

1 Minutes of the Planning Commission of the County of Henrico, Virginia, held in the
2 County Manager’s Conference Room of the County Administration Building, Parham and
3 Hungary Spring Roads at 9:00 a.m., February 25, 2004.

4
5 Members Present: Mrs. Lisa D. Ware, C.P.C., Chairperson, Tuckahoe
6 Mr. Ernest B. Vanarsdall, C.P.C., Vice-Chairperson,
7 Brookland
8 Mr. C. W. Archer, C.P.C., Fairfield
9 Mr. John Marshall, Three Chopt
10 Mr. E. Ray Jernigan, C.P.C., Varina
11 Mr. James B. Donati, Jr., Board of Supervisors, Varina
12

13 Others Present: Mr. Randall R. Silber, Assistant Director of Planning,
14 Secretary
15 Mr. David D. O’Kelly, Jr., Principal Planner
16 Mr. Ralph J. Emerson, Principal Planner
17 Mr. Mark Bittner, County Planner
18 Ms. Leslie A. News, CLA, County Planner
19 Mr. James P. Strauss, CLA, County Planner
20 Mr. E. J. “Ted” McGarry, III, County Planner
21 Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner
22 Mr. Michael F. Kennedy, County Planner
23 Ms. Christina L. Goggin, AICP, County Planner
24 Mr. Michael P. Cooper, County Planner
25 Mr. Michael Jennings, Assistant Traffic Engineer
26 Mr. Al Hicks, County Design Engineer
27 Ms. Diana Carver, Recording Secretary
28

29 Mrs. Ware - Welcome to the meeting for review of plan of development.
30 Good morning. I will turn the meeting over to Mr. Silber, our Secretary.
31

32 Mr. Silber- Thank you, Madam Chairperson. We do have all of the
33 Commissioners present today. We do have a quorum and we can conduct business.
34 Good morning. The first item on the agenda is to handle the deferrals and withdrawals.
35 We do have a few deferrals and Mr. O’Kelly will review those with us.
36

37 Mr. O’Kelly - Good morning, Mr. Secretary and Madam Chairman, members
38 of the Commission. This morning we have three requests for deferrals and
39 withdrawals, the first being on Page 4 of your agenda. It is a transfer of approval.
40

40 **TRANSFER OF APPROVAL**

41

POD-10-88
North Court @ Innsbrook

John F. McIntyre for 5030 Sadler Place, LLC and 5040 Sadler Place, LLC: Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code from Sadler Place, LLC and Financial Enterprises III, LLC to 5030 Sadler Place, LLL and 5040 Sadler Place, LLC. The 1.685-acre site is located at the southwest corner of the intersection of Nuckols Road and Cox Road on parcels 750-766-8562 and 9480. The zoning is O-2C, Office District (Conditional). County water and sewer. **(Three Chopt)**

42

43 Mr. O’Kelly -
44 meeting.

The applicant requests a deferral to your March 24, 2004

45

46 Mrs. Ware -
47 opposition.

Is there any opposition to the deferral of this case? No

48

49 Mr. Marshall -

Madam Chairman, I move that transfer of approval POD-10-88 be deferred to the March 24, 2004 meeting at the applicant’s request.

50

51 Mr. Archer -

Motion made by Mr. Marshall and seconded by Mr. Archer. All in favor say aye. All opposed say no. The motion passes.

52

53 At the request of the applicant, the Planning Commission deferred Transfer of
54 Approval for POD-10-88, North Court @ Innsbrook to its meeting on March 24, 2004.

55

56 **PLAN OF DEVELOPMENT & MASTER PLAN**

57

58 POD-14-04
59 Gaskins Professional Offices
- Gaskins & Three Chopt
Roads

Balzer & Associates, Inc. for Kathermann & Company, Inc.: 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 one-story 5,760 square foot office building and a master plan for seven future buildings totaling 43,507 square feet in a proposed office park. The 6.81-acre site is located at the southwest corner of Gaskins Road and Three Chopt Road on parcel 749-754-5736. The zoning is O-2C, Office District (Conditional). County water and sewer. **(Tuckahoe)**

60

61 Mr. O’Kelly - The applicant requests a deferral to your March 24, 2004
62 meeting.

63 Mrs. Ware - Is there any opposition to the deferral of this case? No
64 opposition. Then I move that POD-14-04, Gaskins Professional Offices, be deferred to
65 the March 24, 2004 meeting at the applicant’s request.

66
67 Mr. Vanarsdall - Second.

68
69 Mrs. Ware - Motion made by Mrs. Ware and seconded by Mr. Vanarsdall.
70 All in favor say aye. All opposed say no. The motion passes.

71
72 At the request of the applicant, the Planning Commission deferred Plan of Development
73 and Master Plan for POD-14-04, Gaskins Professional Offices – Gaskins and Three
74 Chopt Road, to its meeting on March 24, 2004.

75
76 **SUBDIVISION (Deferred from the January 28, 2004, Meeting)**
77

Dorey Mill
(December 2003 Plan)

**Engineering Design Associates for Pruitt Properties,
Inc. and Loftis Real Estate & Development, Inc.:**
The 220.53 acre site proposed for a subdivision of 134
single-family homes is centered between Charles City
and Darbytown Roads and Gill Dale Park and Yahley
Mill Road on parcels 840-692-7093; 836-695-0386;
837-695-5661 and 837-693-5764. The zoning is A-1,
Agricultural District. Individual well and Septic
Tank/Drainfield. **(Varina) 134 Lots**

78
79 Mr. O’Kelly - The applicant requests deferral until the Commissions April 21
80 meeting.

81
82 Mrs. Ware - Is there any opposition to the deferral of this case?

83
84 Mr. Jernigan - Madam Chairman, I move for deferral of subdivision case Dorey
85 Mill (December 2003 Plan), to April 21, 2004, by request of the applicant.

86
87 Mr. Vanarsdall - Second.

88
89 Mrs. Ware - Motion made by Mr. Jernigan and seconded by Mr. Vanarsdall.
90 All in favor say aye. All opposed say no. The motion passes.

91
92 At the request of the applicant, the Planning Commission deferred Dorey Mill
93 Subdivision (December 2003 Plan) to its meeting on April 21, 2004.

94

95 Mr. Silber - Next on the agenda would be the expedited items. These are
96 cases that we placed on the Planning Commission's agenda as consent or expedited
97 items. These are items that the staff has no remaining issues on. We know of no
98 outstanding issues or any opposition. The Planning Commissioner from the district is
99 comfortable with the plan for the case, so they are placed on the expedited agenda. It
100 doesn't require the standard review or hearing process. If there is opposition on the
101 expedited items, they will be pulled from the expedited agenda and placed on the
102 normal agenda in its normal order. We do have a number of expedited items this
103 morning. Mr. O'Kelly, if you can run through those for us, please.
104

105 Mr. Marshall - I have two deferrals that I would like to do. Do you want me to
106 do those before the expedited begins?
107

108 Mr. Silber - Yes, let's do. Please.
109

110 **PLAN OF DEVELOPMENT & MASTER PLAN**

111

112 113 114 115 116 117	POD-21-04 Bowl America @ Downtown Short Pump	Jordan Consulting Engineers for Short Pump Mini Storage Associates, LC and Bowl America, Inc.: 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 one-story, 35,165 square foot, 40-lane bowling alley addition to the Downtown Short Pump shopping center. The 3.61- acre site is located on the southwest corner of Pouncey Tract Road and I-64 on parcel 739-763-7376. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. (Three Chopt)
--	--	--

112
113 Mr. Marshall - Madam Chairman, I am going to request that POD-21-04 be
114 deferred to the March 11, 2004 meeting at my request.
115

116 Mr. Vanarsdall - Second.
117

118 Mrs. Ware - Motion made by Mr. Marshall and seconded by Mr. Vanarsdall.
119 All in favor say aye. All opposed say no. Is there any opposition to the deferral? No
120 opposition. The motion passes.
121

122 The Planning Commission deferred POD-21-04, Bowl America @ Downtown Short
123 Pump to its meeting on March 11, 2004.
124

124 Deferred from the February 12, 2004 Meeting:
125 **C-10C-04 Ukrop's Super Market, Inc.:** Request to conditionally rezone from B-
126 2C Business District (Conditional) and O/SC Office Service District (Conditional) to B-
127 2C Business District (Conditional), Parcels 746-773-8345 and 747-773-2781, containing
128 approximately 14.943 acres, located on the east line of Nuckols Road between Twin
129 Hickory Road and Wyndham Forest Drive. A grocery store and other retail uses are
130 proposed. The use will be controlled by proffered conditions and zoning ordinance
131 regulations. The Land Use Plan recommends Commercial Concentration,
132 Office/Service and Environmental Protection Area.
133

134 Mr. Marshall - I am going to make a motion to defer Case C-10C-04 to the May
135 26, 2004 meeting.
136

137 Mr. Vanarsdall - Second.
138

139 Mrs. Ware - Is there any opposition to the deferral of this case? This is a
140 rezoning case.
141

142 Person in Audience - Would you explain to me why you are deferring it?
143

144 Mr. Marshall - Yes, I will. In light of the actions by the Board of Supervisors
145 last night to make a study due to the traffic problems in the Northwest Quadrant and the
146 Board of Supervisors wants to study the issue as to what is going to be done about that.
147 In light of those actions by the Board of Supervisors, I am going to defer this case
148 because it is in that quadrant until May 26, 2004.
149

150 Mr. Silber - For the record, this is Zoning Case C-10C-04. I am sorry. I did
151 not get the second on that.
152

153 Mr. Vanarsdall - Second.
154

155 Mrs. Ware - Motion made by Mr. Marshall and seconded by Mr. Vanarsdall.
156 All in favor say aye. All opposed say no. The motion passes.
157

158 The Planning Commission deferred Case C-10C-04, Ukrop's Super Market, Inc., to its
159 meeting on May 26, 2004.
160

161 Mrs. Ware - Now we will move on to the expedited agenda.
162

163 Mr. O'Kelly - Yes, we have 10 requests for expedited approval this morning.
164 The first is on Page 3 of your agenda.
165

165 **TRANSFER OF APPROVAL**
166

POD-14-82 **Beverly Levi:** Request for approval of a transfer of Blessings for You Child Care approval, as required by Chapter 24, Section 24-106 of Center (Formerly Smith the Henrico County Code from Wayne R. Smith to Office Building) Beverly Levi. The .88-acre site is located at 5405 5905 Brook Road Brook Road (U.S. Route 1) on the east line of Brook Road, approximately 700 feet south of Hilliard Road on parcel 785-749-1943. The zoning is B-3, Business District. County water and sewer. **(Fairfield)**

167
168 Mrs. Ware - Is there any opposition to hearing this POD on the expedited
169 agenda? No opposition.

170
171 Mr. Archer- Madam Chairman, I move approval of Transfer of Approval,
172 POD-14-82, subject to the staff's recommendations and condition No.1 that is on the
173 agenda.

174
175 Mr. Jernigan - Second.

176
177 Mrs. Ware - Motion made by Mr. Archer and seconded by Mr. Jernigan. All
178 in favor say aye. All opposed say no. The motion passes.

179
180 The Planning Commission approved Transfer of Approval for POD-14-82, Blessings
181 for You Child Care Center (Formerly Smith Office Building) 5905 Brook Road, subject
182 to the new owner accepting and agreeing to be responsible for continued compliance
183 with the conditions of the original approval and the following condition:

- 184
185 1. The site deficiencies as identified in the inspection report dated **February 13,**
186 **2004**, shall be corrected before issuance of a new certificate of occupancy.

187
188 **TRANSFER OF APPROVAL**
189

POD-53-99 94 **McKinney & Company for John K. Lim:** Request for approval of a transfer of approval, as required by Ruby Red Plaza for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County (Formerly Heilig Myers) Code from E.D.C. to John K. Lim. The 2.55-acre site is located on the north line of Nine Mile Road (State 5116 Nine Mile Road Route 33) at 5118 Nine Mile Road, approximately 600 feet east of Cedar Fork Road on parcel 812-724-5887. The zoning is B-2, Business District. County water and sewer. **(Fairfield)**

190
191 Mr. O'Kelly - Staff recommends approval.

192
193 Mrs. Ware - Is there any opposition to hearing this case on the expedited
194 agenda? No opposition. Mr. Archer.

195
196 Mr. Archer - Madam Chairman, I move approval of this transfer POD-53-94,
197 subject to the staff's recommendation and Condition No. 1.

198
199 Mr. Vanarsdall - Second.

200
201 Mrs. Ware - Motion made by Mr. Archer and seconded by Mr. Vanarsdall.
202 All in favor say aye. All opposed say no. The motion passes.

203
204 The Planning Commission approved Transfer of Approval for POD-53-94, Ruby Red
205 Plaza (Formerly Heilig Meyers) 5116 Nine Mile Road, subject to the new owner
206 accepting and agreeing to be responsible for continued compliance with the conditions
207 of the original approval and the following additional condition:

208
209 1. The site deficiencies as identified in the inspection report dated **February 13,**
210 **2004**, shall be corrected by **May 14, 2004**.

211
212 **PLAN OF DEVELOPMENT**

213
POD-7-04 **Youngblood, Tyler & Associates, P. C. for HHHunt**
Park Commons – Phase 2 – **Corporation:** Request for approval of a plan of
Hickory Bend Drive development, as required by Chapter 24, Section 24-106
of the Henrico County Code, to construct 17 detached
condominium units. The 4.9-acre site is located on the
east line of Hickory Bend Drive between Twin Hickory
Road and proposed Hickory Park Drive on part of
parcels 747-771-2430 and 745-770-0962. The zoning is
R-6C, General Residence District (Conditional). County
water and sewer. **(Three Chopt)**

214
215 Mr. O'Kelly - There is a revised recommendation on the Planning
216 Commission's Addendum to the Agenda. Staff recommends approval.

217
218 Mrs. Ware - Is there any opposition to this case on the expedited agenda? No
219 opposition. Mr. Marshall.

220
221 Mr. Marshall- Madam Chairman, I move approval of POD-7-04, subject to the
222 staff's recommendations and Conditions Nos. 23 through 34, and the amended
223 Condition which does not have a number.

224

225 Mr. Silber - Actually, I don't think it is a condition. Is it, Mr. O'Kelly? I
226 believe it a revised recommendation.

227
228 Mr. O'Kelly - It is a revised recommendation.

229
230 Mr. Marshall - With the revised recommendation.

231
232 Mr. Vanarsdall - Second.

233
234 Mr. Silber - So it is going to be Nos. 23 through 34.

235
236 Mrs. Ware - Motion made by Mr. Marshall and seconded by Mr. Vanarsdall.
237 All in favor say aye. All opposed say no. The motion passes.

238
239 The Planning Commission approved POD-7-04, Park Commons – Phase 2, Hickory
240 Bend Drive, subject to the revised plan which addresses parking setback from Twin
241 Hickory Road, the annotations on the plans, the standard conditions for developments
242 of this type, and the following additional conditions:

- 243
244 23. The unit house numbers shall be visible from the parking areas and drives.
245 24. The names of streets, drives, courts and parking areas shall be approved by the
246 Richmond Regional Planning District Commission and such names shall be
247 included on the construction plans prior to their approval. The standard street
248 name signs shall be ordered from the County and installed prior to any occupancy
249 permit approval.
250 25. The easements for drainage and utilities as shown on approved plans shall be
251 granted to the County in a form acceptable to the County Attorney prior to any
252 occupancy permits being issued. The easement plats and any other required
253 information shall be submitted to the County Real Property Agent at least sixty
254 (60) days prior to requesting occupancy permits.
255 26. The limits and elevations of the 100-year frequency flood shall be conspicuously
256 noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated
257 100-year floodplain must be labeled "Variable Width Drainage and Utility
258 Easement." The easement shall be granted to the County prior to the issuance of
259 any occupancy permits.
260 27. The developer shall provide fire hydrants as required by the Department of
261 Public Utilities and Division of Fire.
262 28. The right-of-way for widening of Hickory Park Drive as shown on approved
263 plans shall be dedicated to the County prior to any occupancy permits being
264 issued. The right-of-way dedication plat and any other required information
265 shall be submitted to the County Real Property Agent at least sixty (60) days
266 prior to requesting occupancy permits.
267 29. The proffers approved as a part of zoning case C-13C-02 shall be incorporated
268 in this approval.

- 269 30. Any necessary off-site drainage and/or water and sewer easements must be
270 obtained in a form acceptable to the County Attorney prior to final approval of
271 the construction plans.
- 272 31. Deviations from County standards for pavement, curb or curb and gutter design
273 shall be approved by the County Engineer prior to final approval of the
274 construction plans by the Department of Public Works.
- 275 32. The pavement shall be of an SM-2A type and shall be constructed in accordance
276 with County standard and specifications. The developer shall post a defect bond
277 for all pavement with the Planning Office - the exact type, amount and
278 implementation shall be determined by the Director of Planning, to protect the
279 interest of the members of the Homeowners Association. The bond shall
280 become effective as of the date that the Homeowners Association assumes
281 responsibility for the common areas.
- 282 33. Insurance Services Office (ISO) calculations must be included with the plans and
283 contracts and must be approved by the Department of Public Utilities prior to
284 the issuance of a building permit.
- 285 34. Approval of the construction plans by the Department of Public Works does not
286 establish the curb and gutter elevations along the Henrico County maintained
287 right-of-way. The elevations will be set by Henrico County.

288
289
290

PLAN OF DEVELOPMENT

POD-8-04 **Hulcher & Associates, Inc. for Saed Jarvandi:**
Quioccasin Office Building - Request for approval of a plan of development, as
9307 Quioccasin Road required by Chapter 24, Section 24-106 of the Henrico
 County Code, to construct a one-story, 4,800 square
 foot medical office building. The .940-acre site is
 located on the south line of Quioccasin Road (State
 Route 157) approximately 200 feet east of Shane Road
 on parcel 749-745-5489. The zoning is O-2, Office
 District. County water and sewer. **(Tuckahoe)**

291

292 Mr. O’Kelly - Staff recommends approval.

293

294 Mrs. Ware - Is there any opposition to this case being on the expedited
295 agenda? No opposition. I move for approval of POD-8-04, subject to the annotations
296 on the plans, the standard conditions for developments of this type, and the following
297 additional conditions Nos. 23 through 38.

298

299 Mr. Vanarsdall - Second.

300

301 Mrs. Ware - Motion made by Mrs. Ware and seconded by Mr. Vanarsdall.
302 All in favor say aye. All opposed say no. The motion passes.

303

304 The Planning Commission approved POD-8-04, Quioccasin Office Building, 9307
305 Quioccasin Road, subject to the annotations on the plans, the standard conditions for
306 developments of this type and the following additional conditions:
307

- 308 23. The right-of-way for widening of Quioccasin Road as shown on approved plans
309 shall be dedicated to the County prior to any occupancy permits being issued.
310 The right-of-way dedication plat and any other required information shall be
311 submitted to the County Real Property Agent at least sixty (60) days prior to
312 requesting occupancy permits.
- 313 24. The easements for drainage and utilities as shown on approved plans shall be
314 granted to the County in a form acceptable to the County Attorney prior to any
315 occupancy permits being issued. The easement plats and any other required
316 information shall be submitted to the County Real Property Agent at least sixty
317 (60) days prior to requesting occupancy permits.
- 318 25. The entrances and drainage facilities on Pemberton Road (State Route 157) shall
319 be approved by the Virginia Department of Transportation and the County.
- 320 26. A notice of completion form, certifying that the requirements of the Virginia
321 Department of Transportation entrances permit have been completed, shall be
322 submitted to the Planning Office prior to any occupancy permits being issued.
- 323 27. The developer shall provide fire hydrants as required by the Department of
324 Public Utilities and Division of Fire.
- 325 28. A standard concrete sidewalk shall be provided along the south side of
326 Quioccasin Road.
- 327 29. Outside storage shall not be permitted.
- 328 30. The certification of building permits, occupancy permits and change of
329 occupancy permits for individual units shall be based on the number of parking
330 spaces required for the proposed uses and the amount of parking available
331 according to approved plans.
- 332 31. Any necessary off-site drainage and/or water and sewer easements must be
333 obtained in a form acceptable to the County Attorney prior to final approval of
334 the construction plans.
- 335 32. Deviations from County standards for pavement, curb or curb and gutter design
336 shall be approved by the County Engineer prior to final approval of the
337 construction plans by the Department of Public Works.
- 338 33. Storm water retention, based on the 50-10 concept, shall be incorporated into
339 the drainage plans.
- 340 34. Insurance Services Office (ISO) calculations must be included with the plans and
341 contracts and must be approved by the Department of Public Utilities prior to
342 the issuance of a building permit.
- 343 35. Approval of the construction plans by the Department of Public Works does not
344 establish the curb and gutter elevations along the Henrico County maintained
345 right-of-way. The elevations will be set by Henrico County.
- 346 36. Approval of the construction plans by the Department of Public Works does not
347 establish the curb and gutter elevations along the Virginia Department of

348 Transportation maintained right-of-way. The elevations will be set by the
349 contractor and approved by the Virginia Department of Transportation.
350 37. Evidence of a joint ingress/egress and maintenance agreement must be submitted
351 to the Planning Office and approved prior to issuance of a certificate of
352 occupancy for this development.
353 38. The location of all existing and proposed utility and mechanical equipment
354 (including HVAC units, electric meters, junction and accessory boxes,
355 transformers, and generators) shall be identified on the landscape plans. All
356 equipment shall be screened by such measures as determined appropriate by the
357 Director of Planning or the Planning Commission at the time of plan approval.
358

359 **PLAN OF DEVELOPMENT**
360

361 362 363 364 365 366 367 368 369 370	POD-9-04 Stratford Manor Addition- Hilliard Road (POD-18-92 and POD-90-86 Revised)	Foster & Miller, P.C. for Stewall Corporation: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct two one-story additions, totaling 7,339 square feet, to an existing nursing home facility. The 6.08-acre site is located at the southeast corner of the intersection of Hilliard Road and Hermitage Road on parcels 780-749-3330 and 4643. The zoning is R-6, General Residence District and R- 6C, General Residence District (Conditional). County water and sewer. (Fairfield)
--	--	---

361
362 Mr. O’Kelly - There is a revised recommendation on Page 1 of your Addendum.
363

364 Mrs. Ware - Is there any opposition to hearing this case on the expedited
365 agenda? No opposition. Mr. Archer.
366

367 Mr. Archer - Madam Chairman, I move approval of POD-9-04, Stratford
368 Manor Addition – Hilliard Road, subject to the staff’s revised recommendation in the
369 addendum and the conditions on the original agenda, Nos. 23 through 30.
370

371 Mr. O’Kelly - There is, I believe, someone here who may have a question about
372 this case.
373

374 Mrs. Ware - I am sorry. I did not see your hand.
375

376 Mr. O’Kelly - We can come back to this case and go on to the next one.
377

378 **THIS CASE WAS PASSED OVER AND CONTINUES ON PAGE 20**
379

379 **PLAN OF DEVELOPMENT**

380

POD-10-04
McGeorge Toyota –
9319 W. Broad Street

VHB for Rod McGeorge: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story, 63,922 square foot automobile sales and service building with roof top parking. The 9.86-acre site is located on the south line of W. Broad Street (U.S. Route 250) approximately 780 feet west of Tuckernuck Drive on parcel 756-756-8050. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Three Chopt)**

381

382 Mr. O’Kelly - There is a revised recommendation on the Commission’s
383 Addendum on Page 2.

384

385 Mrs. Ware - Is there any opposition to hearing this case on the expedited
386 agenda? No opposition.

387

388 Mr. Marshall - Madam Chairman, I move approval of POD-10-04, McGeorge
389 Toyota, with the staff’s recommendations, annotations on the plans, standard conditions
390 for developments of this type and additional conditions Nos. 23 through 40, and in
391 addition the staff’s revised recommendations in the Addendum.

392

393 Mr. Vanarsdall - Second.

394

395 Mr. Silber - Mr. O’Kelly, can you review with us. The Addendum says you
396 are incorporating staff annotations on the plan. Can you let us know what those
397 annotations are?

398

399 Mr. O’Kelly - I think they had to do with the separation of the storage vehicle
400 storage area from the other parking layout.

401

402 Mr. Silber - Yes, so was that resolved?

403

404 Ms. Goggin - I am sorry. I am Christina Goggin, the Planner on the case.
405 Basically the revised plan just addressed staff’s annotations and made it prettier than the
406 way that I drew it, so there were no changes. They addressed our original comments.

407

408 Mr. Vanarsdall - What is the date of the plan?

409

410 Ms. Goggin - The date on the plan is February 20, 2004, and there is a colored
411 architectural attached to it.

412

413 Mr. Silber - And that is what the Commission has a copy of? OK. Thank
414 you.

415
416 Mrs. Ware - Motion made by Mr. Marshall and seconded by Mr. Vanarsdall.
417 All in favor say aye. All opposed say no. The motion passes.

418
419 The Planning Commission approved POD-10-04, McGeorge Toyota – 9319 W. Broad
420 Street, subject to the revised plan dated February 20, 2004, annotations on the plans,
421 the standard conditions for developments of this type and the following additional
422 conditions:

- 423
424 23. The right-of-way for widening of W. Broad Street (U.S. Route 250) as shown
425 on approved plans shall be dedicated to the County prior to any occupancy
426 permits being issued. The right-of-way dedication plat and any other required
427 information shall be submitted to the County Real Property Agent at least sixty
428 (60) days prior to requesting occupancy permits.
- 429 24. The easements for drainage and utilities as shown on approved plans shall be
430 granted to the County in a form acceptable to the County Attorney prior to any
431 occupancy permits being issued. The easement plats and any other required
432 information shall be submitted to the County Real Property Agent at least sixty
433 (60) days prior to requesting occupancy permits.
- 434 25. The entrances and drainage facilities on W. Broad Street (State Route 250) shall
435 be approved by the Virginia Department of Transportation and the County.
- 436 26. A notice of completion form, certifying that the requirements of the Virginia
437 Department of Transportation entrances permit have been completed, shall be
438 submitted to the Planning Office prior to any occupancy permits being issued.
- 439 27. The developer shall provide fire hydrants as required by the Department of
440 Public Utilities and Division of Fire.
- 441 28. A standard concrete sidewalk shall be provided along the south side of W.
442 Broad Street.
- 443 29. Outside storage shall not be permitted.
- 444 30. Employees shall be required to use the parking spaces provided at the rear of the
445 building(s) as shown on the approved plans.
- 446 31. The proffers approved as a part of zoning case C-32C-00 shall be incorporated
447 in this approval.
- 448 32. All repair work shall be conducted entirely within the enclosed building.
- 449 33. The certification of building permits, occupancy permits and change of
450 occupancy permits for individual units shall be based on the number of parking
451 spaces required for the proposed uses and the amount of parking available
452 according to approved plans.
- 453 34. Any necessary off-site drainage and/or water and sewer easements must be
454 obtained in a form acceptable to the County Attorney prior to final approval of
455 the construction plans.

- 456 35. Deviations from County standards for pavement, curb or curb and gutter design
457 shall be approved by the County Engineer prior to final approval of the
458 construction plans by the Department of Public Works.
- 459 36. The loading areas shall be subject to the requirements of Chapter 24, Section
460 24-97(b) of the Henrico County Code.
- 461 37. Storm water retention, based on the 50-10 concept, shall be incorporated into
462 the drainage plans.
- 463 38. Insurance Services Office (ISO) calculations must be included with the plans and
464 contracts and must be approved by the Department of Public Utilities prior to
465 the issuance of a building permit.
- 466 39. Evidence of a joint ingress/egress and maintenance agreement must be submitted
467 to the Planning Office and approved prior to issuance of a certificate of
468 occupancy for this development.
- 469 40. The location of all existing and proposed utility and mechanical equipment
470 (including HVAC units, electric meters, junction and accessory boxes,
471 transformers, and generators) shall be identified on the landscape plans. All
472 equipment shall be screened by such measures as determined appropriate by the
473 Director of Planning or the Planning Commission at the time of plan approval.
474
475

475 **PLAN OF DEVELOPMENT**
476

POD-11-04 **E. D. Lewis & Associates, P.C. for Grace Community**
Grace Community Baptist **Baptist Church:** Request for approval of a revised plan
Church (POD-118-95 Revised) of development, as required by Chapter 24, Section 24-
106 of the Henrico County Code, to construct a 6,720
square foot classroom building (Phase 1) and a parking
lot expansion (Phases 2 and 3). The 6.83-acre site is
located at the northwest intersection of Pump Road and
Burnside Lane on parcel 740-753-6225. The zoning is A-
1, Agricultural District. County water and sewer.
(Tuckahoe)

477
478 Mr. O’Kelly - Staff recommends approval.
479

480 Mrs. Ware - Is there any opposition to hearing this case on the expedited
481 agenda? OK. With that, I move for approval of POD-11-04, subject to the annotations
482 on the plans, the standard conditions for developments of this type, and the following
483 additional conditions Nos. 23 through 31.
484

485 Mr. Vanarsdall - Second.
486

487 Mrs. Ware - Motion made by Mrs. Ware and seconded by Mr. Vanarsdall.
488 All in favor say aye. All opposed say no. The motion passes.
489

490 The Planning Commission approved POD-11-04, Grace Community Baptist Church
491 (POD-118-95 Revised), subject to the annotations on the plans, the standard conditions
492 for developments of this type and the following additional conditions:
493

- 494 23. The easements for drainage and utilities as shown on approved plans shall be
495 granted to the County in a form acceptable to the County Attorney prior to any
496 occupancy permits being issued. The easement plats and any other required
497 information shall be submitted to the County Real Property Agent at least sixty
498 (60) days prior to requesting occupancy permits.
- 499 24. The developer shall provide fire hydrants as required by the Department of
500 Public Utilities and Division of Fire.
- 501 25. Outside storage shall not be permitted.
- 502 26. Deviations from County standards for pavement, curb or curb and gutter design
503 shall be approved by the County Engineer prior to final approval of the
504 construction plans by the Department of Public Works.
- 505 27. Insurance Services Office (ISO) calculations must be included with the plans and
506 contracts and must be approved by the Department of Public Utilities prior to
507 the issuance of a building permit.

- 508 28. The location of all existing and proposed utility and mechanical equipment
 509 (including HVAC units, electric meters, junction and accessory boxes,
 510 transformers, and generators) shall be identified on the landscape plans. All
 511 equipment shall be screened by such measures as determined appropriate by the
 512 Director of Planning or the Planning Commission at the time of plan approval.
- 513 29. The gravel parking lot adjacent to Burnside Lane shall be removed and the area
 514 seeded prior to the issuance of a Certificate of Occupancy for the Phase 1
 515 classroom building.
- 516 30. The Phase 2 parking lot expansion shall be constructed concurrent with the
 517 Phase 1 classroom building and completed prior to the issuance of a Certificate
 518 of Occupancy for the said building.
- 519 31. A bond shall be posted to cover the removal of the temporary classroom
 520 building prior to March 24, 2004.

521
 522 Mr. O’Kelly - The next case is on Page 20.

523
 524 **PLAN OF DEVELOPMENT**
 525

POD-16-04 Richmond Montessori School – Addition 499 N. Parham Road (POD-66-73, POD-19-75 and POD-83-96 Revised)	Carter Design for Richmond Montessori School: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story, 2,150 square foot classroom addition to the existing school building. The 5.80-acre site is located at 499 N. Parham Road approximately 500 feet north of the intersection of N. Parham Road and Bridgehampton Place on parcel 752- 737-6676. The zoning is R-3, One-Family Residence District. County water and sewer. (Tuckahoe)
--	--

526
 527 Mr. O’Kelly - There is a revised staff recommendation on Page 3 of the
 528 Addendum.

529
 530 Mrs. Ware - Is there any opposition to hearing this case on the expedited
 531 agenda? OK, with that I will move for approval of POD-16-04 subject to the standard
 532 conditions for developments of this type and the following additional conditions Nos.
 533 23 through 32 and the Addendum on Page 3.

534
 535 Mr. Vanarsdall - Second.

536
 537 Mrs. Ware - Motion made by Mrs. Ware and seconded by Mr. Vanarsdall.
 538 All in favor say aye. All opposed say no. The motion passes.

539
 540 The Planning Commission approved POD-16-04, Richmond Montessori School –
 541 Addition, 499 N. Parham Road (POD-66-73, POD-19-75 and POD-83-96 Revised),

542 subject to the changes made on the revised plan, the annotations on the plan, the
543 standard conditions for developments of this type and the following additional
544 conditions:

545

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

551 24. The limits and elevations of the 100-year frequency flood shall be conspicuously
552 noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated
553 100-year floodplain must be labeled "Variable Width Drainage and Utility
554 Easement." The easement shall be granted to the County prior to the issuance of
555 any occupancy permits.

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

558 26. All exterior lighting fixtures shall be designed and arranged so the source of
559 light is not visible from the roadways or adjacent residential properties. The
560 lighting shall be low intensity, residential in character, and the height or
561 standards shall not exceed 15 feet.

562 27. Any necessary off-site drainage and/or water and sewer easements must be
563 obtained in a form acceptable to the County Attorney prior to final approval of
564 the construction plans.

565 28. Deviations from County standards for pavement, curb or curb and gutter design
566 shall be approved by the County Engineer prior to final approval of the
567 construction plans by the Department of Public Works.

568 29. Insurance Services Office (ISO) calculations must be included with the plans and
569 contracts and must be approved by the Department of Public Utilities prior to
570 the issuance of a building permit.

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

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

576

577 (a) The site engineer shall conspicuously illustrate on the plan of
578 development or subdivision construction plan and the Erosion and
579 Sediment Control Plan, the limits of the areas to be cleared and the
580 methods of protecting the required buffer areas. The location of utility
581 lines, drainage structures and easements shall be shown.

582 (b) After the Erosion and Sediment Control Plan has been approved but
583 prior to any clearing or grading operations of the site, the owner shall
584 have the limits of clearing delineated with approved methods such as
585 flagging, silt fencing or temporary fencing.

- 586 (c) The site engineer shall certify in writing to the owner that the limits of
587 clearing have been staked in accordance with the approved plans. A
588 copy of this letter shall be sent to the Planning Office and the
589 Department of Public Works.
- 590 (d) The owner shall be responsible for the protection of the buffer areas and
591 for replanting and/or supplemental planting and other necessary
592 improvements to the buffer as may be appropriate or required to correct
593 problems. The details shall be included on the landscape plans for
594 approval.
- 595 32. The location of all existing and proposed utility and mechanical equipment
596 (including HVAC units, electric meters, junction and accessory boxes,
597 transformers, and generators) shall be identified on the landscape plans. All
598 equipment shall be screened by such measures as determined appropriate by the
599 Director of Planning or the Planning Commission at the time of plan approval.
600

601 **SUBDIVISION**
602

Lexington
(February 2004 Plan)

E. D. Lewis & Associates for Herbert E. Kennedy and Willbrook, LLC: The 10.03-acre site proposed for a subdivision of 27 single-family homes is located at 10801 Chicopee Road and the terminus of Lexington Farms Drive, approximately 145 feet east of the intersection with Brunson Way on part of parcel 752-763-1932 and 752-763-4795. The zoning is R-3C, One-Family Residence District (Conditional). County water and sewer. **(Three Chopt) 27 Lots**

603
604 Mrs. Ware - Is there any opposition to hearing this case on the expedited
605 agenda? No opposition. Mr. Marshall.
606

607 Mr. Marshall - Madam Chairman, I move approval of the Lexington Subdivision
608 subject to the annotations on the plans, the standard conditions for developments of this
609 type, and additional conditions Nos. 12 through 20.
610

611 Mr. Jernigan - Second.
612

613 Mrs. Ware - Motion made by Mr. Marshall and seconded by Mr. Jernigan.
614 All in favor say aye. All opposed say no. The motion passes.
615

616 The Planning Commission granted conditional approval to Lexington Subdivision
617 (February 2004 Plan), subject to the annotations on the plans, the standard conditions
618 for subdivisions served by public utilities, and the following additional conditions:
619

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

- 621 13. Detailed construction plans shall be submitted to the Planning Office before the
622 final plats are submitted for final approval.
- 623 14. A County standard sidewalk shall be constructed along the south side of
624 Lexington Farm Drive.
- 625 15. A plan shall be submitted prior to recordation of the plat showing the buildable
626 area for each lot to properly recognize the limitations for dwelling unit dimensions
627 and setbacks. Buildable area is that area within which a dwelling unit may legally
628 be located considering the front yard, side yard, and rear yard setback
629 requirements of Chapter 24, of the Henrico County Code.
- 630 16. Any necessary offsite drainage easements must be obtained prior to approval of
631 the construction plan by the Department of Public Works.
- 632 17. The proffers approved as part of zoning case C-61C-03 shall be incorporated in
633 his approval.
- 634 18. Prior to requesting the final approval, a draft of the covenants and deed
635 restrictions for the maintenance of the common area by a homeowners association
636 shall be submitted to the Planning Office for review. Such covenants and
637 restrictions shall be in form and substance satisfactory to the County Attorney and
638 shall be recorded prior to recordation of the subdivision plat.
- 639 19. Any future building lot containing a BMP, sediment basin or trap and located
640 within the buildable area for a principal structure or accessory structure, may be
641 developed with engineered fill. All material shall be deposited and compacted in
642 accordance with the Virginia Uniform Statewide Building Code and geotechnical
643 guidelines established by a professional engineer. A detailed engineering report
644 shall be submitted for the review and approval by the Building Official prior to
645 the issuance of a building permit on the affected lot. A copy of the report and
646 recommendations shall be furnished to the Directors of Planning and Public
647 Works.
- 648 20. The developer shall construct a pedestrian path and sidewalk from Lexington
649 Farms Drive to the sidewalk at Springfield Park Elementary School.

650

651 **LANDSCAPE PLAN – PHASE ONE**

652

LP/POD-78-02
Three Chopt Village –
Phase I - Three Chopt Road

Higgins & Gerstenmaier for Wilton Real Estate & Development Corporation: Request for approval of a phase one landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 32.6-acre site is located on the north line of Three Chopt Road approximately 1,400 feet west of Gaskins Road at 10700 Three Chopt Road on parcels 748-756-8078, 749-756-6440, 6859 and part of parcels 749-755-4576 and 6396. The zoning is R-6C, General Residence District (Conditional). **(Three Chopt)**

653

654 Mrs. Ware - Is there any opposition to hearing this case on the expedited
655 agenda? No opposition. Mr. Marshall.

656
657 Mr. Marshall - Madam Chairman, I move approval of landscape plan LP/POD-
658 78-02, Three Chopt Village – Phase I – Three Chopt Road, subject to the annotations
659 on the plan and the standard conditions for landscape plans.

660 Mr. Vanarsdall - Second.

661
662 Mrs. Ware- Motion made by Mr. Marshall, seconded by Mr. Vanarsdall. All
663 in favor say aye. All opposed say no. The motion passes.

664
665 The Planning Commission approved the Landscape Plan for Phase One for LP/POD-
666 78-02 Three Chopt Village – Phase I – Three Chopt Road, subject to the annotations on
667 the plan and the standard conditions for landscape plans.

668
669 **CONTINUED FROM PAGE 11 - THIS CASE WAS PASSED OVER EARLIER**
670 **IN THE MEETING**

671
672 **PLAN OF DEVELOPMENT**

673
POD-9-04 **Foster & Miller, P.C. for Stewall Corporation:**
Stratford Manor Addition- Request for approval of a plan of development as
Hilliard Road required by Chapter 24, Section 24-106 of the Henrico
(POD-18-92 and POD-90-86 County Code, to construct two one-story additions,
Revised) totaling 7,339 square feet, to an existing nursing home
facility. The 6.08-acre site is located at the southeast
corner of the intersection of Hilliard Road and
Hermitage Road on parcels 780-749-3330 and 4643.
The zoning is R-6, General Residence District and R-
6C, General Residence District (Conditional). County
water and sewer. **(Fairfield)**

674
675 Mr. O’Kelly - Madam Chairman, if we could return to Page 10 of your Agenda,
676 the Stratford Manor Addition – Hilliard Road, POD-9-04. Staff has met with the
677 neighbors who had questions and it is my understanding that if the Commission would
678 consider amending Condition No. 9 to bring the landscape plan back to the Commission
679 for approval that they would be satisfied this morning.

680
681 Mr. Vanarsdall - No 9 Amended.

682
683 Mr. O’Kelly - Yes.

684

685 Mr. Archer - All right. Then I will move approval of the plan as amended this
686 morning, the standard conditions for developments of this type and Conditions Nos. 9
687 Amended and 23 through 30.

688

689 Mr. Vanarsdall - Second.

690

691 Mrs. Ware - Motion made by Mr. Archer and seconded by Mr. Vanarsdall.
692 All in favor say aye. All opposed say no. The motion passes.

693

694 The Planning Commission approved POD-9-04, Stratford Manor Addition – Hilliard
695 Road (POD-18-92 and POD-90-86 Revised), subject to the standard conditions for
696 developments of this type and the following additional conditions:

697

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

701 23. The developer shall provide fire hydrants as required by the Department of
702 Public Utilities and Division of Fire.

703 24. The proffers approved as a part of zoning case C-40C-96 shall be incorporated
704 in this approval.

705 25. Any necessary off-site drainage and/or water and sewer easements must be
706 obtained in a form acceptable to the County Attorney prior to final approval of
707 the construction plans.

708 26. Deviations from County standards for pavement, curb or curb and gutter design
709 shall be approved by the County Engineer prior to final approval of the
710 construction plans by the Department of Public Works.

711 27. Storm water retention, based on the 50-10 concept, shall be incorporated into
712 the drainage plans.

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

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

719 30. The location of all existing and proposed utility and mechanical equipment
720 (including HVAC units, electric meters, junction and accessory boxes,
721 transformers, and generators) shall be identified on the landscape plans. All
722 equipment shall be screened by such measures as determined appropriate by the
723 Director of Planning or the Planning Commission at the time of plan approval.

724

725 Mr. Silber - That completes the expedited items this morning. Next on the agenda on
726 Page 1 is the Subdivision Extensions of Conditional Approval. We have one on the
727 agenda. This is simply for Planning Commission informational purposes only. This is

728 Stony Run Estates (February 2003 Plan) in the Varina District, 33 lots. This does not
729 require action by the Planning Commission. This will be extended administratively,
730 but we have this on the agenda for the Planning Commission's information.
731

731 SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL

732

733 **FOR INFORMATIONAL PURPOSES ONLY**

734

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended
Stony Run Estates (February 2003 Plan)	Varina	33	6	0	1 Year 2/23/05

735

736

737 **TUCKAHOE:**

738 Deferred from the February 12, 2004 Meeting:

739 **C-25C-03 Wilton Companies LLC:** Request to conditionally rezone from O-3C
 740 Office District (Conditional) to B-2C Business District (Conditional), part of Parcel
 741 737-751-4601, containing 3.9 acres, located at the northeast intersection of Ridgefield
 742 Parkway and John Rolfe Parkway right-of-way. Retail uses are proposed. The use will
 743 be controlled by proffered conditions and zoning ordinance regulations. The Land Use
 744 Plan recommends Office.

745

746 Mrs. Ware - Is there any opposition to this case? No opposition. Good
 747 morning, Mr. Bittner.

748

749 Mr. Bittner - Good morning. The retail development under consideration is
 750 shown on the colored portion of this drawing (referring to rendering). It is right at the
 751 corner of Ridgefield Parkway and John Rolfe Parkway. The applicant has also made an
 752 agreement with the Episcopal Diocese of Virginia that would allow development of a
 753 church behind the proposed retail development, on what is known as Parcel B, and that
 754 is the larger piece to the right of the colored area on this drawing. The proposed retail
 755 site is Parcel A, and it is vacant and designated office on the 2010 Land Use Plan.
 756 Staff would prefer development under the existing office zoning and Land Use Plan
 757 designation. However, the proposed business use could be acceptable because of the
 758 proposed church between it and the nearby residential neighborhood.

759

760 The applicant has recently submitted new proffers containing such items as a
 761 landscaped median next to the proposed pharmacy drive-thru; prohibition on funeral
 762 homes, changeable message signs and adult businesses; brick columns on the proposed
 763 pharmacy building; residential style architecture for any other buildings on the site; and
 764 a building size limitation of 23,500 square feet. The time limit for these proffers would
 765 not need to be waived to accept them. The applicant has also told us verbally that they
 766 are willing to proffer that there will be sidewalks on both Ridgefield Parkway and John
 767 Rolfe Parkway in front of this proposed retail site. Staff feels that we can work that
 768 language out between now and the Board of Supervisors.

769

770 The applicant may also wish to consider addressing another issue associated with this
771 case by limiting the hours of operation. That concludes my presentation. I'd be happy
772 to answer any questions that you may have.

773

774 Mrs. Ware - Are there any questions for Mr. Bittner?

775

776 Mr. Vanarsdall - Did you recommend approval?

777

778 Mr. Bittner - Yes, sir. We did.

779

780 Mr. Silber - Mr. Bittner, the landscape strip you referred to between
781 Ridgefield Parkway and the drive through, do we know how wide that would be?

782

783 Mr. Bittner - No. Not precisely.

784

785 Mr. Silber - But we understand that would be wide enough to provide
786 landscaping to screen the drive through?

787

788 Mr. Bittner - Yes. I don't know if you can see it on here, but Ridgefield
789 Parkway is on the bottom side of this drawing. The pharmacy is the larger building,
790 the bottom one. You can see between the building and the roadway is a strip. That
791 would be the landscape strip we are talking about. The idea is to have that landscape
792 area as well as the landscape area along the roadway frontage to act as a visual buffer
793 for the large blank wall that could be on that side of the building.

794

795 Mr. Silber - I think that is good. I think my concern is that typically a drive-
796 through is not on a visible side, such as proposed here with Ridgefield Parkway. So, I
797 think that landscaping is important. I just want to make sure that when the plan of
798 development comes in, it is, in fact, wide enough to be able to sustain substantially in
799 that strip, so we need to make sure that is the understanding of the applicant when they
800 come in with a plan of development.

801

802 Mrs. Ware - You say it is wide enough to (unintelligible)

803

804 Mr. Silber - Right. It needs to be adequate to sustain adequate plant material.

805

806 Mrs. Ware - Are there any more questions for Mr. Bittner? Thank you. We
807 will hear from the applicant now. Good morning.

808

809 Ms. Verna - Madam Chairman, Planning Commissioners, Mr. Donati, my
810 name is Sandra Verna and I am here today representing the Wilton Companies
811 concerning zoning case that has changed numerous times since last May to
812 accommodate the recommendations and concerns of the surrounding community, the
813 supervisor, the planning commissioner, and the planning staff. The current zoning on

814 the 11.3-acre parcel allows 180,000 sq. ft. of three-story office space. Our initial
815 request proposed a reduction to 60,000 sq. ft. of business and office uses on the 11.3-
816 acres. We have reduced that request to the corner of the site to 23,500 sq. ft. of
817 business uses on 3.9-acres and eliminated all business uses that would have an adverse
818 impact on the neighborhood. In addition, we have proffered building materials, height
819 limitations, architectural style, lighting, signage, and enhanced landscaping to ensure an
820 exceptionally high quality development. As you can see from the conceptual plan, the
821 development intensity is quite low and is heavily buffered from the surrounding
822 residential development. In fact, the proffered limitation of building area is
823 approximately 50% of the typical density. I quote from the staff report, "The proposed
824 business use could be acceptable if a church use were between it and the nearby
825 residential neighborhood. The remainder of the property, approximately 7.4 acres is
826 not being rezoned and is now under contract to be transferred to the Episcopal Diocese
827 of Richmond. We agree with the Planning staff that the proposed church use is one of
828 the least intensive uses, which will insure a good buffer to the neighborhood from our
829 cornered business. The church will be responsible for working with the neighborhood
830 during their process of its rezoning to insure a compatible neighbor. We trust you will
831 concur that this proposed rezoning provides the community with the best scenario for
832 the use of this property, and we respectfully request the Planning Commission to
833 approve this case. Before we take any questions, I would like to introduce Pastor Rick
834 Greenwood, who represents the Church. After that, Rich Johnson, Rodney Poole,
835 Hank Wilton from the Wilton Properties and I will be available to answer questions.
836 Pastor Greenwood.

837

838 Pastor Greenwood - Good morning, Madam Chairman, Mr. Donati, members of the
839 Planning Commission, folks. I wish to speak briefly to this issue, which I have been
840 closely observing for at least a year and a half now and have seen both sides, and in a
841 sense it seems to be two sides. Both the Planning folks for the County and Wilton folks
842 for Wilton Companies each has been struggling to come up with a best use plan, it
843 seems to me. We, as representatives of the Episcopal Diocese of Virginia and St.
844 Claire's Episcopal Church are obviously in a benefiting situation in that a charitable gift
845 has been made through contractual arrangements between Wilton Companies and the
846 Diocese of Virginia. The Diocese of Virginia feels very grateful, feels well protected
847 by the nature of that contract, feels that this project, in terms of the church building, is
848 a positive move in Western Henrico County, as a direct neighbor potentially to this
849 business site. The plan that I see before me gives me great comfort, lots of trees, lots
850 of green. We feel that our church, if it is a buildable site, will be back further up the
851 hill, and will be similarly well landscaped, given the number of trees already on the
852 land. So, we think that through a long and torturous process, we have come to a best-
853 case scenario for everybody, a win-win, and we recommend approval of this rezoning
854 request.

855

856 Mr. Rich Johnson - I am Rich Johnson, President of The Wilton Companies. Good
857 morning. I am just here to answer questions, but also to confirm to you that the

858 suggestion that has been made about sidewalks around the perimeter, we are agreeable
859 to that and will work out any language with staff that we need to do. As far as that
860 being a proffer acceptable to us, it is, so we will have sidewalks along Ridgefield
861 Parkway and John Rolfe Parkway, and that is an acceptable proffer. Any questions, I
862 will be glad to answer them for you.

863

864 Mrs. Ware - Are there any questions for Mr. Johnson? Were there any
865 questions for Rev. Greenwood?

866

867 Mr. Johnson - Or Rev. Greenwood or Ms. Verna. Any of us will be glad to
868 answer questions if you have any.

869

870 Mrs. Ware - Yes, sir. Can you come down to the podium?

871

872 Wade Evans - My name is Wade Evans and I am President of the Homeowners
873 Association for Rolfield, which is, I think, across the street from this. I just wanted to
874 be sure I understood where this was. Is this the northeast corner of that intersection?

875

876 Mr. Johnson - Yes.

877

878 Mr. Evans - OK. That is all I wanted to ask.

879

880 Mrs. Ware - OK. There was a meeting last week to discuss the remaining
881 issues involving this case, and as far as I am concerned, these issues haven't been
882 completely addressed. The applicant has proffered to make the additional retail
883 building more residential in character with a pitched roof. However, the Walgreen's
884 remain a box-like appearance with only the addition of the brick columns instead of the
885 metal supporting posts. The square footage has been proffered at 23,500 sq. ft. and
886 according to staff, probably the maximum would be around approximately 36,000 sq.
887 ft. I could be more supportive of square footage issues if the Walgreen's Building were
888 more residential in character, which will allow it to really blend in well with this
889 residential corridor, although the additional retail building will be of that character.
890 The applicant has chosen not to proffer the hours of operation, stating that the
891 drugstores in the district do not have proffered hours, and do not, as well, remain open
892 past 10:00 in the evening except along the Broad Street Corridor. I would prefer to
893 have these times proffered concerning the neighborhood surrounding the development.
894 There is a signed contact between the applicant and the Episcopal Church, which would
895 transfer the remaining seven acres to the Diocese. This is very important in that the
896 transfer provides considerable low impact buffer to the neighborhoods located to the
897 east and south of this site. It is my hope that the issues that remain will be resolved at
898 the Board level and I believe that every effort has been made to address the outstanding
899 concerns at the Commission level and it is time to move this case along, especially
900 since the contract with the church has been signed and reviewed. The contact will
901 insure that the adjacent neighborhoods maintain a buffer that will protect them from

902 further business development in the future. Therefore, I move that C-25C-03 be sent to
903 the Board of Supervisors with a recommendation of approval.

904
905 Mr. Vanarsdall - Second.

906
907 Mrs. Ware - Motion made by Mrs. Ware, seconded by Mr. Vanarsdall. All in
908 favor say aye. All opposed say no. The motion passes.

909
910 **REASON:** Acting on a motion by Mrs. Ware, seconded by Mr. Vanarsdall, the
911 Planning Commission Voted 5-0 (one abstention) to recommend that the Board of
912 Supervisors **grant** the request because the proposed land use pattern would maintain a
913 buffer to protect the adjacent residential neighborhood from further business
914 development in the future, and the proffered conditions would provide for a higher
915 quality of development than would otherwise be possible.

916
917 **PLAN OF DEVELOPMENT**
918

POD-15-04
Wendy's @ John Rolfe
Commons Shopping Center
(POD-79-01 Revised)

Balzer & Associates, Inc. for the Wilton Companies, LLC and WEN-Rich, Inc.: Request for approval of a revised plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 3,695 square foot restaurant and a 400 square foot atrium addition on an out parcel in and existing shopping center. The 1.39-acre site is located on the northwest corner of the intersection of John Rolfe Parkway and Ridgefield Parkway in the John Rolfe Commons Shopping Center on parcel 736-751-6741. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Tuckahoe)**

919
920 Mrs. Ware- Is there any opposition to this case? Good morning, Ms. News.

921
922 Ms. News - Good morning, Madam Chairman, and members of the
923 Commission. This request is for approval of a Wendy's Restaurant on what would be
924 the fourth out parcel in the John Rolfe Commons Shopping Center. The POD for the
925 shopping center master plan, which included the Ukrop's Building and three retail
926 buildings, was approved by the Planning Commission in November of 2001. The first
927 out parcel in the shopping center, Sun Trust Bank, was approved by the Commission at
928 the September, 2003 meeting. A revised master plan for the shopping center was
929 included with that submission, which indicated two additional out parcels and an
930 increase in size of the retail building to the east of the Ukrop's Building. These
931 changes became feasible due to a revised plan to place the proposed wet pond BMP at
932 the shopping center with an underground sand filter, which is proposed under the

933 parking area. At the same meeting, a landscape and lighting plan for the overall
934 shopping center was approved by the Planning Commission.

935

936 At the Planning Commission's meeting in December, 2003, two additional out parcels
937 for the shopping center were presented for approval, Hollywood Video and Brewster's
938 Ice Cream. As you may recall, several citizens attended the hearing to voice concerns
939 regarding various issues, including drainage problems, noise, lighting issues and
940 damage to the wooded buffer at the rear of the shopping center, mostly as a result of
941 the hurricane. After considerable discussion, the Planning Commission approved the
942 out parcels, but stipulated that Public Works was to meet with any concerned parties
943 and look into the drainage complaint, and that the applicant would commit to submitting
944 a revised landscaping plan to address screening issues behind the shopping center and
945 address fallen tree issues.

946

947 Additionally, the motion recognized that the applicant agreed to meet with the residents
948 to address issues and that the final plan would come back to the Planning Commission
949 for consideration. Wilton Development held a meeting with the adjacent community on
950 February 3 at the Ukrop's Café. The meeting was well attended with 33 adjacent
951 households represented. In addition to the applicant, his representative and a
952 representative of Ukrop's, several staff members were present, including
953 representatives of Planning and Public Works, as well as Mrs. Ware.

954

955 There was considerable discussion regarding the issues related to the substantial tree
956 damage in the buffer and constraints of clearing the fallen trees from the site due to the
957 existence of wetlands. The developer presented a preliminary sketch for the provision
958 of additional landscaping at the rear of the building. While a step in the right direction,
959 the neighbors were not satisfied with the proposal. The developer agreed to submit a
960 revised plan after considering the comments received at the meeting, which included
961 adding fencing. His intention was to submit a plan for the staff to review and then
962 reschedule a meeting with the residents within 30 days. The developer agreed to
963 provide a plan to staff by February 16, 2004, so staff would be able to update the
964 Commission on progress made on the site prior to approval of this POD. The
965 applicant, however, has not submitted a plan to date. Yesterday afternoon, staff
966 received a brief written proposal indicating alternatives for provision of fencing and a
967 combination of trees and shrubs to be provided. While it appears that the developer is
968 heading in the right direction, there has not been an opportunity to evaluate the
969 proposal. Staff has had meetings on site with the adjacent property owners regarding
970 the drainage issues. Al Hicks from Public Works is here to address those issues if you
971 have any questions regarding that matter. An onsite meeting was held by the staff with
972 the Corps of Engineers, and staff also consulted with the representative of the Division
973 of Forestry. Work on the issue has been ongoing, but to date has not been fully
974 resolved. Regarding the Wendy's POD, there is one remaining issue which specifically
975 relates to that site versus the shopping center as a whole. All of the buildings and the
976 out parcels are being constructed with the Richmond red brick matching the shopping

977 center. Additionally, the dumpster enclosures are constructed of matching brick.
978 Wendy is proposing split-faced CMU and is not committed to providing a brick
979 enclosure. Staff feels this is particularly important, due to its location on the prominent
980 corner of the shopping center.

981

982 Several conditions were added to this POD to address residents concerns, specifically
983 Nos. 41 through 43, which limit hours of delivery, hours of service operation, and
984 reducing lighting to security levels after hours. The addendum shows revising the
985 conditions to apply to Wendy's only, and the same conditions would be recommended
986 to apply to the entire shopping center when a revised landscape plan is approved. To
987 date the applicant has not confirmed whether he is in agreement with the proposed
988 conditions. With all that said, and should the applicant agree to the conditions of
989 providing the brick dumpsters, staff can recommend approval of the plan, subject to the
990 conditions for developments of this type, conditions Nos. 23 through 40 in your
991 agenda, and revised conditions Nos. 41 through 43 in the addendum.

992

993 However, I would also point out that I have just been handed a petition by one of the
994 adjacent neighbors, signed by 63 residents, regarding concerns with the landscape plan,
995 and I also would point out that we have somewhat of a mystery going on in the buffer
996 area behind the shopping center. There has been some clearing work that started. Staff
997 is not aware who is performing this work and the developer is not aware, and the
998 residents were given a release form that you were just handed out. We have to find out
999 where that came from. It is addressed to Ben Blankinship and I have consulted with
1000 him and he does not know what this is, so we are not sure who originated this work and
1001 who is performing this work, but the good news is somebody is starting to clean it up
1002 and it is starting to look a lot better.

1003

1004 I'd be happy to answer any questions.

1005

1006 Mrs. Ware - Are there any questions for Mrs. News? You will have time to
1007 speak in just a minute.

1008

1009 Mrs. News - She was saying that on that letter, she was given that name by
1010 whoever she spoke with at the County to send it to, but we are not positive where it
1011 originated. Ben is not involved with that.

1012

1013 Mr. Silber - So if I understand what you are saying, there is clearing taking
1014 place in this buffer area. We are not sure who is doing it. The owners of the shopping
1015 center are unaware. The County is unaware.

1016

1017 Ms. News - Rich Johnson is now indicating that he has gotten more
1018 information about this. The clearing is the clearing of fallen trees and debris. It is not
1019 clearing of healthy trees, which is a step in the right direction. Mr. Johnson has some
1020 more information on that.

1021

1022 Mrs. Ware - Has there been a commitment yet to staff as to a date that the
1023 landscaping plan will be submitted?

1024

1025 Mrs. News - He said he would make the 30-day deadline to staff, which the
1026 meeting was on February 3, so we'd expect to see those by March 3.

1027 Mrs. Ware - The 30-day deadline. I will ask Mr. Johnson when he gets here.
1028 Any questions for Mrs. News? OK. Thank you. Can we hear from the applicant,
1029 please. I need to hear from Mr. Johnson really. I need to ask you a few questions.

1030

1031 Mr. Johnson - My name is Rich Johnson with Wilton Companies, as you know.
1032 The applicant here is actually, I think, Balzer and Associates is representing Wendy's,
1033 but my situation was to provide some additional information about the area in the rear
1034 of the shopping center, which is really an independent issue from the out parcel site.
1035 But the issue had come up earlier about the fallen trees, which were really the result of
1036 Hurricane Isabel and a very direct result of Hurricane Isabel. There were somewhere
1037 between 50 and 100 trees back there that went down in that wetland area. There were
1038 questions raised about what could be done to clean that area up as it was somewhat
1039 unsightly. We have been working through numerous County departments attempting to
1040 secure information along that line and we really are not getting a lot of help in that
1041 area, not because there weren't people trying to help us. They were, but effectively
1042 clearing streams of debris and so forth is not something that the County typically does
1043 unless there is some crisis of water backing up or creating some real problem. It is just
1044 not something that the County budgets for, and, therefore, the people weren't in a
1045 position to help us. As the result of some work that our company was involved in
1046 elsewhere in the Metropolitan area, we became aware of some funds available through
1047 FEMA for some cleanup, and had put this project on a request list for FEMA, and as
1048 we now understand there is work being done by a contractor who is working in consult
1049 with the County being funded by FEMA, Federal Emergency Management Act, and
1050 those funds are clearing up a variety of creek beds around the County where there are
1051 problems, and so we are getting some supplemental help out of that from FEMA, since
1052 these were Hurricane Isabel trees and damage, and we have done some clearing. Due
1053 to some wetland issues, we were instructed to stop that clearing, but now that the Feds
1054 are involved, they have a wider level of authority to do what they want to do, so that
1055 supplemental cleanup back there is underway, and it is our understanding that that is
1056 being done by a contractor working for the County supported by FEMA.

1057

1058 Mrs. Ware - OK. As to the concerns of the residents that live around the John
1059 Rolfe Commons Shopping Center?

1060

1061 Mr. Johnson - We had talked at the previous meeting on February 3 that we
1062 would have everything pulled together for a supplemental meeting within 30 days, and
1063 there was some additional side comment made about trying to get something wrapped
1064 up by mid-month, and I am just going to plead guilty, folks. I looked at that as a target

1065 date and not as a hard date, and I think I probably wasn't quite as attentive to that as I
1066 may have been and I apologize for that.

1067
1068 Mrs. Ware - I think the date we had was the 16th.

1069
1070 Mr. Johnson - I really had a target date of one month ahead, which is part of the
1071 formal program in the side conversation we have had to try to target something else. I
1072 really just didn't consider it to be a hard date, but more or less an estimate, and I
1073 apologize to staff for my confusion on that issue. But we have submitted an alternative
1074 to staff in writing, which we thought was probably good enough to give some guidance
1075 and staff has requested that we complement that with a drawing as well as a written
1076 explanation, and we will have that in the next couple of days to be able to submit to
1077 them, and that we do hope to schedule on March 2 or 3 another community meeting
1078 pursuant to our commitment to the community to have a second meeting within that 30-
1079 day period.

1080
1081 Mrs. Ware- What is important is that you get the landscaping plans to Ms.
1082 News prior to having that meeting, so you said the 3rd. Is that the day you plan to have
1083 these plans to Ms. News and staff, or is that the day you want to have the meeting with
1084 the neighborhood?

1085
1086 Mr. Johnson - The meeting with the neighbors hasn't been scheduled at this
1087 point in time but we will expect to have all of those dates committed to and firmed up
1088 and everything done within, by March 3, and those drawings will be there not later than
1089 that point, and again, perhaps some misunderstanding on my part as to exactly what
1090 they were looking for, so I apologize to staff for my misunderstanding. But we will
1091 have all of that wrapped up and have a meeting scheduled. We will set a date by that
1092 date to have a meeting scheduled to be held promptly thereafter, but prior to the date of
1093 the Supervisor's meeting as promised.

1094
1095 Mrs. Ware - And have you received a copy of the petition?

1096
1097 Mr. Johnson - I received it about 10 minutes ago. Yes.

1098
1099 Mrs. Ware - OK. All right. Are there any questions for Mr. Johnson from the
1100 Commission? OK. Thank you. I would like to hear from the applicant for just a
1101 minute, the Wendy's, someone.

1102
1103 Mr. Bowman - Andrew Bowman for Balzer and Associates and John Chevalier
1104 WEN-Rich, Inc.

1105
1106 Mrs. Ware - Hi. I just wanted to, I think there was an issue that was
1107 mentioned about the dumpster material.

1108

1109 Mr. Chevalier - Yes, that is probably a miscommunication initially. When I first
1110 heard about the type of brick and color, we had no problem with our concept with the
1111 shopping center to match our building to begin with. I am not sure why the design
1112 came out with split-faced block, but that was not our intent. So we have no problem
1113 with proffering to have that match our building in the shopping center.

1114

1115 Mrs. Ware - OK. Thank you.

1116

1117 Mr. Silber - This would be the building and the screening for the dumpsters?

1118

1119 Mr. Chevalier- Yes. The brick in the building. The building itself will have
1120 brick all the way up to a point where it has some stucco which will exactly match the
1121 shopping center, and then the dumpster enclosure will be 100% brick and that is the
1122 same brick.

1123

1124 Mrs. Ware - Thank you. Any questions. I'd like to hear from the opposition
1125 at this time, please. Good morning.

1126

1127 Ms. Worley - I am Sandra Worley and I am here representing the homeowners
1128 of Bennington Ridge East. We live directly behind John Rolfe Commons. When we
1129 purchased our homes we knew this was going to happen, but we weren't really
1130 prepared for how badly some of us have been affected by this. We understand that we
1131 are working with Mr. Johnson to get fencing for security and landscaping. But when
1132 we heard that there was going to be a fast-food restaurant in there, we all pretty much
1133 object to that. I have a petition here signed by 62 homeowners in Bennington Ridge
1134 East who do not want any fast food in John Rolfe Commons. We think it would be a
1135 big detriment to the neighborhood. There is no other fast food available in that area,
1136 but we can just go right over to Broad Street and get everything we need, so we just
1137 don't understand why there has to be a Wendy's at all. We feel like there are other
1138 franchises, more adult-oriented franchises that would have better operating hours that
1139 would suit the neighborhood much better. So, all I would like to do is just submit this
1140 petition and ask that you have mercy on us. Thank you.

1141

1142 Mrs. Ware- Thank you. Are there any questions for Ms. Worley?

1143

1144 Mr. Marshall- Ms. Worley, is this the same petition that talks about the fence
1145 and so forth?

1146

1147 Ms. Worley- I actually have two petitions. We did a dual run when we were
1148 going around the neighborhood. We figured we would get them both.

1149

1150 Mr. Vanarsdall - Do they both say the same thing?

1151

1152 Ms. Worley - Basically, we are concerned about the increase in the noise level
1153 that the Wendy's is going to bring. We are concerned about the smells that are going
1154 to be floating over all of our homes. We are concerned about the traffic. We are
1155 already dealing with a lot more traffic than we have had before. We are dealing with
1156 18-wheelers making deliveries at 4 and 5:00 in the morning. We are concerned that the
1157 parking lot is going to become a teenage hangout. We know for a fact that the Godwin
1158 students hang out at the Wendy's over on Broad Street right now and if they get one
1159 closer to home, that is where they are going to go. We are concerned about the boom
1160 boxes that we are going to be listening to all summer. Right now, I don't know if you
1161 guys are aware of this or not, but they actually use Ridgefield Parkway as a drag strip.
1162 There are guys with mufflers that are so totally illegal in this County it is unbelievable,
1163 and they drag race at 2 and 3:00 in the morning up and down Ridgefield Parkway. And
1164 I think bringing in something like a Wendy's is just going to exacerbate that whole
1165 situation. We just have a lot of concerns about this. Something like a Starbucks or an
1166 Einstein Bagels that is open in the morning, that attracts an adult customer would be
1167 totally acceptable to us, but fast food is not. We just don't need it and we don't want
1168 it.

1169
1170 Mrs. Ware - Are there any more questions for Ms. Worley? Thank you.

1171
1172 Mr. Evans - I am Wade Evans, President of the Homeowners Association
1173 which represents the southeast corner of this intersection, and I'd like to back up what
1174 the lady just said, because I live on John Rolfe Parkway, and they do use that as a
1175 speed area and in the afternoon and evening and all the way into about 2 or 3:00 a.m.
1176 in the morning you can hear these motorcycles and hot rods running up and down the
1177 street. Our people have definitely stated that they are against this. Thank you very
1178 much.

1179
1180 Mrs. Ware - Are there any questions for Mr. Evans? The Wendy's
1181 representative, may I ask you a couple of questions, please. I am sorry. Could you say
1182 your name again.

1183
1184 Mr. Chevalier - John Chevalu.

1185
1186 Mrs. Ware - There are a lot of issues involved with the surrounding
1187 neighborhoods with just the Wendy's and there are also concerns with the entire
1188 shopping center as a whole that need to be addressed before it should move forward.
1189 Are you willing to take a deferral at this time?

1190
1191 Mr. Chevalier - We would be willing to take a deferral, one deferral, if we
1192 could be...

1193
1194 Mrs. Ware - I certainly hope things could be worked out within that one
1195 month.

1196
1197 Mr. Chevalier - If we could work this thing out for one month, we'd be
1198 willing to take one deferral.

1199
1200 Mrs. Ware - OK. Would this be at your request then?

1201
1202 Mr. Chevalier - Yes.

1203
1204 Mrs. Ware- OK. Thank you very much. All right. Then at this time I will
1205 move that POD-15-04, Wendy's @ John Rolfe Commons Shopping Center (POD-79-
1206 01 Revised) be deferred to the March 24, 2004 meeting at the applicant's request.

1207
1208 Mr. Vanarsdall - Second.

1209
1210 Mrs. Ware - Motion made by Mrs. Ware and seconded by Mr. Vanarsdall.
1211 All in favor say aye. All opposed say no. The ayes have it. The motion passes.

1212
1213 At the applicant's request, the Planning Commission deferred POD-15-04, Wendy's @
1214 John Rolfe Commons Shopping Center (POD-79-01 Revised) to its meeting on March
1215 24, 2004.

1216
1217 **PLAN OF DEVELOPMENT & SPECIAL EXCEPTION**

1218
POD-17-04
Twin Hickory Senior
Development

Brian Mitchell for HHHunt Corporation and Guy Blunnon: Request for approval of a plan of development and special exception, as required by Chapter 24, Sections 24-2, 24-94(b) and 24-106 of the Henrico County Code, to construct a three-story, 136,390 square foot multi-family, age restricted apartment building. The special exception would authorize a building with a maximum height greater than 2 ½ stories. The 5.55-acre site is located on the west side of proposed Hickory Park Drive, approximately 600 feet north of Hickory Bend Drive on part of parcel 747-771-2430. The zoning is R-6C, General Residence District (Conditional). County water and sewer. **(Three Chopt)**

1219
1220 Mrs. Ware - Is there any opposition to this case? Good morning, Mr.
1221 Kennedy.

1222
1223 Mr. Kennedy - Good morning. Twin Hickory Senior Development has proposed
1224 a three-story age restricted apartment building located along proposed Hickory Park
1225 Drive. The subject property was zoned R-6C, General Residence District, in 2003 and

1226 the proffers contemplate the proposed use. The proposed development would result in
1227 the construction of 19.8 multi-family dwelling units per acre, the maximum permitted
1228 in the R-6 District. However, the units would be age restricted.

1229
1230 A revised layout was submitted last week, which was just distributed, to address staff
1231 concerns regarding secondary access and looped water mains.

1232
1233 The revised plan satisfies both proffers and multi-family design requirements. A
1234 perimeter buffer would be maintained or provided, the building would be connected by
1235 an internal sidewalk system to the Twin Hickory pedestrian paths.

1236
1237 Improvements to Hickory Park Drive, where it abuts the property, would be provided
1238 by HHHunt under a separate plan that has been submitted.

1239 A special exception is requested to permit construction of building over 2 ½ stories.
1240 Staff recommends approval of a Special Exception for the proposed three-story
1241 building, a very minor request, subject to the five additional conditions, provided in the
1242 agenda addendum. Basically, all of those conditions are addressed by the plans, so this
1243 basically just restates and restricts this to senior living and to make sure it is quality
1244 senior living. If anyone wishes, I could review those conditions.

1245
1246 Staff also recommends approval of the Special Exception, subject to the restrictions that
1247 it is senior restricted, age-restricted to seniors, and the conditions that would provide
1248 the quality living and staff also recommends approval of the requested POD.

1249
1250 If you have any questions, I will be willing to answer them. The engineer and the
1251 developer are present and are both available to answer any questions.

1252
1253 Mrs. Ware - Are there any questions of Mr. Kennedy from the Commission?

1254
1255 Mr. Kennedy - We need two votes. One on the Special Exception and one on the
1256 POD.

1257
1258 Mr. Marshall - Madam Chairman, I move approval of POD-17-04, Twin
1259 Hickory Senior Development, subject to the annotations on the plans, the standard
1260 conditions for developments of this type and conditions Nos. 23 through 32.

1261
1262 Mr. Vanarsdall - Second.

1263
1264 Mrs. Ware - Motion made by Mr. Marshall and seconded by Mr. Vanarsdall.
1265 All in favor say aye. All opposed say no. The motion passes.

1266
1267 The Planning Commission approved POD-17-04, Twin Hickory Senior Development,
1268 subject to the annotations on the plans, the standard conditions for developments of this
1269 type and the following additional conditions:

- 1270
1271 23. The right-of-way for of Hickory Park Drive as shown on approved plans shall
1272 be dedicated to the County prior to any occupancy permits being issued. The
1273 right-of-way dedication plat and any other required information shall be
1274 submitted to the County at least sixty (60) days prior to requesting occupancy
1275 permits.
- 1276 24. The easements for drainage and utilities as shown on approved plans shall be
1277 granted to the County in a form acceptable to the County Attorney prior to any
1278 occupancy permits being issued. The easement plats and any other required
1279 information shall be submitted to the County Real Property Agent at least sixty
1280 (60) days prior to requesting occupancy permits.
- 1281 25. The limits and elevations of the 100-year frequency flood shall be conspicuously
1282 noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated
1283 100-year floodplain must be labeled "Variable Width Drainage and Utility
1284 Easement." The easement shall be granted to the County prior to the issuance of
1285 any occupancy permits.
- 1286 26. The developer shall provide fire hydrants as required by the Department of
1287 Public Utilities and Division of Fire.
- 1288 27. The proffers approved as a part of zoning case C-13C-02 shall be incorporated
1289 in this approval.
- 1290 28. Any necessary off-site drainage and/or water and sewer easements must be
1291 obtained in a form acceptable to the County Attorney prior to final approval of
1292 the construction plans.
- 1293 29. Deviations from County standards for pavement, curb or curb and gutter design
1294 shall be approved by the County Engineer prior to final approval of the
1295 construction plans by the Department of Public Works.
- 1296 30. Insurance Services Office (ISO) calculations must be included with the plans and
1297 contracts and must be approved by the Department of Public Utilities prior to
1298 the issuance of a building permit.
- 1299 31. Approval of the construction plans by the Department of Public Works does not
1300 establish the curb and gutter elevations along the Henrico County maintained
1301 right-of-way. The elevations will be set by Henrico County.
- 1302 32. The location of all existing and proposed utility and mechanical equipment
1303 (including HVAC units, electric meters, junction and accessory boxes,
1304 transformers, and generators) shall be identified on the landscape plans. All
1305 equipment shall be screened by such measures as determined appropriate by the
1306 Director of Planning or the Planning Commission at the time of plan approval.
1307

1308 Mr. Marshall - Madam Chairman, I move approval of POD-17-04, Special
1309 Exception, for Twin Hickory Senior Development, subject to the annotations on the
1310 plans, the recommendations of staff and conditions Nos. 1 through 5 as shown on Page
1311 6 of the Addendum.

1312
1313 Mr. Vanarsdall - Second.

1314
1315 Mrs. Ware - Motion made by Mr. Marshall and seconded by Mr. Vanarsdall.
1316 All in favor say aye. All opposed say no. The motion passes.

1317
1318 The Planning Commission approved Special Exception POD-17-04, Twin Hickory
1319 Senior Development, subject to the following conditional conditions:

- 1320
- 1321 1. The units shall be restricted to rental to persons over the age of 62.
 - 1322 2. The building shall be completely fire sprinklered.
 - 1323 3. Laundry rooms for use by residents shall be provided on each floor.
 - 1324 4. The following amenities shall be provided for the benefit of residents:
1325 Two elevators, a 500 square foot library/computer room, a 400 square
1326 foot activities room, and a 1,000 square foot community meeting room
1327 with a service kitchen, trash chutes, and on-site storage facilities.
1328 Additional services appropriate to age-restricted housing may be offered.
 - 1329 5. Perimeter landscaping and lighting shall comply with multi-family design
1330 standards.

1331
1332 **PLAN OF DEVELOPMENT**
1333

POD-18-04
Wachovia Bank Addition –
81 S. Airport Drive
(POD-50-89 Revised)

Timmons Group for Wachovia Bank, NA and William W. South, Jr.: Request for approval of a revised plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 192 square foot building addition to an existing one-story, 2,960 square foot bank building in an existing shopping center and construct two detached drive up ATM's. The 1.70-acre site is located at 81 S. Airport Drive on State Route 156 approximately 900 feet west of Nine Mile Road on parcels 824-720-2238 and 4167. The zoning is B-2C, Business District (Conditional), B-3C, Business District (Conditional) and ASO (Airport Safety Overlay) District. County water and sewer. **(Varina)**

1334
1335 Mrs. Ware - Is there any opposition to this case? No opposition. Good
1336 morning, Mr. McGarry.

1337
1338 Mr. McGarry - Good morning, Madam Chair and members of the
1339 Commission, Mr. Donati. Staff has received a master plan, which can be implemented
1340 on the parcel. Staff can recommend approval subject to the standard conditions for
1341 developments of this type and the following additional conditions, Nos. 23 through 34.

1342
1343 I'd be happy to answer any questions.
1344

1345 Mrs. Ware - Do you have any questions for Mr. McGarry?
1346
1347 Mr. Jernigan - Mr. McGarry, yesterday we had two issues. One was the
1348 wetland problem and entry. Have both of those been satisfied?
1349
1350 Mr. McGarry - Yes, sir. One of the conditions addresses the fact that they are
1351 having difficulty getting the necessary wetlands permits. They are willing to give up
1352 the access to Airport Drive and serve the site internally.
1353
1354 Mr. Jernigan - OK. That is all I have. Thank you.
1355
1356 Mrs. Ware - Are there any other questions? Do you want to hear from the
1357 applicant, Mr. Jernigan?
1358
1359 Mr. Jernigan - No, this is pretty simple. It is an ATM addition and I don't think
1360 we need to hear from the applicant. I am ready to move on it.
1361
1362 Mrs. Ware - OK.
1363
1364 Mr. Jernigan - Madam Chairman, with that I will move approval of POD-18-04,
1365 Wachovia Bank Addition – 81 S. Airport Drive, subject to the standard conditions for
1366 developments of this type and the following additional conditions Nos. 23 through 34.
1367
1368 Mr. Vanarsdall - Second.
1369
1370 Mrs. Ware - Motion made by Mr. Jernigan and seconded by Mr. Vanarsdall.
1371 All in favor say aye. All opposed say no. The motion passes.
1372
1373 The Planning Commission approved POD-18-04, Wachovia Bank Addition – 81 South
1374 Airport Drive (POD-50-89 Revised), subject to the standard conditions for
1375 developments of this type and the following additional conditions:
1376
1377 23. The entrances and drainage facilities on S. Airport Drive (State Route 156) shall
1378 be approved by the Virginia Department of Transportation and the County.
1379 24. A notice of completion form, certifying that the requirements of the Virginia
1380 Department of Transportation entrances permit have been completed, shall be
1381 submitted to the Planning Office prior to any occupancy permits being issued.
1382 25. The developer shall provide fire hydrants as required by the Department of
1383 Public Utilities and Division of Fire.
1384 26. The proffers approved as a part of zoning cases C-85C-87 and C-35C-79 shall
1385 be incorporated in this approval.
1386 27. Any necessary off-site drainage and/or water and sewer easements must be
1387 obtained in a form acceptable to the County Attorney prior to final approval of
1388 the construction plans.

- 1389 28. Deviations from County standards for pavement, curb or curb and gutter design
 1390 shall be approved by the County Engineer prior to final approval of the
 1391 construction plans by the Department of Public Works.
 1392 29. In the event of any traffic backup which blocks the public right-of-way as a
 1393 result of congestion caused by the drive-up teller facilities, the owner/occupant
 1394 shall close the drive-up teller facilities until a solution can be designed to
 1395 prevent traffic backup.
 1396 30. Insurance Services Office (ISO) calculations must be included with the plans and
 1397 contracts and must be approved by the Department of Public Utilities prior to
 1398 the issuance of a building permit.
 1399 31. The conceptual master plan, as submitted with this application, is for planning
 1400 and information purposes only.
 1401 32. The dumpster shall meet screening requirements or be removed.
 1402 33. Relocation of the exiting six-foot opaque fence shall be approved by the
 1403 Division of Police prior to construction plan approval.
 1404 34. Prior to final approval of the construction plans, the applicant shall furnish a
 1405 letter from the adjacent property owners agreeing to permit offsite
 1406 improvements on their property.
 1407

1408 **PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION**
 1409

POD-20-04 Independence Park Medical Offices/Gaskins Place	McKinney & Company for GMH Virginia LLC and Riverstone Properties, LLC: Request for approval of a plan of development and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24- 106.2 of the Henrico County Code, to construct a two- story, 30,100 square foot medical office building and for approval of a mass grading plan. The 25.11-acre site is located at the northeast intersection of Gaskins Road and Interstate 64 on parcels 751-756-9768 and 752-757-0556. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. (Three Chopt)
---	---

1410
 1411 Mrs. Ware - Is there any opposition to this case? There is opposition. Good morning,
 1412 Mr. Wilhite.

1413
 1414 Mr. Wilhite - Good morning. We have had some discussions this morning with the
 1415 applicant. The applicant at this point is requesting that we defer this case for two
 1416 weeks. There is a misunderstanding between the staff and the applicant about the
 1417 approval. Staff was proceeding under the assumption that we are approving the Phase
 1418 1 building and that the future buildings would come back for separate POD approval.
 1419 The applicant would like to see about getting the case readvertised to approve the other
 1420 three medical office buildings in this complex as part of the overall approval and allow

1421 them to come back and be approved administratively. The case is not advertised under
1422 that manner. That is something we will have to take a look at. The applicant wants to
1423 request a deferral until the night meeting, March 11, 2004.

1424
1425 Mr. Marshall - With that, Madam Chairman, I will move that POD-20-04,
1426 Independence Park Medical Offices/Gaskins Place, be deferred at the applicant's
1427 request to the March 11, 2004 meeting.

1428
1429 Mr. Vanarsdall - Second.

1430
1431 Mrs. Ware - Motion made by Mr. Marshall and seconded by Mr. Vanarsdall. All in
1432 favor say aye. All opposed say no. The motion passes.

1433
1434 At the applicant's request, the Planning Commission deferred POD-20-04,
1435 Independence Park Medical Offices/Gaskins Place, to its meeting on March 11, 2004.

1436
1437 **SUBDIVISION**

1438
Independence Park Drive (February 2004 Plan) **McKinney & Company for Riverstone Properties LLC and GMH VA LLC:** The 1.06-acre site proposed for a dedication of public right-of-way is located on the west line of Mayland Court, approximately 700 feet south of Mayland Drive on part of parcels 752-757-0556 and 751-756-9768. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Three Chopt) 0 Lot**

1439
1440 Mr. Marshall - Madam Chairman, I move that Subdivision Independence Park
1441 Drive, on Page 28 of the Agenda, be deferred at the applicant's request to March 11,
1442 2004.

1443
1444 Mr. Vanarsdall - Second.

1445
1446 Mrs. Ware - Motion made by Mr. Marshall and seconded by Mr. Vanarsdall.
1447 All in favor say aye. All opposed say no. The motion passes.

1448
1449 At the applicant's request, the Planning Commission deferred Subdivision Independence
1450 Park Drive (February 2004 Plan) to its meeting on March 11, 2004.

1451
1452 Mr. Marshall - Madam Chairman, you may want to address the opposition.

1453
1454 Mrs. Ware - Oh, I am so sorry. Would you like to come up?

1455

1456 Man from Aud. - Should we really just address this the next time if that is more
1457 appropriate?

1458

1459 Mr. Marshall - Right, and you may want to get with Mr. Burcin. He is in the
1460 back of the room and discuss it.

1461

1462 Man from Aud. - We do not oppose the development. We just have a few items
1463 that we would like to address.

1464

1465 Mr. Marshall - And you may talk to him about that to see if he can satisfy your
1466 concerns.

1467

1468

1468 **PLAN OF DEVELOPMENT**

1469

POD-22-04
Richmond Bumper @
Park Central
(POD-29-94 Revised)
8820 Park Central Drive

Richard L. Baird, Jr., P.E. for Norman R. Seay:
Request for approval of a revised plan of development,
as required by Chapter 24, Section 24-106 of the
Henrico County Code, to construct a one-story, 22,500
square foot warehouse addition to an existing building.
The 5.99-acre site is located along the west side of
Park Central Drive approximately 350 feet south of
Scott Road at 8820 Park Central Drive on parcel 789-
760-0587. The zoning is O/SC, Office Service District
(Conditional). County water and sewer. **(Fairfield)**

1470

1471 Mrs. Ware - Is there any opposition to this case? There is no opposition. Mr.
1472 McGarry.

1473

1474 Mr. McGarry - I am sorry I got held up out there in the lobby. This is, I think,
1475 one of my easy ones. Yes. Staff has worked out the screening of the overhead doors.
1476 We have a revised condition No. 30 on your addendum that basically says that the gate
1477 at the north screen wall, we want it to match the gate on the south screen wall. With
1478 that staff can recommend approval subject to the annotations on the plans, the standard
1479 conditions for developments of this type, and conditions Nos. 23 through 30, which is
1480 revised on your addendum. I'd be happy to answer any questions.

1481

1482 Mrs. Ware- Are there any questions for Mr. McGarry?

1483

1484 Mr. Jernigan - Mr. McGarry, this is just strictly warehousing? There is no
1485 chroming going on here?

1486

1487 Mr. McGarry - That is correct.

1488

1489 Mr. Jernigan - That is all I had.

1490

1491 Mrs. Ware - Do you need to hear from the applicant?

1492

1493 Mr. Archer - I don't believe so, Madam Chairman. I don't think so, unless
1494 somebody else needs to. With that, I will move for approval of POD-22-04, Richmond
1495 Bumper @ Park Central (POD-29-94 Revised) 8820 Park Central Drive, subject to the
1496 standard conditions for developments of this type and the additional conditions Nos. 23
1497 through 30, with 30 being revised on the addendum.

1498

1499 Mr. Vanarsdall - Second.

1500

1501 Mrs. Ware - Motion made by Mr. Archer and seconded by Mr. Vanarsdall.
1502 All in favor say aye. All opposed say no. The motion passes.
1503 The Planning Commission approved POD-22-04, Richmond Bumper @ Park Central
1504 (POD-29-94 Revised) 8820 Park Central Drive, subject to the annotations on the plans,
1505 the standard conditions for developments of this type and the following additional
1506 conditions:
1507
1508 23. The developer shall provide fire hydrants as required by the Department of
1509 Public Utilities and Division of Fire.
1510 24. The proffers approved as a part of zoning case C-57C-88 shall be incorporated
1511 in this approval.
1512 25. Any necessary off-site drainage and/or water and sewer easements must be
1513 obtained in a form acceptable to the County Attorney prior to final approval of
1514 the construction plans.
1515 26. Deviations from County standards for pavement, curb or curb and gutter design
1516 shall be approved by the County Engineer prior to final approval of the
1517 construction plans by the Department of Public Works.
1518 27. Insurance Services Office (ISO) calculations must be included with the plans and
1519 contracts and must be approved by the Department of Public Utilities prior to
1520 the issuance of a building permit.
1521 28. Approval of the construction plans by the Department of Public Works does not
1522 establish the curb and gutter elevations along the Henrico County maintained
1523 right-of-way. The elevations will be set by Henrico County.
1524 29. The location of all existing and proposed utility and mechanical equipment
1525 (including HVAC units, electric meters, junction and accessory boxes,
1526 transformers, and generators) shall be identified on the landscape plans. All
1527 equipment shall be screened by such measures as determined appropriate by the
1528 Director of Planning or the Planning Commission at the time of plan approval.
1529 30. Provide a gate at the north screen wall, which shall be identical to the gate on
1530 the south screen wall.

1531
1532
1533

SUBDIVISION

Weatherfield Farms
(February 2004 Plan)

**Timmons Group for Frances Hermann Garrett,
George M. Hermann and Atlantic Homes, L.L.C.:**
The 78.679-acre site proposed for a subdivision of 168
single-family homes is located approximately ½ mile
east of Laburnum Avenue at 3800 Creighton Road, on
parcels 811-731-2493, 6048 and 812-731-4040. The
zoning is R-3C, One-Family Residence District
(Conditional). County water and sewer. **(Fairfield)**
168 Lots

1534

1535 Mrs. Ware - Is there any opposition to this case? There is no opposition. Good
1536 morning, Mr. Strauss.
1537
1538

1538 Mr. Strauss - Good morning, Madam Chairman, members of the Commission.
1539 This proposed subdivision was the subject of a rather extensive rezoning effort in
1540 January of 2003, and during that effort a number of proffers were agreed to, which
1541 controlled a number of things relating to the development of this property. These will
1542 be things such as lot width, which overall exceeds the 80 ft. minimum, minimum floor
1543 area, landscape buffers along Creighton Road, and fencing along the existing homes for
1544 two parcels to the west. There was also a design package of housing types approved at
1545 the time of rezoning and street trees to be planted at the rate of two trees per lot. Staff
1546 has reviewed the conditional subdivision plan and at this level of detail staff concern
1547 was that the developer addressed the status of an existing private road, which runs in a
1548 north to south fashion along the eastern property line. This road at one time served as
1549 access to several homes until the development of Cedar Fork Road to the east, but the
1550 need for this road is going to be eliminated by the construction of internal streets in the
1551 subdivision. Therefore, staff is recommending several additional conditions this
1552 morning relating to the research and quit-claim effort of this private road, and those
1553 conditions appear on your addendum this morning, and I will be happy to answer any
1554 other questions you may have. Mr. Terry Cave of TIMMONS is also here this
1555 morning.

1556
1557 Mrs. Ware - Are there any questions of Mr. Strauss?

1558
1559 Mr. Archer - Mr. Strauss, you and I discussed it yesterday, but can you point
1560 out on the map, for the benefit of the rest of the Commission where 139 is that you are
1561 talking about.

1562
1563 Mr. Strauss - Oh, 139 would be the block right here, and the private road runs
1564 along in this direction and there is a parcel here. Actually, this is 139. I am sorry and
1565 this little piece here could be revised and possibly deeded over to this lot once they get
1566 access to this street and that is the internal street we are talking about.

1567
1568 Mr. Silber - Mr. Strauss, can you elaborate then on Condition No. 26?

1569
1570 Mr. Strauss - That would be the condition. Randy, I may have misplaced my
1571 Addendum this morning. Can you read that?

1572
1573 Mr. Silber - Yes, it says, Lots 159, 160, 161 and 162 shall not receive final
1574 approval until the rights of the adjacent private road are quit claimed or extinguished.

1575
1576 Mr. Strauss- OK, the private road runs along the backs of these lots and after
1577 discussion with staff, we prefer that these lots not have access to that private road in the
1578 future. It could be a problem, people probably going out the back of their lot to an
1579 existing private road.

1580

1581 Mr. Silber - So, these four lots, we will be requesting through this condition
1582 that they not receive final approval until that road...

1583 Mr. Strauss - The status of the private road and who was using it as research.
1584 Information was submitted to the County Attorney and the applicant has agreed to
1585 pursue a quitclaim on that private road.
1586

1587 Mr. Silber - And there are only four lots that abut that right of way.
1588

1589 Mr. Strauss - Right. Lot 139 would no longer necessarily be a problem.
1590 Actually, come to think of it Randy, you might want to hold that lot out as well, as that
1591 does back onto that private road in this location. I really should have added that to the
1592 condition.
1593

1594 Mr. Archer - That is Lot 139.
1595

1596 Mr. Strauss - Right. And I don't think Mr. Cave would have a problem with
1597 that.
1598

1599 Mrs. Ware - What about the ones that front up to it corner-wise?
1600

1601 Mr. Strauss - Would that be this lot?
1602

1603 Mrs. Ware - You know, I can't read the numbers.
1604

1605 Mr. Archer - The corner lot, I believe, is the existing house lot.
1606

1607 Mr. Strauss - That has access to Creighton Road.
1608

1609 Mr. Silber - OK, but as you move north of the four lots that are mentioned on
1610 here...
1611

1612 Mr. Strauss- That would be these lots, if that is the lots you are having
1613 trouble...
1614

1615 Mrs. Ware - But if you go on up, you have lots that would butt up cornerwise
1616 to this road. That should get access.
1617

1618 Mr. Strauss - I guess I am not seeing where you are.
1619

1620 Mr. Archer - She is talking about where the hand is, back down to...
1621

1622 Mr. Strauss - I can't see where she is pointing.
1623

1624 Mr. Archer - Back down to Creighton Road. You are talking about the whole
1625 length of the strip?
1626
1627 Mrs. Ware - I am talking about up, going up.
1628 Mr. Strauss - Well, she makes a good point. I think we should add 158 and
1629 139. Lot 140 does not have access.
1630
1631 Mr. Archer - Jim, can you see that hand on the screen? The pointer, the mouse
1632 pointer.
1633
1634 Mr. Strauss - Right.
1635
1636 Mr. Archer - Can you tell everybody what those lot numbers are so they will
1637 know what we are talking about.
1638
1639 Mr. Strauss - OK. This is lot 139. This is lot 140. This is lot 158, 159
1640 through 162, so we should simply add those additional lots we did not mention.
1641
1642 Mr. Silber - So we would be adding 139 and 158 to the list of four lots on
1643 Condition No. 26.
1644
1645 Mr. Strauss - Sorry I missed that.
1646
1647 Mr. Marshall - And 163, didn't you say?
1648
1649 Mr. Strauss - Yes. Well, when you look at the large size map, it actually
1650 doesn't touch the convergence of the two lot lines – does not actually reach the private
1651 road, so we don't have to add that.
1652
1653 Mr. Silber - It may actually be safer just to say "All lots which..."
1654
1655 Mr. Strauss - You know, I think that would be a good idea.
1656
1657 Mr. Jernigan - That will probably be the easiest way out.
1658
1659 Mr. Strauss - Thank you, Madam Chairman.
1660
1661 Mrs. Ware - Are there any more questions?
1662
1663 Mr. Archer - Yes, ma'am. How are we going to word this condition? We are
1664 going to word No. 26 and say, "All lots abutting the private road on the eastern
1665 property line of the proposed subdivision." Now, one more question, Mr. Strauss.
1666 The lots, the last corner lot on the eastern edge, is that the Garrett property, household
1667 property? And that is going to remain?

1668

1669 Mr. Strauss - That is going to remain. I don't know if Terry would know if the
1670 residents are going to stay there, but that lot would continue to have driveway access to
1671 Creighton Road.

1672

1672 Mr. Archer - And we are just not going to tear the house down?
1673

1674 Mr. Strauss - No.
1675

1676 Mr. Archer - OK. Anybody else have questions? All right. As some of you
1677 will recall, this did have quite a bit of air time when we were going through the zoning
1678 process, both here and at the Board level, and I think we finally have reached a
1679 resolution, if I can word this amendment to Condition No. 26. So, with that, I will
1680 recommend approval of Weatherfield Farms, subject to the standard conditions for
1681 subdivisions served by Public Utilities, the additional conditions Nos. 12 through 23,
1682 24, 25 and 26 on the addendum, with 26 being worded "All lots abutting the eastern
1683 property line of the subdivision shall not receive final approval until the rights of the
1684 adjacent private road are quit claimed or extinguished."
1685

1686 Mr. Vanarsdall - Second.
1687

1688 Mrs. Ware - Motion made by Mr. Archer and seconded by Mr. Vanarsdall.
1689 All in favor say aye. All opposed say no. The motion passes.
1690

1691 The Planning Commission granted conditional approval to subdivision Weatherfield
1692 Farms (February 2004 Plan), subject to the annotations on the plans, the standard
1693 conditions for subdivisions served by public utilities and the following additional
1694 conditions:
1695

- 1696 12. Prior to requesting recordation, the developer shall furnish a letter from
1697 Dominion Virginia Power stating that this proposed development does not conflict
1698 with its facilities.
- 1699 13. Each lot shall contain at least 11,000 square feet, exclusive of the flood plain
1700 areas.
- 1701 14. The limits and elevation of the 100 year frequency flood shall be conspicuously
1702 noted on the plat and construction plans and labeled "Limits of 100 year
1703 floodplain." Dedicate floodplain as a "Variable Width Drainage & Utilities
1704 Easement."
- 1705 15. The developer shall submit one set of the architectural plans to the Planning
1706 Office for review prior to final approval of the plat.
- 1707 16. Detailed construction plans shall be submitted to the Planning Office before the
1708 final plats are submitted for final approval.
- 1709 17. The detailed plant list and specifications for the landscaping to be provided within
1710 the 25-foot-wide planting strip easement along Creighton Road shall be submitted
1711 to the Planning Office for review and approval prior to recordation of the plat.
- 1712 18. A County standard sidewalk shall be constructed along the north side of Creighton
1713 Road.
- 1714 19. Any necessary offsite drainage easements must be obtained prior to approval of
1715 the construction plan by the Department of Public Works.

- 1716 20. The proffers approved as part of zoning case C-80C-02 shall be incorporated in
 1717 this approval.
- 1718 21. Prior to requesting the final approval, a draft of the covenants and deed
 1719 restrictions for the maintenance of the common area by a homeowners association
 1720 shall be submitted to the Planning Office for review. Such covenants and
 1721 restrictions shall be in form and substance satisfactory to the County Attorney and
 1722 shall be recorded prior to recordation of the subdivision plat.
- 1723 22. Any future building lot containing a BMP, sediment basin or trap and located
 1724 within the buildable area for a principal structure or accessory structure, may be
 1725 developed with engineered fill. All material shall be deposited and compacted in
 1726 accordance with the Virginia Uniform Statewide Building Code and geotechnical
 1727 guidelines established by a professional engineer. A detailed engineering report
 1728 shall be submitted for the review and approval by the Building Official prior to
 1729 the issuance of a building permit on the affected lot. A copy of the report and
 1730 recommendations shall be furnished to the Directors of Planning and Public
 1731 Works.
- 1732 23. Prior to final plat approval, proper documentation regarding the ownership and
 1733 use of the private road along the eastern property line shall be submitted and
 1734 approved by the County Attorney.
- 1735 24. Lot 139 shall be revised to provide public road access to parcel 812-732-3933.
- 1736 25. The proposed six-foot-wide open space strip along the eastern line of Glen
 1737 Wilton Drive shall be included in the right of way.
- 1738 26. All lots abutting the eastern property line of the subdivision shall not receive
 1739 final approval until the rights of the adjacent private road are quit claimed or
 1740 extinguished.

1741
 1742
 1743

SUBDIVISION

Mountain Spring
 (February 2004 Plan)

Foster & Miller, P.C. for Attack Properties, Inc. and Robert M. Attack: The 10.35-acre site proposed for a subdivision of 25 single-family homes is located approximately 730 feet north of the intersection of Mountain and Staples Mill Roads (U.S. Route 33) on parcels 761-771-8842, 761-770-8595 and 5494 and part of 761-770-9057. The zoning is R-2AC, One-Family Residence District (Conditional). County water and sewer. **(Brookland) 25 Lots**

1744
 1745
 1746
 1747
 1748
 1749
 1750

Mrs. Ware - Is there any opposition to this case? No opposition. Hello, Mr. O'Kelly.

Mr. O'Kelly - This proposed subdivision is a continuation of a previously approved section of Mountain Spring. The property was rezoned this past year with Zoning Case C-36C-03. Staff initially had concerns with the original plan, which was

1751 submitted for review. The original layout included Lot 17. It did not meet the
1752 proffered lot width requirements of 85 feet. Second, the plan did not provide buffering
1753 between the end of the proposed cul-de-sac and Old Springfield Road. Staff discussed
1754 these issues with the applicant and they have agreed to address these concerns and the
1755 revised plan that was in your packet does, in fact, address the initial concerns of the
1756 staff. The applicant has also provided for a no ingress/egress easement along Old
1757 Springfield Road, and there will be a buffer provided. At its widest point it will be 10
1758 feet and would narrow to approximately 6 feet between the end of the cul-de-sac and
1759 the right of way of Old Springfield Road. It is our understanding they have agreed to
1760 landscape that with at least a transitional buffer 10. These changes satisfy the staff's
1761 concerns and we recommend approval. Mr. Spud Mistr is here this morning to
1762 represent the applicant.

1763
1764 Mrs. Ware - Are there any questions for Mr. O'Kelly? I have one question.
1765 Which lot did you say had the issue with the width?

1766
1767 Mr. O'Kelly - Initially it was Lot 17.

1768
1769 Mr. Vanarsdall - I don't have any questions and I don't need to talk to the
1770 applicant unless somebody else does. Thank you, Mr. O'Kelly. I move that Mountain
1771 Spring Subdivision be approved with the annotations on the plan, the standard
1772 conditions for subdivisions served by Public Utilities and the following conditions Nos.
1773 12 through 17.

1774
1775 Mr. Marshall - Second.

1776
1777 Mrs. Ware - Motion made by Mr. Vanarsdall and seconded by Mr. Marshall.
1778 All in favor say aye. All opposed say no. The motion passes.

1779
1780 The Planning Commission approved Subdivision Mountain Spring (February 2004
1781 Plan), subject to the annotations on the plans, the standard conditions for subdivisions
1782 served by public utilities and the following additional conditions:

- 1783
1784 12. Each lot shall contain at least 13,500 square foot.
1785 13. Any necessary offsite drainage easements must be obtained prior to approval of
1786 the construction plan by the Department of Public Works.
1787 14. The proffers approved as part of zoning case C-36C-03 shall be incorporated in
1788 this approval.
1789 15. Prior to requesting the final approval, a draft of the covenants and deed
1790 restrictions for the maintenance of the common area by a homeowners association
1791 shall be submitted to the Planning Office for review. Such covenants and
1792 restrictions shall be in form and substance satisfactory to the County Attorney and
1793 shall be recorded prior to recordation of the subdivision plat.

- 1794 16. Any future building lot containing a BMP, sediment basin or trap and located
 1795 within the buildable area for a principal structure or accessory structure, may be
 1796 developed with engineered fill. All material shall be deposited and compacted in
 1797 accordance with the Virginia Uniform Statewide Building Code and geotechnical
 1798 guidelines established by a professional engineer. A detailed engineering report
 1799 shall be submitted for the review and approval by the Building Official prior to
 1800 the issuance of a building permit on the affected lot. A copy of the report and
 1801 recommendations shall be furnished to the Directors of Planning and Public
 1802 Works.
- 1803 17. The detailed plant list and specifications for the landscaping to be provided within
 1804 the variable width no ingress/egress landscape easement along Old Springfield
 1805 Road shall be submitted to the Planning Office for review and approval prior to
 1806 recordation of the plat.
 1807

1808 **SUBDIVISION**

1809 Stonehurst
 (February 2004 Plan)

QMT for Gregory A. Windsor: The 24.44-acre site proposed for a subdivision of 21 single-family homes is located along the west line of Pouncey Tract Road (State Route 271) opposite its intersection with Country Creek Way, on parcel 734-774-5670. The zoning is A-1, Agricultural District. County water and septic tank/drainfield. **(Three Chopt) 21 Lots**

1810
 1811 Mrs. Ware - Is there any opposition to this case? No opposition. Mr. Wilhite.
 1812

1813 Mr. Wilhite - The staff report on the agenda identified four issues that remain to
 1814 be resolved dealing with this proposed development. The first had to do with the location
 1815 of the entrance road off of Pouncey Tract Road into this development. We asked for
 1816 better alignment with Country Creek Way or else that the entrance be shifted north to
 1817 provide enough of an offset to be approved by the Traffic Engineer. The applicant has
 1818 decided to shift the entrance northward to provide a 220 ft. offset between the
 1819 intersection of this proposed street and Country Creek Way. It does not result in the loss
 1820 of any lots. One lot would shift from the north side to the south side of the street.
 1821

1822 The second issue had to do with the length of the proposed cul-de-sac street requiring a
 1823 waiver from the Department of Public Works. As an alternative, staff had suggested a
 1824 possible stub connection of the street to the south, which would align with Stonehurst
 1825 Road and to abut the adjacent property, roughly at about the mid-point length of this
 1826 proposed street. Since the staff report was written, the Traffic Engineer and the Director
 1827 of Public Works have waived the requirement for the street length, and, therefore, the
 1828 stub street to the south is not necessary at this point. However, there is the need to grant
 1829 an exception for the length of the block of the lots within this subdivision. Under the
 1830 Subdivision Ordinance, 1320 feet maximum is allowed for the block unless the Planning

1831 Commission specifically approves a greater configuration. Without the stub street to the
1832 south, this is necessary still.

1833

1834 The fourth and the one issue that has been the biggest issue is staff's recommendation of
1835 a stub street to the western property line in this proposed subdivision. Currently, a 50-
1836 acre undeveloped parcel of land, which abuts the proposed development on the west side,
1837 does have one stub street connection through West Ridge Subdivision at the southwest
1838 corner of this parcel. There is another 10-acre parcel that abuts the proposed subdivision
1839 on the south side that is undeveloped as well. Staff is recommending that one stub street
1840 be provided to the parcel on the west to make sure that we do not have any more than 50
1841 lots on a single-point of access, with the future development of the 50-acre parcel.
1842 Currently, West Ridge Subdivision has 36 lots that have one single point of access on
1843 Kain Road through Axe Handle Lane. With the development of the 50-acre parcel, the
1844 number of lots on a single point of access would exceed the County's policy of 50.
1845 There is a possibility that when that property is developed, a street could possibly be
1846 extended through the 10-acre parcel, but that is not a part of the development proposal at
1847 this point. With the provision as a separate stub street to the western property line, that
1848 would solve the potential of exceeding of 50 lots on a single point of access. In the
1849 future, Kain Road, currently on the Major Thoroughfare Plan is listed as a minor
1850 collector. Pouncy Tract Road is a minor arterial and also the stub street connection there
1851 would alleviate the possibility of more than 50 lots on a single-point of access. It also is
1852 in keeping with the Land Use Plan policy of providing possible street connections to
1853 vacant undeveloped lots, as well. Andy Condlin is here representing the applicant. They
1854 are not in agreement with the stub street proposal.

1855

1856 I'd be happy to answer any questions that you have.

1857

1858 Mrs. Ware - Are there any questions for Mr. Wilhite?

1859

1860 Mr. Marshall- Mr. Wilhite, how much of the 50-acre parcel is in Goochland?

1861

1862 Mr. Wilhite - At this point we are not sure of how much is in Goochland
1863 County or how much of this parcel is available for development. We understand that
1864 there is a possibility there are some steep slopes on the site. We don't have the
1865 information on the topography or the location of the flood plain areas. That is an area
1866 of the County that the boundary between Goochland-Henrico is being negotiated. It is
1867 possible that in the future this entire parcel might actually be taken into Henrico
1868 County.

1869

1870 Mr. Marshall - I would like to hear from the applicant.

1871

1872 Mrs. Ware - Good morning, Mr. Condlin.

1873

1874 Mr. Andy Condlin - Members of the Commission, my name is Andy Condlin,
1875 representing Greg Windsor on behalf of the application for Stonehurst Subdivision. As
1876 Mr. Wilhite pointed out, we would ask that we get an exception consistent with the
1877 Director of Public Works waiving the lot block length. Interestingly enough, as we
1878 have gone through this, this has only been a recent issue. It is the second time, I think,
1879 in the last two months I have had to ask for this. I have never come across this issue
1880 and it is just recently, I think, become an issue, to the staff. It is not something that
1881 typically has been raised by the developers or objected to by the developers, but it has
1882 just recently been pointed out, and I don't know if being enforced but brought up.
1883 We'd ask for a waiver on this, particularly given the situation and the lot development
1884 for this, consistent with the Department of Public Works.

1885
1886 The second thing, as with respect to the stub road, this is a critical issue for this
1887 property. I am not sure what I am looking at, but I am trying to find the Goochland
1888 line. Typically what we are trying to do here is provide an exclusive neighborhood
1889 where the homes are going to be next to King's Reach, in the same price range, of
1890 \$700,000 to \$1,000,000 homes on one-acre lots. Obviously we are concerned with
1891 access through this road and trying to make it an exclusive neighborhood, so that
1892 connections to a 50-acre parcel or the 10-acre parcel would result in numerous traffic
1893 coming through, going out to Cross Creek Subdivision as well. Would it be possible if
1894 I just popped back to the other (referring to map)? With the 50-acre parcel being here
1895 and 10 acres here, this 10-acre parcel was actually used for a commercial horse farm
1896 and again, the concern is that if you open this up, all of these lots would be coming
1897 through here. There is also a concern that there is no restrictions being placed on the
1898 A-1 property and the 50-acre lot as to what type of development they are going to have.
1899 Also, this property was a subject, I think, probably three months ago, to a Major
1900 Thoroughfare Plan amendment that the Planning Commission recommended, that the
1901 Board of Supervisors ultimately approved to delete the road that went through its entire
1902 area. The neighbors were in support of that amendment to delete those roads and in
1903 opposition to any connections as they have gone through here. I'd also point out that
1904 we are not violating the 50-lot rule. This only has 21 lots, and there is no requirement
1905 that we impose another second connection in here, pursuant to that 50-lot rule, and the
1906 Major Thoroughfare Plan did have connections and roadways going through here that
1907 have been deleted. So, I would differ from Mr. Wilhite's conclusion that it is
1908 consistent with the Land Use Plan policy. It is actually consistent with the Land Use
1909 Plan policy not to have the connection at this point, given the amendment to the Major
1910 Thoroughfare Plan and the fact that we don't violate the 50-lot rule.

1911
1912 The final thing I would point out is that this 50-acre parcel is not landlocked. Axe
1913 Handle Lane, which runs right here, partially is in Goochland County, but is
1914 maintained by the Henrico County Department of Public Works. It is my
1915 understanding that there is an agreement, if not on paper then certainly an
1916 understanding and has already been approved by Goochland County to approve this
1917 swap of land over to Henrico County. The students that live on these lots, that are

1918 technically in Goochland County, go to Henrico County Public Schools. It is deemed a
1919 Henrico County roadway for all intents and purposes other than in title, which it will
1920 soon, and there is access to that lot. We have submitted to the Planning staff and to
1921 Mr. Marshall some lot layouts for this parcel and this parcel (referring to map) and I
1922 can show those if you want, but the upshot is that with 36 lots currently in these parcels
1923 right here, the most that could be developed between these two is approximately 30
1924 lots, which would result in a 66 lots being accessed off of there. That is a 15-lot
1925 waiver, which has been done numerous times with respect to the 50-lot rule. For
1926 example, Cross Creek, just across the way, has over 70 lots. The upshot of all of that
1927 is that if these get developed under its existing A-1, the most that they would have is
1928 that 66 lots, and also that approving this would be consistent with what was approved
1929 recently with King's Reach, that did not require access. Westfield did not require
1930 access. Westbridge did not require access other than the access that they have already
1931 provided through Axe Handle, so it would be consistent with the precedent already set
1932 in other subdivisions in trying to create an exclusive neighborhood, and large lot
1933 subdivisions, which have been encouraged by the County. With all that, I would hope
1934 that you would not approve this case with the staff's recommendation. At this point,
1935 we object to the recommendation that we provide a stub road to the western property
1936 line for those reasons. I will be happy to answer any questions. I ran through that
1937 rather quickly, but there are a number of issues here that make sense, like a stub road
1938 that hasn't been done in other subdivisions and should not be applied to this one and the
1939 simple fact, we don't violate the 50-lot rule and they have access otherwise to those
1940 other lots.

1941
1942 Mrs. Ware - Where does the 50-acre parcel, where is their access?

1943
1944 Mr. Condlin - Axe Handle Road. It comes right here. You can also see that
1945 they have a stub road that runs right into their access point right here that would serve
1946 them. There is also, with respect to the 10-acre parcel, is owned by this gentleman
1947 right here, and upon development and connection of these roads, it is obvious they
1948 could create and obtain access through here or through the 50-acre parcel to get to that
1949 10-acre piece. There is a reference that this 50-acre piece is landlocked. Technically,
1950 it is not landlocked. It is accessed through a road that may or may not be in Henrico
1951 County, but is improved and maintained by the County of Henrico, so I would not
1952 consider that landlocked by any means, and it does have a road already existing. And
1953 the key is we are trying to make an exclusive large lot, large homes, \$700,000 to
1954 \$1,000,000 homes. It is very similar to what King's Reach did, and they were not
1955 required to do the stub road into the 50-acre parcel either.

1956
1957 Mrs. Ware - Does the 50-acre parcel have one or two points of access?

1958
1959 Mr. Condlin - They would have one point of access into there, and upon this
1960 connection, they would potentially have two points. There is a potential for two points
1961 at that point, but there is one road stubbing directly into that property right now, and

1962 we agreed it would come up to 60 some lots with the development of that parcel, which
1963 is not a substantial deviation from the 50 lot rule, certainly nothing that hasn't been
1964 done in the past.

1965

1966 Mrs. Ware - Let me just make this clear. This is in Henrico County or this is
1967 in Goochland County? The 50-acre parcel.

1968

1969 Mr. Condlin - It is currently in Henrico.

1970

1971 Mrs. Ware - The part where the stub street and towards that 50-acre lot is that
1972 in Henrico County or Goochland County?

1973

1974 Mr. Condlin - It is my understanding that Axe Handle Road and Kain Road
1975 starts in Henrico, goes into Goochland, and comes back into Henrico, but I don't know
1976 if the map shows any difference.

1977

1978 Mrs. Ware - But where that stub street...

1979

1980 Mr. Marshall - Technically, I think at this point the stub road where it fits that
1981 50-acre parcel is Goochland. However, from the County Manager's office, it is my
1982 understanding that they have in place a boundary line agreement, if you will, to swap
1983 some land, and Mr. Donati may be aware of this and actually change the County
1984 boundary line and it will take in that road and the additional property and put it in
1985 Henrico County.

1986

1987 Mr. Silber - That is correct, Mr. Marshall. The existing stub road does fit
1988 into the 50-acre parcel at the current time in Goochland County, and there may be an
1989 adjustment of the County boundary lines in the future that will allow all of this to be in
1990 Henrico County.

1991

1992 Mrs. Ware - That is a maybe?

1993

1994 Mr. Silber - I think it is more than likely going to happen.

1995

1996 Mr. Condlin - I know it has been approved by Goochland County. I was at the
1997 hearing and it was my understanding that the Board here has approved it as well.

1998

1999 Mrs. Ware - So then that 50-acre property will have two points of access.

2000

2001 Mr. Silber - It will have one point of access by way of the existing stub, and
2002 Mr. Condlin is arguing that there is potential for a second point of access with future
2003 development outside of the property that he represents.

2004

2005 Mr. Jernigan - Well, Andy, if you take that 50 acres and only put 14 lots on it,
2006 and bring it up to 50, you will really have an exclusive neighborhood there.

2007
2008 Mr. Condlin - Like all developments, they don't want to hinge one development
2009 on the purchase of another development, but that is certainly some conversation that is
2010 going to occur in the future. Just try to attain that, and make that part of this
2011 subdivision, but if that can't be done, this property that is owned by Mr. Windsor and
2012 he wants to develop it pursuant to this, and be able to get the one-acre lots and have an
2013 exclusive neighborhood for that purpose.

2014
2015 Mr. Marshall - You don't think he would want to make it a gated community, do
2016 you?

2017
2018 Mr. Condlin - To do a gated community, he doesn't want to go through, he is
2019 not convinced that the homeowners will pay the extra cost to maintain their own roads.

2020
2021 Mr. Marshall - That would cost another \$250,000, that is next door.

2022
2023 Mr. Jernigan - Andy, the only thing that I am concerned about is, I mean you
2024 say it would end up with 66 homes, and that is 16 over what we normally.

2025
2026 Mr. Condlin - Well, that is 66 in the worst case. There is a potential for the
2027 other subdivision. I don't know if you can flip back, but there is upon the development
2028 of other lots in the area, you will see, I think Heatherfield is the name of it here. Upon
2029 the connection of these sawed off from Heatherfield, between the development of this
2030 lot, a second point could be brought in through here, and we've got a couple. We
2031 actually laid out some lots that would work for those properties. That is the worst case
2032 that we'd be over the 50 lot rule temporarily, depending on the timing, but we do feel
2033 that rightfully or wrongfully we feel that we are being treated a little different than
2034 King's Reach, which you can see is just above our property. You need to lower it
2035 down or raise the paper a little bit on that. King's Reach is up on top and then
2036 Stonehurst is just a lot below it with a one-lot, and you can see we have laid out a
2037 couple of different ways of access. The 50 acres on the left with 20 some lots there,
2038 and the 10 acres there. We've got another one that shows the connection between those
2039 two. I guess if this was such a critical issue, there were potentially other properties that
2040 were able to be developed to connect these, that should have been done at that time as
2041 well. The Major Thoroughfare Plan was specifically amended and, quite frankly, we
2042 thought it was settled with that. We were in support of that to get rid of those roads,
2043 and so that is why we have come forward with this without having the connection
2044 consistent with the Major Thoroughfare Plan. I've got lots of excuses and I am
2045 throwing them out there. I don't want to keep repeating myself.

2046
2047 Mr. Silber - I don't know if the Commission cares to hear anymore from the
2048 staff's perspective or not. I think that we have probably discussed this enough. I

2049 would like to just say that yes, a Major Thoroughfare Plan was amended. It did delete
2050 three roads in this area. The majority of those roads were intended to provide a
2051 North/South connection. They have been removed. The staff is not trying to bring
2052 about the same road alignment that was eliminated through the MTP Amendment.
2053 What we are trying to achieve is the inner-connectivity of parcels of land as they
2054 develop, and as you can see, as each tract of land develops without that connection, it
2055 begins to limit our ability to provide connections in the future and potentially
2056 landlocking properties. Mr. Condlin has provided us with a potential layout whereby
2057 the 10-acre parcel and the 50-acre parcel could be accessed and meet most of the
2058 County's requirements or policies, but with each and every parcel that gets developed
2059 and you don't provide those connections, then you are beginning to lock yourself in.
2060 Good planning practice and logics says you try to prove inner-connectivity for traffic,
2061 transportation reasons, and good community planning. There can be arguments made
2062 for exclusive communities, for communities that do not inner connect because of values
2063 of homes and economic purposes. So, it is a philosophical difference perhaps. It is the
2064 County Administration's position that there should be connections between communities
2065 and roads, and that is our recommendation in this case.

2066
2067 Mrs. Ware - Are there anymore questions?

2068
2069 Mr. Marshall - Madam Chairman, I am going to move approval for this
2070 subdivision, and first I want to state the reasons why I am going to disagree with the
2071 staff's recommendations. One has to do with the character of the development and the
2072 property rights of someone that is going to develop their property. I see it in one sense
2073 as the County has already, basically at some point, there is a stub road provided to the
2074 50 acre parcel and the roads that were deleted under the Major Thoroughfare Plan
2075 would have, if you will, solved a lot of the issues that we are talking about now of
2076 maybe we need this access or maybe we don't need this access. Those roads ran
2077 through there and addressed those concerns, but it was deemed appropriate to delete
2078 those roads from the Major Thoroughfare Plan, due in part to the development that is
2079 directly adjacent to Mr. Windsor's development, and that is the King's Reach
2080 Subdivision. This is a development of only 21 lots on 24 acres, with the homes to be in
2081 the range of \$750,000 and up, and there is access to the 50-acre parcel whenever
2082 HHHunt decides to do whatever they are going to do with that parcel, and it can go
2083 through as shown to Axe Handle Lane, and as well as the 10-acre parcel, which I think
2084 was quite fairly pointed out as a commercial type horse facility, which you would be
2085 requiring these people to pay these prices for these houses, and then have these horse
2086 trucks or trailers come into their subdivision if you required the connection.

2087
2088 It is not over the 50 lots for one point of access. In fact, the plans that have been
2089 mentioned totaling a little over 60 lots, you have directly across the street from this
2090 subdivision. Cross Creek, which is 72 lots on one point of access, you have King's
2091 Reach directly next door, which is 80 lots on one point of access, which we just
2092 approved. So, for this case, there are only 21 lots. There are potential connections

2093 through the future development of those two remaining parcels, the 10-acre parcel and
2094 the one below it to allow a second point of access out that way.

2095
2096 Actually, the residents so far as the south stub road, which is now not required, but
2097 they had actually asked that access not be given any further than it went now, and they
2098 were the ones, they were neighbors if you will, they were happy with the deletion of
2099 the roads from the Major Thoroughfare Plan. So with that, I am going to recommend
2100 approval of this case with the deletion of the second item listed dealing with the waiver
2101 for Public Works, because that has been achieved, and also we have to address the third
2102 thing, the request that it be specifically allowed yet exceeding the 1320 ft. maximum
2103 under the subdivision ordinance, due in part to the waiver by the Director of Public
2104 Works and also that the fourth item for the stub road to the adjacent parcel at the end of
2105 the subdivision be deleted, and then subject to the annotations on the plans and the
2106 standard conditions served by public water and septic tank/drainfields, and conditions
2107 Nos. 12 and 13.

2108
2109 Mr. Jernigan - Second.

2110
2111 Mrs. Ware - Motion made by Mr. Marshall, seconded by Mr. Jernigan. All in
2112 favor say aye. All opposed say no. The motion passes.

2113
2114 The Planning Commission granted conditional approval to subdivision Stonehurst,
2115 (February 2004 Plan), subject to the second item listed dealing with the waiver for
2116 Public Works, because that has been achieved, and also subject to addressing the third
2117 thing, the request that it be specifically allowed yet exceeding the 1320 ft. maximum
2118 under the subdivision ordinance, due in part to the waiver by the Director of Public
2119 Works and also that the fourth item for the stub road to the adjacent parcel at the end of
2120 the subdivision be deleted, and then subject to the annotations on the plans and the
2121 standard conditions for subdivisions served by public water and septic tank/drainfields,
2122 and the following additional conditions:

- 2123
- 2124 12. The detailed plant list and specifications for the landscaping to be provided within
2125 the 25-foot-wide planting strip easement along Pouncey Tract Road shall be
2126 submitted to the Planning Office for review and approval prior to recordation of
2127 the plat.
 - 2128 13. Any future building lot containing a BMP, sediment basin or trap and located
2129 within the buildable area for a principal structure or accessory structure, may be
2130 developed with engineered fill. All material shall be deposited and compacted in
2131 accordance with the Virginia Uniform Statewide Building Code and geotechnical
2132 guidelines established by a professional engineer. A detailed engineering report
2133 shall be submitted for the review and approval by the Building Official prior to
2134 the issuance of a building permit on the affected lot. A copy of the report and
2135 recommendations shall be furnished to the Directors of Planning and Public
2136 Works.
- 2137

2137 **LANDSCAPE PLAN**
2138

LP/POD-52-02
Hickory Grove Phase I –
Old Nuckols Road

HHHunt: Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 11.33-acre site is located at 11621 and 11547 Old Nuckols Road, approximately 0.2 mile east of Shady Grove Road on parcels 744-773-3059 and 744-777-6354. The zoning is RTHC, Residential Townhouse District (Conditional).
(Three Chopt)

2139

2140 Mrs. Ware - Is there any opposition to this case?

2141

2142 Mr. Marshall - Does he have to talk or can I just move approval?

2143

2144 Mr. Silber - Mr. Kennedy, are there any outstanding issues?

2145

2146 Mr. Kennedy - The neighbor and the developer have agreed to an annotation that
2147 the friendly side of the fence will face Kensington subdivision. I wanted to put that in
2148 the record. With that, we recommend approval.

2149

2150 Mr. Marshall - Madam Chairman, I move approval of landscape plan POD-52-
2151 02, Hickory Grove Phase I – Old Nuckols Road, subject to the annotations on the plan
2152 and the standard conditions for landscape plans.

2153

2154 Mr. Vanarsdall - Second.

2155

2156 Mrs. Ware - Motion made by Mr. Marshall, seconded by Mr. Vanarsdall. All
2157 in favor say aye. All opposed say no. The motion passes.

2158

2159 The Planning Commission approved the landscape plan for LP/POD-52-02, Hickory
2160 Grove Phase I – Old Nuckols Road, subject to the annotations on the plan and the
2161 standard conditions for landscape plans.

2162

2163 **APPROVAL OF MINUTES: January 28, 2004, Minutes**

2164

2165 Mrs. Ware - Are there any changes to the minutes?

2166

2167 Mr. Vanarsdall - I move that the minutes be approved for January 28, 2004 as
2168 written, if there are no changes.

2169

2170 Mr. Marshall - Second.

2171

2172 Mrs. Ware - Motion made by Mr. Vanarsdall and seconded by Mr. Marshall.
2173 All in favor say aye. All opposed say no. The motion passes.

2174 Mr. Silber - I do have a couple of items I would like to mention. There are
2175 two items. The Board of Supervisors last night passed a resolution to study the creation
2176 of a UMU, Urban Mixed Use District for Innsbrook. There is a proposal by
2177 Highwoods to do an Urban Mixed Use development that would require an amendment
2178 to the Land Use Plan. So this study would be started by the staff. We would like for
2179 the Planning Commission, and I don't want to set at this time, but we are going to be
2180 shooting for the Planning Commission's April 15, 2004 meeting for a work session to
2181 discuss this recommendation for UMU Land Use Plan Amendment with a likely public
2182 hearing in May. Once the Land Use Plan Amendment goes through, they simply need
2183 to rezone the property and file for a Provisional Use Permit. This is an exciting
2184 development proposal that we have been learning about. Mr. Marshall and Mr.
2185 Kaechele and staff have some details on this. It does require a Land Use Plan
2186 Amendment, so I just wanted to bring that to your attention.
2187

2188 Secondly, I believe each of you has received a letter from the Richmond Regional
2189 Planning District Commission regarding their third annual RRPDC Planning
2190 Commissioners Forum. If you haven't, I have copies for you, but this is scheduled for
2191 March 19. This year it is being sponsored by Chesterfield County, so it will be held in
2192 Chesterfield at the Holiday Inn Select in the Koger Center. What I would like is some
2193 indication as to whether some or all of you would be interested. I would like to get the
2194 registration form in if you have an interest in attending. Again, it is not too far away.
2195 It is scheduled for March 19. Did you all receive this in the mail?
2196

2197 Mr. Vanarsdall - Yes, I got mine.
2198

2199 Mr. Silber - Last year I believe it was here in Henrico at the Cultural Arts
2200 Center.
2201

2202 Mr. Archer- Yes, and the first year it was in Richmond, I think.
2203

2204 Mr. Vanarsdall - I don't know if I am going or not if it is not any better than the
2205 first two they had. It was a waste of time.
2206

2207 Mr. Silber - That's one opinion? Well, why don't we...
2208

2209 Mr. Marshall - Are you going, Mr. Silber?
2210

2211 Mr. Silber - Yes, Mr. Marlles and I have registered.
2212

2213 Mr. Marshall - You looking for company?
2214

2215 Mr. Silber - It would be nice. If the Commission doesn't find benefit in going
2216 to these, then I don't expect you to go.
2217
2218 Mr. Archer - Mr. Silber, I thought the first one was of some benefit, and I
2219 didn't attend last year, to be honest with you. What is the time slot? Is it all day?
2220
2221 Mr. Silber - No, sir. It is from 11:30 until 4:15 p.m.
2222
2223 Mr. Archer - I had to leave the first one early. I would probably have to leave
2224 this one early, too. But I may go.
2225
2226 Mr. Marshall - Being new I will go so I can form my own opinion.
2227
2228 Mr. Silber - OK, so Mr. Marshall is interested in going, Mrs. Ware.
2229
2230 Mr. Archer - I may go but I won't be able to stay for the duration.
2231
2232 Mr. Silber - OK, that is fine. If you have to leave that is fine. Mr. Archer,
2233 also. Anyone else?
2234
2235 Mr. Jernigan - I will let you know.
2236
2237 Mr. Vanarsdall - One thing you will get out of it is lunch.
2238
2239 Mr. Silber - Yes, you can bank on that. I will get the registration forms in for
2240 Mr. Marshall, Mrs. Ware, Mr. Archer and Mr. Jernigan is thinking about it, and...
2241
2242 Mr. Marshall - What about Mr. Donati? Is he going to go?
2243
2244 Mr. Silber - Mr. Donati.
2245
2246 Mr. Donati - I am going to be out of town that day.
2247
2248 Mr. Silber - We will let the RRPDC know.
2249
2250 Mr. Vanarsdall - How much does it cost, \$30?
2251
2252 Mr. Silber - Yes, \$35. We need to get the forms in.
2253
2254 Mr. Marshall - He is not pushing.
2255
2256 Mr. Vanarsdall - If I change my mind later, you can go anyway? Because I may
2257 be out of town, instead of Henrico, I might go over to Chesterfield or something like
2258 that.

2259
2260
2261
2262
2263
2264
2265
2266
2267
2268
2269
2270
2271
2272
2273
2274
2275
2276
2277
2278
2279
2280
2281
2282
2283
2284

Mrs. Ware - How about a motion to adjourn?

Mr. Archer - So moved.

Mr. Vanarsdall - Second.

Mrs. Ware - We have a motion made and seconded by Mr. Vanarsdall. All in favor say aye. All opposed no. The meeting is adjourned.

On a motion by Mr. Archer and a second by Mr. Vanarsdall, the Planning Commission adjourned its February 25, 2004, meeting at 10:52 a.m.

Lisa D. Ware, C.P.C., Chairperson

Randall R. Silber, Acting Secretary