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2 Minutes of the regular monthly meeting of the Planning Commission of Henrico County  
3 held in the County Administration Building in the Government Center at Parham and  
4 Hungary Springs Roads beginning at 9:00 a.m. Wednesday, December 16, 2015.  
5

Members Present: Mr. Robert H. Witte, Jr., Chairman (Brookland)  
Mr. C. W. Archer, C.P.C., Vice-Chairman (Fairfield)  
Mr. Tommy Branin, (Three Chopt)  
Ms. Bonnie-Leigh Jones, C.P.C. (Tuckahoe)  
Mr. Eric Leabough, C.P.C.,(Varina)  
Mr. R. Joseph Emerson, Jr., AICP,  
Director of Planning, Secretary  
Mrs. Patricia S. O'Bannon,  
Board of Supervisors' Representative

Others Present: Ms. Jean Moore, Assistant Director of Planning  
Ms. Leslie A. News, PLA, Principal 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, AICP, County Planner  
Mr. Lee Pambid, C.P.C., County Planner  
Ms. Aimee B. Crady, AICP, County Planner  
Ms. Sharon Smidler, P.E., Traffic Engineer  
Mr. Gary A. DuVal, P.E., Traffic Engineer  
Ms. Kate Teator, Senior Planning Technician/Recording Secretary

6  
7 **Mrs. Patricia S. O'Bannon, the Board of Supervisors' representative, abstains on**  
8 **all cases unless otherwise noted.**

9  
10 Mr. Witte - Good morning. I'd like to welcome everyone to the  
11 Subdivisions and Plans of Development meeting for December 16, 2015. I ask that you  
12 would silence or turn off your cell phones. And while doing that, please stand with us for  
13 the Pledge of Allegiance.

14  
15 Thank you. Do we have any news media with us today? I see none. All members are  
16 present. We have Mrs. O'Bannon with us as our representative from the Board of  
17 Supervisors. Thank you, Ms. O'Bannon. I'd also like to mention that this is the last meeting  
18 for Mr. Branin. I'm not saying that's a good thing or a bad thing. He will be joining the  
19 County as a member of the Board of Supervisors from here forth, starting this afternoon.

20  
21 Mr. Archer - Mr. Chairman, I guess in that vein, if any of you have any  
22 hostilities against Mr. Branin, today would be the time to let him know.

24 Mrs. O'Bannon - I can't imagine.  
25  
26 Mr. Branin - There's a large running towards the microphone.  
27  
28 Mr. Witte - With that I'll turn it over to Mr. Emerson.  
29  
30 Mr. Emerson - Thank you, Mr. Chairman. First on your agenda this morning  
31 are the requests for deferrals and withdrawals. Those will be presented by Ms. Leslie  
32 News.  
33  
34 Ms. News - Thank you, Mr. Secretary. Good morning, members of the  
35 Commission. We have five requests for deferrals this morning. The first is on page 4 and  
36 is located in the Three Chopt District. This is POD-33-03, a transfer of approval for Victory  
37 Nissan, which was formerly Sheehy Short Pump, LLC. The applicant has requested a  
38 deferral to the January 27, 2016 meeting.

39  
40 **TRANSFER OF APPROVAL**  
41

POD-33-03  
POD2013-00416  
Victory Nissan (Formerly  
Sheehy Short Pump, LLC)  
– 11401 W. Broad Street  
(U.S. Route 250)

**Hirschler Fleischer for Patrick Dibre and Nissan of Chesapeake:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Victory Automotive Group and Sheehy Short Pump Property, LLC to 11401 WBroad St Realty, LLC. The 5.05-acre site is located at the southwest corner of the intersection of W. Broad Street (U.S. Route 250) and John Rolfe Parkway, on parcel 740-761-8451. The zoning is B-3C, Business District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. (Three Chopt)

42  
43 Mr. Witte - Is there any opposition to POD2013-00416? | see none.  
44  
45 Mr. Branin - Mr. Chairman, I'd like to move that transfer of approval POD-  
46 33-03 (POD2013-00416), Victory Nissan (formerly Sheehy Short Pump LLC), be deferred  
47 to the January 27th meeting per the applicant's request.  
48  
49 Ms. Jones - Second.  
50  
51 Mr. Witte - We have a motion by Mr. Branin, second by Mrs. Jones. All in  
52 favor say aye. Opposed? The motion passes.  
53  
54 At the request of the applicant, the Planning Commission deferred POD-33-03 (POD2013-  
55 00416), Victory Nissan (formerly Sheehy Short Pump LLC) to its January 27, 2016  
56 meeting.  
57

58 Ms. News - Next on page 12 and in the Three Chopt District is POD2015-  
59 00322, Corner Bakery at Car Care Shopping Center. The applicant has requested a  
60 deferral to the February 24th, 2016 meeting.

61  
62 *(Deferred from the November 18, 2015 Meeting)*

63 **PLAN OF DEVELOPMENT**

64  
POD2015-00322                   **Parker Design Group for Global General Properties, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to demolish an existing vacant car service station and construct a one-story, 4,052 square foot restaurant with drive-through facilities in an existing shopping center. The 1.06-acre site is located on the northwest corner of the intersection of W. Broad Street (U.S. Route 250) and Dominion Boulevard, on parcel 747-760-3077 and part of parcel 747-760-1291. The zoning is B-3C, Business District (Conditional). County water and sewer. (Three Chopt)

65  
66 Mr. Witte -                   Do we have opposition to POD2015-00322, Corner Bakery at  
67 Car Care Shopping Center? Mr. Branin.

68  
69 Mr. Branin -                   It aches me to do this, but Mr. Chairman, I'd like to move that  
70 POD2015-00322, Corner Bakery at Car Care Shopping Center, be deferred to the  
71 February 24th meeting per the applicant's request.

72  
73 Mr. Archer -                   Second.

74  
75 Mr. Witte -                   We have a motion by Mr. Branin, a second by Mr. Archer. All  
76 in favor say aye. Opposed? The motion passes.

77  
78 At the request of the applicant, the Planning Commission deferred POD2015-00322,  
79 Corner Bakery at Car Care Shopping Center, to its February 24, 2016 meeting.

80  
81 Ms. News -                   Next on page 14 of your agenda and located in the Three  
82 Chopt District is POD2015-00434, Short Pump Manor at Bacova Section 4. The applicant  
83 has requested a deferral to the January 27th meeting.

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92       *(Deferred from the November 18, 2015 Meeting)*

93       **PLAN OF DEVELOPMENT**

94

POD2015-00434  
Short Pump Manor at  
Bacova Section 4 – 4660  
Pouncey Tract Road  
(State Route 271)

Youngblood, Tyler & Associates, P.C. for Bacova Development Company, LLC, and Bacova, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 7 detached dwellings for sale with zero-lot-lines. The 3.295-acre site is located approximately 1,000 feet west of Pouncey Tract Road (State Route 271) and approximately 600 feet south of Kain Road, on part of parcels 736-766-7163 and 738-766-9367. The zoning is R-3C, One-Family Residential District (Conditional), R-5AC, General Residential District (Conditional), and WBSO, West Broad Street Overlay District. County water and sewer. (Three Chopt)

95

96       Mr. Witte -                           Is there opposition to POD2015-00434, Short Pump Manor at  
97       Bacova Section 4? I see none.

98

99       Mr. Branin -                           Mr. Chairman, I'd like to move that POD2015-00434, Short  
100      Pump Manor at Bacova Section 4, be deferred to the January 27th meeting per the  
101      applicant's request.

102

103      Mr. Leabough -                       Second.

104

105      Mr. Witte -                           We have a motion by Mr. Branin, a second by Mr. Leabough.  
106      All in favor say aye. Opposed? The motion passes.

107

108      At the request of the applicant, the Planning Commission deferred POD2015-00434, Short  
109      Pump Manor at Bacova Section 4, to its January 27, 2016 meeting.

110

111      Ms. News -                           Next on page 19 of your agenda and located in the Tuckahoe  
112      District is POD2015-00391, Ample Storage - Three Chopt Road. The applicant has  
113      requested a deferral to the January 27, 2016 meeting.

114

115       *(Deferred from the November 18, 2015 Meeting)*  
116       **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

117

POD2015-00391  
Ample Storage – Three  
Chopt Road – 10210  
Three Chopt Road

Bay Companies, Inc. for Ample Storage Three Chopt, LLC and Richmond Retirement RES II, LLC: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to demolish an existing single family home and construct two, two-story self-service storage facilities, totaling 120,190 square feet. The 3.78-acre site is located

on the east line of Three Chopt Road, approximately 420 feet north of its intersection with Gaskins Road, on parcel 750-755-0814 and part of parcel 749-755-4576. The zoning is B-2C, Business District (Conditional) and R-6C, General Residence District (Conditional). County water and sewer. (Tuckahoe)

118  
119 Mr. Witte - Is there opposition to POD2015-00391, Ample Storage - Three  
120 Chopt Road? I see none.

121  
122 Ms. Jones - I move deferral of POD2015-00391, Ample Storage - Three  
123 Chopt Road, to the January 27, 2016 meeting, per the applicant's request.

124  
125 Mr. Branin - Second.

126  
127 Mr. Witte - We have a motion by Mrs. Jones, second by Mr. Branin. All in  
128 favor say aye. Opposed? The motion passes.

129  
130 At the request of the applicant, the Planning Commission deferred POD2015-00391,  
131 Ample Storage - Three Chopt Road, to its January 27, 2016 meeting.

132  
133 Ms. News - Next on page 31 of your agenda and located in the Three  
134 Chopt District is POD2015-00485, GreenGate Phase IV - Grocery Store. The applicant  
135 has requested a deferral to the January 27, 2016 meeting.

136  
137 **PLAN OF DEVELOPMENT**

138  
POD2015-00485 Kimley-Horn and Associates, Inc. for ME Nuckles, LLC  
GreenGate Phase IV – and BPTM, LLC: Request for approval of a plan of  
Grocery Store – 12121 development, as required by Chapter 24, Section 24-106 of  
West Broad Street (U.S. the Henrico County Code, to construct a one-story 36,169  
Route 250) square foot grocery store in an urban-mixed use  
  
development. The 1.24-acre site is located along the south  
line of West Broad Street (U.S. Route 250), approximately  
540 feet west of its intersection with North Gayton Road, on  
part of parcel 731-764-5533. The zoning is UMUC, Urban  
Mixed Use District (Conditional) and WBSO, West Broad  
Street Overlay District. County water and sewer. (Three  
Chopt)

139  
140 Mr. Witte - Is there opposition to POD2015-00485, GreenGate Phase IV -  
141 Grocery Store?

142  
143 Mr. Branin - Mr. Chairman, I'd like to move that POD2015-00485,  
144 GreenGate Phase IV - Grocery Store, be deferred to the January 27th meeting per the  
145 applicant's request.

146  
147 Ms. Jones - Second.  
148  
149 Mr. Witte - We have a motion by Mr. Branin, second by Mrs. Jones. All in  
150 favor say aye. Opposed? The motion passes.  
151  
152 At the request of the applicant, the Planning Commission deferred POD2015-00485,  
153 GreenGate Phase IV - Grocery Store, to its January 27, 2016 meeting.  
154  
155 Ms. News - Staff is not aware of any further requests.  
156  
157 Mr. Witte - Thank you.  
158  
159 Mr. Emerson - Mr. Chairman, if the Commission does not have any further  
160 deferrals to add to that list, next on your agenda are the expedited items. Those will also  
161 be presented by Ms. Leslie News.  
162  
163 Ms. News - Yes sir. We have six items on our expedited agenda this  
164 morning. The first is found on page 3 of your agenda and located in the Fairfield District.  
165 This is POD-08-79, transfer of approval for Catapult Management Incorporated, formerly  
166 Thomas Hamilton & Associates. Staff recommends approval.  
167  
168 *(Deferred from the November 18, 2015 Meeting)*  
169 **TRANSFER OF APPROVAL**  
170  
POD-08-79                   Jeff Camden for Carson Properties, LLC: Request for  
POD2015-00181               transfer of approval as required by Chapter 24, Section 24-  
Catapult Management Inc. 106 of the Henrico County Code from Thomas Hamilton &  
(Formerly Thomas               Associates to Carson Properties, LLC. The 0.41-acre site is  
Hamilton & Associates) – located on the northwest corner of the intersection of  
6200 Lakeside Avenue           Lakeside Avenue and Maplewood Road, on parcel 781-  
                                    748-2302. The zoning is B-1, Business District. County  
                                    water and sewer. (Fairfield)  
171  
172 Mr. Witte - Is there opposition to POD-08-79 (POD2015-00181), Catapult  
173 Management Inc. (formerly Thomas Hamilton & Associates)? I see none.  
174  
175 Mr. Archer - All right, Mr. Chairman, then I will move that POD-08-79  
176 (POD2015-00181), Catapult Management Inc. (formerly Thomas Hamilton & Associates),  
177 be approved subject to the staff's recommendation.  
178  
179 Mr. Leabough - Second.  
180  
181 Mr. Witte - We have a motion by Mr. Archer, a second by Mr. Leabough.  
182 All in favor say aye. Opposed? The motion passes.  
183

184 The Planning Commission approved the transfer of approval request for POD-08-79  
185 (POD2015-00181), Catapult Management Inc. (formerly Thomas Hamilton & Associates),  
186 from Thomas Hamilton & Associates to Carson Properties, LLC, subject to the standard  
187 and added conditions previously approved.

188  
189 Ms. News - The next item is on page 7 of your agenda and located in the  
190 Three Chopt District. This is POD2013-00109. This is part of a POD. This is a transfer of  
191 approval for The Pemberton at University Park, which was formerly University Park, Phase  
192 2, Building 1A, Independent Living, and the master plan. There is an addendum item on  
193 page 1 with a revision to the caption.

194  
195 **TRANSFER OF APPROVAL**  
196

POD2013-00109 (pt)  
POD2015-00454  
The Pemberton at  
University Park (Formerly  
University Park, Phase 2 –  
Building 1A – Independent  
Living) and Master Plan –  
9701 Harmony Woods  
Way

Penny Giles for KAREP IV SL REIT, LLC, Richmond Senior Housing Land Parcel, LLC, and Richmond Senior Housing IL PROPCO, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from University Park RE Inv, LLC, University Park IL Investors, LLC, and Smith-Packett, LLC to KAREP IV SL REIT, LLC, Richmond Senior Housing Land Parcel, LLC, and Richmond Senior Housing IL PROPCO, LLC. The 22.604-acre site is located at 9801 Harmony Woods Way on part of the 34.41-acre University Park property located on the east line of Pemberton Road (State Route 157), south of Interstate 64, on parcels 752-753-6354, 752-754-1627, 752-754-4258, 752-754-6407, 753-753-7574, and part of parcel 752-754-7933. The zoning is R-6C, General Residential District (Conditional). County water and sewer. (Three Chopt)

197  
198 Mr. Witte - Is there opposition to POD2013-00109 (pt) (POD2015-00454),  
199 The Pemberton at University Park (formerly University Park, Phase 2 – Building 1A –  
200 Independent Living) and Master Plan? I see none.

201  
202 Mr. Branin - Mr. Chairman, I'd like to move that transfer of approval for  
203 POD2013-00109 (pt) (POD2015-00454), The Pemberton at University Park (formerly  
204 University Park, Phase 2 – Building 1A – Independent Living) and Master Plan, be  
205 approved on the expedited agenda.

206  
207 Ms. Jones - Second.

208  
209 Mr. Witte - We have a motion by Mr. Branin, a second by Mrs. Jones. All  
210 in favor say aye. Opposed? The motion passes.

211  
212 The Planning Commission approved the transfer of approval request for POD2013-00109  
213 (pt) (POD2015-00454), The Pemberton at University Park (formerly University Park,

214 Phase 2 – Building 1A – Independent Living) and Master Plan, from University Park RE  
215 Inv, LLC, University Park IL Investors, LLC, and Smith-Packett, LLC to KAREP IV SL REIT,  
216 LLC, Richmond Senior Housing Land Parcel, LLC, and Richmond Senior Housing IL  
217 PROPCO, LLC, subject to the standard and added conditions previously approved.

218

219 Ms. News - Next on page 8 in the Three Chopt District is POD-47-08, which  
220 is part of a POD. This is a transfer of approval for The Crossings at University Park,  
221 formerly University Park Phase 1, Assisted Living. Staff recommends approval.

222

223 **TRANSFER OF APPROVAL**

224

POD-47-08 (pt)  
POD2015-00455  
The Crossings at  
University Park (Formerly  
University Park Phase 1 –  
Assisted Living) – 2422  
University Park Boulevard

Penny Giles for KAREP IV SL REIT, LLC and Richmond Senior Housing AL PROPCO, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from University Park RE, LLC, University Park AL Investors, LLC, and Smith-Packett, LLC to KAREP IV SL REIT, LLC and Richmond Senior Housing AL PROPCO, LLC. The 11.547-acre site is located at 2422 University Park Boulevard on part of the 34.41-acre University Park property located on the east line of Pemberton Road (State Route 157), south of Interstate 64), on parcels 752-753-8777 and 752-753-6354. The zoning is R-6C, General Residential District (Conditional). County water and sewer. (Three Chopt)

225

226 Mr. Witte - Is there opposition to POD-47-08 (pt) (POD2015-00455), The  
227 Crossings at University Park (formerly University Park Phase 1 – Assisted Living)? I see  
228 none.

229

230 Mr. Branin - All right, Mr. Chairman, I'd like to move that transfer of approval  
231 for POD2014-00526 (POD2015-00456), University Park – Phase 2 – Building 2 – Memory  
232 Care, be approved on the expedited agenda. [sic – see next case]

233

234 Mr. Archer - Second.

235

236 Mr. Witte - We have a motion by Mr. Branin, second by Mr. Archer. All in  
237 favor say aye. All opposed? Motion passes.

238

239 The Planning Commission approved the transfer of approval request for POD2014-00526  
240 (POD2015-00456), University Park – Phase 2 – Building 2 – Memory Care , from  
241 University Park RE INV, LLC and Smith-Packett, LLC to KAREP IV SL REIT, LLC and  
242 Richmond Senior Housing Land Parcel, LLC, subject to the standard and added conditions  
243 previously approved.

244

245 Ms. News - The final item is on page 9 of your agenda and located in the  
246 Three Chopt District. Well this is the final item for University Park, actually. This is a

247 transfer of approval for University Park - Phase 2 - Building 2 - Memory Care, POD2014-  
248 00526. Staff recommends approval.

249

## 250 TRANSFER OF APPROVAL

251

POD2014-00526  
POD2015-00456  
University Park – Phase 2  
– Building 2 – Memory  
Care – 9600 Marlborough  
Terrace

Penny Giles for KAREP IV SL REIT, LLC and Richmond Senior Housing Land Parcel, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from University Park RE INV, LLC and Smith-Packett, LLC to KAREP IV SL REIT, LLC and Richmond Senior Housing Land Parcel, LLC. The 3.67-acre site is located at 9600 Marlborough Terrace on part of the 34.41-acre University Park property located on the east line of Pemberton Road (State Route 157), south of Interstate 64, on parcel 753-754-1408 and part of parcel 752-754-7933. The zoning is R-6C, General Residential District (Conditional). County water and sewer. (**Three Chopt**)

252  
253 Mr. Witte - Is there opposition to POD2014-00526 (POD2015-00456),  
254 University Park – Phase 2 – Building 2 – Memory Care?

255  
256 Mr. Branin - Mr. Chairman, I'm going to jump up one because I just moved  
257 for approval of that case. I read the wrong one. I skipped one. So I'm going to move for  
258 approval POD-47-08 (pt) (POD2015-00455), The Crossings at University Park (formerly  
259 University Park Phase 1 – Assisted Living), be approved on the expedited agenda. We  
260 just actually approved 00526 previously. (see previous case)

261  
262 Mr. Leabough - I thought I was on the wrong sheet.

263  
264 Mr. Witte - Second.

265  
266 Mr. Branin - Okay. We have a motion by Mr. Branin, second by Mr. Witte.  
267 All in favor say aye. All opposed? Motion passes.

268  
269 The Planning Commission approved the transfer of approval request for POD-47-08 (pt)  
270 (POD2015-00455), The Crossings at University Park (formerly University Park Phase 1 –  
271 Assisted Living), from University Park RE, LLC, University Park AL Investors, LLC, and  
272 Smith-Packett, LLC to KAREP IV SL REIT, LLC and Richmond Senior Housing AL  
273 PROPCO, LLC, subject to the standard and added conditions previously approved.

274  
275 Ms. News - The next item is on page 17 of your agenda and located in the  
276 Three Chopt District. This is POD2015-00476, Holloway Townes at Wyndham Forest,  
277 Section 1. Staff recommends approval.

278  
279  
280

281      **PLAN OF DEVELOPMENT**

282

POD2015-00476  
Holloway Townes at  
Wyndham Forest Section  
1 – 11120 Nuckols Road

Youngblood, Tyler & Associates, P.C. for HHunt Holloway, LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 50 two and three-story townhouses for sale. The 7.528-acre site is located approximately 850 feet east of the intersection of Nuckols Road and Opaca Lane, and approximately 1,000 feet west of the western terminus of Holman Ridge Road, on part of parcel 749-772-8402. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. (Three Chopt)

283

284      Mr. Witte -                            Is there any opposition to POD2015-00476, Holloway Townes  
285      at Wyndham Forest Section 1? I see none.

286

287      Mr. Branin -                            Mr. Chairman, I'd like to move that POD2015-00476, Holloway  
288      Townes at Wyndham Forest, Section 1, be approved on the expedited agenda with the  
289      following additional conditions 9 amended, 29 through 38.

290

291      Mr. Leabough -                            Second.

292

293      Mr. Witte -                                    We have a motion by Mr. Branin, a second by Mr. Leabough.  
294      All in favor say aye. Opposed? The motion passes.

295

296      The Planning Commission approved POD2015-00476, Holloway Townes at Wyndham  
297      Forest, Section 1, subject to the annotations on the plans, the standard conditions attached  
298      to these minutes for developments of this type, and the following additional conditions:

299

- 300      9.      **AMENDED** - A detailed landscaping plan shall be submitted to the Department of  
301      Planning for review and Planning Commission approval prior to the issuance of any  
302      occupancy permits.
- 303      29.      The unit house numbers shall be visible from the parking areas and drives.
- 304      30.      The names of streets, drives, courts and parking areas shall be approved by the  
305      Richmond Regional Planning District Commission and such names shall be  
306      included on the construction plans prior to their approval. The standard street name  
307      signs shall be installed prior to any occupancy permit approval.
- 308      31.      The subdivision plat for Holloway Townes at Wyndham Forest Section 1 shall be  
309      recorded before any building permits are issued.
- 310      32.      Prior to issuance of a certificate of occupancy for any building in this development,  
311      the engineer of record shall certify that the site has been graded in accordance with  
312      the approved grading plans.
- 313      33.      A 15-foot planting strip to preclude ingress or egress along the south side of Holman  
314      Ridge Road and a 25-foot planting strip to preclude ingress or egress along the  
315      east side of future

- 316 Hickory Park Drive extended shall be shown on the approved plans. The details  
317 shall be included with the required landscape plans for review and approval.
- 318 34. The proffers approved as a part of zoning case REZ2015-00014 shall be  
319 incorporated in this approval.
- 320 35. Prior to issuance of a building permit, the developer must furnish a letter from  
321 Dominion Virginia Power stating that this proposed development does not conflict  
322 with their facilities.
- 323 36. The pavement shall be of an SM-2A type and shall be constructed in accordance  
324 with County standard and specifications. The developer shall post a defect bond for  
325 all pavement with the Department of Planning - the exact type, amount and  
326 implementation shall be determined by the Director of Planning, to protect the  
327 interest of the members of the Homeowners Association. The defect bond shall  
328 remain in effect for a period of three years from the date of the issuance of the final  
329 occupancy permit. Prior to the issuance of the last Certificate of Occupancy, a  
330 professional engineer must certify that the roads have been designed and  
331 constructed in accordance with County standards.
- 332 37. The location of all existing and proposed utility and mechanical equipment  
333 (including HVAC units, electric meters, junction and accessory boxes, transformers,  
334 and generators) shall be identified on the landscape plans. All equipment shall be  
335 screened by such measures as determined appropriate by the Director of Planning  
336 or the Planning Commission at the time of plan approval.
- 337 38. Except for junction boxes, meters, and existing overhead utility lines, and for  
338 technical or environmental reasons, all utility lines shall be underground.

340 Ms. News - The final item is on page 24 and located in the Tuckahoe  
341 District. This is POD2015-00479. This includes a lighting plan for AAA Car Care Center.  
342 Staff recommends approval.

#### 344 PLAN OF DEVELOPMENT AND LIGHTING PLAN

345

POD2015-00479  
AAA Car Care Center –  
7009 West Broad Street  
(U.S. Route 250)

**Timmons Group for FDA Properties, Inc. and AAA Mid-Atlantic, Inc.:** Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story 8,670 square foot automotive maintenance facility, including retail and office space. The 1.06-acre site is located on the west line of West Broad Street (U.S. Route 250), approximately 375 feet north of its intersection with Glenside Drive, on parcel 766-746-9974. The zoning is M-1, Light Industrial District. County water and sewer. (Tuckahoe)

346

347

348

349

Mr. Witte - Is there any opposition to POD2015-00479, AAA Car Care  
Center?

350 Ms. Jones - All right. Seeing none, I'll move for approval of the plan of  
351 development and the lighting plan for POD2015-00479, AAA Car Care Center at 7009  
352 West Broad Street, on the expedited agenda with all the annotations that are on the plans,  
353 standard conditions for developments of this type, and the additional conditions from the  
354 agenda, which are 11B and 29 through 33.

355  
356 Mr. Archer - Second.

357  
358 Mr. Witte - We have a motion by Mrs. Jones, second by Mr. Archer. All in  
359 favor say aye. Opposed? The motion passes.

360  
361 The Planning Commission approved the plan of development and lighting plan for  
362 POD2015-00479, AAA Car Care Center, subject to the annotations on the plans, the  
363 standard conditions attached to these minutes for developments of this type, and the  
364 following additional conditions:

- 365  
366 11B. Prior to the approval of an electrical permit application and installation of the site  
367 lighting equipment, a plan including light spread and intensity diagrams, and fixture  
368 specifications and mounting heights details shall be revised as annotated on the  
369 staff plan and included with the construction plans for final signature.  
370 29. A concrete sidewalk meeting VDOT standards shall be provided along the west  
371 side of West Broad Street (U.S. Route 250).  
372 30. All repair work shall be conducted entirely within the enclosed building.  
373 31. Outside storage shall not be permitted.  
374 32. Evidence of a joint ingress/egress and maintenance agreement must be submitted  
375 to the Department of Planning and approved prior to issuance of a certificate of  
376 occupancy for this development.  
377 33. The location of all existing and proposed utility and mechanical equipment  
378 (including HVAC units, electric meters, junction and accessory boxes, transformers,  
379 and generators) shall be identified on the landscape plans. All equipment shall be  
380 screened by such measures as determined appropriate by the Director of Planning  
381 or the Planning Commission at the time of plan approval.

382  
383 Ms. News - That completes our expedited agenda.

384  
385 Mr. Emerson - Mr. Chairman, that now takes us back to the beginning of your  
386 agenda for Subdivision Extensions of Conditional Approval. Those will be presented by  
387 Mr. Lee Pambid. No action is necessary this morning.

390                   **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**  
391                   **FOR INFORMATIONAL PURPOSES ONLY**

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
<b>SUB2012-00155 Ridings at Warner Farm (December 2012 Plan)</b>	<b>314</b>	<b>247</b>	<b>2</b>	<b>Varina</b>	<b>12/14/2016</b>

393                   Mr. Witte -                   Mr. Pambid.

394  
395  
396                   Mr. Pambid -                   Good morning. This map indicates the location of one  
397                   subdivision that's presented for extension of conditional approval. It's eligible for a one-  
398                   year extension to December 2016. This extension is for informational purposes only and  
399                   does not require Commission action at this time. Please note the label change from your  
400                   map. This is an extension and not a withdrawal.

401  
402                   This concludes my presentation, and the staff can now field any questions you have  
403                   regarding this.

404  
405                   Mr. Branin -                   Did you say a one-year extension?

406  
407                   Mr. Pambid -                   Yes sir.

408  
409                   Mr. Branin -                   Until when?

410  
411                   Mr. Pambid -                   December 2016.

412  
413                   Mr. Witte -                   Any other questions?

414  
415                   Mr. Leabough -                   No sir.

416  
417                   Mr. Witte -                   Thank you, sir.

418  
419                   Mr. Pambid -                   You're welcome.

420  
421                   Mr. Emerson -                   Mr. Chairman, we now move into your regular agenda on page  
422                   5 for POD-92-73 (POD2013-00213), Duke Dodson for 2120 Staples Mill, LLC. The staff  
423                   report will be presented by Ms. Christina Goggin.

426 TRANSFER OF APPROVAL

427

POD-92-73  
POD2013-00213  
2120 Staples Mill  
(Formerly Don Mann  
Office Building) - 2120  
Staples Mill Road (U.S.  
Route 33)

Duke Dodson for 2120 Staples Mill, LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Donald L. Mann to 2120 Staples Mill, LLC. The 0.73-acre site is located on the southwest corner of the intersection of Staples Mill Road (U.S. Route 33) and Park Lane, on parcel 774-739-8906. The zoning is O-2, Office District and O-2C, Office District (Conditional). County water and sewer. (Brookland)

428

429 Mr. Witte - Good morning. Is there any opposition to POD-92-73  
430 (POD2013-00213), 2120 Staples Mill (formerly Don Mann Office Building)? Ms. Goggin.

431

432 Ms. Goggin - Good morning. The new owner accepts and agrees to be  
433 responsible for the continued compliance with the conditions of the original approval. The  
434 new owner purchased the property pretty much in a distressed condition and has had to  
435 address structural issues as well as site corrections listed in the report.

436

437 All deficiencies have been corrected as of the preparation date of the agenda, and staff  
438 can recommend approval. I would be happy to answer any questions the Commission may  
439 have.

440

441 Mr. Witte - Any questions? Okay. With that I move approval of transfer of  
442 approval POD-92-73 (POD2013-00213), 2120 Staples Mill (formerly Don Mann Office  
443 Building), as presented, subject to the previously approved conditions and annotations.

444

445 Mr. Archer - Second.

446

447 Mr. Witte - We have a motion by Mr. Witte, a second by Mr. Archer. All in  
448 favor say aye. Opposed? The motion passes.

449

450 The Planning Commission approved the transfer of approval request for POD-92-73  
451 (POD2013-00213), 2120 Staples Mill (formerly Don Mann Office Building), from Donald L.  
452 Mann to 2120 Staples Mill, LLC, subject to the standard and added conditions previously  
453 approved.

454

455 Mr. Emerson - Mr. Chairman, we now move to page 6 of your agenda for  
456 POD-41-05 (POD2015-00470), Michael Fisher for Brook Run 6A Associates, LLC. The  
457 staff report will be presented by Mr. Mike Kennedy.

458

459

460 TRANSFER OF APPROVAL

461

POD-41-05  
POD2015-00470  
Brook Run Shopping  
Center, Phase 6 – 6020  
Brook Road (U.S. Route  
1)

**Michael Fisher for Brook Run 6A Associates, LLC:**  
Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Tetra Associates, LLC, The Tetra Group Three, LLC, and Unicorn Holdings, LLC to Brook Run 6A Associates, LLC. The 1.79-acre site is located in an existing shopping center, on the west line of Brook Road (U.S. Route 1), approximately 950 feet south of its intersection with Hilliard Road, on parcel 784-748-8296. The zoning is B-3C, Business District (Conditional). County water and sewer. (**Fairfield**)

462

463 Mr. Witte - Is there opposition to POD-41-05 (POD2015-00470), Brook  
464 Run Shopping Center, Phase 6? I see none. Mr. Kennedy.

465

466 Mr. Kennedy - Good morning, Mr. Chairman, members of the Commission.  
467 The new owner, Mr. Mike Fisher, agrees to be responsible for continued compliance with  
468 the conditions of the original POD approval. The deficiencies noted in the staff report dated  
469 November 16, 2015, include cracked pavement, missing or non-functioning building  
470 lighting, a dumpster enclosure in disrepair, a damaged fire lane sign, and some dead or  
471 missing landscaping.

472

473 Since the preparation of the agenda, the new owner has pursued Enterprise Zone funding  
474 as a grant for repairing pavement and landscaping. Staff also notes that they re-inspected  
475 the site and the owner is in process of replacing all of the non-functioning light fixtures,  
476 and has ordered replacements for those that are missing. He has also repaired the  
477 dumpster enclosure and fixed the fire lane sign, and has begun replacing landscaping.  
478 The new owner agrees that all remaining deficiencies will be addressed subject to a letter  
479 of credit which was posted this morning from Village Bank.

480

481 The new owner indicates his loan financing the purchase of the property requires that he  
482 receive approval of the transfer of approval prior to the date of the Planning Commission's  
483 next scheduled meeting. Since he's posted a bond for the remaining deficiencies, staff can  
484 recommend approval.

485

486 Mr. Witte - Any questions? No questions.

487

488 Mr. Archer - Okay. Mr. Chairman, I will move for approval of this transfer of  
489 approval POD-41-05 (POD2015-00470), Brook Run Shopping Center, Phase 6, based on  
490 the fact that the applicant has posted a case bond and subject to the staff recommendation.

491

492 Mr. Leabough - Are we having troubles with the mike? I'm having a hard time  
493 hearing down here.

494

495 Mr. Branin - Can you turn them all up?

- 496  
497 Mr. Archer - Maybe I was speaking too softly.  
498  
499 Mr. Leabough - No, that wasn't it because it was hard to hear at the podium as  
500 well.  
501  
502 Mr. Archer - Oh, okay.  
503  
504 Mr. Witte - Okay. I'll second that.  
505  
506 Mr. Archer - Thank you.  
507  
508 Mr. Witte - We have a motion by Mr. Archer, second by Mr. Witte. All in  
509 favor say aye. Opposed? The motion passes.  
510  
511 The Planning Commission approved the transfer of approval request for POD-41-05  
512 (POD2015-00470), Brook Run Shopping Center, Phase 6, from Tetra Associates, LLC,  
513 The Tetra Group Three, LLC, and Unicorn Holdings, LLC to Brook Run 6A Associates,  
514 LLC, subject to the standard and added conditions previously approved.  
515  
516 Mr. Emerson - Mr. Chairman, we now move to page 10 of your agenda for  
517 POD2015-00094, Timmons Group for Doswell Properties, INC. and Dominion GA, LLC.  
518 The staff report will be presented by Ms. Aimee Crady.  
519  
520 **(Deferred from the November 18, 2015 Meeting)**  
521 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**  
522  
523 POD2015-00094 Timmons Group for Doswell Properties, Inc. and  
Innsbrook Commercial at Dominion GA, LLC: Request for approval of a plan of  
4101 Dominion Boulevard development and lighting plan, as required by Chapter 24,  
– 4101 Dominion Section 24-106 of the Henrico County Code, to demolish an  
Boulevard existing one-story retail building, and construct a one-story  
12,848 square foot building containing 3,485 square feet of  
medical office, 2,550 square feet of retail, and 6,733 square  
feet of restaurant with one drive-through facility. The 2.37-  
acre site is located at the northeast corner of the intersection  
of W. Broad Street and Dominion Blvd., on parcel 747-760-  
6472. The zoning is B-2C, Business District. County water  
and sewer. (Three Chopt)  
524  
525 Mr. Witte - Is there opposition to POD2015-00094, Innsbrook Commercial  
at 4101 Dominion Boulevard? Ms. Crady.  
526  
527 Ms. Crady - Good morning. This case has been deferred multiple times at  
the request of the applicant to allow coordination and negotiations among the developer  
528 and the Innsbrook Owners Association.  
529

530  
531 The new one-story building with a mix of retail, restaurant, and medical office space will  
532 be a total of 12,848 square feet and will replace the existing 9,050-square-foot multi-tenant  
533 building, which was constructed in 1998. The anchor user will be a medical office with a  
534 central location in the building layout.

535  
536 The minor revisions to the parking lot that were submitted on December 4, 2015, have  
537 been reviewed and the revisions are acceptable to staff. We can now recommend approval  
538 to that layout that was included in your original agenda. There is an addition of a landscape  
539 strip along this west building line that will be annotated on the plan. It will allow additional  
540 planting along that facade.

541  
542 There are multiple outdoor seating areas shown on the floor plan in concept, but any future  
543 outdoor dining with table service will require a provisional use permit application for review  
544 and approval. Seating areas shown are not part of this POD approval.

545  
546 A lighting plan has been provided for approval with the POD and demonstrates adequate  
547 lighting levels provided by concealed source LED fixtures.

548  
549 Revised architectural plans were received yesterday afternoon with the confirmed  
550 endorsement from the Innsbrook Architectural Review Board. These are in your handout  
551 addendum that you got this morning. The previous plan you were given included at least  
552 two variations of red brick, cast stone, and stucco, and employed brick on three of the four  
553 sides. The previous rendering also showed multiple pilasters with inset brick as well as  
554 brick inset panels on the flatter sides of the elevations. There are still some brick insets on  
555 the rear elevation, the new elevation.

556  
557 The current plan as recently approved by the Innsbrook Association features a majority of  
558 stucco facade, which is what I'm showing you here. And it's similar to the Innsbrook shops.  
559 It has some brick on the central portion of the front and rear elevations where the medical  
560 anchor will be located. Storefront windows are located on the rear elevation at each end  
561 to incorporate a pedestrian element to that side of the building. The previous variation in  
562 style and color, and greater incidence of traditional awnings on the April architecturals  
563 have been replaced with mostly flat awnings on all sides with the exception of the central  
564 anchor on the front side only.

565  
566 A sightline study was included in your packet to demonstrate that the rooftop mechanical  
567 equipment will be adequately screened, which will be verified again at the time of building  
568 permit review and approval.

569  
570 Staff continues to recommend that the developer continue to coordinate all approvals and  
571 plan details throughout the redevelopment with the Innsbrook Owners Association.

572  
573 A waiver of time limits would be required should the architectural plan be acted upon today.  
574 With that, staff can recommend approval to the site plan. And should the commission act  
575 on this request, staff recommends the standard conditions for developments of this type,

576 conditions 11B and 29 through 36 in your agenda. Representatives Andy Condlin and  
577 Ryan Ritterskamp are here for the applicant. And I believe there are representatives from  
578 the Innsbrook Owners Association here as well. That concludes my presentation. I'm  
579 happy to answer any questions you may have of staff.

580  
581 Mr. Witte - Any questions by the Commission?

582  
583 Mr. Archer - Ms. Crady, what was the part you said about a seating plan  
584 would have to be brought back for approval?

585  
586 Ms. Crady - Yes. The new floor plan shows a bunch of tables on the  
587 sidewalk. Those can only be convenience seating for the users until a provisional use  
588 permit is reviewed and approved by this Commission. They are not zoned for outdoor  
589 seating by right.

590  
591 Mr. Archer - That was the part I missed. Thank you.

592  
593 Ms. Crady - But you can do convenience seating up to a limit. And that  
594 means no alcoholic beverage service, no table service. You just take your stuff out and  
595 eat it in a wrapped package.

596  
597 Mr. Branin - I would like the whole gang. I would like Innsbrook, I'd like the  
598 owner, and I guess we'll let Mr. Condlin speak.

599  
600 Mr. Condlin - Mr. Chairman, members of the Commission, Andy Condlin. I  
601 was kind of hoping this case got approved with the other approvals.

602  
603 Mr. Branin - You were hoping.

604  
605 Mr. Condlin - I was hoping.

606  
607 Mr. Branin - You were hoping. But I deferred a bunch of them, so you  
608 should be happy with that.

609  
610 Mr. Condlin - They've been deferred enough, and I appreciate the Planning  
611 Commission's patience. Obviously it's taken a while to get our parking and uses straight  
612 with the Innsbrook Owners Association. We're actually parked 20 percent more than what  
613 the code otherwise requires, and we also have restrictions on specific uses. So I think  
614 we're finally there. We have a couple of tweaks with the elevations that still need to occur  
615 with the Director and the Planning Commission.

616  
617 Mr. Branin - Can I speak to the owner?

618  
619 Mr. Tam - Edward Tam with Bellawood Development. Good morning,  
620 Commissioners.  
621

622 Mr. Branin - Good morning. Welcome to Henrico County.  
623  
624 Mr. Tam - Love to be here.  
625  
626 Mr. Branin - I'm excited that you're coming here from North Carolina.  
627 Anytime we steal someone from North Carolina it's a great thing. Let me tell you my—  
628  
629 Mr. Tam - I was hoping you wouldn't say that because the folks in North  
630 Carolina are complaining about me leaving.  
631  
632 Mr. Branin - Let me tell you about what my concerns are. And that's why I  
633 also have the Innsbrook representative in here as well. We have a great, great opportunity  
634 in the Three Chopt District and in Innsbrook. This is an older building that you are going to  
635 actually breathe fresh air into. It's been grossly underutilized for a long time. Your first  
636 renderings that came in I was very excited about, and they have changed. Directly across  
637 from you, you heard me make the comment about the Corner Bakery saying I really hate  
638 deferring this because that Rennie's Texaco has been vacant and decaying now for twelve  
639 years.  
640  
641 So we have a fabulous opportunity for Innsbrook—speaking now directly to Innsbrook—of  
642 giving a quality, high-end gateway on Dominion Boulevard. Which as we all know, as  
643 Innsbrook gets developed in the future, Dominion Boulevard is going to start playing even  
644 a larger role in Innsbrook than ever before. So I've been pushing staff to push for the  
645 highest quality and the best look that we could get, and I think you achieved it. But I'm a  
646 little distressed because Innsbrook came back and said no, we want to kind of bring it  
647 down some, in my opinion.  
648  
649 We're going to move forward with this. I'm going to give you POD, but I'm going to hold  
650 the elevations back, Mr. Condlin, so we can meet with Innsbrook. I'm going to put it to the  
651 Director of Planning. I do not want to miss—bringing new business into Henrico County is  
652 fabulous, and you've been a great person to work with. You've been fantastic with  
653 everything that you've offered. I can't wait for you to personally move here. But I need to  
654 get Innsbrook in line to provide a beautiful gateway that in the next twenty years is going  
655 to be crucial. I don't know who that message you're going to have to push through - that  
656 we have an opportunity to improve Innsbrook and we don't want to lose that opportunity.  
657 Okay? All right. That was it. Thank you.  
658  
659 Mr. Tam - Okay, thank you.  
660  
661 Mr. Condlin - Just to clarify, Mr. Branin, would that be for administrative  
662 approval for the elevations?  
663  
664 Mr. Branin - Yes. I'll be involved in it. Okay?  
665  
666 Mr. Witte - Any other questions by the Commission?  
667

668 Mr. Branin - I'm ready. Are you ready?  
669  
670 Ms. Crady - I've been ready.  
671  
672 Mr. Branin - Okay. Mr. Chairman, I would like to move that—  
673  
674 Ms. Crady - You need a waiver of time limits.  
675  
676 Mr. Branin - Okay. I'd like to move that the time limits be waived for  
677 POD2015-00094, Innsbrook Commercial at 4101 Dominion Boulevard.  
678  
679 Mr. Archer - Second.  
680  
681 Mr. Witte - We have a motion by Mr. Branin, second by Mr. Archer. All in  
682 favor say aye. Opposed? The motion passes.  
683  
684 Mr. Leabough - Aren't you deferring the architecturals? So you wouldn't need  
685 to waive the time limits if they're deferred, right?  
686  
687 Mr. Branin - The actual parking lot was part of that.  
688  
689 Ms. Crady - There was a minor change on the layout. Just to be safe.  
690  
691 Ms. Jones - Okay.  
692  
693 Mr. Leabough - I'm just trying to understand.  
694  
695 Mr. Branin - I'm trying to cover it all.  
696  
697 Mr. Leabough - Thank you, sir. Sorry about that.  
698  
699 Mr. Branin - That's all right, you know.  
700  
701 Mr. Emerson - Final approval for the elevation comes back to the Director of  
702 Planning, correct?  
703  
704 Mr. Branin - Yes. And I will wrap all that up in a package with a bow for you.  
705 Mr. Chairman, I'd like to move that POD2015-00094, Innsbrook Commercial at 4101  
706 Dominion Boulevard, be approved with annotations on the plans and standard conditions  
707 for a development of this type, and the following additional conditions 11B and 29 through  
708 36, and additional condition 37 to be that architecturals be withdrawn from this approval  
709 and will be approved administratively by the Director of Planning.  
710  
711 Mr. Leabough - Second.  
712

713 Mr. Witte - We have a motion by Mr. Branin, second by Mr. Leabough. All  
714 in favor say aye. Opposed? The motion passes.  
715

716 The Planning Commission approved POD2015-00094, Innsbrook Commercial at 4101  
717 Dominion Boulevard, subject to the annotations on the plans, the standard conditions  
718 attached to these minutes for developments of this type, and the following additional  
719 conditions:

- 720
- 721 11B. Prior to the approval of an electrical permit application and installation of the site  
722 lighting equipment, a plan including light spread and intensity diagrams, and fixture  
723 specifications and mounting heights details shall be revised as annotated on the staff  
724 plan and included with the construction plans for final signature.
  - 725 29. A concrete sidewalk meeting County and VDOT standards shall be provided along  
726 the east side of Dominion Blvd. and the north side of W. Broad Street (U.S. Route  
727 250).
  - 728 30. Outside storage shall not be permitted.
  - 729 31. The proffers approved as a part of zoning case C-59C-79 shall be incorporated in  
730 this approval.
  - 731 32. The developer shall install an adequate restaurant ventilating and exhaust system  
732 to minimize smoke, odors, and grease vapors. The plans and specifications shall  
733 be included with the building permit application for review and approval. If, in the  
734 opinion of the County, the type system provided is not effective, the Commission  
735 retains the rights to review and direct the type of system to be used.
  - 736 33. The certification of building permits, occupancy permits and change of occupancy  
737 permits for individual units shall be based on the number of parking spaces required  
738 for the proposed uses and the amount of parking available according to approved  
739 plans.
  - 740 34. In the event of any traffic backup which blocks the public right-of-way as a result of  
741 congestion caused by the drive-up facilities, the owner/occupant shall close the  
742 drive-up facilities until a solution can be designed to prevent traffic backup.
  - 743 35. Evidence of a joint ingress/egress and maintenance agreement must be submitted  
744 to the Department of Planning and approved prior to issuance of a certificate of  
745 occupancy for this development.
  - 746 36. The location of all existing and proposed utility and mechanical equipment  
747 (including HVAC units, electric meters, junctions and accessory boxes,  
748 transformers, and generators) shall be identified on the landscape plan. All building  
749 mounted equipment shall be painted to match the building, and all equipment shall  
750 be screened by such measures as determined appropriate by the Director of  
751 Planning or the Planning Commission at the time of plan approval.
  - 752 37. **ADDED - The architectural plan is not part of this approval. Architectural**  
753 **elevations shall be reviewed and approved by the Director of Planning prior**  
754 **to final construction plan approval.**

755

756

757 Mr. Emerson - Mr. Chairman, we now move to page 22 of your agenda for  
758 POD2015-00480, Bay Companies Incorporated for Libbie Development III, LLC and R &  
759 W Properties, LLC. The staff report will be presented by Mr. Matt Ward.

760

## 761 PLAN OF DEVELOPMENT AND LIGHTING PLAN

762

POD2015-00480  
R & W Building – 2100  
Libbie Avenue

**Bay Companies, Inc. for Libbie Development III, LLC and R & W Properties, LLC:** Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story 4,946 square foot office building with a basement. The 0.53-acre site is located on the west line of Libbie Avenue, approximately 295 feet north of its intersection with West Broad Street (U.S. Route 250), on parcel 771-740-6734. The zoning is O-2C, Office District (Conditional). County water and sewer. (**Brookland**)

763  
764 Mr. Witte - Is there opposition to POD2015-00480, R & W Building? Mr.  
765 Ward.

766  
767 Mr. Ward - Good morning. The applicant is requesting approval to  
768 construct a one-story office building with basement totaling approximately 4,946 square  
769 feet, as well as twenty parking spaces to provide adequately for the parking requirements.  
770 The applicant is also requesting approval of the lighting plan, which includes four  
771 decorative light poles, as well as a couple of building mounted fixtures. At staff's request,  
772 the applicant has agreed to provide additional lighting to illuminate some of the pedestrian  
773 areas, as well as to increase the minimum light level throughout the site. Also, a standard  
774 County sidewalk with a utility strip will be provided along Libbie Avenue, and you'll have  
775 an interior sidewalk connection providing access to both the front and rear of this office  
776 building.

777  
778 As proffered, a fifteen-foot landscape buffer with an opaque fence will be in place along  
779 the northern property line, as well as fifteen-foot landscape strips along Henderson Road  
780 and Libbie Avenue, and then a six-foot peripheral parking lot strip on the property line  
781 adjacent to Walgreens to the south.

782  
783 The building elevations show an all-brick building accented with some dentils on the top  
784 of the wall band and balustrades here for accenting the metal roof. And then you have the  
785 pitched masonry front entrance facing Libbie.

786  
787 At this time, staff can recommend approval subject to the annotations on the plan, standard  
788 conditions for developments of this type, and the following additional conditions 11B for  
789 the lighting plan and then conditions 29 through 33.

790  
791 That concludes my presentation. I'm happy to answer any questions. We also have Dan  
792 Caskie with the Bay Companies.

- 793  
794 Mr. Branin - Can you go back to the elevation? It looks like it has aspects  
795 of Colonial, doesn't it?
- 796  
797 Mr. Leabough - Features of Colonial architecture.
- 798  
799 Mr. Branin - I just thought that was a Colonial-style building.
- 800  
801 Ms. Jones - As long as it's not this pink.
- 802  
803 Mr. Witte - If you put stripes on a Clydesdale, it's not a zebra. It's still a  
804 Clydesdale.
- 805  
806 Mr. Leabough - I knew that's where you were going.
- 807  
808 Mr. Witte - Any other questions for Mr. Ward? All right. Would the  
809 applicant come down, please.
- 810  
811 Mr. Caskie - Good morning. I'm Dan Caskie with Bay Companies.
- 812  
813 Mr. Archer - Good morning, Mr. Caskie.
- 814  
815 Mr. Witte - Good morning. I have some questions about the additional  
816 lighting. Will that be front and rear of the building?
- 817  
818 Mr. Caskie - Yes sir.
- 819  
820 Mr. Witte - And I notice you only have two lights for each parking lot? Is  
821 that going to be sufficient?
- 822  
823 Mr. Caskie - We'll make sure that we have the minimum—certainly the  
824 minimum required. They're going to have their employees and clients coming in both of  
825 those entrances. It's not going to be lit up like a ball field, not that you'd want that, but we  
826 will provide adequate lighting. I think the point-to-points that we've run so far have shown  
827 that that spread of those lights are enough. When we start drilling down a little bit, if we  
828 need to add some, we certainly will.
- 829  
830 Mr. Witte - All right. The fence on the rear of the property, is that, in your  
831 opinion, in good shape?
- 832  
833 Mr. Caskie - It appears to be, yes. It's been a couple of months since I've  
834 been out there. We always take pictures when we're out, and I looked at them again the  
835 other day when Matt sent the e-mail asking about it. And unless something recently has  
836 happened, it appears to be in good shape.
- 837  
838 Mr. Witte - If necessary to repair that fence, you will take care of it?

839  
840 Mr. Caskie - We can do that. Absolutely, yes sir.  
841  
842 Mr. Witte - Make it acceptable to the neighbors?  
843  
844 Mr. Caskie - We will.  
845  
846 Mr. Witte - Okay. I have no further questions.  
847  
848 Mr. Leabough - I have one question. I'm looking at the lighting plan. It does  
849 look like the minimum foot candles required for the parking area is not met. Am I missing  
850 something? Are we approving this plan as-is or?  
851  
852 Mr. Ward - There is an annotation for additional lighting.  
853  
854 Mr. Leabough - So you have annotations. Okay. There we go. They're at the  
855 bottom. Okay.  
856  
857 Mr. Ward - It's fairly well lit in the center, but we're asking—  
858  
859 Mr. Leabough - For some in the corners. Okay.  
860  
861 Mr. Caskie - Right, right.  
862  
863 Mr. Leabough - Thank you.  
864  
865 Mr. Witte - And there will be wall-mounted lighting or some type of lighting  
866 in the front and rear of the building near sidewalks.  
867  
868 Mr. Caskie - Yes sir. Yes sir. And on the side where we're connecting the  
869 two parking lots where we put the new sidewalk. We'll have some wall packs or something.  
870  
871 Mr. Witte - All right. I have no further questions. Does anyone else? All  
872 right. With that I'll move that POD2015-00480, R & W Building, be approved as presented!  
873 subject to the annotations on the plan, standard conditions for developments of this type,  
874 and additional conditions 11B and 29 through 33 as shown on the agenda, and also the  
875 lighting plan.  
876  
877 Mr. Branin - Second.  
878  
879 Mr. Witte - We have a motion by Mr. Witte, a second by Mr. Branin. All in  
880 favor say aye. Opposed? The motion passes.  
881  
882 The Planning Commission approved the plan of development and lighting plan for  
883 POD2015-00480, R & W Building, subject to the annotations on the plans, the standard

884 conditions attached to these minutes for developments of this type, and the following  
885 additional conditions:

- 886
- 887 11B. Prior to the approval of an electrical permit application and installation of the site  
888 lighting equipment, a plan including light spread and intensity diagrams, and fixture  
889 specifications and mounting heights details shall be revised as annotated on the  
890 staff plan and included with the construction plans for final signature.
- 891 29. A concrete sidewalk meeting County standards shall be provided along the  
892 northwest side of Libbie Avenue.
- 893 30. Outside storage shall not be permitted.
- 894 31. The proffers approved as a part of zoning case C-48C-83 shall be incorporated in  
895 this approval.
- 896 32. Approval of the construction plans by the Department of Public Works does not  
897 establish the curb and gutter elevations along the Henrico County maintained right-  
898 of-way. The elevations will be set by Henrico County.
- 899
- 900
- 901
- 902 33. The location of all existing and proposed utility and mechanical equipment  
903 (including HVAC units, electric meters, junction and accessory boxes, transformers,  
904 and generators) shall be identified on the landscape plans. All equipment shall be  
905 screened by such measures as determined appropriate by the Director of Planning  
906 or the Planning Commission at the time of plan approval.
- 907

908 Mr. Emerson - Mr. Chairman, we now move to page 26 of your regular agenda  
909 and page 2 of your amended agenda for POD2015-00481, Draper Aden Associates for  
910 Industrial Development Authority of the County of Henrico and ANC-Lavalin Project  
911 Services. The staff report will be presented by Mr. Tony Greulich.

912

## 913 PLAN OF DEVELOPMENT AND MASTER PLAN

914

POD2015-00481  
Project Hamburger – 6201  
Engineered Wood Way

**Draper Aden Associates for Industrial Development Authority of the County of Henrico and SNC-Lavalin ANC-Lavalin Project Services:** Request for approval of a plan of development and master plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a Phase I, two-story 45,647 square foot manufacturing facility with future additions totaling 19,746 square feet, a one-story 6,838 square foot utility building, and associated support facilities; and a future Phase II manufacturing facility expansion totaling 68,523 square feet. The 22.32-acre site is located at the terminus of Engineered Wood Way, approximately 2,100 feet east of the intersection of White Oak Creek Drive and Engineered Wood Way, and on the south line of Elko Road, approximately 5,000 feet east of its intersection with Elko

Tract Road, on part of parcel 849-704-6939. The zoning is M-2, General Industrial District. County water and sewer. (Varina)

915  
916 Mr. Witte - Is there opposition to POD2015-00481, Project Hamburger?  
917 We have opposition.

918  
919 Mr. Greulich - Good morning. The proposed manufacturing facility is located  
920 within the White Oak Technology Park. The proposed site is at the current terminus of  
921 Engineered Wood Way. The front of the site faces Engineered Wood Way and the rear of  
922 the site backs up to Elko Road. The applicant's client is in the personal care and healthcare  
923 field, and the facility will manufacture intermediate ingredients for the cosmetics industry.  
924 There are no product sales to the public.

925  
926 The park is owned and managed by the Henrico County Economic Development Authority.  
927 The park encompasses approximately 2,200 acres of land, formerly known as the Elko  
928 Tract. The M-2 General Industrial zoning of the subject parcel has been in place since  
929 1960.

930  
931 To aid in the development of an attractive and well-designed park, covenants and  
932 restrictions creating the White Oak Technology Park Design Review Board, or DRB, were  
933 recorded in September 1996. These covenants include specific design criteria and also a  
934 section with design guidelines. Accordingly, the proposed development is also subject to  
935 review and approval by this DRB, and that review has been ongoing throughout the  
936 process.

937  
938 The total parcel of the proposed development is approximately 23 acres, and this will  
939 accommodate both phases of development. The applicant indicates the timeline for phase  
940 2 is unknown at this time.

941  
942 This image provides an idea of the scale of what is before you today for consideration. If  
943 both phases of the project are completely built, the building footprint will be roughly one-  
944 fifth of the immediately adjacent building to the northwest and about a third of the building  
945 further to the west. Through conditions on the POD approval, trucks from this facility are  
946 prohibited to access Elko Road. The developer must limit all of their construction and  
947 tractor-trailer traffic to south of the intersection of Engineered Wood Way and White Oak  
948 Creek Drive. Through another condition of the POD approval, the applicant is required to  
949 provide a number for citizens to call if they wish to comment on their proposed  
950 development.

951  
952 Access to the site will only be from Engineered Wood Way. No access to Elko Road is  
953 proposed with either phase of this development. The buildings will be oriented to face  
954 toward Engineered Wood Way. The applicant has advised that they expect two to four  
955 trucks a day.

956

957 The entrance to this facility would be controlled by a manned guardhouse and gate. There  
958 is sufficient parking for the general public outside of the perimeter fence. Pedestrian  
959 access to the facility is via a pedestrian gate. Perimeter fencing will be eight feet in height.  
960

961 This provides an idea of the extent of the improvements proposed with phase 1 and phase  
962 2 in relation to Elko Road. The developer is required per park covenants to provide a 75-  
963 foot buffer along Elko Road. This is in excess of the 50-foot buffer required per the County  
964 zoning ordinance. The proposed buffer with phase 1 is between 500 feet and 550 feet.  
965 With phase 2, the buffer will be between 131 feet and 162 feet. The proposed buffer  
966 exceeds the covenant and zoning ordinance requirements.  
967

968 In addition, right-of-way dedication for the future widening of Elko Road is provided. This  
969 is approximately thirty feet in width. The existing woods to remain within the right of way  
970 will add to the depth of the buffer until such time as the road is improved by VDOT. The  
971 applicant has committed to adding additional evergreen plantings within this buffer to  
972 supplement the existing vegetation. The extent of those plantings will be determined at a  
973 later date. Additionally, a 30-foot landscape buffer is required along all internal property  
974 lines. Related to this, the loading docks will be screened from both Engineered Wood Way  
975 and Elko Road by a combination of landscaping, screen walls, and existing vegetation to  
976 remain.  
977

978 The developer is connecting to the existing waterline along Elko Road. They're proposing  
979 a cut at a 45-degree angle that will run approximately 150 feet and then straighten up to  
980 run roughly parallel to the southern property line into the site. The intent of this angled cut  
981 is to limit the visual impact of the waterline from Elko Road. This will not be used for  
982 emergency access and is not open to the public.  
983

984 The applicant has proposed an attractive entrance into the facility off of Engineered Wood  
985 Way. They are proposing a tree-lined sidewalk from the parking lot to the front of the  
986 building. The lighting plans are not included in this request. As information, light pole  
987 heights are limited to thirty feet within the park with full cut-off lenses. Staff will work with  
988 the applicant to minimize the impact and orientation of site- and building-mounted lights  
989 on adjacent properties.  
990

991 These images provide an idea of the general appearance of the building. The exterior of  
992 the principal buildings will be a mix of concrete precast panels with either a stucco or ribbed  
993 finish. Architectural metal panels will have a precast concrete finish. The color palette will  
994 range from light brown to dark brown. These buildings will be accented with glass windows  
995 and dark brown standing seam metal roofing. Some of the smaller support facilities will be  
996 white CMU block structures with a flat roof.  
997

998 The main building is broken down into three principal areas: administrative, production,  
999 and warehouse. The administrative portion is 17 feet high to a maximum of 40 feet in  
1000 height for the warehouse portion. The utility buildings and tank farms range in height from  
1001 14 feet to 25 feet. This top image is a potential view of the property from Elko Road with  
1002 phase 2 built out as currently proposed. For phase 2, similar structures and heights are

1003 proposed as phase 1 with one exception, the mechanical projection related to the  
1004 operation of the building. The applicant is currently proposing an 86 foot high mechanical  
1005 equipment tower. The tower will be approximately 40 feet high above the surrounding  
1006 rooflines of the building. The zoning ordinance limits heights in the M-2 zoning to 50 feet  
1007 unless it is considered an allowable projection. Mechanical projections are allowed to  
1008 exceed fifty feet if they are not more than 25 percent of the roof area. This is considered a  
1009 mechanical equipment projection and is approximately 4 to 5 percent of the roof area, so  
1010 well below the 25 percent threshold.

1011  
1012 This tower will be approximately 292 feet from the ultimate property line. As stated before,  
1013 in reality, until VDOT widens the road, it will be approximately 322 feet from the current  
1014 edge of Elko Road. The applicant has attempted to be cognizant of the neighbors and has  
1015 pushed his projection as far from Elko Road as possible. The tower itself will match the  
1016 building in terms of color and general appearance.

1017  
1018 Finally, it is worth reiterating the applicant does not have a timetable for it, let alone when,  
1019 phase 2 will be proposed.

1020  
1021 Before I conclude, I wanted to touch on some general aspects of the process. The  
1022 proposed use and development of the property meet all aspects of the zoning ordinance.  
1023 The Planning Commission and staff reviewed the proposed plans to ensure that they meet  
1024 the requirements of the code and County design policies. This is with an eye towards  
1025 improving the design of the site as much as possible in response to individual site and  
1026 quality development consideration. The Design Review Board has also reviewed the plans  
1027 for conformance with the private park design guidelines. In direct response to DRB  
1028 comments, some design changes have occurred between what was preliminarily  
1029 submitted and what is before the Planning Commission to review today.

1030  
1031 With that said, staff recommends approval of the plans subject to the standard conditions  
1032 for developments of this type, the annotations on the plans, and the additional conditions  
1033 as listed in the agenda. County staff, including Public Works Traffic, Design, and  
1034 Environmental divisions and representatives for the applicant are prepared to address the  
1035 Commission. And I'd be happy to answer any questions you have of me.

1036  
1037 Mr. Witte - Any questions from the Commission?  
1038  
1039 Ms. Jones - Is there a representation of the tower?  
1040  
1041 Mr. Greulich - Yes ma'am. It is essentially this.  
1042  
1043 Ms. Jones - Okay.  
1044  
1045 Mr. Leabough - I'd like to hear from the opposition first and then the applicant.  
1046  
1047 Mr. Witte - Would the opposition please come forward.  
1048

1049 Mr. Emerson - Mr. Chairman, as the opposition approaches, I'll take this  
1050 opportunity to go over the Planning Commission's rules and guidelines regarding their  
1051 public hearings. The applicant is allowed ten minutes to present the request, and time may  
1052 be reserved for responses to testimony. Opposition is allowed a cumulative ten minutes to  
1053 present its concerns. Commission questions do not count into the time limits. The  
1054 Commission may waive the limits for either party at its own discretion. Comments must be  
1055 directly related to the case under consideration.

1056  
1057 Mr. Witte - Thank you, sir.

1058  
1059 Mr. Leabough - Mr. Davis, how are you?

1060  
1061 Mr. Davis - Good. Good morning. Thank you for taking time this morning  
1062 to hear my concerns. I'm not so sure that I'm opposed to the project as I have some  
1063 questions.

1064  
1065 Mr. Witte - Would you state your name for the record?

1066  
1067 Mr. Davis - Mark Davis. I live at 6425 Elko Road. I'm a property owner  
1068 approximately a half a mile down the road from this proposed facility. In reviewing the  
1069 drawings—and I want to again praise the staff with Henrico County's Planning group. They  
1070 were very helpful in answering my questions and taking time, I know out of their busy  
1071 schedule, to give me some additional information.

1072  
1073 I'm not sure how you want to continue because I have a number of questions. When you  
1074 look at the drawing, it talks about ammonia storage tanks. My first question would be  
1075 related to - are they storing anhydrous ammonia or are they storing liquid ammonia.  
1076 There's a very big difference from a safety perspective if you're storing anhydrous versus  
1077 the liquid. I'm assuming either one will be a hazardous material under CFR49 and will be  
1078 transported onto the facility in tankers. So my question is will they also be transporting  
1079 hazardous waste as part of this pre-manufacturing process off of their site.

1080  
1081 It also shows a medical cylinder delivery area, and it didn't seem to annotate what the  
1082 medical portion of that was for. Is this for a nursing clinic for employees or is something  
1083 else going to be done at the facility that's not annotated in the project notes or on the  
1084 drawing?

1085  
1086 So, do you want me to list all of them or would you like for the developer to have a chance,  
1087 because I probably have fifteen questions that I would like some additional information.

1088  
1089 Okay. It also shows a wastewater treatment facility. I'm assuming that's a pretreatment  
1090 facility for discharge into the Henrico County public works system. And so I'm wondering  
1091 what chemicals will be used in this water treatment facility. I mean are they just simply  
1092 adjusting pH or are they dealing with other hazardous materials that are a byproduct of  
1093 their production?

1094

1095 Then they also show a scrubber. Is this a dry scrubber or a wet scrubber, a cyclone? In  
1096 my conversation with Virginia DEQ, I know they've had a preliminary conversation about  
1097 permitting for this facility. And based upon the information initially provided through Virginia  
1098 DEQ, it didn't appear that they needed an air permit. My question is for those who are not  
1099 familiar, you may still have discharges to the atmosphere and not require a permit under  
1100 the current Clean Air Act. That just means you're under the tonnage limit. So my question  
1101 is, is this a particulate discharge or are they going to be discharging hazardous materials  
1102 into the atmosphere that are under the current federal and state rules for requiring a  
1103 permit?

1104  
1105 Will they be manufacturing anything using nanoparticles? Nanoparticles are particular  
1106 issues for the health of employees and can be for surrounding properties.

1107  
1108 And I would also like to know about this company's compliance record in the past at their  
1109 previous facilities that they have operated. Have they received NOVs, which are Notices  
1110 of Violation, of air permitting under the Clean Air Act, under the Clean Water Act, or under  
1111 RCRA. And the reason I ask that question is because I talked to your person Tony, and I  
1112 went door-to-door this weekend and talked to all my neighbors again. And their concern is  
1113 what you all hear on a regular basis, which is - what will this do to my property value, what  
1114 will this do to my quality of life?

1115  
1116 Unfortunately, I couldn't really answer their questions. I could say that the building is well  
1117 designed, looks like they've included a lot of landscaping. But two basic questions are not  
1118 answered in the Planning group's report. Financial impact to adjacent property owners. I  
1119 guess having been coming to these meetings for a while, I would have thought as  
1120 progressive as our County is, that we would figure some way out to address that because  
1121 you all deal with that on a regular basis. Like the article two weeks ago in the paper about  
1122 people in the West End concerned about the same thing other people ask at this meeting:  
1123 What will this do to my property value? But nothing in the Planning report addresses what  
1124 a potential impact would be.

1125  
1126 The other concern my neighbors have, because we're dealing with it from a previous  
1127 project, is ongoing noise pollution. Again, this report doesn't indicate at the property line  
1128 of my neighbors whether or not they are going to be impacted by the noise of the operation  
1129 i.e. the mechanical equipment, thinning of gasses, et cetera. I know they're going to have  
1130 a boiler system, those types of things.

1131  
1132 The other question I would have is this an approval only for phase 1 or is this also an  
1133 approval for phase 2? Phase 2 talks about an eighty-foot tower, which of course would be  
1134 very visibly seen from all the adjacent property owners overtop of the tree line.

1135  
1136 And I guess the County should have also invested in pursuing this because in the Master  
1137 2026 Plan, the intent was for all of my neighbors who currently own farmland or own large  
1138 tracts of A-1, for that to become housing. My concern as a property owner is long term.  
1139 The Varina District is struggling from an educational perspective, and I know that the Board  
1140 of Supervisors and the Board of Education are trying to address that, which is one reason

1141 that people who move to the Varina District have a concern for education of their kids. My  
1142 concern is if this project is detrimental to the existing value or surrounding property and  
1143 the school system doesn't improve, what kind of housing will be built in the long-term  
1144 County master plan. Will it simply end up being low-value homes? That does the County  
1145 no good; as it does us no good, as residents who are currently there, and ultimately would  
1146 affect everybody's quality of life.

1147  
1148 And so I have those questions. Based upon the developers response on the ammonia  
1149 issue if they are using anhydrous, as to what the volume of storage is, and that they would  
1150 be subject to both EPA and OSHA rules for a risk management plan and for a process  
1151 management plan. If they're using liquid ammonia in greater than 50 percent, this is what  
1152 we would in the industry consider poison by inhalation hazard. As a resident, if they are  
1153 using those types of materials, I would like to know what precautions are being taken to  
1154 prevent accidental release. And if there is a catastrophic failure, how close would that  
1155 impact the rest of us who are around this facility?

1156  
1157 The other thing is when I looked at the screening and I read the White Oak Technology  
1158 covenants, it talks about screening all mechanical and exterior storage to a certain height.  
1159 I really didn't get a good sense in the architectural drawing that the tank farm in phase 1  
1160 was being screened. I realize that the vegetation currently between Elko Road and phase  
1161 1 probably will provide adequate screening, but I wasn't sure that it was. The question I  
1162 have for Tony is you talked about a fifty-foot setback from Elko Road. Is that correct?

1163  
1164 Mr. Greulich - Yes, there's a fifty-foot transitional buffer between Elko Road  
1165 and the property. That's per code.

1166  
1167 Mr. Davis - Okay. Is that just a vegetation setback? In the covenants, it  
1168 talks about a minimum building setback and a minimum paving setback.

1169  
1170 Mr. Greulich - Right. The fifty-foot setback is from the zoning ordinance, the  
1171 other is from the Design Review Board and its covenants.

1172  
1173 Mr. Davis - Okay. So two different things.

1174  
1175 Mr. Greulich - Right, they're two different things.

1176  
1177 Mr. Davis - But they still have to comply with the setbacks in those White  
1178 Oak Covenants.

1179  
1180 Mr. Greulich - Yes. They both meet them.

1181  
1182 Mr. Davis - Okay. All right. Sorry, just asking for clarification because the  
1183 White Oak Covenants talk about a 125-foot and a 75-foot setback. I just wanted to make  
1184 sure I was understanding what was being said.

1186 I don't have any other further questions unless you have questions of me. Again, I  
1187 appreciate your time.

1188  
1189 Mr. Witte - Thank you, sir.  
1190

1191 Mr. Leabough - I'd like the applicant to come forward to answer. We have two  
1192 pages of questions, and I don't think I can answer but one of those.  
1193

1194 Mr. Witte - Would the applicant come forward, please.  
1195

1196 Mr. Politi - Good morning. Mike Politi from SNC-Lavalin. I think it said  
1197 ANC on the application, but it's actually SNC-Lavalin.  
1198

1199 Ms. Jones - That was changed on the addendum.  
1200

1201 Mr. Leabough - I hope you took good notes because there were a lot of  
1202 questions Mr. Davis provided. The first question related to what's being stored in the  
1203 storage tanks.  
1204

1205 Mr. Politi - The storage tanks have a number of different materials. The  
1206 ammonia is anhydrous. It is stored as a liquid and distributed to the facility as a gas. As  
1207 far as safety precautions, the area is dyked. There is a gas detection system with a fogging  
1208 system that's overtop of the tanks so that in the event of a leak, the objective would be  
1209 you'd knock down the vapors. There also is caustic soda or sodium hydroxide stored. TBA,  
1210 tetrabutyl, and isopar.

1211  
1212 Mr. Leabough - Are any of those materials or items that you described  
1213 hazardous or considered hazardous by the EPA?  
1214

1215 Mr. Politi - I don't believe they're on an EPA toxic list. Some of them would  
1216 be combustible and/or flammable.  
1217

1218 Mr. Leabough - But would it be hazardous in terms of a vapor form?  
1219

1220 Mr. Politi - The anhydrous ammonia would be the only one I would  
1221 consider to be toxic from a vapor form.  
1222

1223 Mr. Leabough - Okay. Mr. Secretary, this is something that is out of our purview  
1224 as far as what is allowed from an EPA perspective. We're just approving the plan of  
1225 development. So there are some things that are out of the purview of this Commission.  
1226

1227 Mr. Emerson - That is correct.  
1228

1229 Mr. Leabough - In terms of what's regulated regarding what's stored in the  
1230 tanks. But you all are meeting DEQ and EPA requirements as it relates to what's stored in  
1231 the tanks and how you're handling those materials?

1232  
1233 Mr. Politi - DEQ's focus is primarily on air emissions versus what's stored  
1234 in the tanks. There certainly are requirements via EPA and process safety that would apply  
1235 to storage of materials.

1236  
1237 Mr. Leabough - I guess you're using tanker trucks, like Mr. Davis mentioned,  
1238 to bring the materials to the site.

1239  
1240 Mr. Politi - That would be correct. They'd arrive in tanker trucks.

1241  
1242 Mr. Leabough - Okay. How many of those deliveries are you expecting and  
1243 how often?

1244  
1245 Mr. Politi - We would expect a total of two to four trucks a day, but that's  
1246 not tanker trucks. That would be inclusive of deliveries and shipments of all types of  
1247 materials.

1248  
1249 Mr. Leabough - But you don't know how many of the anhydrous ammonia trips  
1250 per day?

1251  
1252 Mr. Politi - It would not be a daily delivery.

1253  
1254 Mr. Leabough - Could you please introduce yourself?

1255  
1256 Mr. Genix - Maybe I can complement the question.

1257  
1258 Mr. Leabough - State your name, please.

1259  
1260 Mr. Genix - Sorry. I am Lionel, and I'm representing the owner. I cannot  
1261 disclose the name of the owner at this stage only because we are part of a parent  
1262 company. We will later, of course, but we have some constraints.

1263  
1264 Mr. Leabough - I'm just asking you how many tanker trucks of anhydrous  
1265 ammonia that you're expecting per day.

1266  
1267 Mr. Genix - It is only two tons, so it's only maybe one a week that would  
1268 come for this ammonia.

1269  
1270 Mr. Leabough - Okay.

1271  
1272 Mr. Genix - So the trucks are one, two, three for the incoming and one a  
1273 day for the finished product.

1274  
1275 Mr. Leabough - Pretreatment facility for the wastewater. What's that for?  
1276

1277 Mr. Politi - Preliminary indications are that we could meet the  
1278 requirements discharging directly to the sewer. The client does want a treatment facility.  
1279 There could be two components to that. We would be close to the biological oxygen  
1280 demand limit. So if they exceeded that, they would either need to remove it or pay a  
1281 surcharge. The second might be in between product runs, they would do cleaning. And I  
1282 think they typically would use a basic or alkaline chemical to do that. Sulfuric acid might  
1283 be required to neutralize that.

1284  
1285 Mr. Leabough - So are those hazardous materials that are requiring that you  
1286 pre-treat it before?

1287  
1288 Mr. Politi - As I said, the analysis we've done would indicate that it would  
1289 probably not be required, but it will be in place in the event that it is. The BOD does not  
1290 require treatment. You could pay a surcharge. There are limits, probably in the range of  
1291 maybe 6 to 9-1/2 on pH. Right? That would be the primary issue to make sure that we  
1292 were under that maximum limit on the pH of 9-1/2.

1293  
1294 Mr. Branin - How many other plants or facilities do you operate in the U.S.  
1295 currently?

1296  
1297 Mr. Genix - That's the first one for this activity.

1298  
1299 Mr. Branin - So this is the first one.

1300  
1301 Mr. Genix - That's correct.

1302  
1303 Mr. Branin - All right.

1304  
1305 Mr. Witte - So there is no compliance record then.

1306  
1307 Mr. Branin - That's where I was going.

1308  
1309 Mr. Genix - We have one plant in Europe.

1310  
1311 Mr. Branin - Okay. What is your safety record in that plant in Europe? See,  
1312 you can't really go there because the standards in Europe aren't the same as here. We  
1313 actually have more stringent standards, so scratch that question.

1314  
1315 Ms. Jones - Have there been any violations cited?

1316  
1317 Mr. Genix - In Europe where we have our plant, we maintain very good  
1318 relationship with our community. Our approach has always been to be very transparent  
1319 with our community. I work with the community. There's no instances of any violations in  
1320 our plant in Europe.

1321  
1322 Ms. Jones - Thank you.

1323  
1324 Mr. Leabough - There are no violations.  
1325  
1326 Mr. Archer - Sir, may I ask, at the plant that you have in Europe, even  
1327 though our standards for compliance may be different, have there been any events of any  
1328 kind with regard to accidents or something that has had to have been treated?  
1329  
1330 Mr. Genix - Not that I'm aware of.  
1331  
1332 Mr. Archer - So there may have been.  
1333  
1334 Mr. Genix - As I said, none that I'm aware of. It's from the forties.  
1335  
1336 Mr. Leabough - Okay. I kind of feel like I'm at a disadvantage. I'm not a  
1337 chemical engineer, and a lot of the terms Mr. Davis threw out there I'm not familiar with.  
1338 Scrubbers, in terms of air discharge. Could you speak to that?  
1339  
1340 Mr. Politi - The air discharges would be – as I said, at the preliminary  
1341 meeting with the DEQ is that we would be below the thresholds required for permit. We do  
1342 need to provide them a final list to confirm that. Two areas, right. I think the primary removal  
1343 is of the TBA, the tetrabutanol, that the scrubber would be—that's the primary goal for the  
1344 scrubber. The second would be there will be a couple dust collectors on the project to  
1345 remove particulate.  
1346  
1347 Mr. Leabough - Do you  
1348 have a question, Ms. Jones?  
1349  
1350 Ms. Jones - Unfortunately, I did not go line by line and make a list of fifteen  
1351 questions when Mr. Davis was speaking, which I wish I had or I wish you all had in order  
1352 to answer them point by point. I do hope that the questions he raises are answered. And  
1353 if they aren't, I'm hoping that we'll give him an opportunity to reiterate something that hasn't  
1354 been touched on.  
1355  
1356 My question to you is not only does this obviously have to be set up to meet a stringent  
1357 list of requirements from many agencies and many things, I'd like to follow up and ask  
1358 what are the ongoing inspections and safeguards as this is in operation that will help  
1359 assure those of us at the County as well as surrounding neighbors and anyone else  
1360 interested that this continues to be operated in a safe and very sensitive way?  
1361  
1362 Mr. Politi - SNC-Lavalin does a lot of work in this industrial sector, and we  
1363 would say that yes, there are OSHA and EPA requirements for those types of inspections.  
1364 Right? It can be pretty comprehensive, but there's everything from annual inspections of  
1365 pressure vessels, to inspections of safety systems that could be on a weekly, monthly  
1366 basis. It would be something in the hundreds of inspections that would end up being  
1367 conducted on a facility of this nature  
1368

1369 Ms. Jones - On an annual basis you're saying or?

1370

1371 Mr. Politi - Correct.

1372

1373 Mr. Emerson - Ms. Jones, many of these items, as noted by Mr. Leabough,  
1374 are out of the purview of the County. They're federal and state regulations. This industry  
1375 will be very closely monitored by those agencies. My impression of this company and my  
1376 interaction with them has been very positive. They're going above and beyond even with  
1377 the wastewater treatment facility, as noted by the applicant. They don't necessarily have  
1378 to do that. They could discharge straight into our system. That's an extra step they're  
1379 taking because of their concern of having a well-run operation. I've made a list of Mr.  
1380 Davis's concerns, and Mr. Leabough has been going down them one by one. But many,  
1381 many of these are in the federal and state purview and really are not in front of this body  
1382 for consideration.

1383

1384 Ms. Jones - Okay.

1385

1386 Mr. Emerson - Certainly we'll try to get answers to the extent that these  
1387 gentlemen can answer them. But I think the bottom-line answer is if it's permissible and  
1388 permitted by the federal and state agencies then that's the end of our involvement. That's  
1389 kind of where we are on it.

1390

1391 Mr. Leabough - There was one other item that the applicant can address  
1392 related to noise buffering. Could you all speak to that? And let me just say this. A lot of the  
1393 concerns that Mr. Davis brought up I raised at the meeting that we held with you all. So I  
1394 was kind of hoping you all would be better prepared to speak to these comments that we  
1395 shared, because we knew that they would be something that they would be concerned  
1396 about. And I would as well if I lived next door to this potential facility. So could you speak  
1397 to noise and buffering? I know that's a big concern for the residents that live on the other  
1398 side of Elko.

1399

1400 Mr. Politi - Yes. Noise could come from a variety of areas. The truck  
1401 traffic, as we've already talked about, in this particular application is going to be a small  
1402 fraction of what's next door. We don't have loading docks facing Elko Road. Other than  
1403 that, the manufacturing and process operations happen indoors. There are HVAC units  
1404 and fans and things, but it's not a noise-intensive operation.

1405

1406 With respect to the buffers, we are going to take—and I think you saw that with the angled  
1407 cut for the waterline trying to avoid having a visual impact. I did note the comment about  
1408 the tank farm and screening, and we will make sure that the tank farm is not visible from  
1409 Elko Road. I think Tony spoke to the buffer, right, which even in phase 2 is pretty extensive.  
1410 We have agreed to do some plantings in that area as well.

1411

1412 Mr. Leabough - If needed at the time of POD. The concern I thought that Mr.  
1413 Davis raised wasn't related to the tank farms being visible from Elko. I thought it related to  
1414 the tank farms being visible internally within the development. Is that correct, Mr. Davis.

1415  
1416 Mr. Davis - No.  
1417  
1418 Mr. Leabough - So the concern was from Elko.  
1419  
1420 Mr. Davis - [Off microphone.] Elko Road and whether or not this is an  
1421 approval for phase 1 only or an approval for phase 2 too?  
1422  
1423 Mr. Politi - The applicant is requesting an approval of the concept for both  
1424 phases, yes.  
1425  
1426 Mr. Emerson - Yes. And that's what's in front of the Commission is the  
1427 approval of the master plan. Phase 2, if it ever occurred after that, would be an  
1428 administrative approval because we have the parameters within the master planned area.  
1429  
1430 Mr. Leabough - So everything we need to make a decision today is before us.  
1431  
1432 Mr. Emerson - Correct.  
1433  
1434 Mr. Branin - Are you guys an ISO Certified Corporation?  
1435  
1436 Mr. Genix - Yes, our plants are.  
1437  
1438 Mr. Leabough - Traffic. Traffic concerns have been raised a number of times.  
1439 Is there someone from Traffic that could come up? I know that there's been a big concern  
1440 about truck traffic on Elko Road. Could you all speak to that, please, in terms of how they're  
1441 being handled currently? Wait, before you do that though. Stay nearby. The one question  
1442 I have for the applicant, so you're committing that there are going to be no more than two  
1443 to four trucks a day. So if we approve this, we shouldn't expect twenty-five trucks a day  
1444 when you start operations. You're committed to two to four trucks a day. That's just the  
1445 nature of your operations, correct?  
1446  
1447 Mr. Politi - That is correct.  
1448  
1449 Mr. Leabough - Okay. All right. Thank you.  
1450  
1451 Mr. Witte - Now is that phase 1 and 2 or just for phase 1?  
1452  
1453 Mr. Leabough - I was thinking we're approving the whole development, so it  
1454 would be for both phases, right?  
1455  
1456 Mr. Genix - It's for both phases, but it will marginally increase a little bit, but  
1457 not to twenty-five, that's for sure not. So it will be instead of two to four will be maybe three  
1458 to five. But that will be in the same ballpark.  
1459  
1460 Mr. Leabough - So full build-out, three to five.

1461  
1462 Mr. Genix - Right.  
1463  
1464 Mr. Leabough - Okay. Thank you.  
1465  
1466 Ms. Smidler - Good morning, my name is Sharon Smidler, Henrico County  
1467 Traffic Engineering. Mr. Leabough, you have a question?  
1468  
1469 Mr. Leabough - If this development, let's say is causing problems where trucks  
1470 are accessing Elko Road, how is the County currently addressing that? I know it's a big  
1471 concern related to their neighbor—potential neighbor, I should say.  
1472  
1473 Ms. Smidler - Elko Road is VDOT-maintained. The County has truck  
1474 restrictions on White Oak Creek Road and Portugee Road between Elko Tract and east  
1475 of Technology Boulevard. There are truck restrictions that are signed appropriately. There  
1476 are proposed conditions 41 and 42 that indicate no construction traffic shall use Elko Road  
1477 and Portugee Road east of Technology Boulevard or Elko Tract. Condition 42 says no  
1478 tractor-trailer shall use Elko Road and Portugee Road east of Technology or Elko Tract  
1479 Road.  
1480  
1481 Mr. Leabough - I think their neighbors have those same restrictions and they're  
1482 handling those problems. So in the event that people in the community have a concern,  
1483 they can also report them to—is it law enforcement, Mr. Emerson?  
1484  
1485 Mr. Emerson - Yes, that would be correct. And also to my office.  
1486  
1487 Mr. Leabough - Okay, great. Thank you.  
1488  
1489 Ms. Smidler - Thank you.  
1490  
1491 Mr. Leabough - Any other questions?  
1492  
1493 Mr. Archer - I had one question. Mr. Davis indicated that he had a concern  
1494 that in phase 2 there would be a tower 80 feet tall that would be visible above the tree line.  
1495 I just wanted to ask the applicant is that tower height adjustable in any way.  
1496  
1497 Mr. Politi - That's the maximum height that the client foresees.  
1498  
1499 Mr. Archer - Is there a minimum he could use that would be as effective?  
1500  
1501 Mr. Politi - They believe that's what they will require.  
1502  
1503 Mr. Archer - Okay.  
1504  
1505 Mr. Emerson - That height is allowable under the code.  
1506

- 1507 Mr. Archer - Yes, I kind of figured it was. I was just looking at it from the  
1508 aesthetic standpoint for the benefit of the neighborhood.
- 1509
- 1510 Mr. Emerson - Sure.
- 1511
- 1512 Mr. Leabough - So is there any opportunity to push that—I mean to incorporate  
1513 that tower into the first phase so that it's further back from the roadway?
- 1514
- 1515 Mr. Politi - No. It would need to be in the second phase. We did push it to  
1516 the far side of the building of phase 2, but it would need to be in the second phase.
- 1517
- 1518 Mr. Leabough - Why is that? Could you explain that more?
- 1519
- 1520 Mr. Politi - It's not required for the first phase. So in the first phase design,  
1521 they don't need that piece of equipment which would likely be a spray dryer probably.
- 1522
- 1523 Mr. Leabough - Okay. Thank you.
- 1524
- 1525 Mr. Politi - There were a couple questions Mr. Davis asked that we didn't  
1526 touch on. Should I respond to those?
- 1527
- 1528 Mr. Branin - Absolutely.
- 1529
- 1530 Mr. Politi - There are two that come to mind. One was nanoparticles.  
1531 There are no plans to use nanoparticles. The second question had to do with the purpose  
1532 of the medical facility. That would be in the event of an injury to an employee or somebody  
1533 that was on site to render first aid. And then there's a road that would be there if ambulatory  
1534 care was required.
- 1535
- 1536 Mr. Emerson - What about noise? Did we address noise?
- 1537
- 1538 Mr. Politi - I think we touched on that one. Once again, the operations are  
1539 all internal. I'm only aware of even one operation internally where there's a potential that  
1540 would we be below the 85 dB required for hearing protection of employees, and that's in  
1541 an enclosed room inside the building. Outside the building we would not anticipate any  
1542 significant noise.
- 1543
- 1544 Mr. Emerson - And you have met with the Design Review Board for the park  
1545 and discussed the covenant requirements for screening and things of that nature?
- 1546
- 1547 Mr. Politi - Correct. And we are committed to making sure all the rooftop  
1548 equipment is screened. And we'll take particular note of the storage tank view from Elko  
1549 Road.
- 1550
- 1551 Mr. Leabough - All right. Any other questions?
- 1552

1553 Mr. Witte - Any other questions by the Commission?

1554

1555 Mr. Leabough - Oh, you have another comment, Mr. Davis?

1556

1557 Mr. Branin - Mr. Davis, you have to come down.

1558

1559 Mr. Davis - [Directed at Mr. Politi] I appreciate you taking my phone call  
1560 the other day. My question is a clarification.

1561

1562 Mr. Leabough - Could you state your name please?

1563

1564 Mr. Davis - Sure. Mark Davis, 6425 Elko Road, Sandston, Virginia. On the  
1565 ammonia storage, is it actually in liquid form or is it in a gas form?

1566

1567 Mr. Politi - The anhydrous ammonia, right, is ammonia that's without  
1568 water. But no, the storage is in liquid and then there'll be a pipe that will bring that ammonia  
1569 into the adjacent processing building via gaseous form.

1570

1571 Mr. Davis - So I want to make sure I understand what you're saying. For  
1572 those who are not familiar, anhydrous ammonia is poison by inhalation. There are very  
1573 strict rules under federal rules. And I understand that the Planning Commission doesn't  
1574 have jurisdiction over that. But as I had discussions with my residents who are around me  
1575 whose background is completely different than my background, they get very worried when  
1576 they start seeing chemicals and things that they're not familiar with. And so the question  
1577 they talk about is what happens if that tank releases. Are my kids in danger? Things like  
1578 that.

1579

1580 So if I'm understanding what you're saying correctly, you're taking the liquid phase and  
1581 converting it back into gas as part of the process. So you're not storing it in the gas phase,  
1582 which is extremely toxic. Okay. Thank you. I appreciate the clarification.

1583

1584 Mr. Leabough - Any other questions? This is always a tough area because of  
1585 the operations next door. But I must admit that I do appreciate the company, the  
1586 representatives, and Mr. McLaren meeting with us in advance of this meeting outlining this  
1587 particular case. We don't want to penalize new neighbors for the actions of other neighbors  
1588 that have been there before. But we do have concerns about the chemicals that are being  
1589 stored, legitimate questions that any person living near this facility would want to know the  
1590 answers to.

1591

1592 Because those questions and the answer to those questions are outside of the purview of  
1593 this Commission, this is a use that is allowed. And from what I understand from the  
1594 presentation that staff made, it does meet the conditions of the ordinance. I do have a  
1595 question. I would like to amend 9 so that the landscaping plan would come back to the  
1596 Commission in the event that there are not adequate proffers or there are some screening  
1597 challenges. Well, that could be done administratively, though, because the applicant has  
1598 agreed to supplemental planting if required and needed.

- 1599  
1600 Mr. Emerson - Right. Correct.  
1601  
1602 Mr. Leabough - Okay. So scratch 9 amended.  
1603  
1604 Mr. Emerson - It's also under the purview of the DRB.  
1605  
1606 Mr. Leabough - The DRB as well. Okay. All right. So with that I move that the  
1607 POD and master plan for POD2015-00481, Project Hamburger—you're not making  
1608 hamburgers here, though—be approved subject to annotations on the plans, standard  
1609 conditions for developments of this type, and the additional conditions on the agenda  
1610 numbers 29 through 46.  
1611  
1612 Mr. Branin - Second.  
1613  
1614 Mr. Witte - We have a motion by Mr. Leabough, a second by Mr. Branin.  
1615 All in favor say aye. Opposed? The motion passes.  
1616  
1617 The Planning Commission approved the POD and master plan for POD2015-00481,  
1618 Project Hamburger, subject to the annotations on the plans, the standard conditions  
1619 attached to these minutes for developments of this type, and the following additional  
1620 conditions:  
1621  
1622 29. The right-of-way for widening of Elko Road (State Route 156) as shown on  
1623 approved plans shall be dedicated to the County prior to any occupancy permits  
1624 being issued. The right-of-way dedication plat and any other required information  
1625 shall be submitted to the County Real Property Agent at least sixty (60) days prior  
1626 to requesting occupancy permits.  
1627 30. All temporary easements, easements for drainage and utilities, and other  
1628 easements necessary for road construction and access, shall be recorded by  
1629 separate plats, prior to construction plan approval.  
1630 31. Prior to issuance of a certificate of occupancy for any building in this development,  
1631 the engineer of record shall certify that the site has been graded in accordance with  
1632 the approved grading plans.  
1633 32. Details for the gate and locking device at the entrance driveway shall be submitted  
1634 for review by the Traffic Engineer, Police and approved by the County Fire Marshall.  
1635 The owner or owner's contractor shall contact the County Fire Marshall prior to  
1636 completion of the fence installation to test and inspect the operations of the gates.  
1637 Evidence of the Fire Marshall's approval shall be provided to the Department of  
1638 Planning by the owner prior to issuance of occupancy permits.  
1639 33. Outside storage shall not be permitted except as shown on the approved plan.  
1640 34. In order to maintain the effectiveness of the County's public safety radio  
1641 communications system within buildings, the owner will install radio equipment that  
1642 will allow for adequate radio coverage within the building, unless waived by the  
1643 Director of Planning. Compliance with the County's emergency communication  
1644 system shall be certified to the County by a communications consultant within ninety

- (90) days of obtaining a certificate of occupancy. The County will be permitted to perform communications testing in the building at anytime.

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

36. The owners shall not begin clearing of the site until the following conditions have been met:

  - (a) The site engineer shall conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements shall be shown.
  - (b) After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner shall have the limits of clearing delineated with approved methods such as flagging, silt fencing or temporary fencing.
  - (c) The site engineer shall certify in writing to the owner that the limits of clearing have been staked in accordance with the approved plans. A copy of this letter shall be sent to the Department of Planning and the Department of Public Works.
  - (d) The owner shall be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details shall be included on the landscape plans for approval.

37. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction needed to implement this conceptual plan may be administratively reviewed and approved and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/approval.

38. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

39. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

40. A construction staging plan which includes details for traffic control, fire protection, stockpile locations, construction fencing, and hours of construction shall be submitted for County review and prior to approval of any final construction plans.

41. No construction traffic shall use Elko Road (State Route 156), Portugee Road east of Technology Boulevard, or Elko Tract Road (State Route 380).

42. No tractor trailers shall use Elko Road (State Route 156), Portugee Road east of Technology Boulevard, or Elko Tract Road (State Route 380).

- 1689 43. The developer shall provide a telephone number for citizen concerns during any  
1690 construction activity on site in order to respond to citizen concerns and complaints  
1691 as expeditiously as possible.

1692 44. The development and operations conducted on the property shall comply with the  
1693 restrictive covenants applicable to White Oak Technology Park.

1694 45. The proposed development is subject to Final Development Review Board (DRB)  
1695 approval. Any required changes by the DRB must be reflected in the POD and any  
1696 subsequent plans.

1697 46. The proposed architectural elevations are subject to final approval by the  
1698 Development Review Board (DRB) and the Director of Planning. Any required  
1699 changes by the DRB must be reflected in the architectural elevations and any  
1700 subsequent drawings.

1701  
1702 Mr. Leabough - May I just take one quick second to thank Mr. Davis. You threw  
1703 out a lot of terms here that were over my head. But I do appreciate your interest in this  
1704 area and your commitment to making sure that Varina is a community of choice and that  
1705 we have uses that are being good neighbors. So thank you for being involved and  
1706 concerned about our community. I do appreciate you showing up.

1708 Mr. Davis - [Off microphone.] I'm sure our neighbors, based upon what I've  
1709 seen, will be good neighbors.

1711 Mr. Leabough - We will hold them to that.

1713 Mr. Davis - [Off microphone.] And I appreciate their time and effort and the  
1714 DRB's, and the Planning Commission [inaudible].

1716 Mr. Leabough - All right. Thank you. Sorry.

1718 Mr. Emerson - Mr. Chairman, we now move on to page 29 of your agenda for  
1719 POD2015-00482, Willmark Engineering for Graham Meadows Investors, LLC. The staff  
1720 report will be presented by Mr. Greg Garrison.

## **1722 PLAN OF DEVELOPMENT AND LIGHTING PLAN**

1725  
POD2015-00482  
Graham Meadows Medical  
Office Building - 12129  
Graham Meadows Drive

**Willmark Engineering for Graham Meadows Investors, LLC:** Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 2-story, 35,100 square foot medical office building. The 2.71-acre site is located on the north line of Graham Meadows Drive, approximately 380 feet west of its intersection with N. Gayton Road, on parcels 732-763-5470 and 732-763-8362. The zoning is O-2C, Office District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. (Three Chopt)

1725 Mr. Witte - Is there any opposition to POD2015-00482, Willmark  
1726 Engineering for Graham Meadows Investors, LLC? Mr. Garrison.

1727  
1728 Mr. Garrison - Good morning. The applicant is requesting approval to  
1729 construct a two-story, 35,000-square-foot medical office building and lighting plan. The  
1730 elevations and site plans submitted match the proffered exhibits submitted with REZ2015-  
1731 00017.

1732  
1733 The light plan proposes 20-foot-tall LED fixtures and meets the height requirement as  
1734 required by condition #9 of the same rezoning case. The applicant is proposing an  
1735 entrance 162-1/2 feet from Nuckols Farm Elementary School. Per Section 24-98 of the  
1736 zoning ordinance, no vehicular entrance or exits shall be within 200 feet of the same side  
1737 of the street and in the same block of the premises of any school unless a request to  
1738 reduce the distance requirement is jointly approved by the County engineer, the Chief of  
1739 Police, and the Director of Planning. A waiver request has been reviewed and approved  
1740 for this entrance.

1741  
1742 I would like to note that condition #29 is not necessary. No right-of-way dedication is  
1743 required, so you will remove that from your motion.

1744  
1745 With this, staff can recommend approval subject to the standard conditions for  
1746 developments of this type, the annotations on the plan, and added conditions 11B, and 30  
1747 through 31.

1748  
1749 Any questions? I am available to answer them, and the applicant is available as well.

1750  
1751 Mr. Witte - Any questions by the Commission?

1752  
1753 Mr. Branin - I have none of staff, but I'd like to talk to the applicant.

1754  
1755 Mr. Witte - Would the applicant come forward, please.

1756  
1757 Mr. Branin - Go back to the rendering. Thank you.

1758  
1759 Mr. Williams - Good morning. Mark Williams with Willmark Engineering. I'm  
1760 the site engineer.

1761  
1762 Mr. Branin - Hello, Mark. How are you? If this is approved, when are you  
1763 guys looking to kick off?

1764  
1765 Mr. Lanphear - Good morning, my name is Rob Lanphear. I'm with Grand  
1766 Meadows Investors, LLC. We anticipate that construction would start in the late spring, if  
1767 this is approved.

1768  
1769 Mr. Branin - There's going to be a lot going on in the spring, so you need to  
1770 be very cognizant of the neighborhood. We don't need any issues with construction—

- 1771 backup construction traffic and so forth. Okay? What do you consider your architectural  
1772 theme here?
- 1773
- 1774 Mr. Lanphear - We have worked with staff, and we have used architecture  
1775 that's consistent with the Strange's on the corner of Broad. And also—
- 1776
- 1777 Mr. Branin - What style would you consider that, Colonial?
- 1778
- 1779 Mr. Lanphear - Colonial, yes sir.
- 1780
- 1781 Mr. Branin - Okay, thank you. That's all I need. Just won't let a lying dog lie.  
1782 I have nothing further.
- 1783
- 1784 Mr. Witte - All right.
- 1785
- 1786 Mr. Branin - Okay. Mr. Chairman, I would like to move that POD2015-  
1787 00482, Willmark Engineering for Graham Meadows Investors, LLC—did you ask if there  
1788 was any opposition?
- 1789
- 1790 Mr. Leabough - He did.
- 1791
- 1792 Mr. Branin - And there wasn't. Okay.
- 1793
- 1794 Mr. Witte - Was that included in your motion?
- 1795
- 1796 Mr. Branin - No. Office building, 1219 Grand Meadows Drive, be approved  
1797 subject to the annotations on the plan, standard conditions for a development of this type,  
1798 11B, and 29 through 31, and the developer's understanding of sensitivity to the  
1799 neighborhood.
- 1800
- 1801 Mr. Archer - Mr. Branin, I'll take the opportunity to second your last motion.
- 1802
- 1803 Ms. Jones - Aren't you taking 29 out?
- 1804
- 1805 Mr. Branin - Am I taking 29—
- 1806
- 1807 Mr. Garrison - Twenty-nine out, yes. There is no right-of-way dedication.
- 1808
- 1809 Mr. Branin - Okay. 11B, 30, and 31. Mr. Archer?
- 1810
- 1811 Mr. Archer - I still second your last motion.
- 1812
- 1813 Mr. Branin - Thank you, sir.
- 1814
- 1815 Mr. Witte - We have a motion by Mr. Branin, a second by Mr. Archer. All  
1816 in favor say aye. Opposed? The motion passes.

1817  
1818 The Planning Commission approved the POD and lighting plan for POD2015-00482,  
1819 Willmark Engineering for Graham Meadows Investors, LLC, subject to the annotations on  
1820 the plans, the standard conditions attached to these minutes for developments of this type,  
1821 and the following additional conditions:

- 1822
- 1823 11B. Prior to the approval of an electrical permit application and installation of the site  
1824 lighting equipment, a plan including light spread and intensity diagrams, and fixture  
1825 specifications and mounting heights details shall be revised as annotated on the  
1826 staff plan and included with the construction plans for final signature.
- 1827 29. 30. The proffers approved as a part of zoning case REZ2015-00017 shall be  
1828 incorporated in this approval.
- 1829 30. 31. The location of all existing and proposed utility and mechanical equipment  
1830 (including HVAC units, electric meters, junctions and accessory boxes,  
1831 transformers, and generators) shall be identified on the landscape plan. All building  
1832 mounted equipment shall be painted to match the building, and all equipment shall  
1833 be screened by such measures as determined appropriate by the Director of  
1834 Planning or the Planning Commission at the time of plan approval.

1835  
1836 Mr. Emerson - Mr. Chairman, we now move on to the final item on your  
1837 agenda—or the next to the final item on your agenda, which is the consideration of the  
1838 approval of your minutes from your November 18th meeting. There is an errata sheet that  
1839 you were provided containing the corrections that we had received prior to the meeting.

1840  
1841 APPROVAL OF MINUTES: November 18, 2015

1842  
1843 Mr. Leabough - I move for approval of the minutes as corrected.

1844  
1845 Mr. Archer - Second.

1846  
1847 Mr. Witte - We have a motion by Mr. Leabough, second by Mr. Archer. All  
1848 in favor say aye. Opposed?

1849  
1850 The Planning Commission approved the November 18, 2015 minutes as corrected.

1851  
1852 Mr. Branin - Can I have two seconds?

1853  
1854 Mr. Leabough - One, two.

1855  
1856 Mr. Witte - Go.

1857  
1858 Mr. Branin - Okay. I'd like to thank my Commissioners for giving me the  
1859 opportunity to serve with you for the past ten years. It's been an honor.

- 1861 Mr. Archer - Mr. Branin, I would like to say that it has been an honor serving  
1862 with you, sir, and a pleasure. And I wish you well in your next endeavor. I trust you'll do  
1863 well.
- 1864
- 1865 Mr. Branin - And I'm sure in the next four years I'll have an opportunity to  
1866 come back home.
- 1867
- 1868 Mr. Archer - Just don't vote.
- 1869
- 1870 Mr. Emerson - It may take five years, but anyway.
- 1871
- 1872 Ms. Jones - Mr. Branin, we were brought onto the Commission at the same  
1873 time, I can remember. And I can remember many things about that first year, trying to  
1874 figure out exactly how all this worked. But I will tell you, your opinions have been respected  
1875 and well received over the years, and I know you'll make a great supervisor. We'll just be  
1876 sorry not to have you with us twice a month here. Good luck.
- 1877
- 1878 Mr. Branin - Thank you.
- 1879
- 1880 Mr. Witte - I'd also like to thank Mrs. O'Bannon for her participation this  
1881 year. It's been very enlightening.
- 1882
- 1883 Mrs. O'Bannon - Yes, it has been very enlightening.
- 1884
- 1885 Mr. Witte - Thank you so much.
- 1886
- 1887 Mr. Leabough - She went out with a bang, by the way. I just want to thank  
1888 Mr. Branin and the rest of the Commission. I'm one of the newbies in the group, and I'm  
1889 still learning. But I've learned a lot from sitting beside Tommy. It's been a long year having  
1890 to keep him out of trouble, but I've done a fairly decent job of that. But no, I do appreciate  
1891 the comments that you make. I've learned a lot from how you handle your cases and how  
1892 you make sure that the community and the citizens of the County are first and foremost in  
1893 the decisions that you make. I wish you well as a Board member; I know you'll do good.  
1894 Feel free to come back and join us on Wednesdays and Thursdays.
- 1895
- 1896 Mr. Branin - And your Supervisor is elated that he's not the rookie anymore.
- 1897
- 1898 Mr. Archer - Mr. Chairman, before you close, let me wish you and the staff  
1899 and my fellow Commissioners a very joyous holiday season and a happy new year and  
1900 congratulate you, sir, on a job well done.
- 1901
- 1902 Mr. Witte - Thank you. I second that. Have a safe holiday season as well.  
1903 It's been an experience, and the staff has gone way overboard to help me, and I appreciate  
1904 it. As well as the Commission.
- 1905

- 1906 Mr. Emerson - I was just going to say, Mr. Chairman, on behalf of the staff I'd  
1907 like to wish the Commission Merry Christmas, happy new year, and also thank Mr. Branin  
1908 for his service. It's been a real pleasure working with him over the last decade, and it's  
1909 been a great year with the Commission. I think you got a lot of good work done. And we  
1910 have quite a year in front of us. With that I have nothing further for the Commission.
- 1911
- 1912 Mr. Leabough - Before we forget, I'd also like to thank staff as well as our  
1913 friends that are here with us in the back as well as outside the door. We do appreciate  
1914 everything you all do to make these meetings orderly and successful. So we thank  
1915 everyone and we hope you have a good holiday season.
- 1916
- 1917 Ms. Jones - Hear, hear.
- 1918
- 1919 Mr. Witte - All right. Do we have a motion?
- 1920
- 1921 Ms. Jones - So moved.
- 1922
- 1923 Mr. Archer - Second.
- 1924
- 1925
- 1926
- 1927
- 1928 Mr. Witte - Thank you everyone.
- 1929
- 1930
- 1931
- 1932
- 1933 Mr. Robert H. Witte, Jr., Chairman
- 1934
- 1935
- 1936
- 1937
- 1938 Mr. Joseph Emerson, Jr., Secretary
- 1939