. Pambid?

2880

2881 Mr. Pambid - Good morning, ladies and gentlemen of the Commission. A
2882 revised annotated plan has been distributed to you, and this morning we received a
2883 draft plan with revisions from the engineer. Again, Hungary Grove is a 15-lot
2884 subdivision located near the intersection of Francistown and Hungary Roads, and it
2885 features one internal street approximately 550 feet long. The right turn lane from
2886 Hungary Road onto the internal street has been waived by Public Works. An exception
2887 of 30 feet to the additional 35-foot setback for residential developments adjacent to
2888 minor arterials has been requested. The resulting setback of 30 feet from the right-of-
2889 way will include the normal 25-foot setback and a 15-foot planting strip or landscape
2890 buffer. Staff customarily does not make recommendations on requests of this nature, so
2891 the applicant is present today to speak to their case and show you some exhibits for
2892 that. Staff has no objection to the request, though.

2893

2894 Staff does recommend approval of this conditional subdivision, subject to the
2895 annotations on staff plans, standard conditions for subdivisions served by public utilities,
2896 and the additional conditions 12 through 14 listed in the agenda.

2897

2898 This concludes my presentation, and I'd be happy to answer any questions that you
2899 might have. Engineer Timothy Rohrmoser with QMT Corporation is also here to answer
2900 any questions you might have.

2901

2902 Mr. Branin - Does anybody have any questions for Lee?

2903

2904 Mr. Vanarsdall - Mr. Muller was here earlier. I see he's not here now. And
2905 Bob Bain didn't come, so there's no applicant here.

2906

2907 Mr. Pambid - Well, the engineer is here.

2908

2909 Mr. Vanarsdall - Okay. I wanted to know if they were satisfied with the way
2910 we worked out the setback and so forth.

2911

2912 Mr. Pambid - I have been working very closely with Mr. Rohrmoser.

2913 Mr. Vanarsdall - You changed it yesterday. And I also wanted to ask him—
2914 See, they have agreed to put a fence between—You want to come down? I talked to
2915 Bill Muller on this.
2916
2917 Mr. Rohrmoser - Tim Rohrmoser with QMT Corporation. Yes, we are in
2918 agreement with the staff's recommendation for the 30-foot setback.
2919
2920 Mr. Vanarsdall - Okay.
2921
2922 Mr. Rohrmoser - And we are in agreement with the provision for the fence.
2923
2924 Mr. Vanarsdall - Right. I talked to him about it some time ago that you all
2925 were going to share the cost, or either you're going to put the whole fence at your cost
2926 next to the recreation center.
2927
2928 Mr. Rohrmoser - That's correct.
2929
2930 Mr. Vanarsdall - Good. Okay, that's great. Thank you. That's the only
2931 question I have for him.
2932
2933 Mr. Pambid - I think they still have to speak to the—
2934
2935 Mrs. Jones - To the exception.
2936
2937 Mr. Pambid - —exception.
2938
2939 Mr. Vanarsdall - Well, we understand exceptions. Go ahead.
2940
2941 Mr. Rohrmoser - Yes. We were questioning exception to the normal 35-foot
2942 arterial setback. The adjacent subdivision, River Mill, features a similar layout to what
2943 ours is. Indeed, those two homes fronting on Hungary Road only have a 19-foot
2944 setback at this time. Across the road where you have road-front lots, setbacks there are
2945 approximately 40 feet, somewhere in that neighborhood. Again, we would like to
2946 request an exception from 35 to 30, a total setback of 30, to keep some continuity along
2947 that streetscape there.
2948
2949 Mr. Silber - You mentioned that the two houses to the right are 19 feet
2950 off Hungary Road. I think one of those might be 19 feet, but I believe the other one is
2951 further back than that.
2952
2953 Mr. Vanarsdall - I believe one was 19 and one was 27, wasn't it?
2954
2955 Mr. Silber - Twenty-seven, I believe.
2956
2957 Mr. Vanarsdall - One of the houses is 27 and one is 19.
2958

2959 Mr. Rohrmoser - Looking at Exhibit Photo 2, we're looking west towards our
2960 proposed subdivision. That particular house is 19 feet off the right-of-way.
2961
2962 Mr. Silber - That's correct.
2963
2964 Mr. Vanarsdall - Well, we don't want to line it up with that one.
2965
2966 Mr. Silber - I'm sorry?
2967
2968 Mr. Vanarsdall - You're not lining yours up with that house.
2969
2970 Mr. Rohrmoser - We don't intend to, but again, we felt the total of a 60-foot
2971 setback would distract from the streetscape there.
2972
2973 Mr. Silber - I think, members of the Commission, staff typically would not
2974 support a waiver of the normal additional setback along a major road. In this particular
2975 case, we've looked at this. If you can go back to the other slide that shows the
2976 relationship of those houses to these lots, you'll see that if you pull those back in this
2977 proposed subdivision to the full setback that's required by the Code, it would be
2978 substantially off of Hungary Road to the point in which it would look out of line with
2979 what's currently along Hungary Road. The two houses to the right are existing houses,
2980 one being 19 feet, one being 27 feet off of Hungary Road. We think there could be
2981 some waiver of the additional 35 feet, but we don't think the entire 35 feet should be
2982 waived. We're recommending perhaps maintaining 5 and waiving 30 would be more
2983 appropriate.
2984
2985 Mr. Rohrmoser - What this exhibit shows here for the Hungary Grove, these
2986 lots 1 and 15, which front on Hungary Road, those are just buildable areas, so I did
2987 recognize that it might be problematic.
2988
2989 Mrs. Jones - And this has no further implications for adjacent property in
2990 the other direction, lining up the residences?
2991
2992 [Several people talking at once.]
2993
2994 Mr. Vanarsdall - In the other direction is all the Recreation Association, and
2995 tennis court, and some other things. It goes to Francistown Road.
2996
2997 Mrs. Jones - So, this is really a very specific—
2998
2999 Mr. Vanarsdall - I'm confused about one point. How far will your house be?
3000 If I approve this, how far will your first house be? It will not be 19 feet; that's too close.
3001
3002 Mr. Rohrmoser - No. The total setback from the right-of-way will be 30 feet.
3003
3004 Mr. Vanarsdall - Right, and that's my point.

3005 Mrs. Jones - It's a compromise.
3006
3007 Mr. Silber - They require 25 feet plus the additional 5 feet for a total of
3008 30. So, the house could be located no closer than 30 feet.
3009
3010 Mr. Vanarsdall - You know, in my packet, I was looking at the house next
3011 door and it has some writing overtop of it, some printing. Anyway, thank you.
3012
3013 Mr. Rohrmoser - I would like to thank Mr. Pambid for his diligence and
3014 persistence. It's the first occasion I've had to work with him, and I do appreciate his
3015 professionalism.
3016
3017 Mr. Vanarsdall - Great. Good to know. Thank you.
3018
3019 Mr. Branin - Would you expect anything less from Henrico County?
3020
3021 Mr. Vanarsdall - Thank you, Lee.
3022
3023 Mr. Branin - And time? Are we good on time on this one?
3024
3025 Mr. Pambid - No, we're fine on that.
3026
3027 Mr. Branin - We're good? Okay.
3028
3029 Mr. Vanarsdall - First I want to waive the—
3030
3031 Mr. Branin - No, we're good. Time's good on this one.
3032
3033 Mr. Vanarsdall - No, I know it.
3034
3035 Mr. Branin - Okay.
3036
3037 Mr. Vanarsdall - I mean, thank you for reminding me. I want to waive the
3038 setback, the request for the setback. I want to approve that. And then I want to approve
3039 SUB-66-07, Hungary Grove (December 2007 Plan), with annotations on the plan and
3040 conditions 12, 13, 14.
3041
3042 Mr. Archer - Second, Mr. Chairman.
3043
3044 Mr. Branin - Motion made by Mr. Vanarsdall, seconded by Mr. Archer. All
3045 in favor say aye. All opposed say no. The ayes have it; the motion carries.
3046
3047 Mr. Silber - The final item on your agenda today would be approval of
3048 the minutes. These would be the November 14th, 2007 minutes.
3049

3050 Mrs. Jones - I move approval of the minutes from the November 14th
3051 meeting.

3052
3053 Mr. Jernigan - Gracious, I'll make a second.

3054
3055 Mr. Branin - Motion made by Mrs. Jones, seconded by Mr. Jernigan. All
3056 in favor say aye. All opposed say no. The ayes have it; the motion carries.

3057
3058 Do I have a motion to adjourn?

3059
3060 Mr. Thornton - Mr. Chairman.

3061
3062 Mr. Jernigan - So moved.

3063
3064 Mr. Branin - Okay. And that motion carries.

3065
3066 Mr. Vanarsdall - I'd like to wish everybody a Merry Christmas and a Happy
3067 New Year.

3068
3069 Mr. Branin - Thank you. The meeting is adjourned.

3070
3071 On a motion by Mr. Thornton and seconded by Mr. Jernigan the Planning Commission
3072 adjourned its December 12, 2007 meeting at 11:20 a.m.

3073
3074
3075
3076
3077

Tommy Branin, Chairperson

3078
3079
3080
3081
3082
3083
3084

Randall R. Silber, Secretary.
3085