

1 Minutes of the regular monthly meeting of the Planning Commission of the County of Henrico,
2 Virginia, held in the Board Room of the County Administration Building in the Government
3 Center at Parham and Hungary Springs Roads, Beginning at 9:00 a.m. Tuesday, February 23,
4 1999.

5
6 Members Present: Ms. Elizabeth G. Dwyer, C.P.C., Chairman (Tuckahoe)
7 Mr. Ernest B. Vanarsdall, C.P.C., Vice-Chairman (Brookland)
8 Mr. C. W. Archer, C.P.C., (Fairfield)
9 Mrs. Debra Quesinberry, (Varina)
10 Mrs. Mary L. Wade (Three Chopt)
11 Mr. James B. Donati, Jr., Board of Supervisors Representative
12 (Varina)

13
14 Others Present: Mr. John R. Marlles, AICP, Director of Planning, Secretary
15 Mr. Randall R. Silber, Assistant Director of Planning
16 Mr. David D. O'Kelly, Jr., Principal Planner,
17 Mr. Jim P. Strauss, CLA, County Planner
18 Mr. E. J. (Ted) McGarry, III, County Planner
19 Mr. Kevin D. Wilhite, County Planner
20 Mr. Mikel C. Whitney, County Planner
21 Ms. Leslie A. News, CLA, County Planner
22 Mr. Todd Eure, Assistant Traffic Engineer
23 Ms. Diana B. Carver, Recording Secretary
24 Ms. Ann B. Cleary, Office Assistant IV

25
26 Ms. Dwyer - Good morning and welcome to today's session of the Planning
27 Commission. We do have a quorum and we are ready to get started. Are there any members
28 of the press here this morning? Is she having trouble hearing me? Mr. Secretary, we have
29 completed the roll call and all Commission members are present. Shall we proceed with the
30 next agenda item?

31
32 Mr. Silber - The first item of business would be the deferrals and withdrawals. Mr.
33 Wilhite.

34
35 Mr. Wilhite - Good morning, Madam Chairman, members of the Commission, and
36 ladies and gentlemen. On your agenda you have two requests for deferrals and withdrawals.
37 This morning staff is aware of a third one. The first one is on Page 13, Scandia Lake (January
38 1999 Plan).

39
40 **SUBDIVISION**

41
Scandia Lake
(January 1999 Plan)

**Wingate and Kestner for Rogers – Chenault, Inc. and
Wingate and Kestner:** The 45.5-acre site is located at the
eastern terminus of Scandia Road approximately one mile
east of White Oak Road on part of parcel 20-A-7B and
part of 7C. The zoning is A-1, Agricultural District.

County water and septic tank/drainfield.
(Varina) 32 Lots

42
43 Ms. Dwyer - Is there anyone in the audience opposed to the deferral of Scandia Lake
44 (January 1999 Plan). No opposition.

45
46 Mrs. Quesinberry - Madam Chairman, I would like to make a motion that Scandia Lake
47 (January 1999 Plan) be deferred to the March 23, 1999 meeting at the applicant's request.

48
49 Mr. Vanarsdall - Second.

50
51 Ms. Dwyer - Motion by Mrs. Quisenberry, second by Mr. Vanarsdall. All in favor
52 say aye. All opposed say no. The motion carries.

53
54 At the applicant's request, the Planning Commission deferred Scandia Lake (January 1999
55 Plan), to its meeting on March 23, 1999.

56
57 Mr. Wilhite - On Page 20, Canterbury on The James (February 1999 Plan), the
58 applicant is requesting withdrawal of this subdivision plan.

59
SUBDIVISION
Canterbury on the James Koontz-Bryant, P.C. for Wilton Development Corporation: The
(February 1999 Plan) 19.86-acre site is located at the southwest corner of Parham Road
and River Road on parcel 125-A-18A. The zoning is R-1, One-
Family Residence District. County water and sewer. (Tuckahoe)
13 Lots

60
61 Ms. Dwyer - Action is required or not required by the Planning Commission?

62
63 Mr. Wilhite - Action is required by the Planning Commission.

64
65 Ms. Dwyer - I move that the Canterbury on the James (February 1999 Plan) be
66 withdrawn from the Commission's agenda.

67
68 Mr. Vanarsdall - Second.

69
70 Ms. Dwyer - Motion by Ms. Dwyer, second by Mr. Vanarsdall. All in favor say aye.
71 All opposed say no. The motion carries.

72
73 At the applicant's request, the Planning Commission voted to withdraw Canterbury on the
74 James (February 1999 Plan) from the February 23, 1999 agenda.

75
SUBDIVISION (Deferred from the January 1999 Meeting)

Twin Hickory Collector Roads Youngblood, Tyler and Associates, P.C. for

(January 1999 Plan)

HHHunt Corporation: The 426.45-acre site is located on the terminus of Twin Hickory Road on parcels 18-A-2, 39A, 55, 26-A-30, 31, 32, 27-A-3A, 4, 5A, 6, 7, 8, 9A, 11 and 37-A-1. The zoning is R-2C, One-Family Residence (Conditional), R-2AC, One-Family Residence District, R-3C, One-Family Residence District (Conditional), R-4C, One-Family Residence District (Conditional), R-5C, General Residence District (Conditional), R-6C, General Residence District (Conditional), RTHC-Residential Townhouse District (Conditional), O-1C, Office District (Conditional), and O/S-2C, Office Service District (Conditional). (Three Chopt) 0 Lots

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Mr. Wilhite - The applicant is requesting a deferral until your March 11, 1999 Planning Commission meeting.

Ms. Dwyer - Is there anyone in our audience in opposition to Twin Hickory Collector Roads (January 1999 Plan)? No opposition.

Mrs. Wade - I move that Subdivision Twin Hickory Collector Roads (January 1999 Plan) be deferred until March 11, 1999 at the applicant's request.

Mr. Vanarsdall - I second that.

Ms. Dwyer - We have a motion by Mrs. Wade, and a second by Mr. Vanarsdall. All in favor say aye. All opposed say no. The motion carries.

At the applicant's request, the Planning Commission voted to defer Subdivision Twin Hickory Collector Roads (January 1999 Plan) to its meeting on March 11, 1999.

PLAN OF DEVELOPMENT (Deferred from the December 15, 1998, Meeting)

POD-114-98

River Road Church – Baptist Additions and Renovations

Draper Aden Associates for River Road Church – Baptist: 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, 16,000 square foot education building addition and related improvements to an existing church site. The 6.8-acre site is located at the intersection of River Road and Ridge Road on parcels 113-9-K2, 126-A-2 and 126-5-C-2. The zoning is R-1, One-Family Residence District. County water and sewer. (Tuckahoe)

94

95 Mr. Wilhite - The applicant is requesting a deferral for two weeks to the March 11,
96 1999 meeting.

97
98 Ms. Dwyer - Is there anyone in the audience who is opposed to the deferral of POD-
99 114-98, River Road Church – Baptist – Additions and Renovations? There is no opposition. I
100 move for the deferral of POD-114-98, River Road Church – Baptist – Additions and
101 Renovations to our March 11, 1999 zoning meeting. That will be a night meeting.

102
103 Mr. Vanarsdall - Second.

104
105 Ms. Dwyer - Motion by Ms. Dwyer and a second by Mr. Vanarsdall. All in favor say
106 aye. All opposed say no. The motion carries.

107
108 At the applicant's request, the Planning Commission voted to defer POD-114-98, River Road
109 Church – Baptist – Additions and Renovations to its meeting on March 11, 1999.

110
111 Mr. Silber - At 6:00 p.m. there will be a hearing on the Capital Improvements
112 Program and the regular hearing starts at 7:00 p.m.

113
114 Ms. Dwyer - For any of you who are interested in our hearing on River Road Baptist
115 Church, our meeting will begin at 6:00 p.m. but at that time we will considering the CIP,
116 Capital Improvements, so you may not need to be here that early, but 7:00 p.m.

117
118 Mr. Silber - I think it is safer to say the Public Hearing on any agenda items besides
119 the CIP will not take place until 7:00 p.m.

120
PLAN OF DEVELOPMENT

POD-13-99

Banks Brothers First Health II – Innsbrook
(POD-18-89 Revised)

TIMMONS for Banks Richmond Ltd. Partnership
and DPR Construction Services: Request for
approval of a plan of development as required by
Chapter 24, Section 24-106 of the Henrico
County Code to construct a three-story, 54,750
square foot office building and a two-story,
26,854 square foot parking deck addition to an
existing office site. The 7.881-acre site is located
on the west line of Cox Road, 900 feet ± south
of Waterfront Place, at 4300 Cox Road on parcel
38-3-B-7. The zoning is 0-3C, Office District
(Conditional) and C-1, Conservation District.
County water and sewer. (Three Chopt)

121
122 Mr. Wilhite - The applicant is requesting a deferral for one month to your March 23,
123 1999 meeting.

124

125 Ms. Dwyer - Is there anyone in the audience in opposition to the deferral of POD-13-
126 99, Banks Brothers First Health II – Innsbrook (POD-18-89 Revised)? No opposition. Mrs.
127 Wade.

128
129 Mrs. Wade - I move that POD-13-99, Banks Brothers First Health II – Innsbrook
130 (POD-18-89 Revised) be deferred to March 23, 1999 at the applicant’s request.

131
132 Mr. Vanarsdall - Second.

133
134 Ms. Dwyer - We have a motion by Mrs. Wade, seconded by Mr. Vanarsdall. All in
135 favor say aye. All opposed say no. The motion for deferral carries.

136
137 At the applicant’s request, the Planning Commission voted to defer POD-13-99, Banks
138 Brothers First Health II – Innsbrook (POD-18-89 Revised) to its meeting on March 23, 1999.

139
140 Ms. Dwyer - I have two deferrals. The first is POD-6-99, Rite Aid @ Church and
141 Pump Roads.

142

**PLAN OF DEVELOPMENT, TRANSITIONAL BUFFER DEVIATION AND
ALTERNATIVE FENCE HEIGHT (Deferred from the January 26, 1999 Meeting)**

POD-6-99 Jordan Consulting Engineers, P.C. for Earl Thompson,
Rite Aid @ Church and Pump Inc. and Sigma Development of Virginia, Inc.: Request
Roads for approval of a plan of development, a transitional
buffer deviation and an alternative fence height as
required by Chapter 24, Sections 24-106, 24-206.2 and
24-95(1) of the Henrico County Code to construct a
one-story, 10,000 square foot pharmacy with a drive-
through window. The 1.34-acre site is located on the
southwest corner of Pump and Church Roads on part of
parcel 66-A-11J. The zoning is B-3, Business District.
County water and sewer. (Tuckahoe)

143

144 Mr. Silber - Page 10.

145

146 Ms. Dwyer - Is there anyone in the audience in opposition to the deferral of POD-6-
147 99, Rite Aid @ Church and Pump Roads? No one in opposition. On my own motion, I move
148 the deferral of POD-6-99 to our March 23, 1999 Planning Commission meeting.

149

150 Mr. Vanarsdall - Second.

151

152 Ms. Dwyer - Motion by Ms. Dwyer and seconded by Mr. Vanarsdall. All in favor
153 say aye. All opposed say no. The motion for deferral carries.

154 The Planning Commission voted to defer POD-6-99, Rite Aid @ Church and Pump Roads to
155 its meeting on March 23, 1999.

156

PLAN OF DEVELOPMENT

POD-9-99

Collegiate Upper School - Science Building

Draper Aden Associates for The Collegiate 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, 23,500 square foot science classroom building. The 1.19-acre portion of the site is located on the southeast corner of Mooreland Road and Tarrytown Drive on part of parcels 112-A-1 and 112-A-2. The zoning is R-2, One-Family Residence District. County water and sewer. (Tuckahoe)

157
158 Ms. Dwyer - The second case that I would like to move for deferral on is Collegiate
159 Upper School - Science Building. Page 18.

160
161 Is there anyone in the audience in opposition to the deferral of POD-9-99, Collegiate Upper
162 School - Science Building?

163
164 Mrs. Wade - You are deferring this yourself?

165
166 Ms. Dwyer - Yes, I am deferring this myself.

167
168 Mrs. Wade - Can you say why? I know there are people here who are interested.

169
170 Ms. Dwyer - Are there people here who are interested in this case?

171
172 From the Audience - Yes. A whole lot of them. Would you like for us to stand together?

173
174 Ms. Dwyer - I don't think that is necessary. I think a number of people were told we
175 were planning to defer this case. I don't know if the word got out. I know a number of
176 neighborhood leaders were going to try to disseminate that information. After discussions with
177 Pat O'Bannon, we decided in light of the significant neighborhood interest that it would be to
178 everyone's benefit to have another meeting with Collegiate Schools, with the County officials,
179 drainage engineers, traffic engineers, and have those experts available for questions because I
180 know that there is some misinformation out there based on some of the conversations that I
181 have had, and first of all, we'd like to clear up some of the factual inaccuracies that may be
182 floating around out there, and get things off the table, and get the issues that we named, which
183 are merely traffic issues, and I think there are still some remaining and questions about the
184 BMP there. We will get those facts on the table and see if we can work some compromise or
185 see if the neighborhood and the school can reach some agreement as to the closing and/or
186 opening of the _____ and Santa Clara, so we just feel that in light of the number of questions
187 and the great deal of interest that has been generated by this that everyone would benefit by a
188 meeting where we could have all of that out, prior to the public hearing, so this is on my
189 motion to defer this for a month.

190
191 Mr. Vanarsdall - I second it.

192
193 Ms. Dwyer - Motion by Ms. Dwyer, and a second by Mr. Vanarsdall. All in favor of
194 the deferral of POD-9-99 say aye. All opposed say no. The motion for deferral carries.

195
196 The Planning Commission voted to defer POD-9-99, Collegiate Upper School – Science
197 Building to its meeting on March 23, 1999.

198
199 Voice in the Audience -Is there a plan for the meeting between Collegiate and the County and
200 the neighborhood?

201
202 Ms. Dwyer - Oh, yes. I am glad, if I may, March 8 is the date that has been set – an
203 evening meeting – I don't know the location yet. March 8.

204
205 Man in the Audience –A couple of the neighbors told me, who have been involved, that March
206 8 would be a very difficult day, Spring Break Schedules...

207
208 Ms. Dwyer - Well, that is the date that has been given to me by Ms. O'Bannon that
209 she and the school had agreed to, so I suppose that is subject to change, but that is the date it is
210 scheduled so far. I suggest you consult with your neighborhood association and keep in touch,
211 and talk with your neighborhood association and the school can distribute flyers to let everyone
212 know of the final date that has been selected. We have really put a lot of time on this case, but
213 it has been deferred. Did you have anything else? No, we don't have a location, but the time
214 was 7:30 p.m. and we were looking for a location the last I heard. It was set up as of
215 yesterday. Thank you all for coming.

216
217 Mr. Silber - The next items on the agenda will be expedited agenda items. Mr.
218 Wilhite, will you walk us through the expedited agenda, please?

219
220 Mr. Wilhite - Staff is aware of five items on the expedited agenda. First on page 3, a
221 transfer of approval.

222

TRANSFER OF APPROVAL

POD-2-97

Marriott Residence Inn – Westerre

Mark Murphy for Innkeepers RI General, L.P.: Request for transfer of approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code from Henricus Land Limited Partnership and Residence Inn by Marriott, Inc. to Innkeepers RI General, L.P. The 2.62-acre site is located on the west line of Westerre Parkway on parcel 48-A-37F. The zoning is B-2C, Business District (Conditional). County water and sewer. (Three Chopt)

223

224 Mr. Wilhite - Staff recommends approval.

225

226 Ms. Dwyer - Is there anyone in the audience in opposition to POD-2-97, Marriott
227 Residence Inn – Westerre? No opposition.

228

229 Mrs. Wade - I move that POD-2-97, Transfer of Approval, for Marriott Residence Inn
230 - Westerre, be approved, the owner agreeing to be responsible for continued compliance with
231 the conditions of the original approval.

232
233 Mr. Archer - Second.

234
235 Ms. Dwyer - Motion by Mrs. Wade, seconded by Mr. Archer. All in favor say aye.
236 All opposed say no. The motion carries.

237
238 The Planning Commission voted to approve Transfer of Approval, POD-2-97, Marriott
239 Residence Inn - Westerre, subject to the new owner accepting and agreeing to be responsible
240 for continued compliance with the conditions of original approval.

241
242 Mr. Wilhite - The next one appears on page 11, a lighting plan.

LIGHTING PLAN

LP/POD-7-96

Mountain Laurel Townhouses -
Phase 3

Bon Air Electrical Service Company: Request for approval
of a lighting plan as required by Chapter 24, Sections 24-
106 of the Henrico County Code. The 10.6-acre site is
located at the northeast corner of Woodman Road and
Mountain Roads on parcels 32-A-11,12, 13A and 14. The
zoning is RTHC, Residential Townhouse (Conditional)
District. (Fairfield)

244
245 Mr. Wilhite - Staff recommends approval.

246
247 Ms. Dwyer - Is there anyone in the audience in opposition to the lighting plan,
248 LP/POD-7-96, Mountain Laurel Townhouses - Phase 3? No opposition. Mr. Archer.

249
250 Mr. Archer - I move approval of LP/POD-7-96, Mountain Laurel Townhouses,
251 subject to the annotations on the plan and standard conditions for lighting plans.

252
253 Mr. Vanarsdall - Second.

254
255 Ms. Dwyer - Motion by Mr. Archer and seconded by Mr. Vanarsdall. All in favor
256 say aye. All opposed say no. The motion carries.

257
258 The Planning Commission voted to approved Lighting Plan, LP/POD-7-96, Mountain Laurel
259 Townhouses - Phase 3, subject to the annotations on the plan and the standard conditions for
260 lighting plans.

LANDSCAPE AND LIGHTING PLAN

LP/POD-15-97

Highwoods 3

CMSS Architects: Request for approval of a
landscape and lighting plan as required by Chapter
24, Sections 24-106 and 24-106.2 of the Henrico
County Code. The 31.03-acre site is located

approximately 600 feet north of the terminus of Cox Road and along the west line of Jones Road on parcels 28-A-20N, 28-A-20T and 19-A-34. The zoning is M-1C, Light Industrial District (Conditional) (Three Chopt)

262
263 Mr. Wilhite - There is an updated recommendation of staff approval on page 3 of your
264 addendum.

265
266 Ms. Dwyer - Is there anyone in the audience in opposition to LP/POD-15-97,
267 Highwoods 3? We have opposition. Mrs. Wade, would you like to move this case off of the
268 expedited agenda?

269
270 Mrs. Wade - Yes, I would think so.

271
272 Ms. Dwyer - OK. We will move this case off the expedited agenda and put it back on
273 the regular agenda and then you will have an opportunity to hear staff make a presentation and
274 make comments.

275
276 Mrs. Wade - There is someone here representing Highwoods that you might want to
277 talk to.

278
279 Voice in the Audience -Unintelligible.

280
281 Mrs. Wade - Jim Strauss and the other gentleman will talk with you and give you
282 more information in the lobby. Thank you.

283
284 Ms. Dwyer - OK. We will be removing LP/POD-15-97 from the expedited agenda.

285
LANDSCAPE PLAN
LP/POD-110-97 **Gerstenmaier Design Studio:** Request for approval of a landscape
Temple Beth El plan as required by Chapter 24, Sections 24-106 and 24-106.2 of the
Henrico County Code. The 16.25-acre site is located on N. Parham
Road, east of its intersection with Derbyshire Road on parcels 100-A-
46, 100-20-B-214, 22 and 23. The zoning is R-2, One-Family
Residence District and R-3, One-Family Residence District.
(Tuckahoe)

286
287 Mr. Wilhite - Also, on page 3 of your addendum there is an updated staff
288 recommendation for approval.

289
290 Ms. Dwyer - Is there anyone in the audience in opposition to LP/POD-110-97, Temple
291 Beth El? This is the landscape plan. No one in opposition. I wonder if Mr. Strauss could
292 come back. I received the revised landscape plans yesterday and they are satisfactory as far as
293 you are concerned.

294

295 Mr. Strauss - Yes, ma'am.

296
297 Ms. Dwyer - All right. I move approval of LP/POD-110-97, Temple Beth El,
298 landscape plan, subject to the annotations on the revised staff plan dated February 23, 1999
299 and the standard conditions for landscape plans.

300
301 Mrs. Wade - Second.

302
303 Ms. Dwyer - Motion by Ms. Dwyer and seconded by Mrs. Wade. All in favor say
304 aye. All opposed say no. The motion carries.

305
306 The Planning Commission voted to approve Landscape Plan LP/POD-110-97, Temple Beth El,
307 subject to the annotations on the revised staff plan dated February 23, 1999, and the standard
308 conditions for landscape plans.

309
PLAN OF DEVELOPMENT (Deferred from the January 26, 1999 Meeting)
POD-4-99 **Grattan Associates, P.C. for Burger King Corporation and**
Burger King @ Tuckahoe Village Shopping Center Corporation: Request
Village Shopping Center **for approval of a revised plan of development as required**
(POD-70-96 Revised) **by Chapter 24, Section 24-106 of the Henrico County Code**
to construct a one-story, 3,695 square foot restaurant
addition to an existing shopping center. The 0.67-acre site
is located approximately 580 feet east of Westbriar Drive on
Patterson Avenue (State Route 6) on part of parcel 88-A-25
and all of 88-A-22. The zoning is B-2, Business District.
County water and sewer. (Tuckahoe)

310
311 Mr. Wilhite - Staff recommends approval.

312
313 Ms. Dwyer - Is there anyone in the audience in opposition to POD-4-99, Burger King
314 at Tuckahoe Village? And we have members of the public who are interested in speaking to
315 the case, so we will remove that from the expedited agenda and put it back on the regular
316 agenda, so that you will have an opportunity to speak. So, we remove POD-4-99, Burger
317 King at Tuckahoe Village from the expedited agenda. Are there any other items on the
318 expedited agenda?

319
320 Mr. Wilhite - No, ma'am.

321 Mr. Silber - Before we get into the next case, let me take this opportunity to
322 announce the newest staff member that we have in the Planning Office. You may be aware of
323 the fact that Jerry Peay, who was one of our Planning Technician's, has transferred to a
324 Zoning Enforcement position, and we have a new Planning Technician by the name of David
325 Pennock who is here. David, if you wouldn't mind standing for just a minute. David will be
326 our plan expediter or processor that will be backing up Bob Eagle and our Planners in the
327 Community Development Division. David comes to us with a degree in 1997, he received his
328 degree from Virginia Tech in Urban Affairs and Planning and he has worked as an intern with
329 the Town of Blacksburg and in the Engineering Department as well as the Planning

330 Department. I just want to welcome David to the Planning Office and let the Commission
331 know of his presence and existence and assistance in processing plans in our Plan Review
332 Section.

333
334 Ms. Dwyer - We are looking forward to working with you. Welcome, David.

335
336 Mr. Vanarsdall - Nice to have a Hooky among us, David.

337
338 Mr. Silber - The next item will be the extension of conditional subdivisions, and we
339 have one on the agenda.

340

Subdivision	Magisterial District	Original Number of Lots	No. Remaining Lots	Previous Extensions
Wyndham Forest (January 1998 Plan) (Extended from the January 26, 1999 Meeting)	Three Chopt	132	64	0

341
342 Mr. Wilhite - This was extended one month from your last agenda meeting.
343 Reconsideration of Wyndham Forest appears next on your agenda. Staff is in a position to
344 recommend full extension for 11 more months until January 26, 1999.

345
346 Ms. Dwyer - Is there anyone in the audience to speak to subdivision Wyndham Forest
347 (January 1998 Plan) extension? No one. Ready for a motion.

348
349 Mrs. Wade - I move that subdivision Wyndham Forest (January 1998) Plan be
350 extended for 11 months.

351
352 Mr. Archer - Second.

353
354 Ms. Dwyer - Motion by Mrs. Wade and second by Mr. Archer. All in favor say aye.
355 All opposed say no. The motion carries.

356
357 The Planning Commission voted to approve the subdivision extension of time for Wyndham
358 Forest (January 1998 Plan) to January 26, 2000.

359

RECONSIDERED SUBDIVISION

Wyndham Forest (January 1998 Plan) A Reconsideration of Conditions of Approval	Jordan Consulting Engineers for Snyder Hunt Wyndham Development Corporation: The 67.8-acre site is located along the north line of Twin Hickory Lane (Private) approximately 1300 feet east of Nuckols Road on parcels 10- A-8 and 10-A-28. The zoning is R-3C, One- Family Residence District (Conditional) and R-
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4C, One-Family Residence District
(Conditional) and C-1, Conservation District.
County water and sewer. (Three Chopt) 132
Lots

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Ms. Dwyer - Is there anyone in the audience in opposition to or to speak to Wyndham Forest (January 1998 Plan)? No one in opposition.

Mr. Wilhite - The subdivision condition No. 14 approved on January 19, 1998, required that the lots located north of Concept Road 10-1, the lots right here, could not receive final approval until they provided a second point of vehicular access to the subdivision. Currently, there is one permanent point of access on Wyndham Forest Drive, off of Nuckols Road, in this area right here. There was also a condition that required them, after the 53rd lot was recorded, to provide emergency access to Twin Hickory Subdivision, or Twin Hickory Lane, in this area right here. The applicant requested reconsideration of this condition to allow for a second point of access, which was proposed to be emergency access which would be from Shady Grove Road through land to intersect with the lots on the north. That would be the emergency access. They recently purchased land adjacent to the subdivision. It is currently in the rezoning process and will be heard on the Planning Commission's agenda of March 11, and it requests to rezone this to single-family residential use. In a meeting with the applicant this morning between staff and the applicant, we have worked out an alternative condition No. 14, and in essence would require them to record a subdivision plat showing a second permanent point of access to these lots and that this second point of access either be constructed or bonded prior to the issuance of any occupancy permits for those lots north of Concept Road 10-1. The wording would read, "No certificate of occupancy shall be issued for any lots north of Concept Road 10-1 until such time as a subdivision plat providing the second point of permanent access is recorded and that said access is constructed or a bond posted for its construction." Staff and applicant are both agreeable to this wording and staff would recommend approval of new condition No. 14.

Ms. Dwyer - Thank you, Mr. Wilhite. Are there any questions of Mr. Wilhite?

Mrs. Wade - Where does the improvement of Twin Hickory figure into this, Mr. Wilhite?

Mr. Wilhite - The applicant has already dedicated a portion of Twin Hickory that fronts the property under their ownership; however, that does not provide enough right of way to bring it up to public standards. Construction of a permanent road - Twin Hickory - and change that over from private to public - would require development of the land on the other side of the subdivision. The condition that was agreed to with the January 1998 Plan is that they would provide emergency access, which they would maintain the private road there when that agreement is in effect.

Mrs. Wade - In other words, it can't be improved until the land on the east side or...

401 Mr. Wilhite - Yes, ma'am. I believe there is only 40 feet of right of way now and 60
402 feet would be required, so the development of the property on the other side of the property
403 would be required prior to constructing that to public standards.

404
405 Mrs. Wade - Oh. I think I have heard that before, but OK.

406
407 Ms. Dwyer - Any other questions from Commission members? I will ask again, is
408 there anyone in the audience who would like to speak to this case, Wyndham Forest? I'm
409 ready for a motion.

410
411 Mrs. Wade - I move that the new condition No. 14 substitute be approved for
412 Wyndham Forest (January 1999 Plan) instead of the one noted, No. 14, that was previously
413 approved on the agenda.

414
415 Ms. Dwyer - Mr. Secretary has pointed out to me, Mrs. Wade, that that was the
416 January 1998 Plan. It appears as 1999 on our agenda.

417
418 Mrs. Wade - OK. To substitute for the January 1998 plan for Wyndham Forest
419 Subdivision, No. 14.

420
421 Mr. Archer - Second.

422
423 Ms. Dwyer - We have a motion by Ms. Wade and a second by Mr. Archer. All in
424 favor say aye. All opposed say no. The motion to substitute condition No.14 is approved.

425
426 The Planning Commission voted to approve Wyndham Forest Subdivision (January 1998
427 Plan), subject to the following condition:

428
429 14. No certificate of occupancy shall be issued for any lots north of Concept Road 10-1
430 until such time as a subdivision plat providing the second point of permanent access is
431 recorded and that said access is constructed or a bond posted for its construction.

432
433 **FAIRFIELD**

434
435 **(Deferred from the February 11, 1999 Meeting)**

436
437 **P-3-99 Gloria L. Freye for PrimeCo Personal Communications:** Request for approval
438 of a provisional use permit in accordance with Sections 24-95(a) and 24-122.1 of Chapter 24 of
439 the County Code in order to construct, operate and maintain a wireless communication
440 monopole tower up to 199', on part of Parcel 24-A-2, containing 1296 square feet, located on
441 the east side of Brook Road (U.S. Route 1) at the Henrico County and Hanover County line.
442 The site is zoned O-2 Office District.

443
444 Ms. Dwyer - Is there anyone in opposition to Case P-3-99, Gloria L. Freye for
445 PrimeCo Personal Communications? No opposition.

446

447 Mr. Bittner - Thank you, Ms. Dwyer. As you are aware, this was deferred from a
448 previous meeting to allow more time for the applicant to submit additional information. That
449 information has been received by staff. That includes an examination of alternative sites that
450 were considered for this tower and the reasons why they were not suitable, and the main
451 reasons were: they were either too close to the Hanover County Airport, they were too far
452 away from the desired coverage area, which is generally the Virginia Center Commons Area,
453 or the owners simply objected to having the tower put on their property. We have also
454 received a propagation study showing the coverage this tower would have. As you are aware,
455 there is an existing antenna array on Virginia Center's property that is about 100 feet tall, and
456 this proposed tower would replace that equipment array, and this tower would be about twice
457 as tall and, in effect, would increase the coverage area by about twice as much. If you have
458 any more detailed questions on these items, I was going to turn that over to the applicant once I
459 conclude my presentation. As you are aware, staff has also shared this report with the
460 County's tower consultant. The consultants' have examined our recommendations that this
461 tower be located to the northeast in an industrial section of Hanover County. Our consultant
462 has stated that if the tower were located in this area, it would generally not effect the overall
463 coverage capability of the antenna network. This is because the recommended alternative sites
464 are generally less than 1000 feet away from the proposed site. Staff recommends that the
465 applicant consider locating this tower on property to the northeast in Hanover County that is
466 industrial in nature. This would lessen the visual impact of the tower on the nearby offices in
467 the Brookfield facility along the Route 1 Corridor. Should the Board of Supervisor's
468 ultimately decide to issue a Provisional Use Permit for this case, it is recommended that the
469 permit be granted subject to the conditions listed in the staff report. I'd be happy to answer
470 any questions you may have.

471
472 Ms. Dwyer - Any questions for Mr. Bittner by Commission members?

473
474 Mr. Archer - Mark, in the event that this tower is constructed, there was another tower
475 that you said this one would replace. Would that tower be coming down?

476
477 Mr. Bittner - It is actually not a tower. The equipment I described would be coming
478 down when this tower comes. What it is, it is a Virginia Power transmission tower, and they,
479 PrimeCo, have put their equipment on top of that. That equipment would come down, but, of
480 course, the Virginia Power tower would stay there.

481
482 Ms. Dwyer - Any other questions for Mr. Bittner?

483
484 Mrs. Wade - What do you expect would occur to protect the trees over 12 inches on
485 the property?

486
487 Mr. Bittner - We have fashioned some conditions that would be part of the permit.
488 One item is that, the condition says "they cannot disturb any tree on the site that has a caliper
489 or a diameter of 12 inches or greater." The other is that for all construction and installation
490 activities, they would have to use the existing driveway on the property. The idea being that
491 they would not disturb the other property and hopefully protect the root system and the trunk
492 system of those trees. That is how we tried to protect the trees on the site.

493
494 Mrs. Wade - Thank you.
495
496 Ms. Dwyer - Are there any other questions?
497
498 Mr. Archer - One more question, Mr. Bittner. The last time we heard this, there was
499 a concern about having access to being able to work on this tower. Did we get that issue
500 resolved?
501
502 Mr. Bittner - The details haven't been worked out, but we have set it up so that it can
503 be resolved by creating a condition that would allow us to look at the POD in the future for
504 this office site, so that the Commission can work with the applicant and insure that access will
505 be adequate for this tower both during construction and after it is installed and up and running.
506
507 Mr. Archer - I remember that there was a parking area that had been covered by
508 mulch but it would be usable for the equipment truck to park in if it had to, so that was
509 available if we need to do it.
510
511 Mr. Bittner - There is also, we feel, adequate space to add parking spaces if that
512 becomes necessary in the future.
513
514 Mr. Archer - So, that is not a problem we cannot solve them?
515
516 Mr. Bittner - Not in my view, no.
517
518 Mr. Archer - OK, thank you, sir. That is all I have.
519
520 Ms. Dwyer - Would you like to hear from the applicant, Mr. Archer?
521
522 Mr. Archer - Yes, we do need to hear from them.
523
524 Ms. Freye - Good morning. My name is Gloria Freye and I am an attorney here on
525 behalf of the applicant. We did hear this case last time and the request came from the Director
526 of Planning to submit for the record all of the sites that we had looked at in selecting this one.
527 We had gone over those sites with the Planning Commissioner and with staff several days
528 before the last hearing but I had not submitted them for the record and now all of that
529 information is in the file. I think that the material clearly documents that all of the sites that
530 we have looked at, all the reasons that they were either rejected by the RF engineers or
531 because the site simply was not available. Particularly, the properties to the northeast that the
532 staff was encouraging us to look at, we did look it. We did document, but none of those sites
533 are available. We have continued our conversations with the adjacent landowners and as far as
534 we know there is still no opposition. I just talked with the people at Brookfield again last
535 week, and they do not have a problem with this. As far as taking care of the trees, Mrs.
536 Wade, we will be able to place this tower in a clearing to the extent that we do not think we
537 will have to take any trees at all, possibly remove some limbs, but not take out any tree, and

538 we can use the existing driveway and parking area, so that we will not be creating anymore
539 impervious service than is already there. I will be glad to answer any questions that you have.

540
541 Ms. Dwyer - Ms. Freye, there is a recommendation this tower be placed in Hanover
542 Industrial Area. Specifically, I am not familiar with the information in detail that you sent to
543 the County, but could you address that, please?

544
545 Ms. Freye - When we looked in the Hanover County area, we were restricted by the
546 Airport Overlay District and respecting the distances that the Hanover Airport would like to
547 see from that and also the FAA Regulations that we would need to comply with. We also had
548 the strain of knowing that there were road improvements that are planned for Washington
549 Highway and Sliding Hill Road and due to the uncertainties of a lot of that upcoming
550 improvement, a lot of the landowners in the area were not interested in making their land
551 available for a tower, and also introduced a degree of uncertainty for the client, as well, as to
552 where they could place a new tower, but the Hanover properties in the Sliding Hill area we
553 looked at the Mascot Self-Storage Facility, we looked at the properties along Sliding Hill Road
554 which turned out to be residential properties and not suitable, properties that were immediately
555 across the Chickahominy were evaluated but there were access problems and the hundred year
556 flood plain presented problems, and it was also the Hanover Resources Preservation Area that
557 presented a problem that eliminated properties from consideration. We went as far north as
558 the mobile home park, the property owner there was not interested in a lease, we contacted
559 General Land Company, but their were access problems associated with that property,
560 although there was some interest from the property owner. We talked with Mr. Hawkins, who
561 owns all the property on the west side of Route 1 and he also owns the sporting goods, The
562 Green Top facility there, and we could not get a lease arrangement with him. So, we really did
563 canvass that whole area, looking for the most appropriate site, and either there were so many
564 things that have to come together to make one of these sites work; you have to have a willing
565 landowner first of all. You have to have access. You need to look at the zoning. You need to
566 look at the elevation. The RF engineers need to evaluate the effectiveness of the site, and just
567 the general appropriateness of whether you are going to be able to get the coverage to make the
568 investment worthwhile. So, we did look at all of those properties and look at all of those
569 factors, and this was the site that we found to be the most appropriate that solved all of the
570 problem.

571
572 Ms. Dwyer - Any other questions for Ms. Freye?

573
574 Mr. Archer - Ms. Freye, are you saying then, staff still indicates that they would
575 rather see this located in a position that is further to the northeast. Are you saying that you
576 have examined all of these and it is impossible, there is no way?

577
578 Ms. Freye - Yes, sir. That is what I am saying.

579
580 Mr. Archer - OK.

581
582 Ms. Dwyer - Any other questions for Ms. Freye? Ready for a motion, Mr. Archer?

583

584 Mr. Archer - I suppose so, Madam Chairman. I guess we have to do something with
585 this. The reason this was deferred in the first place because of the concerns raised by the
586 Director at the last meeting, and I gathered from that that we needed to have some written
587 documentation as to why this tower could not be located at sites other than the one that was
588 proposed, and I have received that information from the applicant. The burden was on them to
589 demonstrate why the sites to the northeast could not be used and as near as I can determine,
590 they have done that. The problem that we thought might arise, due to having access to work
591 on the tower, if need be, Mr. Bittner has indicated can be overcome. So, I suppose this might
592 be troublesome, again, when it comes before the Board. I guess the plusses of it, it is not in a
593 residential area, and we have not had any opposition from anybody in the neighborhood, so I
594 will make a guarded recommendation for approval and we will see how the Board dispenses
595 with this. So, my motion is to recommend approval.

596
597 Mr. Vanarsdall - Second.

598
599 Ms. Dwyer - Motion by Mr. Archer and seconded by Mr. Vanarsdall. All in favor
600 say aye. All oppose say no. The motion to recommend approval for P-3-99 is approved.

601
602 The Planning Commission voted to recommend approval for P-3-99 to the Board of
603 Supervisors.

604
SUBDIVISION ALTERNATIVE FENCE HEIGHT PLAN
Rolfeld Subdivision **Rolfeld, L.L.C.:** Request for approval of an alternative fence
height plan as required by Chapter 24, Section 24-95 (1.) (7)b
of the Henrico County Code. The 35.3-acre site is located at
the southeast corner of Ridgefield Parkway and proposed John
Rolfe Parkway on parcel 66-A-14N. The zoning is R-3C,
One-Family Residence District (Conditional) and R-3AC, One-
Family Residence (Conditional). (Tuckahoe)

605
606 Ms. Dwyer - Is there anyone in the audience in opposition to Alternative Fence Height
607 Plan for Rolfeld Subdivision? No opposition.

608
609 Mr. Vanarsdall - Madam Chairman, we also have four additional conditions listed on our
610 Addendum.

611
612 Ms. Dwyer - Yes, we do. Thank you for calling that to our attention. Mr. Strauss

613
614 Mr. Strauss - Thank you, Madam Chairman. Since the time the agenda was prepared,
615 the staff has completed its review of the applicant's plan and we are distributing that plan to
616 you as we speak. For clarification, I would like to say this is an application for Planning
617 Commission approval of alternative fence height for the brick entrance walls and columns
618 which are located in three areas on this project. The first wall is at John Rolfe Parkway at the
619 intersection of Rolfe Way, which is here, and the second wall is at the corner of John Rolfe
620 Parkway and Ridgefield Parkway, up here, and the last wall, which I am calling the main
621 entrance wall, is on Ridgefield Parkway itself. Staff has visited the site. We noted that

622 construction had already started on the walls and when we discussed this with the applicant, he
623 told us he stopped construction in order to secure these approvals as necessary. We have
624 discussed a number of issues with the applicant, which have resulted in a number of proposed
625 conditions, which appear on this morning's addendum. The applicant is in full agreement with
626 these conditions, and at this time we can recommend approval of the plan as annotated. Mr.
627 Alvin Collins is here representing the applicant, and I'll be happy to answer any questions you
628 may have.

629
630 Ms. Dwyer - Any questions for Mr. Strauss? Mr. Strauss, do we know if there is a
631 homeowner's association or if there will be a homeowner's association?

632
633 Mr. Strauss - I think that is in the works. There is - I am getting a nod yes from
634 Kevin - he was their plan reviewer for the subdivision and I think Alvin Collins can speak to
635 that further.

636
637 Ms. Dwyer - I went back, as we spoke yesterday, the wood fences, although it is not
638 technically subject for our review today, the wooden fences are six inches off of the property
639 line. Is that what we...

640
641 Mr. Strauss - That is correct. It is 6 inches off of the lot line. The strategy for that, I
642 imagine, was the long-term maintenance of the fence and any problems with the fence, it is
643 easier to deal with it in the planting strip than it would be with every individual lot owner if the
644 fence was located on every homeowner's lot, so it is six inches away from the lot line and in
645 the planting strip itself.

646
647 Ms. Dwyer - In the zoning case, it says no fences will be constructed on the property
648 within 10 feet of John Rolfe Parkway. We are still within, I guess it is questionable,
649 because...

650
651 Mr. Strauss - It is in a future right of way reservation. As I talked to Bob Thompson
652 yesterday, he wasn't sure that was going to be an issue at all because he didn't see when that,
653 it is being reserved, and the fence could be "relocated" if and when John Rolfe Parkway is
654 going to be improved. But it is not in the right of way.

655
656 Ms. Dwyer - It doesn't run afoul of the zoning proffer? So, condition #2 states that
657 the "If John Rolfe Parkway is widened, the owner/developer and/or Homeowner's Association
658 will remove and/or relocate the brick wall and fencing that is within the 20-foot future right-of-
659 way reservation," so the owner/developer or homeowner's association will have to relocate the
660 brick wall and the fence if there is any need to do that in the future because of road widening?

661
662 Mr. Strauss - That is correct and the applicant is in agreement with that condition.

663
664 Ms. Dwyer - Did you have a chance to discuss any of the landscaping issues with the
665 applicant?

666

667 Mr. Strauss - Yes, ma'am. The applicant is willing to make a change in tree type. He
668 has indicated crape myrtles in the median on the third entrance wall location. I guess we could
669 make a suggestion. Kevin Wilhite is actually reviewing the planting plan just as an
670 administrative review, but the applicant is more than willing to change the tree type to a larger
671 type "street tree", and as long as traffic has no problem with that, we could do that.

672
673 Ms. Dwyer - Are there any questions for Mr. Strauss? I'd like to hear from the
674 applicant.

675
676 Mr. Alvin Collins - My name is Alvin Collins.

677
678 Ms. Dwyer - Could you tell me about the homeowner's association? Are you familiar
679 with that?

680
681 Mr. Collins - A little bit. Actually, my partner is handling all of that and he is just
682 recovering from major surgery, so he definitely could not be here, but there is a homeowner's
683 association plan underway. It is in the County! It has been reviewed.

684
685 Ms. Dwyer - OK, so there is a homeowner's association. Are all of the lot owners
686 required to be members of the association? Is that in the deed?

687
688 Mr. Collins - Yes, ma'am. I think so.

689
690 Ms. Dwyer - Do we know that, Mr. Wilhite?

691
692 Mr. Wilhite - Yes, ma'am. That is standard...

693
694 Ms. Dwyer - I just want to make sure, because that is one of the issues here is the
695 location of the brick wall, and there is a potential that it may have to be moved at some point
696 in the future. We want to make sure that the County is not going to be bearing the burden of
697 the cost of that.

698
699 Mr. Collins - I have agreed to that, yes, ma'am.

700
701 Ms. Dwyer- And Mr. Strauss and I did talk about the choice of trees, particularly in
702 the median, and apparently you all are willing to look more at some street trees?

703
704 Mr. Collins - Absolutely.

705
706 Ms. Dwyer - We appreciate that. We are not really examining the wooden fence
707 today; we are looking at the brick entry, decorative. I don't have any more questions. Any
708 questions by Commission members?

709
710 Mrs. Wade - So it is the homeowner's association and not the owner/developer or is it
711 one or the other? Who is going to be responsible for the wall?

712

713 Mr. Collins - Right now the developer is responsible for it, but it will be passed on to
714 the homeowner's association, as I understand it.

715
716 Mrs. Wade - OK. We wouldn't want to get to the point of saying, "Who is going to
717 do it?" The developer will be gone, presumably, by then.

718
719 Ms. Dwyer - I think the theory is that until the homeowner's association is established,
720 the owner/developer is responsible. Once the homeowner's association is established, they are
721 responsible. I see your point, Mrs.Wade.

722
723 Mr. Silber - That should be very clear in the covenants that are recorded and the
724 developer is responsible and is basically the homeowner's association and is up to a certain
725 point, and once a certain number of lots are sold, typically that is turned over to the owners of
726 those lots. That should be very clear in the covenants and I don't think that there will be any
727 problem.

728
729 Mrs. Wade - Thank you.

730
731 Ms. Dwyer - Any other questions by Commission members? Thank you, sir.

732
733 Mr. Collins - Thank you, very much.

734
735 Ms. Dwyer - All right, they have actually built these entry walls and these entry fences
736 and they are very attractive and they are an enhancement to this particular neighborhood, so
737 with that in mind and with all of the discussion taken into account, I move to approve Rolfield
738 Subdivision Alternative Fence Height Plan, subject to the annotations on the plan, and the four
739 new conditions listed on the Planning Commission's Addendum for today.

740
741 Mr. Vanarsdall - Second.

742
743 Ms. Dwyer - Motion by Ms. Dwyer and seconded by Mr. Vanarsdall. All in favor
744 say aye. All opposed say no. The motion passes.

745
746 The Planning Commission voted to approve Rolfield Subdivision Alternate Fence Height,
747 subject to the annotations on the plan dated February 23, 1999, and the following additional
748 conditions:

- 749 1. The applicant will vacate the drainage easement as shown on the approved staff plan
750 dated February 23, 1999, prior to release of subdivision bonds.
- 751 2. If John Rolfe Parkway is widened, the owner/developer and/or Homeowner's
752 Association will remove and/or relocate the brick wall and fencing that is within the 20-
753 foot future right-of-way reservation.
- 754 3. The applicant will record with the County a maintenance easement for the brick walls
755 that are located on private lots.
- 756 4. The applicant will acquire all necessary permits required for the construction of walls
757 and signs.

758

759 **LANDSCAPE PLAN (Deferred from the January 26, 1999, Meeting)**
LP/POD-26-98 **Niles Bolton Associates:** Request for approval of a landscape plan as required
Sunrise by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code.
Cottages The 6.33-acre site is located on the northeast corner of Parham Road and
Michael Road on parcel 79-A-69. The zoning is R-6C, General Residence
District (Conditional) **(Three Chopt)**

760
761 Ms. Dwyer - Is there anyone in the audience in opposition to LP/POD-26-98, Sunrise
762 Cottages landscape plan? No opposition. Is there anyone to speak to or interested in LP/POD-
763 26-98?

764
765 Mr. Strauss - If the speaker is working, they are aware of the case being called. I will
766 try to make this brief, but I will give them time to come back in.

767
768 Ms. Dwyer - Apparently, Mikel, thank you. Apparently there is opposition but they
769 are in the hallway. I believe they can hear our comments. You can't hear in the back.
770 Control Room, the people in the back can't hear. Is this the group who is interested in Sunrise
771 Cottages? Yes. I will ask again, is there anyone in the audience in opposition to LP/POD-26-
772 98?

773
774 Man in the Audience -There are some concerns we have we would like to see the owner
775 address. We talked to him this morning as well as previously.

776
777 Ms. Dwyer - You would want to speak to the case?

778
779 Man in the Audience -Yes.

780
781 Ms. Dwyer - OK. Thank you. Mr. Strauss.

782
783 Mr. Strauss - Thank you, Madam Chairman. This landscape plan has been the subject
784 of several deferrals by the applicant because more time was needed to prepare a revised
785 landscape plan which addressed both the concerns of staff and the neighbors regarding Michael
786 Road and Belgrade Road. The concern centers primarily on the 45-foot buffer which was
787 proffered with the rezoning of Case C-78C-97, and I have distributed the latest staff plan and a
788 copy of those proffers this morning to you. Staff has worked extensively with both the
789 applicant and the citizens on this application. We have walked the site numerous times, at least
790 three, and I was out there again this weekend in an effort to determine the extent of clearing
791 that had taken place during construction, and to arrive at a mutually acceptable landscaping
792 solution to address the clearing that had taken place. As the Commission may recall, when the
793 POD was approved it was understood that some clearing was needed to accommodate the
794 County Traffic Engineer's request for site distance at the main entrance on Michael Road. The
795 citizens were very concerned about the extent of this proposed clearing on Michael Road and
796 the POD was approved with the understanding that the site distance requirements would be
797 evaluated in the field with the citizens, the applicant, and the Traffic Engineer, and that
798 meeting took place June 19, 1998, and the Traffic Engineer reviewed a proposed reduced site
799 distance and the clearing was discussed in the field and approved by everyone who was in the

800 meeting. At that same time, the buffers that were on the eastern and south side of the property
801 were taped in yellow tape and were approved by the applicant, the citizens and staff. Since the
802 time construction began, instances occurred which resulted in damaged trees, and trees that
803 were not saved according to the approved POD. Some of these trees were in the proffered 45
804 foot buffer and some were not, and a great deal of discussion has taken place on site as to
805 which were the trees that were to be saved and were damaged or cleared. Staff has marked the
806 edge of the existing trees as determined today on the annotated plan which has been handed out
807 to you, and that is that heavy line around the trees on Michael Road. Staff has discussed with
808 the applicant the need for replacement trees in two primary locations on Michael Road, one is
809 the main entrance which has experienced the loss of trees for construction when access was
810 required and now there is a dumpster located for construction purposes at that location, and,
811 two, there is a gap which is coincident with a 20 foot utility easement. It was understood it
812 would be 20 foot wide, but apparently it has widened, due to construction equipment, to a 44-
813 foot wide gap. The applicant has provided a revised landscape plan which has addressed most
814 of the replacement needs for replanting. Staff is recommending approval of this revised plan
815 with an additional condition, and that is the condition in your addendum. After discussing the
816 condition with the neighbors this morning, it was agreed with both the applicant and staff that
817 we would make a minor modification to that condition and I will read it to you as follows, on
818 page 2 of your addendum this morning:

- 819
- 820 1. The owner and their landscape contractor will field locate and flag the proposed planting
821 and the chain link fence in the buffers for neighborhood review and staff approval prior to
822 installation.

823

824 The purpose of that is to give Mr. Melvin Belcher, who is a neighbor facing Parham Road,
825 some assurance that the fence would be located in a way that would be agreeable to him and
826 agreeable to the applicant. The other logic for this condition is that with the planting proposed
827 on the plan and the fact that the landscape architect is out of town, they may not have been as
828 sensitive to certain gaps in this 45 foot buffer as staff and the neighbors, so we would like to
829 allow some field adjustment of the planting proposed in the buffer to satisfy the neighbor's
830 concerns about sight lines into the development. And, as I said, the applicant is agreeable to
831 this condition. Staff has also annotated the plan in the area on Michael Road to request an
832 additional evergreen planting in the form of either shrubs or Nelly Stevens Holly or something
833 like that. My analysis is that about 10 additional shrubs would be needed in that area. After
834 discussing the buffer with the neighbors last night, I thought an additional evergreen tree would
835 be needed on the east property line for, and I believe Mr. Allin will speak to that issue for
836 additional screening to a sight line to the building on the project. With that, I can answer any
837 additional questions you may have. I have handed out the rezoning proffers, proffer #2 is the
838 proffer that addresses buffers and there is an exhibit enclosed with that. Thank you.

839

840 Ms. Dwyer - Any questions for Mr. Strauss by Commission members?

841

842 Mr. Silber - Mr. Strauss, could you read that revised condition one more time.

843

844 Mr. Strauss - OK. It was simply adding the word "chain-link fence" to that. The
845 owner and their landscape contractor will field locate and flag the proposed planting and the

846 chain-link fence proposed in the buffers for neighborhood review and staff approval prior to
847 installation.

848
849 Mrs. Wade - Mr. Strauss, originally there was talk of the landscaping around the BMP
850 and now I understand Public Works is not allowing landscaping on the edges or on the slopes
851 of BMPs.

852
853 Mr. Strauss - Public Works would not allow planting on the inside slopes due to the
854 structural nature of the slope. It is compacted slope. It is not a very good medium for
855 growing material anyway, and the thought there, is if wind damage could over-turn trees inside
856 the slope – it could overturn the tree and pull the ball of the tree out, and gouge out the
857 structural filled slope itself, so we are not looking for any planting in the BMP, because the
858 Department of Public Works would not normally, does not allow that.

859
860 Mrs. Wade - I thought it had been occurring.

861
862 Mr. Strauss - It has been occurring in the past on perhaps an experimental basis, but
863 the new Stormwater Guidelines on Planting in BMPs is pretty specific about planting on the
864 inside slope and it is prohibited.

865
866 Mrs. Wade - This is a new guideline.

867
868 Mr. Strauss - Yes, ma'am. Now, we could get landscaping on the periphery of the
869 BMP.

870
871 Ms. Dwyer - The compacted slope. Is that a new design feature?

872
873 Mr. Strauss - It has always been there but they are quite sensitive to failure of the
874 BMP embankment spillway and the side slopes of BMPs. We had the same problem, as you
875 may recall, it was Gayton Forest in Tuckahoe. They will allow herbaceous planting, they will
876 allow some shrub planting, but they can't be located near inlet structures or outlet structures,
877 but nothing of a tree for plant material.

878
879 Mrs. Wade - Can you all hear Mr. Strauss in the back?

880
881 Mr. Strauss - I will try to talk a little louder.

882
883 Ms. Dwyer - Are there any other questions for Mr. Strauss? Will the applicant come
884 forward please?

885
886 Ms. Gloria Freye - Good morning. My name is Gloria Freye. I am an attorney here on
887 behalf of the applicant. I'd also like to let you know the other people that are here; Shawn
888 Ambrose is the Project Manager for Sunrise is here. We also have Stephanie Taylor and Junie
889 West from TIMMONS who have worked on this project. We also have Tina Hogg, who is the
890 landscape architect that has worked on this project who can help answer questions if they arise.
891 We did have an opportunity to hurriedly and quickly meet with some of the neighbors out in

892 the lobby, and I thank them for their willingness to get here early and talk with us and go over
893 the marked-up plan that Mr. Strauss had provided about the landscape plan. As a part of the
894 discussion, the applicant has agreed to do certain things with the neighborhood. Certainly we
895 are in agreement with the condition, particularly the additional revised condition that Mr.
896 Strauss has just read to you. We are in agreement with that. We do agree with the comments
897 and the plantings that Mr. Strauss has suggested to fill that 20-foot easement area, that,
898 unfortunately was extended in the field, and with the plantings he has recommended to resolve
899 that problem.

900
901 We have also talked with the neighbors to the extent that these are diseased fallen trees,
902 overhanging branches existing, and anything along the property line that present a safety or
903 problem for our adjoining property owners we would take care of correcting that problem. We
904 have also agreed with the neighbors to the extent that trees have been damaged during
905 construction of this project and those trees would receive deep feeding, and, of course, we are
906 very agreeable to working with Mr. Belcher along his property line to field locate the fence to
907 meet his need and also to protect existing trees that are there and to provide the best screening,
908 and that is the whole idea about agreeing with the neighbors to do the field locating with them
909 about particular plantings where they get the most effective screening and buffer. To the
910 extent that Mr. Strauss talked about adding evergreen trees in the eastern property line, in
911 talking with the neighbors, it is their feeling that maybe more than one tree is going to be
912 necessary. We are agreeable to putting other trees, particularly in those areas that Mr. Allin
913 has pointed out to us are going to have more of a view into the building there, so we would be
914 looking to add trees or relocate trees, or cluster trees so that we can get the effective screening
915 that the neighbors are looking for. Just as an overview on this project, the amount of tree
916 coverage that is required as a minimum is 33,823 square feet. The contractor, the developer,
917 has preserved 62,813 square feet of trees on the property. He added 27,685 square feet of tree
918 coverage which brings you to about 90,000 square feet, and that does not count the additional
919 plantings that I talked with the neighbors about this morning. We are willing to add and
920 relocate in the buffer. So, I think, we are in agreement with Mr. Strauss and his field
921 observations. We do appreciate the opportunity to work with the neighbors and we ask that
922 you approve this landscape plan and we will be glad to answer any questions that we can.

923
924 Ms. Dwyer - Are there any questions for Ms. Freye?

925
926 Mrs. Wade - I know that you were not here when the original case was presented. But
927 looking at the record, I assume you would agree that there was a strong commitment made at
928 that time to save trees and then to do what was necessary to help screen the project from the
929 adjoining neighbors.

930
931 Ms. Freye - Yes, ma'am.

932
933 Mrs. Wade - And you mentioned 90,000 square feet, or whatever, but through here a
934 square foot for trees and things, it is difficult to visualize. You have to go out there and look,
935 and I think when you did, especially at this time of year, you would understand the need in this
936 case.

937

938 Ms. Freye - Exactly. And I mentioned those figures to you to get the big picture to
939 demonstrate how far beyond the requirements that this applicant has gone, but also to illustrate
940 his willingness to continue to work with the neighbors and to get field sighting that you are
941 talking about. It is hard to visualize that, and it is only when you get out on the property and
942 you see where plants need to be rearranged, shifted, to really get the visual screening and we
943 are willing to work with them to do that.

944
945 Mrs. Wade - I know I think they have been agreeable as far as –and you have had
946 many meetings with the neighbors to try to work these things out, and, of course, that is
947 appreciated, but we want them to live up to the intent of the proffer in this regard. It is
948 interesting to look at the two plans and the one that we have. The original plan that was
949 approved especially related to BMP and somewhere in my notes there is a statement by the
950 applicant that the engineer indicates the BMP would fit in the circle in the area that it appears
951 on. Of course, the original plan is not what happened, and I don't know who the engineer is,
952 but they were speaking prematurely, apparently in that regard. We will hear then, if no one
953 else has any questions, and perhaps they do because there is a lot of interest here, even at
954 zoning time, in the tree save, and we have some reference to tree save areas almost every
955 month of this nature, unfortunately. The cut, of course, on Michael Road, went from what 22
956 feet or something to 40 feet, and I think you have agreed to fill in that area. We are concerned
957 about the trees that are left with the compaction and the soil that has been put on the roots and
958 so forth, but you indicate now that you will try to do everything you can to save those, and
959 realize if they don't live they are responsible for replacing them.

960
961 Ms. Freye - Yes, ma'am.

962
963 Mrs. Wade - OK. Thank you.

964
965 Ms. Dwyer - Ms. Freye, what tree save methods were used in this case to define the
966 tree save area and to limit the clearing.

967
968 Ms. Freye - I will let Mr. Strauss answer that.

969
970 Mr. Strauss - Initially, yellow tape was used and I have been meeting with staff since
971 then to see if there isn't some way on some of the sites to do a little bit better job of getting
972 something permanent. I understand that there have been numerous discussions with Public
973 Works by the development community about how expensive orange fencing is. My reaction to
974 that is – is it more expensive to put orange fencing first or plant trees later.

975
976 Ms. Dwyer - Trees that can't be replaced.

977
978 Mr. Strauss - So there was yellow tape initially and now it is a combination of black
979 silt fencing along Michael Road, orange silt fencing along the entire eastern and rear property
980 line, and there is yellow tape on the Parham Road area. I have had Zoning Enforcement out
981 there a number of times insuring that that tape and the tree protection remains in place during
982 construction.

983

984 Ms. Dwyer - Do you have any recommendations for the Commission about any way
985 or steps that we could take at zoning time?
986

987 Mr. Strauss - I understand the Commission's concern and I have discussed that several
988 times. I think this is just going to be a "work in progress" and staff is going to be looking at
989 tree protection as we move through these next couple of Commissions and try to get an ad-hoc
990 committee together and try and resolve what works with our concerns and what could be
991 implemented on the environmental engineering end with the Department of Public Works. I
992 think we are probably going to have some kind of stronger tree preservation methods in areas
993 where we have sensitive buffers like this. Yellow tape may be OK for a small site with not a
994 lot of trees on it, but this was case that had a lot of trees on the site and had a lot of
995 neighborhood concern.
996

997 Mrs. Wade - And they are still cutting. Every time you look over there, there are
998 some more trees that have somehow disappeared, but you were right, at zoning time Ms.
999 Dwyer was raising those same questions about it about how we were going to protect the trees.
1000

1001 Mr. Vanarsdall - I remember the zoning. Madam Chairman, I have a question for Ms.
1002 Freye. Ms. Freye, this is not directly involved with this, but since you are representing them I
1003 thought it was a good time to ask you this. Do they have a Day Care Center in Sunrise
1004 Cottages?
1005

1006 Ms. Freye - A Day Care Center for Adults. I will ask Mr. Ambrose.
1007

1008 Mr. Ambrose - No, we don't.
1009

1010 Mr. Vanarsdall - Do they have any plans for one?
1011

1012 Mr. Ambrose - No, we don't.
1013

1014 Mr. Vanarsdall - Thank you.
1015

1016 Ms. Dwyer - For the record, that was Mr. Ambrose?
1017

1018 Ms. Freye - This is Mr. Shawn Ambrose. He is the Project Manager.
1019

1020 Mrs. Wade - Actually, the site I know it is tight, and they have had apparently to put
1021 their equipment all over the neighborhood, back, front and around and during the whole
1022 process it has been a mess. Muddy, cars parked all over the neighborhood, cars and trucks
1023 and everything, but it presumably will be pleasant when they get through.
1024

1025 Ms. Freye - Yes, ma'am. And to the extent that trees were mistakenly taken down,
1026 they are being replaced two to one.
1027

1028 Ms. Dwyer - Any more questions for Ms. Freye? Thank you. We will hear from the
1029 opposition. Is there anyone else who would like to speak to the case?

1030
1031 Mr. Tom Allin - I don't know if we are the opposition, but we have tried to work with the
1032 owner for the last couple of years on this project. My name is Tom Allin. I live on Belgrade
1033 Road. I have an adjoining piece of property to the project and two years ago I bought my
1034 home at this location and planned to live there a while. And, two years we started working
1035 with the owner on this project and meeting with them, and it is unfortunate today and the last
1036 few weeks that the original people with the owner as well as the attorneys that did the zoning
1037 case have not been involved with this project and the commitments that were made by the
1038 owner we have been dealing with and trying to get that across to the owner's representatives
1039 today. They have been working with us, but I think it would have been a much smoother
1040 process if, unfortunately, some of those people could have been here today. There are some
1041 concerns that we have and some questions that I have. In regards to the tree save area, and
1042 when we originally met with the owner, this was a large issue with us, that the buffer and the
1043 tree save area was dealt with on an extensive basis. We worked with them on the looks of
1044 that, the buffer, quite extensively, and assurances were made that all protection would be given
1045 to the tree buffer area during the construction to insure that this tree area would be saved, and,
1046 unfortunately, that did not happen from the very beginning of the site clearing. The trees were
1047 removed in the tree save area and the buffer area. I filed, myself, I personally filed two
1048 zoning complaints with the County in regards to the destruction of the tree save area and talked
1049 quite extensively to the Planning Office as well as the Zoning Office and to the site people with
1050 the County as well as the owner on what to do to preserve this. The yellow tape is not an
1051 adequate method to protect the trees. Right now you go there. It is all on the ground. It's
1052 been on the ground almost since the beginning. The orange tree save fencing was put up after
1053 all of the site work was done, and no machines have been near the area since this fencing has
1054 been put up. There was no effort made, although we were assured that there would be, of
1055 protection of the canopy area so the damage to the trees would not occur, which is done. The
1056 BMP has been cut severely against a lot of the edge of that buffer and is different from what
1057 was shown on the original zoning case. The BMP is much larger and closer to the buffer edge
1058 than originally shown, and I understand that things changed during the construction process,
1059 but all we are asking is, the community is, for assurances that the owner provide the
1060 commitment and follow through with the commitment that they made with us, starting two
1061 years ago. And the majority of this has taken place and we are down to the last five percent of
1062 the project, which has a huge visual impact to the community and those have fallen off. So, in
1063 the last week, and it has just been in the last week, we have been dealing with the owner trying
1064 to resolve this. In October we got a set of drawings and in October the community met. I sent
1065 a letter to the Planning Office and a copy to the owner as well as Mrs. Wade and all of the
1066 members of the community on October 21 and we did not get any response or work - any
1067 other drawings - until two weeks ago. We met last Tuesday on site, I had a set of drawings at
1068 my house on Thursday night, late, and I was trying to get all of the community members
1069 together. I think it was a very rushed process and there should have been more time taken and
1070 I think that should be a requirement in the future, for different projects. But, back to the
1071 buffer. I think that we would like to hear and have on the record some assurance that the
1072 damaged trees be trimmed and deep root fed. And those, that have been removed, I know that
1073 some changes have been made since my drawing I got Friday up until yesterday, but there are
1074 no quantities on here on the two areas that Jim Strauss talked about, and so we would like to
1075 see some type of quantity of plantings and types that would be added back and I think that

1076 could be worked out today. I know that you asked, is there a method to take care of buffers
1077 and just as a little insight, Arlington County, Virginia requires at least a five to one planting
1078 ratio, and there are all different types of formulas for different types of trees and sizing of
1079 trees, but a two to one ratio, and an oak that is 20 inches in diameter, which is a 2-1/2 inch
1080 sapling, a tree that is 50 years old, I don't know if that is adequate. The residents out in the
1081 hallway this morning, because we never really got together as a group, would like to see some
1082 additional plantings down the eastern side of the property running from the Michael Road area
1083 that is on the Belgrade side, down that to provide more density, and in regard to the planting
1084 that is shown on this drawing, they are basically 20 to 24 trees that have been added to provide
1085 the site screening that is proffered in an area that is approximately 360 feet. So, we would like
1086 to see some additional plantings and we would like to see some quantities. We personally
1087 would not like to see them pulled from the middle of the property, robbing Peter to pay Paul
1088 just extends everything out and I don't think it provides a screen and we discussed that with the
1089 owner. Again, I would like to know what the additional numbers of plantings at this specific
1090 area that Mr. Strauss recommended, and in regards to it being a minimum coverage
1091 requirement. It is not a minimum coverage project and it was never that intent from the
1092 owner. We were told that they would provide for this from the beginning. The buffer is much
1093 larger than the minimum requirements provided anyway, if you look at the square footage of
1094 the buffer, and if you take the buffer out, then it would be interesting to see the square footage
1095 requirements are. I mean the intent of the buffer is to provide a buffer between the adjacent
1096 area. This property projects very deeply into a residential area and requirements of the
1097 proffers, and what we asked and what we worked for the whole time was, and the proffer
1098 states "to lessen the impact on the adjacent properties" and this project, that landscape and
1099 natural buffer be provided. That means new as well as existing to provide site screening, and
1100 that is all we are asking you to do, is to follow through with that, and to come back at the end
1101 and to say, "Well, we are running out of money" or you know, "We have got so much extra
1102 over here." That is not my problem. That is not the owner's problem. That is the
1103 contractor's problem for getting out of the guidelines of the property and that is the owner's
1104 budgeting concern, to make sure he provides the adequate budgeting to cover the plantings that
1105 were agreed to in the proffers at the zoning. And, I think all of this can be worked out. It is
1106 just some assurances from them that we get this.

1107
1108 The only other issue that I have is, just as another footnote, and I have one other concern,
1109 when we have a zoning plan which I don't know where that is now but I had a copy of it, the
1110 utility easements and other easements were not shown that projected and impacted the buffer,
1111 and we were not aware of these utility easements until, you were into the project, when we got
1112 other sets of drawings. So, it was sort of like you are supposed to get a 45 foot buffer along
1113 this side of this road, but in turn 25 were taken out on a utility easement that is 100 feet long.
1114 Well, bam, that is how much buffer we lost, and so, all we are asking is to provide some
1115 plantings back in there, which they have agreed to do that, but I think it is a lesson learned for
1116 you all to make the engineers do the utility easements prior to the plantings and these plants, so
1117 that the adjacent property owners know exactly what is coming out. I know engineering is not
1118 an exact science, because I am an engineer myself, but certain planning could have been better
1119 done on that impact and that affected the buffer, which is another reason why we are back in
1120 here trying to add trees. There is some concern as there are some property owners back on the
1121 back side of Parma Road, there is some silt runoff off of the property onto adjacent property,

1122 and that needs to be taken care of, and I don't know who handles that. I think, unfortunately,
1123 some of us as community members don't know exactly where to go for that, but there is some
1124 concern on some runoff from this property onto adjacent property, and I don't think that is
1125 allowed by Code. I would certainly hope not. I don't know if there are any other concerns
1126 that I didn't have but Chris may have some.

1127
1128 Ms. Dwyer - Are there any questions of Mr. Allin from Commission members?
1129 Thank you.

1130
1131 Mr. Chris Caesar - Good morning. My name is Chris Caesar and I live on Belgrade Road.
1132 I was involved in this in the planning stages and unfortunately I went out of town for 8 months
1133 in the middle of it, and I have come back into it relatively recently. My biggest concern is the
1134 new players and I want to second what Mr. Allin said that we have a whole new set of players
1135 from Sunrise here dealing with, and we are getting a lot of references now to minimum
1136 requirements that was never the agreement with the community and the neighborhood in the
1137 beginning, and it very much concerns me, and I would like to second Mr. Allin's request that
1138 we very specifically state what they are going to do, because I don't think if we do they will
1139 follow through with it at this point, and specifically, I would like to suggest to Ms. Freye, you
1140 said the word "relocate" plantings within the buffer that are now planned to address some of
1141 the additional concerns the community has. The word "relocate" as I think Tom referred to it
1142 is robbing Peter to pay Paul, taken from Mrs. Freye's line to address Mr. Tucker's site line, as
1143 an example, so I just wanted to second Tom's objection to that word and to the need to get
1144 specific guidelines in place here, based on, I think the 20 plantings, they have planned, for
1145 instance, on the east side of the property across a 400 foot property line is incredibly
1146 inadequate when you are considering these are five feet tall plantings, which do not cover a lot
1147 of space. The same concerns on, I guess it would be the south and southwest side that Ms.
1148 Freye addressed.

1149
1150 Ms. Dwyer - Thank you. Are there any questions from Commission members? Is
1151 there anyone else who would like to speak to the case?

1152
1153 Mrs. Wade - Is there someone here, Mr. Silber or the staff, who would like to
1154 comment on his remarks about the utilities and how we never seem to know where the utilities
1155 are going originally and what the County's situation is in that regard.

1156
1157 Mr. Silber - Well, I will attempt. I am not sure exactly what the position of the
1158 County is at this time, but it is an ongoing problem to attempt to locate and preserve buffers
1159 early in the process, because all of the underground utility locations are not known, so this is a
1160 challenge from the beginning of the review of a zoning case all of the way through the final
1161 approval of a plan of development. I think that we have pressed on and tried to force the
1162 development community to identify utilities and easements early as possible so that we can deal
1163 with that at the time of plan of development and be able to preserve as many trees as possible.

1164
1165 Mrs. Wade - This happens all of the time. Too often, but we can't seem to come up
1166 with a solution to it.

1167

1168 Mr. Allin - Well, it is misleading.
1169

1170 Mrs. Wade - Excuse me. If you want to speak to this, if it is all right with the
1171 Chairman here.
1172

1173 Mr. Allin - Is it OK? I guess it is misleading in the fact that when you are having a
1174 proffer that if they are going to have a utility easement that the plantings be put back and you
1175 go back to the County and they say "You are not allowed to have any plantings in the utility
1176 easement." So, I don't understand how you can get a proffer, and the community is laymen
1177 and they don't understand all of the Codes and the law, and, but, and not, you know, you are
1178 told them, and you go back and you say "OK, the proffer says this, and you are told you can't
1179 plant anything because it is a Code requirement and you can't put any plantings in the
1180 easement, so it gets a little frustrating on our part, as laymen. We didn't go out and hire a
1181 bunch of lawyers and engineers. We were just the community trying to get together to
1182 preserve our community, so it is a little frustrating, that part. But the engineering can be done.
1183 If they are going to go with the project, I think they know where they are going to tap the
1184 water, where they are going to take the storm, and where they are going to take the sewer. It
1185 is just a matter of saying, "We are going to have to have an easement." Then, you work 45
1186 feet back from the easement. You don't work 40 feet back from the edge of the road when
1187 half of the easement is gone.
1188

1189 Ms. Dwyer - One new change that is being looked at is to try to encourage the
1190 development community to submit their zoning requests and their POD at the same time, and
1191 that would, the incentive would be to streamline the process so the developer would only have
1192 one proceeding to go through instead of two, a separate zoning and separate POD. The
1193 advantage is, as you say, we know what we are dealing with in terms of the proffers and
1194 buffers, and so, that is one effort that the County is trying to implement now to address your
1195 problem, because we have all been caught in that.
1196

1197 Mr. Allin - Right.
1198

1199 Mrs. Wade - But they don't want to do that because of the expense of the engineering.
1200

1201 Mr. Allin - Well, it is a gamble. If they don't get their zoning passed, they have
1202 spent a lot of money for the POD.
1203

1204 Mr. Vanarsdall - I agree with you, Mr. Allin. You are not supposed to be an engineer or
1205 anything else, and you are taking the process at face value.
1206

1207 Mr. Allin - That is exactly right, and I will say that the County has been very good
1208 to work with. Jim Strauss and his office, Jim has been right on top of things and worked with
1209 the community and spent many, many hours. Sunday he was out there with a tape measure at
1210 3:00 in the afternoon going through this project, and he has met me out there many times, and
1211 Mrs. Wade has, too, and I just wanted to thank him for the time and effort because I don't
1212 think without Jim, we, the community, would have what we have today, so I appreciate his
1213 help very much.

1214
1215 Mrs. Wade - Now, you haven't always invited me, but Jim and I talk and so forth and
1216 I have been keeping up that way, but as far as the trees are concerned, I mean, I have been
1217 frustrated by this for 20 years and we have had this problem with trying to save the trees and
1218 we don't seem to have the tools that we need to do it in the first place, or any kind of price to
1219 pay if you don't, if you destroy them, or you don't do what you say you are going to do in the
1220 beginning. I don't know what the solution is to that, but you might be interested in coming
1221 when these issues, for hearings, just to express opinions about it, because it is hard to get
1222 people out in general unless it is something specific problem in the neighborhood. We need
1223 more people in the community who are interested in that sort of thing to come and support us
1224 and the Board when they are up for discussion. Was there anybody else?

1225
1226 Ms. Dwyer - Sir, would you please come to the podium?

1227
1228 Man in the Audience - I just want to thank Mr. Allin for the work he has done. (Unintelligible)

1229
1230 Mr. Vanarsdall - We can't hear you back there, either.

1231
1232 Ms. Eunice Turner - I have talked to Tom about this on a couple of occasions. I am Eunice
1233 Turner and I live in adjoining property on Parma Road, and my concern is the back of the
1234 property. Is it going to be sufficient plantings or whatever to take care of that pool, I don't
1235 know what it is called, so that we will not be looking at that at the back end of the building, the
1236 dumpster is? That is my question. And, I would like for somebody to answer that and,
1237 perhaps, this is not the place to ask this question, but the street, the cul-de-sac, I think this is
1238 more for the County, but the cul-de-sac definitely needs some repair, because the big trucks
1239 are coming in, and on behalf of Sunrise, I will say that they have tried to keep them from
1240 parking in front of my driveway, but that has been happening and they have taken care of it the
1241 best they can, but cement has been torn completely up there, and I think somebody should do
1242 something about it. That is probably the County's responsibility. Thank you.

1243
1244 Ms. Dwyer - Thank you, ma'am. Anyone else? Mrs. Wade.

1245
1246 Mrs. Wade - Ms. Freye, do you mind responding to, are you prepared to respond to
1247 these today or do you want a month to have more meetings and deal with these details.

1248
1249 Ms. Freye - Thank you, Mrs. Wade. No, we are ready to respond today. I think
1250 that specifically, just to address a couple of comments that have come up from Mr. Allin, I
1251 think when he talked about the involvement of the community and working with the applicant.
1252 We do very much appreciate his comments, energies and efforts in that regard as well. I think
1253 that from the discussion before you today, the reason it was necessary to take the time to deal
1254 with the specific details of this plan, and the way that it has played out, it was really necessary
1255 to see where those improvements were going to be, to see how the building would be, where
1256 there needs to be clustering, where there needs to be additional plantings, to get the screening
1257 the neighbors are interested in. To address Mr. Caesar's comments about the eastern property
1258 line, the applicant is committed to adding five to 10 additional plantings or trees along that
1259 eastern property line to plug up holes, to visually create the screening so that now we know

1260 where the buildings are, where the visibility issues are, so they are committing to do that, and
1261 again, to work with the community on the field to locate clusters to get the visual screen that
1262 they need.

1263
1264 When I talked about relocating, I meant to pull from inside the property, not to move things
1265 that are already there in the buffer. This is talking about in the buffer, adding to the buffer to
1266 get the screening that is needed. I would like to point out that the area, the eastern property
1267 line, was not one that was improperly disturbed. That is not one that is here because of a
1268 problem, but only because they are looking for additional screening, which the applicant is
1269 willing to do. They are going to add five to 10 trees along that eastern property line. To
1270 answer Ms. Turner's question about the screening of the rear of the building of the dumpsters,
1271 that is an area I understand Mr. Strauss and staff have looked at very closely. That is one of
1272 the things that staff is very good about at looking at the plantings and the positioning of those
1273 facilities to make sure that they are screened well, and I think they are satisfied with that, so
1274 Mr. Strauss might have a comment about that, that was not a problem area that was identified
1275 to us as being a problem. We are willing to make those commitments today.

1276
1277 Mrs. Wade - I understood that there was not going to be any dumpster on the
1278 property. Oh, for maintenance use. They were going to use small trashcans and not have a
1279 dumpster.

1280
1281 Ms. Freye - I am sorry. I was referring to Ms. Turner's comments. She referred to a
1282 dumpster, so I took her at her word.

1283
1284 Mrs. Wade - They have got some great big things now that are going to be taking
1285 away, so presumably the big trailer types of things, construction trash.

1286
1287 Ms. Freye - But that area has been looked at for effective screening.

1288
1289 Mrs. Wade - But she is right. I was in front of her house yesterday and I couldn't get
1290 back all the way up because there was this big truck unloading pipe down there, and they
1291 shouldn't have been using that road for that purpose, and I've never heard any complaints from
1292 down there, but there isn't anything, of course, there were woods down there before except
1293 where the road was, but it certainly is bad down there now, but the BMP is back there.

1294
1295 Ms. Freye - But there will be plantings around the perimeter of the BMP and in the
1296 buffer.

1297
1298 Ms. Dwyer - Any more questions for Ms. Freye?

1299
1300 Mrs. Wade - Mr. Strauss, would you come back and tell us based on what you know
1301 from the neighbors, what is being proposed now?

1302
1303 Mr. Strauss - I think what we have been hearing is to get closure on this we have got
1304 to have an assurance of quantities and I just heard Gloria say they are having five to ten...

1305

1306 Mrs. Wade - Yes, I heard five or ten.

1307

1308 Mr. Strauss - Well, if she's been willing to go with the 10 and that is what is required,
1309 then we have got a comfort level there, that at the eastern property line, that will be adequately
1310 landscaped. I am looking at the plan now. The only reason I never mentioned the rear of the
1311 property at Parma was I have not been aware of any specifics or concern. Tom told me that it
1312 was a sensitive area, but we haven't had a lot of feedback until this morning about that Parma
1313 Road cul-de-sac. The proposed planting, six evergreen types (of five to six foot) American
1314 Holly, I mean the problem with this project is matching the expectations with what the
1315 owner/developer is budgeted, and when we talk about robbing Peter to pay Paul, well, just as
1316 Gloria said, the intention is to relocate from the interior where the buildings were, never to
1317 take anybody's screening away on the periphery. They have a pretty healthy budget for the
1318 inside of the project. I've always advised the landscape architect they may have to sharpen
1319 their pencil and try to loose some things from between buildings to where it would be more
1320 needed. I am suggesting 10 evergreen shrubs for the 44-foot gap on Michael. That was my
1321 opening shot for the quantity there. I would be satisfied with that based on my own analysis of
1322 that situation last night. In the rear, if we could get some additional evergreen planting, that
1323 would be great. If it comes from between, at the edges of buildings, so be it. I think the
1324 important thing here is to get the periphery planted. In regards to Ms. Turner's comment
1325 about the road, I will have to talk to Public Works about the condition of that street back there.
1326 I have no answer for that today.

1327

1328 Mrs. Wade - But there is some planting going along.

1329

1330 Mr. Strauss - Yes, at the back of the BMP, now, obviously, we can do what we can
1331 with the field location of flagging with the nursery men and the landscape contractor might be
1332 able to strengthen that buffer back there. As I say, the seven or eight evergreens look like they
1333 would do a good job. You never know until you are out there looking at it. That is the
1334 problem. I think that the assurance that staff has that they will field locate this stuff and start
1335 moving some things around from the interior, not from the periphery, so I would be, for the
1336 record I would say the ten shrubs in the front where the hole is, the 44 foot hole, and I think I
1337 heard that the applicant was agreeable to that earlier, and then the additional five to 10 on the
1338 eastern boundary.

1339

1340 Mrs. Wade - Is that a condition on the addendum, implies, now does installation have
1341 to occur before they get a certificate of occupancy?

1342

1343 Mr. Strauss - I was talking to the Principal Planner about that, if we could get some
1344 sense that we would be better protected, we could certainly add "prior to occupancy" to the
1345 tail end of that condition. I want to see sign-off prior to installation, but it might be better to
1346 have the added protection of "prior to occupancy" at the end of that condition.

1347

1348 Mrs. Wade - I know this is a business and they have their budget allotments and so
1349 forth, but at zoning time we were told what a wonderful business it is and about a half a billion
1350 capitalization and I heard my broker mention, even last week, that it was a good company in
1351 which to buy stock. So, we assume that they are going to take pride in this as well as having

1352 good community relations, which they have already indicated that they want with the
1353 neighborhood, so we would add then to that condition.

1354

1355 Mr. Strauss - I could annotate the plan and we could add to that condition "prior to
1356 occupancy" on condition 1, and as far as the quantities, I could annotate the plan in that
1357 regard, based on the record today.

1358

1359 Ms. Dwyer - Mr. Strauss. How would that condition now read?

1360

1361 Mr. Strauss - The end of the sentence would read "prior to installation and before final
1362 occupancy is granted."

1363

1364 Ms. Dwyer - Are you ready to make a motion, Mrs. Wade? Or do you think the case
1365 should be deferred? I hate to get into a discussion about the number of trees.

1366

1367 Mrs. Wade - No. I agree as far as that is concerned.

1368

1369 Ms. Dwyer - Mrs. Wade, it is your understanding that the condition is: 1. The owner
1370 and the landscape contractor will field locate and flag proposed planting and chain link fence in
1371 the buffers for neighborhood review and staff approval prior to installation and before final
1372 occupancy is granted?

1373

1374 Mrs. Wade - The issue is the Certificate of Occupancy. Now, are you and Mr. Allin
1375 comfortable? And I am sure they will be willing to get promptly with the applicant.

1376

1377 Ms. Dwyer - I really hate to get into negotiations on numbers of trees here. Are we
1378 ready to, are we satisfied? OK.

1379

1380 Ms. Freye - I would just like to note a concern that I had with the wording of the
1381 condition about the CO. I have just clarified with staff that if there is some problem with
1382 getting particular species of trees, or the planting season, or if there is a problem we can still
1383 bond that landscaping requirement and that would not hold up the CO, so that the bonding if
1384 for some reason we can't get that particular species or planting, we could still get the CO if we
1385 had a bond in place to have it installed if we did not want to hold up the CO.

1386

1387 Mr. Silber - I think we can work with you on that. It is general practice.

1388

1389 Ms. Freye - Thank you.

1390

1391 Mrs. Wade - All right, so you need to find the time then, Mr. Allin, to meet with
1392 them and go over the final details on all of this.

1393

1394 Mr. Allin - No problem.

1395

1396 Ms. Dwyer - Are we ready for a motion?

1397

1398 Mrs. Wade - And I will be happy to join you. I am sorry it has taken so long, but as
1399 you say, it was kind of a special case from the beginning, given the history of this site, and,
1400 but it has been complicated by the change in the cast of characters on the company. Through
1401 the years, sometimes when the companies are out of town, this is what happens anyway, and
1402 then, of course, even the presentation has changed.
1403

1404 I move therefore that the landscape plan for LP/POD-26-98, Sunrise Cottages, the revised
1405 plan, be approved as annotated, the standard conditions, and condition #1 as it was amended.
1406 The owner and their landscape contractor will field locate and flag proposed planting for
1407 neighborhood review and staff approval prior to installation, this to be done, either, or
1408 completed prior to the issuance of a Certificate of Occupancy or Bond for that purpose.
1409

1410 Ms. Dwyer - Is there a second?
1411

1412 Mrs. Wade - Let's see. They have agreed to clean up and take care of the remaining
1413 trees and I think they have responded pretty much to the other things. That is all. So moved.
1414

1415 Ms. Dwyer - Is there a second?
1416

1417 Mr. Archer - I second it.
1418

1419 Ms. Dwyer - Motion by Mrs. Wade and seconded by Mr. Archer. All in favor say
1420 aye. All opposed say no. The motion carried.
1421

1422 The Planning Commission approved Revised Landscape Plan LP/POD-26-98, Sunrise
1423 Cottages, subject to the annotations on the plan dated February 23, 1999, standard conditions,
1424 and the following additional condition:
1425

- 1426 1. The owner and their landscape contractor will field-locate and flag proposed planting
1427 and the chain link fence in the buffers for neighborhood review and staff approval,
1428 prior to installation. This is to be either completed (or bonded) prior to the issuance of
1429 a certificate of occupancy.
1430

PLAN OF DEVELOPMENT

POD-12-99

The Goddard School –
Westgate @ Wellesley

TIMMONS for Wellesley Centre, L.C. and J & N.,
L.L.C.: Request for approval of a plan of
development as required by Chapter 24, Section 24-
106 of the Henrico County Code to construct a one-
story, 8,487 square foot childcare facility. The
1.41-acre site is located along the north line of
Three Chopt Road, approximately 870 feet east of
Lauderdale Drive on part of parcel 36-A-49A. The
zoning is 0-3C, Office District (Conditional) and
WBSO (West Broad Street Overlay District).
County water and sewer. (Three Chopt)

1431

1432 Ms. Dwyer - Is there anyone in the audience in opposition to POD-12-99, The
1433 Goddard School – Westgate @ Wellesley? There is no opposition. Mr. Wilhite.

1434
1435 Mr. Wilhite - This is the second proposed building in this development that we have
1436 seen. Last year we had Virginia Credit Union approved at the corner of Three Chopt and
1437 Lauderdale Drive. With this POD, staff had expected to see plans showing a location for
1438 playground fencing and a fence detail. Staff had not received that as yet, but would be
1439 comfortable, if the Planning Commission is willing to do so, to approve the fence location and
1440 fence detail administratively. There is a proffer prohibiting chain-link fences in this
1441 development if visible from the roadways and from the eastern boundary of the property. If
1442 the applicant were to propose a chain-link fence, then we could bring back the landscape plan
1443 for Planning Commission approval. Staff would also point out that the applicant is requesting
1444 a second point of access to Three Chopt Road. This was not part of the original master plan as
1445 shown on the zoning case. However, staff is in a position to recommend this plan of
1446 development with the annotations on the plan and the standard conditions, as well as the
1447 miscellaneous conditions.

1448
1449 Ms. Dwyer - Any questions of Mr. Wilhite by Commission members?

1450
1451 Mrs. Wade - Did you get the rendering that you wanted?

1452
1453 Mr. Wilhite - Yes, we have the rendering here if the Commission cares to look at it.

1454
1455 Mrs. Wade - In color?

1456
1457 Mr. Wilhite - Yes, ma'am.

1458
1459 Mrs. Wade - I think I have seen it. Does the rest want to see it, the renderings, and
1460 the architectural of the building? I mean, does the Commission want to see the rendering? OK.
1461 It is red brick, shingle roof. And Public Works is all right with this additional access?

1462
1463 Mr. Wilhite - Yes, ma'am. They had no objection to the second point of access on
1464 Three Chopt.

1465
1466 Mrs. Wade - And there is a provision on here for the sidewalk?

1467
1468 Mr. Wilhite - Yes, ma'am. The applicant is in agreement with the requirement for the
1469 sidewalk along the Three Chopt frontage as well as the curb and gutter and road widening
1470 improvements.

1471
1472 Mrs. Wade - And there will be a plan for the front parcel later on?

1473
1474 Mr. Wilhite - Yes, we expect another plan for another building to come in as a plan of
1475 development in the future.

1476
1477 Mrs. Wade - All right, thank you. Does anybody want to speak to this?

1478
1479 Ms. Dwyer - There is no opposition. Does anyone in the audience want to speak to
1480 POD-12-99, The Goddard School?

1481
1482 Mrs. Wade - I assume the applicant is agreeable to the conditions.
1483

1484 Mr. Wilhite - They have indicated to me that they have no objections.
1485

1486 Mrs. Wade - I move, therefore, that POD-12-99, Goddard School – Westgate at
1487 Wellesley, be approved, subject to the revised plan, the annotations, standard conditions and
1488 additional conditions Nos. 23-30 as they appear on the agenda.
1489

1490 Mrs. Quesinberry - Second.
1491

1492 Ms Dwyer - Motion by Mrs. Wade, seconded by Mrs. Quesinberry. All in favor say
1493 aye. All opposed say no. The motion carries.
1494

1495 23. The easements for drainage and utilities as shown on approved plans shall be granted to
1496 the County in a form acceptable to the County Attorney prior to any occupancy permits
1497 being issued.

1498 24. The developer shall provide fire hydrants as required by the Department of Public
1499 Utilities in its approval of the utility plans and contracts.

1500 25. A standard concrete sidewalk shall be provided along the north side of Three Chopt
1501 Road.

1502 26. Outside storage shall not be permitted.

1503 27. Any necessary off-site drainage easements must be obtained in a form acceptable to the
1504 County Attorney prior to final approval of the construction plans by the Department of
1505 Public Works.

1506 28. Deviations from County standards for pavement, curb or curb and gutter design shall be
1507 approved by the County Engineer prior to final approval of the construction plans by
1508 the Department of Public Works.

1509 29. Insurance Services Office (ISO) calculations must be included with the utilities plans
1510 and contracts and must be approved by the Department of Public Utilities prior to the
1511 issuance of a building permit.

1512 30. Approval of the construction plans by the Department of Public Works does not
1513 establish the curb and gutter elevations along the Henrico County maintained right-of-
1514 way. The elevations will be set by Henrico County.
1515

1516 SUBDIVISION

1517
Afton
(February 1999 Plan) **Mayton & Associates, Inc. for Roy T. & Grace F. Tepper and The
Easy Living Corporation:** Request for approval of a conditional
subdivision and an exception pursuant to Section 19-4 of the Henrico
County Code for double frontage lots along North Road. The 31.0-
acre site is located on the north line of North Road at the intersection

of Edgefield Street on parcels 85-A-2, 3 and 5. The zoning is R-4AC, One-Family Residence District (Conditional) County water and sewer. (Fairfield) 79 Lots

1518

1519 Ms. Dwyer - Is there anyone in the audience in opposition to Afton Subdivision
1520 (February 1999 Plan)? No opposition. Mr. McGarry.

1521

1522 Mr. McGarry - Good morning. There are two items of discussion; first the
1523 exception to the Subdivision Ordinance has been requested to permit double frontage lots on
1524 North Road, which is a minor street. This design was contemplated in the zoning case. The
1525 proffers do provide a 15 foot vegetative buffer with specific evergreen trees and plantings and
1526 spacing requirements for this buffer. Further, no privacy fence is allowed within the buffer
1527 and all fences will have to be out of the buffer as well. The second issue has to do with the
1528 40-foot wide street right of way. The 40-foot wide streets have parking restrictions along one
1529 side and in high-density subdivisions, such as this one, where you have only 60 foot wide lots,
1530 we really have inadequate on-street parking for the home owner, and the developer has offered
1531 to provide two paved off-street parking spaces in the front yard. However, staff still
1532 recommends the right of way widened to provide a standard right of way on the street to allow
1533 on-street parking. This is listed as Planning Annotation No. 2 on your plan. With that, staff
1534 can recommend that the Commission recommend conditional approval subject to the
1535 annotations, standard conditions for subdivision of this type, plus added conditions Nos. 12
1536 through No. 15. I will be happy to answer any questions.

1537

1538 Ms. Dwyer - Thank you, Mr. McGarry. Are there any questions for Mr. McGarry by
1539 Commission members? Thank you. Would you like to hear from the applicant?

1540

1541 Mr. Archer - Yes, we need to hear from the applicant. And, Mr. McGarry, I might
1542 need you again before this is over with.

1543

1544 Ms. Dwyer - Will the applicant come forward?

1545

1546 Mr. Kim Tingley - Madam Chairman and member of the Commission, my name is Kim
1547 Tingley and I am the applicant.

1548

1549 Mr. Archer - Mr. Tingley, Mr. McGarry is probably not aware that you and I did talk
1550 yesterday and the main issue that we talked about had to do with having the road sized to the
1551 point that adequate parking would be provided. In my mind, you and I have resolved that
1552 issue and we agreed that you would agree to having the street, I think, 44 foot, is that the
1553 amount required, Mr. McGarry?

1554

1555 Mr. McGarry - Yes, that is standard.

1556

1557 Mr. Archer - And you offered the argument that in order to do that, somebody would
1558 have to give up four feet of yard space, and my rebuttal to that argument is that I think people
1559 would rather have four feet less of yard space and be able to have parking in front of their

1560 house, instead of having just two parking spaces in the front yard, so would it be fair to
1561 assume that you and I agree on that and you are willing to do that?

1562
1563 Mr. Tingley - Oh, yes. This is not a “fall on the sword-type issue.”

1564
1565 Mr. Archer - OK, Mr. McGarry, I guess we would need to find a way to word that to
1566 put that into the conditions or the annotations. In fact, you have it annotated already, do you
1567 not?

1568
1569 Ms. Dwyer - Yes, No. 2 – Planning Comments.

1570
1571 Mr. McGarry - That annotation was that the staff recommended 44-foot right of
1572 way on all streets.

1573
1574 Mr. Archer - And the second issue was having to do with double frontage lots along
1575 North Road, and we sort of agreed to how this layout would look when this went through the
1576 zoning case, as everybody remembers. This was deferred several times and deferred at the
1577 Board level, I guess, maybe four or five times before it was finally approved. And, I had
1578 talked to Mr. Tingley yesterday about possibly increasing with just a couple more plantings of
1579 vegetative buffering that would somewhat prevent sight of the back of these lots from the
1580 houses across the streets, and I believe you agreed to do that, also.

1581
1582 Mr. Tingley - I think we got interrupted at that point. I would point out to you, Mr.
1583 Archer, that that parcel is heavily wooded right now, and with the additional dedication of the
1584 10-foot right of way, it is going to move the right of way line 10 feet further back into the
1585 woods, and then we have an additional 15 foot of buffer on top of that which goes back into
1586 the wood, and certainly I have no objection to putting in a few more plants, but I am sure it is
1587 necessary to provide the buffering you are seeking.

1588
1589 Mr. Archer - If it is necessary to just close up the sight line, would you be agreeable to
1590 doing that, though? I am not talking about a lot of trees. I think we agreed to have plantings
1591 that would be about 8 foot apart, which is what the zoning case said.

1592
1593 Mr. Tingley - The zoning case said 8 feet apart and I was thinking of an evergreen,
1594 which when mature, would have a spread of about 8 feet, which would make it relatively...

1595
1596 Mr. Archer - Close up the gap? Is that what you mean? Mr. McGarry, would that be
1597 suitable, you think, to reduce the sight line from those houses across the street? There are only
1598 like two houses that would be affected at all anyway.

1599
1600 Mr. McGarry - The proffers state a standard of 8 feet of spacing between the
1601 evergreens. Are you saying you wanted it closer than that?

1602
1603 Mr. Archer - Well, if we needed to fill it in a little bit more, you know, but Mr.
1604 Tingley stated that the trees were to be of a certain height when planted, were they not?

1605

1606 Mr. McGarry - They have to be four feet tall.
1607
1608 Mr. Archer- So they are not baby trees to begin with. As long as we have sufficient
1609 buffering to screen those houses across the street, that really is what my biggest concern was.
1610 I don't have any more questions unless somebody else does.
1611
1612 Ms. Dwyer - Any more questions by Commission members?
1613
1614 Mr. Archer - My biggest concern had to do with the proffers and I think we have
1615 talked enough in the last few weeks about cul-de-sacs and so forth.
1616
1617 Mr. Tingley - Ted just reminded me of something that I thought had been addressed,
1618 but in his annotations, he has asked for two access points into the common area, and he has
1619 asked for them at a specific location, and, as you know, lot lines move when you get into
1620 detailed design, and I would prefer this requirement be stated that "an access be provided to
1621 the common area from Road A and then another access point from Road D," but we don't tie
1622 them down specifically today, so we can make vested use of an existing easement or something
1623 that may already have to be cleared.
1624
1625 Mr. Archer - Is that agreeable, Mr. McGarry?
1626
1627 Mr. McGarry - That is agreeable.
1628
1629 Mrs. Wade - Congratulations, Mr. Tingley, on your recent election as President of
1630 Richmond Homebuilders Association.
1631
1632 Mr. Tingley - Thank you very much, Mrs. Wade.
1633
1634 Mr. Archer - I meant to say that, but I did tell you yesterday. Again, we have quite a
1635 bit of discussion on this when it was at the zoning stage and our concern was that we did not
1636 circumvent or minimize in any way the quality that we agreed to at zoning, and I think we
1637 have been able to overcome that, especially with this issue about having the streets wide
1638 enough for parking and by doing that, you might reserve a little bit of the green space in the
1639 lots that exist. So, with that, I can recommend approval of Subdivision Afton (February 1999
1640 Plan) subject to the standard conditions for subdivisions, conditions Nos. 12 through 15 and
1641 the annotations as stated and as amended on the plan today.
1642
1643 Mr. Vanarsdall - Second.
1644
1645 Ms. Dwyer - Motion by Mr. Archer, seconded by Mr. Vanarsdall. All in favor say
1646 aye. All opposed say no. The motion carries.
1647
1648 Mr. Vanarsdall - What did you say about the conditions?
1649
1650 Mr. Archer - No. 12 through 15.
1651

1652 The Planning Commission voted to approve Subdivision Afton (February 1999 Plan), subject
1653 to the annotations on the plans, the standard conditions for developments of this type, and the
1654 following additional conditions:

- 1655
- 1656 12. The limits and elevation of the 100- year frequency flood shall be conspicuously noted on
1657 the plat and construction plans and labeled "Limits of 100 Year Floodplain." Dedicate
1658 floodplain as a "Variable Width Drainage & Utility Easement."
 - 1659 13. The detailed plant list and specifications for the landscaping to be provided within the
1660 15-foot-wide and the 30-foot-wide planting strip easements along North Road and
1661 abutting the Montrose property respectively, shall be submitted to the Planning Office for
1662 review and approval prior to recordation of the plat.
 - 1663 14. Prior to requesting the final approval, a draft of the covenants and deed restrictions for
1664 the maintenance of the common area by a homeowners association shall be submitted to
1665 the Planning Office for review. Such covenants and restrictions shall be in form and
1666 substance satisfactory to the County Attorney and shall be recorded prior to recordation
1667 of the subdivision plat.
 - 1668 15. The developer shall apply to rezone the unused portion of the site to C-1, Conservation
1669 District, prior to final plan approval.

1670
1671 Ms. Dwyer - Mr. Archer, I am going to ask you to go back to your motion if you
1672 would, and make a specific reference to the exception for double fronted lots.

1673
1674 Mr. Archer - Do we need a separate motion for that, by the way?

1675
1676 Ms. Dwyer - Well, it could be included in the original one, but I am not sure you raised
1677 it specifically in your motion, so just to be extra careful, I've been advised. You can make a
1678 separate motion.

1679
1680 Mr. Archer - OK. Why don't I make a motion and just say that I move the exception
1681 for double fronted lots be granted.

1682
1683 Mr. Vanarsdall - Second.

1684
1685 Ms. Dwyer - Motion by Mr. Archer and second by Mr. Vanarsdall. All in favor say
1686 aye. All opposed say no. The motion carried.

1687
1688 The Planning Commission voted to grant approval for the double fronted lots.

1689
1690 **LANDSCAPE & LIGHTING PLAN**

1691
LP/POD-15-97
Highwoods 3
CMSS Architects: Request for approval of a landscape and lighting
plan as required by Chapter 24, Sections 24-106 and 24-106.2 of the
Henrico County Code. The 31.03-acre site is located approximately
600 feet north of the terminus of Cox Road and along the west line
of Jones Road on parcels 28-A-20N, 28-A-20T and 19-A-34. The

zoning is M-1C, Light Industrial District (Conditional). (Three Chopt)

1692

1693 Ms. Dwyer - Is there anyone in the audience in opposition to LP/POD-15-97,
1694 Highwoods 3, Landscape and Lighting Plan? We did have someone earlier today.

1695

1696 Mrs. Wade- She wanted to see the plan and apparently did.

1697

1698 Ms. Dwyer - No opposition. Mr. Strauss.

1699

1700 Mr. Strauss - Thank you, Madam Chairman. This is an application for the approval of
1701 a landscape and lighting plan. We have just distributed the annotated staff plan with the
1702 addendum; I'm sorry, it was meant to go with the addendum, but I guess we didn't make it in.
1703 In this regard, you will see in this handout a composite sheet of all four sheets of the landscaping
1704 plan and then there are attachments in the back. I've worked extensively with CMSS, Mike
1705 Urchek. He is here this morning. We've discussed a variety of things over the last several
1706 weeks with regards to tree placement and light pole placement. There were a few conflicts, not
1707 many, there were maybe five poles and/or trees that he needs to relocate due to conflicts with
1708 either County easements or simply we just wanted the fixture rotated - the light fixture rotated
1709 out of the tree canopy itself. In regards to lighting, there is a virtual smorgasbord of lighting
1710 types. They are all in compliance with County lighting policy. There are shoebox fixtures and
1711 flat lenses for the parking area. They are limited by proffer to 20 feet height, and they are, in
1712 fact, 20 feet. There are a variety of lighting types to be proposed in the courtyard area. They
1713 are all basically pedestrian-scaled lighting. They are either aisle lights in the concrete wall or "up
1714 lighting". Staff has no problem with the landscape plan. They have either met or exceeded the
1715 landscape requirements for the project. I verified the transitional buffer and that meets or
1716 exceeds County requirements for planting. With that, I can answer any questions you may have
1717 or I will refer those to Mr. Mike Urchek, the landscape architect.

1718

1719 Ms. Dwyer - Any questions for Mr. Strauss by Commission members?

1720

1721 Mrs. Wade - What are these "up lights?"

1722

1723 Mr. Strauss - The "up light" is a light in the courtyard area that is meant to illuminate,
1724 there is a covered walkway around the perimeter of the courtyard, and I think Mike might be
1725 able to explain that a little bit better, but they are not on it. They are in an enclosed area,
1726 basically enclosed, but the buildings are not at the periphery of the site. They are "up lights"
1727 that shine on the roof structure, and there are some accent lights for the trees, specimen trees, in
1728 the courtyard.

1729

1730 Mrs. Wade - Basically, I assume on the Winterberry side, the light spillover does not
1731 exceed the usual?

1732

1733 Mr. Strauss - That is what the lady was interested in. I can't think of her name. I
1734 apologize for that. She was interested in the parking lot lighting relative to the Winterberry

1735 Subdivision, and as I explained, the photometrics indicate a .5 foot candle or less at the property
1736 line, so they are in compliance with our policy in that regard.

1737
1738 Mrs. Wade - She seemed satisfied?

1739
1740 Mr. Strauss - Yes, ma'am. She had no problem after she had had an opportunity to view
1741 the plan with the landscape architect.

1742
1743 Ms. Dwyer - Any more questions of Mr. Strauss by Commission members. Thank you,
1744 Mr. Strauss. Would you like to hear from the applicant, Mrs. Wade?

1745
1746 Mrs. Wade - I assume they are in agreement – somebody from the audience indicates
1747 that they are in agreement with this.

1748
1749 Mr. Strauss - For the record, that is Mike Urchek.

1750
1751 Mrs. Wade - I am sorry you had to wait. We don't have any procedure for expedited,
1752 once you get off of the expedited, or once a question comes up, to keep you from going way
1753 down the list. If there are no further questions, I move the landscape and lighting plan for
1754 LP/POD-15-97, Highwoods 3, be approved, and this is the plan dated February 23, 1999, with
1755 annotations and standard conditions.

1756
1757 Mr. Vanarsdall - Second.

1758
1759 Ms. Dwyer - Motion by Mrs. Wade and second by Mr. Vanarsdall. All in favor say aye.
1760 All opposed say no. The motion carries.

1761
1762 The Planning Commission voted to approve the landscape and lighting plan for LP/POD-15-97,
1763 Highwoods 3, subject to the annotations on the plan and standard conditions for developments of
1764 this type.

1765
1766 **PLAN OF DEVELOPMENT**

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1769 Ms. Dwyer - Is there anyone here in opposition to POD-10-99, Storage World – West
1770 Broad Street? No opposition. Mr. Whitney.

1771
1772 Mr. Whitney - Thank you, Madam Chairman. Staff had requested a revised plan
1773 for this plan of development. The request was for location of a sewer easement in the rear of
1774 parcel C. Staff was concerned that this may affect the 35-foot landscape buffer in the rear. I
1775 received more information on that location and checked with the Department of Public Utilities
1776 and easement. Although it is not clear, the location of the sewer does not affect this buffer and
1777 the applicant has agreed to provide the full 35 feet buffer outside of any easement when it is
1778 determined. The applicant has indicated also that the fencing on this property will be a dark
1779 green vinyl per the Provisional Use Permit condition. It will be this color or black vinyl. Also,
1780 the applicant has agreed with all of the other annotations on the plan at this time with the
1781 exception of the recommendation for Condition No. 29 and Glenn Moore is here to address that.
1782 With that, staff can recommend approval of this plan, and I will take any questions you may
1783 have.

1784
1785 Mr. Marlles - Mr. Whitney, will you advance the slide so we have the proper plan on?

1786
1787 Mr. Whitney - Thank you, Mr. Marlles.

1788
1789 Ms. Dwyer - Any questions for Mr. Whitney?

1790
1791 Mr. Vanarsdall - On No. 29, “Outside storage shall not be permitted.” Did you say that
1792 Mr. Moore was going to discuss that?

1793
1794 Mr. Whitney - Yes, Mr. Glenn Moore is here to speak to that condition. He would like
1795 to make an amendment.

1796
1797 Mr. Vanarsdall - This never did come before us for rezoning, so we don’t have a proffer on
1798 it, and we don’t have any conditions on it.

1799
1800 Mr. Whitney - This was done through a Provisional Use Permit.

1801
1802 Mr. Vanarsdall - Yes, they did. Was there anything in that about outside storage?

1803
1804 Mr. Whitney - No, what Mr. Moore is going to address is that the approval include
1805 recreational vehicle storage area, and he just wants to put in there an exception for that use in the
1806 rear of the property.

1807
1808 Mr. Vanarsdall - I don’t have any more questions, Madam Chairman. I’d like to hear from
1809 the applicant.

1810
1811 Ms. Dwyer - Are there any more questions for Mr. Whitney? Will the applicant come
1812 forward, please?

1813

1814 Mr. Moore - Madam Chairman and members of the Commission, my name is Glenn
1815 Moore and I am attorney. I am here on behalf of Storage World, which is the applicant in this
1816 case, and also with me today from Storage World is Mike Appleby, and the engineer for this
1817 project, Larry Jordan. The only issue with respect to the condition as Mr. Whitney just
1818 discussed, one of the uses proposed is to have an area where there is storage of vehicles can be
1819 conducted, and, consequently, we would want the outside storage. _____ on our outside
1820 storage qualified that that use would be permitted.

1821
1822 Mr. Vanarsdall - How would you word that?

1823
1824 Mr. Moore - One suggestion would be that "Outside storage shall not be permitted
1825 except within the recreational vehicle storage area."

1826
1827 Mr. Vanarsdall - Mr. Whitney?

1828
1829 Mr. Whitney - I would prefer language that says "except for recreational vehicle storage
1830 on Parcel C." Maybe we could clarify it that way.

1831
1832 Mr. Vanarsdall - Is that all right with you?

1833
1834 Mr. Moore - Yes, sir. That would be acceptable.

1835
1836 Ms. Dwyer - Well, you added on Parcel C, then, at the end of that, Mr. Whitney? It
1837 sounded like No. 29 now reads: Outside storage shall not be permitted except for recreational
1838 vehicle storage on Parcel C. Is that what we agreed to?

1839
1840 Mr. Vanarsdall - Yes, Parcel C.

1841
1842 Mr. Moore - I am not that familiar with the parcels, but my client tells me that is the
1843 right parcel. Thank you.

1844
1845 Ms. Dwyer - Any other questions for Mr. Moore? No questions. Thank you.

1846
1847 Mr. Vanarsdall - If there are no more questions, I am ready for a motion. I move POD-10-
1848 99, Storage World – West Broad Street, be approved with the annotations on the plans, the
1849 standard conditions for developments of this type, and conditions Nos. 23 through 35, and I
1850 would like to change condition No. 29 to read: Outside storage shall not be permitted except for
1851 recreational vehicle storage on Parcel C.

1852
1853 Ms. Quisenberry - Second.

1854
1855 Ms. Dwyer - Motion by Mr. Vanarsdall and second by Ms. Quisenberry. All in favor
1856 say aye. All opposed say no. The motion carries.

1857

1858 The Planning Commission voted to approve POD-10-99, Storage World – West Broad Street,
1859 subject to the annotations on the plans, the standard conditions for developments of this type and
1860 the following additional conditions:

- 1861
- 1862 23. The easements for drainage and utilities as shown on approved plans shall be granted to
1863 the County in a form acceptable to the County Attorney prior to any occupancy permits
1864 being issued.
- 1865 24. The limits and elevations of the 100-year frequency flood shall be conspicuously noted
1866 on the plan “Limits of 100 Year Floodplain.” In addition, the delineated 100-year
1867 floodplain must be labeled “Variable Width Drainage and Utility Easement.” The
1868 easement shall be granted to the County prior to the issuance of any occupancy permits.
- 1869 25. The entrances and drainage facilities on W. Broad Street (U.S. Route 250) shall be
1870 approved by the Virginia Department of Transportation and the County.
- 1871 26. A notice of completion form, certifying that the requirements of the Virginia
1872 Department of Transportation entrances permit have been completed, shall be submitted
1873 to the Planning Office prior to any occupancy permits being issued.
- 1874 27. The developer shall provide fire hydrants as required by the Department of Public
1875 Utilities in its approval of the utility plans and contracts.
- 1876 28. A standard concrete sidewalk shall be provided along the north side of W. Broad Street
1877 (U. S. Route 250).
- 1878 29. Outside storage shall not be permitted except for recreational vehicle storage on Parcel
1879 C.
- 1880 30. The certification of building permits, occupancy permits and change of occupancy
1881 permits for individual units shall be based on the number of parking spaces required for
1882 the proposed uses and the amount of parking available according to approved plans.
- 1883 31. Any necessary off-site drainage easements must be obtained in a form acceptable to the
1884 County Attorney prior to final approval of the construction plans by the Department of
1885 Public Works.
- 1886 32. Deviations from County standards for pavement, curb or curb and gutter design shall be
1887 approved by the County Engineer prior to final approval of the construction plans by
1888 the Department of Public Works.
- 1889 33. Storm water retention, based on the 50-10 concept, shall be incorporated into the
1890 drainage plans.
- 1891 34. Insurance Services Office (ISO) calculations must be included with the utilities plans
1892 and contracts and must be approved by the Department of Public Utilities prior to the
1893 issuance of a building permit.
- 1894 34. Approval of the construction plans by the Department of Public Works does not
1895 establish the curb and gutter elevations along the Virginia Department of Transportation
1896 maintained right-of-way. The elevations will be set by the contractor and approved by
1897 the Virginia Department of Transportation.

1898 **PLAN OF DEVELOPMENT**

POD-11-99
Pruitt Retail @ Short
Pump Crossing

McKinney & Company for Pruitt Associates, LLC: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, 16,600 square foot retail building and a future one-story,

6,600 square foot retail building in an existing shopping center. The 2.759-acre site is located on the southwest corner of W. Broad Street (U.S. Route 250) and Pump Road on parcels 46-A-14E and 46-A-14F and part of parcel 46-A-14D. The zoning is B-2C, Business District (Conditional) and WBSO (West Broad Street Overlay District). County water and sewer. (Three Chopt)

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Ms. Dwyer - Is there anyone in the audience in opposition to POD-11-99, Pruitt Retail at Short Pump Crossing? No opposition. Mr. Wilhite.

Mr. Wilhite - Staff has received architectural renderings of both buildings. They are requesting approval of a 16,600 square foot building for Phase I and to allow administrative approval of a second smaller building of 6,600 square feet. The renderings indicate that the buildings are almost identical in architectural design and color and the main difference is the size of the two buildings. The applicant has also agreed to working with staff in saving as many trees on West Broad Street frontage as possible. Going back to the architectural renderings, if you care to see them, there is one blank wall on the north facade of the future building. Staff would recommend it be addressed to try to break up the façade and add some architectural interest to it. There is one addendum condition, No. 31, on page 4, and staff has suggested requesting a sidewalk along Pump Road from the West Broad Street intersection across the frontage of the bank that is existing and also the future retail building, which would be required to be constructed prior to occupancy permits of the second building. The applicant is not in agreement with this. This condition, requiring a sidewalk, differs from what was approved with the original sidewalk plan; however, the sidewalk plan was approved prior to the West Broad Street Overlay District being enacted. In keeping with the guidelines of the West Broad Street Overlay District, staff would recommend construction of the sidewalk. Stacey Burcin is here with McKinney and Company, representing the applicant. I think he does have some additional conditions suggested that he would like to offer to the Planning Commission. With that, staff would recommend approval of the plan with the annotations on it, minus the annotation that the future building is not a part of this approval, plus the standard conditions and conditions Nos. 23 through 31.

Ms. Dwyer - Thank you, Mr. Wilhite. Are there any questions of Mr. Wilhite by Commission members?

Mr. Vanarsdall - Mr. Wilhite, what was the part about the sidewalk?

Mr. Wilhite - Staff is recommending construction of a sidewalk along two parcels from Broad Street. Currently, on the west side of Pump Road there is no sidewalk. It wasn't in the original shopping center plan; however, with the enactment of the West Broad Street Overlay District, it is staff's recommendation that we would try to proceed and try to get construction of the sidewalk along Pump Road at this time.

Mr. Vanarsdall - Has the applicant agreed to that?

1937
1938 Mr. Wilhite - The applicant is not agreeable to that. He is willing to look at it in the
1939 future with the administrative approval of the second building and to address it at that time, but
1940 is not willing to agree to construction of the sidewalk at this point.

1941
1942 Mr. Vanarsdall - Thank you.

1943
1944 Ms. Dwyer - Are there any other questions for Mr. Wilhite? Thank you. Will the
1945 applicant come forward, please?

1946
1947 Mr. Burcin - Good morning, members of the Commission. My name is Stacey
1948 Burcin, with McKinney and Company, representing Pruitt Associates in the development of the
1949 Short Pump Crossing Shopping Center. There were a couple of points recently brought up to
1950 our attention in the last couple of days, one of which is the architectural treatment of the future
1951 building. The rear wall of this building is thought that it may be somewhat utilitarian,
1952 although it is brick and has the same materials as the rest of the center. It does not have a lot
1953 of feature. We have looked at this and agree that we will look at it further when we submit the
1954 administrative plans for approval. To put some architectural features on the rear wall, we
1955 don't feel that is a major issue, as most of that rear wall will be obscured by the existing
1956 Crestar Bank located at the corner. Another point that was brought up was that there needs to
1957 be a sidewalk extension committed today with the future phase along that leg of Pump Road.
1958 We have provided a small plan that shows the pedestrian network currently existing in the
1959 shopping center, and I think Mr. Wilhite is putting that up now. The existing shopping center,
1960 that element was discussed in detail during that shopping center, and you will see from the plan
1961 which I have highlighted the existing sidewalk. There is a very good pedestrian network of
1962 sidewalks located in this area. The thick black line that you see is what is being requested at
1963 this time. While we disagree with the specific language of the condition, we do not disagree
1964 with the certain intent of the condition. What we would suggest is that when the future
1965 addition comes in, that we look at this and look at the pedestrian needs again, and sense
1966 whether or not the sidewalk will be used. If it looks like it will be a viable sidewalk, then we
1967 will provide one at that time. So, we actually are just requesting that we defer the commitment
1968 for that little leg of sidewalk until we look at what the future needs are with that administrative
1969 plan. In that regard, I have provided a revised condition, which I will read to the Commission
1970 to replace No. 31. It says, "The need for a sidewalk along the west side of Pump Road from
1971 West Broad Street across the frontage of Parcel 46-A-14D and 14F shall be evaluated with the
1972 administrative review of the future building. The sidewalk, if required, shall be provided prior
1973 to the issuance of a certificate of occupancy for the future building." We feel that this amply
1974 addresses the concern. We are not opposed to sidewalks. We simply do not want to construct
1975 them if they are in an area where it looks like there will not be a need.

1976
1977 Ms. Dwyer - Mr. Burcin, could you read that again?

1978
1979 Mr. Burcin - The need for a sidewalk along the west side of Pump Road from West
1980 Broad Street across the frontage of Parcels 46-A-14D and 14F shall be evaluated with the
1981 administrative review of the future building. The sidewalk, if required, shall be provided prior
1982 to the issuance of a certificate of occupancy for the future building.

1983
1984 Ms. Dwyer - So, then is it an administrative determination whether you decide it will
1985 be required or, you said it will be evaluated. I am not sure what that means.
1986
1987 Mr. Burcin - Right. The intent there was that with the submittal for the administrative
1988 review that we would present the pedestrian network, as well as look at what the needs are. Is
1989 there a trail being beaten on the side of the road that shows there is a need in that area? If that
1990 is the case, then I certainly would not want that and would provide a sidewalk in that regard.
1991 The use of this future building may change . Right now it is shown as a speculative building
1992 with multiple tenants. That use of this future building may change altogether and we may very
1993 well want a sidewalk.
1994
1995 Ms. Dwyer - Are you intending to place the authority with staff?
1996
1997 Mr. Burcin - That is correct. That would be a part of the administrative review
1998 process; however, as it currently set up, if there is a discrepancy in the administrative review
1999 and approval then that appeal goes to the Planning Commission, so that if this issue were to
2000 come up again, and staff felt strongly that a sidewalk was absolutely necessary, then we very
2001 well may find out that we do not agree with that at that point and this plan may very well come
2002 back to the Commission for that very element.
2003
2004 Mrs. Wade - Is that what that says?
2005
2006 Mr. Burcin - Well, in conjunction with the way the Code reads about the appeals for
2007 administrative approvals coming back to the Planning Commission.
2008
2009 Ms. Dwyer - It could be stronger by saying, "Staff determines that a sidewalk is
2010 required." I would like, because the statement just says it will be evaluated, it might be a
2011 stronger statement to say "If staff determines that a sidewalk is required", then it just makes it
2012 clearer.
2013
2014 Mr. Burcin - That could be done, also. As far as it being in compliance with the West
2015 Broad Street Overlay District guidelines, the plan before you is in compliance. This area is
2016 developed in accordance with the guidelines. The guidelines suggest that a sidewalk shall be
2017 provided along major roadways, and a sidewalk is provided. Now, it does happen to be on the
2018 opposite side of the street.
2019
2020 Ms. Dwyer - Any other questions for Mr. Burcin?
2021
2022 Mrs. Wade - Are you going to save the trees along Broad?
2023
2024 Mr. Burcin - That is another point I'd like to discuss further with staff. I have been
2025 out and I have identified that there are potentially 11 trees that could be saved in this area. Of
2026 the 11, half of those are going to have root damage in the area of 50% of the area; the
2027 remaining trees, you may end up with four toothpicks out there. What I would suggest, and I
2028 suggested this to staff, that prior to us preparing the final plans for signature, that we go out

2029 there again and really look at this and try to look at how this is going to fit in the landscape
2030 plan. My personal opinion that I represented to the client is that we should not try to save
2031 those trees or you will end up with four toothpicks out there. That may not have any real
2032 aesthetic value to the overall appearance of the shopping center. But, we are still open to
2033 looking at that further.

2034
2035 Mrs. Wade - I know what you mean about toothpicks. They don't always enhance the
2036 overall, if they are spread out, and I am not sure about the locations of those out there.

2037
2038 Mr. Burcin - But we would be happy to meet with you and with staff and actually
2039 measure the distance and look at that trees that are there, and evaluate how that can
2040 incorporated into the landscape.

2041
2042 Mrs. Wade - OK, is there an annotation on here? I just wondered if there was one on
2043 here about the trees already. Attempt to maximize tree save buffer along Broad Street, show
2044 protection measure on site for signature. Will you eliminate that? We can leave it on there,
2045 and work with it later and it will be revisited. OK. Thank you.

2046
2047 Ms. Dwyer - Any other questions?

2048
2049 Mrs. Wade - I move that POD-11-99, Pruitt Retail @ Short Pump Crossing, be
2050 approved, subject to the annotations on the plan, standard conditions and, I do think I had
2051 gotten this copy of the plan with the sidewalks on it with a letter from Mr. Pruitt earlier, who
2052 indicated he couldn't be here today, and it does seem as if there is a lot of pedestrian space
2053 there, and true, they can walk down the other side of the street, and with Condition No. 31 of
2054 this case being revisited with the second building here. I think that is reasonable. I don't think
2055 they want a muddy path down the side of their shopping center, if indeed that is what happens.
2056 I would also include Conditions Nos. 23 through 31, with 31 substituted that, roughly, we will
2057 evaluate the sidewalks needs for the west side of Pump and brought back for administrative
2058 review if it determined that sidewalk there would be done along with the second phase. That is
2059 not exactly what you had. Does somebody want to give that to the secretary? Mr. Burcin, I
2060 would move that that be included in the approval.

2061
2062 Mr. Vanarsdall - Motion by Mrs. Wade and second by Mr. Vanarsdall. All in favor say
2063 aye. All opposed say no. The motion carries.

2064
2065 The Planning Commission voted to approve POD-11-99, Pruitt Retail @ Short Pump Crossing,
2066 subject to the annotations on the plans, the standard conditions for developments of this type
2067 and the following additional conditions:

- 2068
2069 23. The easements for drainage and utilities as shown on approved plans shall be granted to
2070 the County in a form acceptable to the County Attorney prior to any occupancy permits
2071 being issued.
2072 24. The developer shall provide fire hydrants as required by the Department of Public
2073 Utilities in its approval of the utility plans and contracts.
2074 25. Outside storage shall not be permitted.

- 2075 26. Any necessary off-site drainage easements must be obtained in a form acceptable to the
 2076 County Attorney prior to final approval of the construction plans by the Department of
 2077 Public Works.
- 2078 27. Insurance Services Office (ISO) calculations must be included with the utilities plans
 2079 and contracts and must be approved by the Department of Public Utilities prior to the
 2080 issuance of a building permit.
- 2081 28. The conceptual master plan, as submitted with this application, is for planning and
 2082 information purposes only. All subsequent detailed plans of development and
 2083 construction plans needed to implement this conceptual plan may be administratively
 2084 reviewed and approved and shall be subject to all regulations in effect at the time such
 2085 subsequent plans are submitted for review/approval.
- 2086 29. The ground area covered by all the buildings shall not exceed in the aggregate 25
 2087 percent of the total site area.
- 2088 30. No merchandise shall be displayed or stored outside of the building(s) or on
 2089 sidewalk(s).
- 2090 31. The need for a sidewalk along the west side of Pump Road from W. Broad Street
 2091 across the frontage of Parcels 46-A-14D and 14F shall be evaluated with the
 2092 administrative review of the future retail building. The sidewalk, if required by County
 2093 staff, shall be constructed prior to the issuance of a certificate of occupancy for the
 2094 future retail building.

2095 **PLAN OF DEVELOPMENT**

2096
 POD-3-99
 Home Depot -
 6517 W. Broad Street
 (POD-55-73 Rev.)

VHB, Inc. and Greenberg Farrow for Anita M. Cook, V.F.W. Home Association Post #6364, Belvidere Associates, L.P., The Linhart Company, Kimco Realty Corporation, Crestar Bank, Communications Systems of Virginia, Inc., Joan Middleton, Robert L. Thompson, Edna P. Chewning and Home Depot U.S.A. Inc.: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, 109,500 square foot home improvement retail center addition to an existing retail site. The 22.26-acre site is located on the southwest corner of W. Broad Street (U.S. Route 250) and Horsepen Road on parcels 92-A-39, 40, 41, 47; 92-09-D-11, 12, 18; 92-09-F-3, 4, 5, 6 and 7. The zoning is B-2, Business District and B-3, Business District. County water and sewer. **(Three Chopt)**

2097
 2098 Ms. Dwyer - Is there anyone in the audience in opposition to POD-3-99, Home Depot
 2099 - 6517 W. Broad Street (POD-55-73 Rev.)? We have opposition. Thank you. Mr. Whitney.

2100
 2101 Mr. Whitney - Thank you, Madam Chairman. The applicant has addressed all of the
 2102 annotations that are on the plan and they are quite extensive. VDOT has provided full
 2103 comments to us. They didn't at the time of the preparation of the staff plan. Everything has
 2104 been worked out as far as the road improvements on West Broad Street and the traffic
 2105 signalization at the entrance to the proposed Home Depot. Also, with that approval has
 2106 offered to escrow funds for the design of the road improvements and the traffic signal in that

2107 area. We have got approval, indication a that full sidewalk will be provided along the entire
2108 front of West Broad Street down to the wheel chair ramp that is located at Horsepen Road.
2109 The fire suppression, you will see there are many comments dealing with that. Public Utilities
2110 met with myself and the applicant to go over the final numbers needed for fire flow and
2111 location of fire hydrants and we worked out all of those issues at the second staff developer
2112 meeting that was scheduled. With that, staff can recommend approval of this plan of
2113 development. I will take any questions that you may have.

2114
2115 Ms. Dwyer - Are there any questions for Mr. Whitney?

2116
2117 Mrs. Wade - What did you say about the traffic light?

2118
2119 Mr. Whitney - They are doing the traffic signal installation at the entrance to Home
2120 Depot off of West Broad Street.

2121
2122 Ms. Dwyer - Where?

2123
2124 Mr. Whitney - It would be at the main entrance.

2125
2126 Ms. Dwyer - There is no crossover there.

2127
2128 Mr. Whitney - It is at the bottom of your plan, on page C7.

2129
2130 Mrs. Wade - They are in-between?

2131
2132 Mr. Whitney - It is the entrance that would be between Burlington Coat Factory and
2133 Home Depot. I apologize for the second entrance. It is in alignment with the Courtyard by
2134 Marriott.

2135
2136 Mrs. Wade - OK, I had not heard about the light. What is the status of this? Is this
2137 and the Burlington thing all one parcel, or are these two separate centers?

2138
2139 Mr. Whitney - These are several separate parcels. Kimco Realty owns their parcel for
2140 the Burlington Coat Factory and those retail and Home Depot will be purchasing the remaining
2141 parcels to the west of there.

2142
2143 Mrs. Wade - There is really no connection legally between the two?

2144
2145 Mr. Whitney - No, there is not. Except that they are both signatories to the POD
2146 application, and there are improvements to the Burlington side, which is indicated on Sheet C8
2147 of information in your packet. They are improving the entrance off of Horsepen Road and the
2148 entrance to Burlington off West Broad Street, plus doing parking lot improvements and
2149 installing landscaping.

2150
2151 Ms. Dwyer - Will there be any increase in the landscape strips along West Broad
2152 Street in front of Burlington?

2153
2154 Mr. Whitney - I would have to have the applicant address that question.
2155
2156 Mrs. Wade - There are only a few islands and they don't have any out there near
2157 Broad.
2158
2159 Ms. Dwyer - How old is that building? Do you know?
2160
2161 Mr. Whitney - I believe the Kimco Building is a 1973, it is quite old, POD-55-73.
2162
2163 Mrs. Wade - There is a fence behind the Kimco, actually I need to talk to that person.
2164 Is there somebody from there? Do you have color renderings?
2165
2166 Mr. Whitney - No, I did not, not at this time.
2167
2168 Ms. Dwyer - Any more questions of Mr. Whitney? Thank you. Will the applicant
2169 come forward, please.
2170
2171 Mrs. Wade - Mr. Whitney, before you go, one thing. Is there somebody from Kimco
2172 who owns that other parcel here?
2173
2174 Mr. Whitney - Not to my knowledge.
2175
2176 Mrs. Wade - Have you been behind that building?
2177
2178 Mr. Whitney - Not for sometime, since we started preliminary review.
2179
2180 Mrs. Wade - I doubt that it has changed, whenever that was. It is a mess back there.
2181 Somebody needs to be responsible for the rear of that building. There is a fence that is falling
2182 down. There is trash all over the place back there.
2183
2184 Mr. Whitney - We can request zoning enforcement to take a look at that, if you like.
2185
2186 Mrs. Wade - Yes, I would think so. I would not think Home Depot would even want
2187 to be a neighbor, and I'm assuming they are going to do a better job on the back of theirs and I
2188 am sure that they will.
2189
2190 Ms. Dwyer - Will the applicant come forward, please?
2191
2192 Mrs. Wade - To whom should I direct that?
2193
2194 Mr. Whitney - I can direct that to Zoning Enforcement for you.
2195
2196 Mrs. Wade - All right. Thank you.
2197

2198 Mr. Bob Nitishin - My name is Bob Nitishin and I am the architect for the project. I
2199 am with the firm of Greenberg Farrow out of Atlanta. With me is Tracy Lower, the Civil
2200 Engineer from VHB.
2201
2202 Ms. Dwyer - Are there any questions by Commission members?
2203
2204
2205 Mr. Vanarsdall - Did you understand what Mrs. Wade was saying about the back rear of
2206 the place?
2207
2208 Mrs. Wade - It is not their building. It is the one next door to it.
2209
2210 Mr. Nitishin - My understanding is that it is the rear drive behind the fence and mess
2211 behind Kimco. I can bring it up to Kimco, but I am not quite sure what...
2212
2213 Mrs. Wade - Well, we are going to get somebody from the County to go look at it, to
2214 see what the status of the fence is.
2215
2216 Mr. Nitishin - OK. I would be more than happy to mention it to Kimco, but beyond
2217 that. I've been back there a couple of times.
2218
2219 Mrs. Wade - Now what are the colors here? We have renderings, but not much to
2220 read on ours. Describe your building briefly for us, if you would. Does it look like the one
2221 out on West Broad?
2222
2223 Mr. Nitishin - It will probably look more like the one we have been doing down
2224 in Chesterfield County, and I am going from memory, which right now isn't too good, so I am
2225 not sure. If I had a drawing, I could go through it.
2226
2227 Ms. Dwyer - Would you like to see what we have?
2228
2229 Mr. Nitishin - Yes, ma'am, I would. I have just got too many of these in my head.
2230
2231 Ms. Dwyer - We are familiar with how you feel. You are not going to use the ash fill
2232 for this one, I presume?
2233
2234 Mr. Vanarsdall - Was that the one down in Chesterfield? Wasn't that just in the paper?
2235
2236 Mr. Nitishin - That is coming down and being rebuilt.
2237
2238 Ms. Dwyer - Some fly ash is fine and this just happens to be a defective fly ash. Is
2239 that right?
2240
2241 Mr. Nitishin - That is about it.
2242
2243 Mrs. Wade - You won't have that problem here, will you?

2244
2245 Mr. Nitishin - No, no, ma'am. In looking at the elevation, this looks like this will be
2246 different from the one out on West Broad that is already open.
2247
2248 Mrs. Wade - Did you design this?
2249 Mr. Nitishin - This is one of our proto-typical elevations that we have used. The color
2250 scheme will be – we have got the standing seam metal canopy across the front which will be
2251 orange. The bulk of the building will be light brown with some accent bands.
2252
2253 Mrs. Wade - And the materials, what kind?
2254
2255 Mr. Nitishin - They are subject to comments and stuff, but right now we would be
2256 looking at concrete _____ finished.
2257
2258 Mrs. Wade - Are you the one who was here when we had an earlier meeting some
2259 months ago?
2260
2261 Mr. Nitishin - I met with you for parking and landscaping out on the site plan.
2262
2263 Mrs. Wade - Right, and you've got what, 177 spaces the County requires for the
2264 square footage for – I guess this is the total combination, is it, Mr. Whitney, is this a
2265 combination of the two buildings?
2266
2267 Mr. Whitney - Yes, that is a combination of both the Burlington site and the Home
2268 Depot site.
2269
2270 Mrs. Wade - But you finally have 245 – I know you have added some here to what we
2271 saw originally, but it seemed to me at our meeting that we discussed the possibility of maybe
2272 not having quite so much parking and having more landscaping on the front.
2273
2274 Mr. Nitishin - What we did, Mrs. Wade, is kind of look at it from a couple of
2275 standpoints. No. 1, how much parking does Home Depot need to operate the store from both
2276 the customer standpoint as well as employee parking? No. 2, kind of balancing that up against
2277 landscaping and landscaped islands in the parking lot and also being able to get the cars in, as
2278 well as trucks in safely, and I think we have come up to approximately 450 spaces, in what we
2279 call the front field, which is predominantly the customer spaces. We've got some areas on the
2280 side and behind the store, which we will use for employee spaces, and I think the total will be
2281 somewhere around 645 spaces total, and that is both sides.
2282
2283 Mrs. Wade - No. I was just thinking that this had come up at the meeting, because I
2284 said you could cut down on your parking some and put more, maybe 10 in front and 15 in
2285 another and I went home from the meeting thinking "Great" and now you have changed your
2286 mind.
2287
2288 Mr. Nitishin - Like I said, we are trying to balance parking and landscaping versus
2289 what we expect to do for business at the store. We don't want to get into a situation where we

2290 take out so many parking spaces that we don't have parking for the customers. We can
2291 certainly go back and either add some additional landscaped islands across the front or maybe
2292 make some of the ones we have shown right now bigger, go to some double spaces, but at the
2293 same time we don't want to get down much below, say 430 customer spaces. We realize that
2294 we could still park cars, park our customers, and we do have some, this came up, the
2295 agreements that we have with the Kimco Property for REA for reciprocal access and parking
2296 agreements, we can park our customers over there, but I am not so sure how many customers
2297 are going to want to park over there and have to push lumber carts or shopping carts across a
2298 main entrance.

2299
2300 Mrs. Wade - Employees couldn't park there in busy season, or something.

2301
2302 Mr. Nitishin - They could, but we really don't want to park the customers behind the
2303 store. It is really a security issue.

2304
2305 Ms. Dwyer - We have a 10 foot landscaped strip along Broad Street. I guess in
2306 looking at the site plan, if we would say one or two parking spaces that are parallel to the road,
2307 it doesn't seem like we would be losing that many, and we increase the...

2308
2309 Mr. Nitishin - No, we could increase the landscape strip across the - along West Broad
2310 Street. I would just like to point out that we are also going to be adding some landscaping on
2311 the Kimco side in between them and there are some side lots over there, and they have a
2312 drainage ditch, so we are going to be increasing the landscaping along West Broad and also on
2313 Horsepen. The intention is to make it look more like a unified shopping center without having
2314 it and still keeping two separate parcels.

2315
2316 Mrs. Wade - I understand. When somebody is out on the Kimco side, because it is a
2317 long stretch along Broad, which is actually down from Broad Street, what can we do to get
2318 Kimco to add a few islands on their frontage? They have a wider strip but it is a slope, as I
2319 recall.

2320
2321 Mr. Nitishin - I could talk with them.

2322
2323 Mrs. Wade - Are you agreeable to what Ms. Dwyer was suggesting, increasing the
2324 strip along...

2325
2326 Mr. Nitishin - Yes, we could do that.

2327
2328 Mrs. Wade - So, how much space would you give?

2329
2330 Mr. Nitishin - Right now I think we could look at getting up towards 20 feet. Each
2331 parking space is nine feet wide, so if I eliminate nine feet, that is nine feet I can put into the
2332 buffer/landscape strip.

2333
2334 Mrs. Wade - That would help. OK. All right.

2335

2336 Ms. Dwyer - It would be a good advertisement for your garden center.
2337
2338 Mrs. Wade - That's right, and in the back you mentioned, that is to be employee
2339 parking there?
2340
2341 Mr. Nitishin - Yes.
2342
2343 Mrs. Wade - Are you planning any kind of fence?
2344
2345 Mr. Nitishin - We are going to be fencing off all along the rear property.
2346
2347 Mrs. Wade - I guess that will come up at the landscape plan time.
2348
2349 Mr. Nitishin - It kind of jogs in and out because of the property line right there, but we
2350 are planning on fencing it as well as lighting it, and we will be working with the County on the
2351 photometrics. We have some security issues back there. We don't usually like to put
2352 employee parking behind the store, but we don't really have a whole lot of choice in this one.
2353
2354 Mrs. Wade - And what did you say about the fence? I am sorry. Are you planning a
2355 fence?
2356
2357 Mr. Nitishin - Yes.
2358
2359 Mrs. Wade - What kind of one? That will come up at landscape time, but I expect
2360 some of the people here are interested.
2361
2362 Mr. Nitishin - We would like to put a chain link fence along the whole rear. It is really
2363 more from a maintenance than a security issue.
2364
2365 Mrs. Wade - I would think probably that that would be a good idea. OK.
2366
2367 Ms. Dwyer - Any other questions for Mr. Nitishin? All right, thank you. We will
2368 hear from the opposition.
2369
2370 Mr. Joey Doan - Good morning, my name is Joey Doan and I am here for my father-in-
2371 law, William Giles, who lives at 6328 Mallory Drive. It is one lot from where the back of the
2372 parking would be, and he has lived there for over 50 years and seen some pretty significant
2373 and awful changes in the area.
2374
2375 Mrs. Wade - It is better than it was.
2376
2377 Mr. Bolling - Oh, yes, and from what you all did in Crestview just a block west of that
2378 at your last meeting, the area will definitely be improving. I am not so sure as far as he is
2379 concerned that this is going to be an improvement for him.
2380
2381 Mrs. Wade - He is not right next door.

2382
2383 Mr. Bolling - There is one building between him and where the proposed parking lot
2384 is.
2385
2386 Mrs. Wade - That looks like a new building, actually.
2387
2388 Mr. Bolling - Between him and the proposed parking, that is his house.
2389
2390 Mrs. Wade - Yes, he is on the corner.
2391
2392 Mr. Bolling - And next door is another house and it has been expanded and is, I
2393 believe, it is a service center. He is concerned obviously with the lighting and just the
2394 encroachment near his property. I can't imagine that this isn't going to happen. We would
2395 certainly hope that the developer would make some allowances for a landscaping buffer
2396 between the parking and the area. You have spoken of the condition at the back of the
2397 property, and certainly we don't want that to happen with my father-in-law's property. In
2398 addition, just one block west of that is going to be the newly developed Crestview area, and I
2399 can't imagine they are going to want to look at the back of a huge building that is trash laden
2400 or just a light parking lot, so we really would like some consideration for the aesthetics at the
2401 rear of the building. The emergency gate that is going to come out on Mallory Drive is
2402 somewhat troubling, as well. I think it could come out elsewhere.
2403
2404 Mrs. Wade - I have a question about that that I was going to ask.
2405
2406 Mr. Bolling - But lighting, planting, fences are a concern. Realizing that it is a
2407 business district, zoned business, my father-in-law understands that, but he has been there for a
2408 long time. He is pretty comfortable there. So, any consideration that you or the developer
2409 could give would be greatly appreciated.
2410
2411 Mrs. Wade - Thank you. As I recall, he has quite a bit of landscaping on his lot, but
2412 thank you.
2413
2414 Ms. Dwyer - Are there any questions for Mr. Bolling by Commission members?
2415
2416 Mr. Archer - What is the building that exists now between your father-in-law's
2417 property and this site?
2418
2419 Mr. Bolling - It is a house that has been expanded and it is a service center or it is
2420 Service Master. It is a residence that has been converted into a business, and has been added
2421 to on the rear.
2422
2423 Ms. Dwyer - The problem here, obviously, is that we have some residences in a B-2
2424 zoning.
2425
2426 Mr. Bolling - He was one of the original residents of the neighborhood.
2427

2428 Mr. Vanarsdall - How did somebody zone it B-2 if he was in there?
2429
2430 Ms. Dwyer - That is a long story.
2431
2432 Mr. Bolling - This was 30 some years ago. The whole area has been rezoned.
2433
2434 Mr. Archer - You answered my question.
2435
2436 Mrs. Wade - He is non-conforming and a few other people live in there, too.
2437
2438 Mr. Bolling - The other businesses in the area and on Mallory Drive and have been
2439 exceptional, and the ones that are going to be knocked out of there – they have been renovated
2440 and they are kept nicely, so I would imagine they would like the rear of the property
2441 aesthetically pleasing, as well.
2442
2443 Mrs. Wade - I gather that people sold some of the property to them.
2444
2445 Mr. Bolling - Apparently so. _____ apparently owns the next piece of property, too,
2446 which is a huge building right next to him if that property is sold.
2447
2448 Mrs. Wade - OK. Thank you.
2449
2450 Ms. Dwyer - Thank you, Mr. Bolling. Mrs. Wade, would you like to hear from the
2451 applicant?
2452
2453 Mrs. Wade - The police have already noted on here that the emergency gate shown on
2454 Mallory Road is not a feasible option.
2455
2456 Mr. Whitney - Yes, we worked that out with Police, Fire and Traffic Engineering.
2457 What was decided was the police would not accept a key for an emergency access. Fire would
2458 accept a key, Traffic Engineering wanted the use of this in special events situations, i.e., the
2459 St. Patrick's Day Parade, so it was agreed the manager would have a key available in the event
2460 of any emergency for the gate on Mallory Drive.
2461
2462 Mrs. Wade - So, how do we change this note here?
2463
2464 Mr. Whitney - It is under Police. Police just gives recommendations. I'll have to...I
2465 can remove that annotation from the plan, since we worked it out to their satisfaction.
2466
2467 Mrs. Wade - There won't be a locked gate back there. Is that what you are saying?
2468
2469 Mr. Whitney - No, there will be a locked gate. And a key will be provided by the
2470 manager in the event of emergencies or special events. There is the agreement.
2471
2472 Mrs. Wade - Do some people know they are going to have a parade through there?
2473

2474 Mr. Whitney - They do now.
2475
2476 Mrs. Wade - I assume with their permission. OK, thank you. All right. What would
2477 you suggest to help, although it is a business location, behind his, what is used for employee
2478 parking, it would seem that a chain link fence would be the best and most secure and most
2479 durable in that location.
2480
2481 Mr. Whitney - I think that is a viable option, a chain-link fence. He did offer that, Mr.
2482 Nitishin.
2483
2484 Ms. Dwyer - A vinyl-coated chain-link fence?
2485
2486 Mr. Whitney - We could ask if he would provide for that. Dark green or black seem to
2487 be the preferable colors for vinyl.
2488
2489 Mrs. Wade - It might help to break it up a little bit, but there really isn't any room to
2490 landscape his plan back there, and Mr. Giles really is, you know, there is what appears now to
2491 be a new building between his lot and the back of this, and he has really got a lot of
2492 landscaping, his yard has old mature trees and lots of shrubs.
2493
2494 Mr. Nitishin - If I may, there were a couple of things I picked up on and we can
2495 address it. We don't have any problems with the green or black vinyl chain-link fence. That
2496 looks a little bit nicer than straight galvanized. Lighting back there. We will have lighting,
2497 obviously at night, but we can perimeter lighting to direct the lighting in, so we don't have any
2498 spillover out off of the property line and there also is some area back there for some
2499 landscaping, both, if you look at the plan, both around the parking spaces as well as along the
2500 perimeter of the property line. So, we could do some landscaping out there. The activity
2501 behind the store really is limited to the two areas, the big area is behind the garden center,
2502 which is our shipping/receiving area. The other area is at the far corner, again behind the
2503 store, but that is the lumber loading area. The rest of the back of the store is, this is really no
2504 activity.
2505
2506 Ms. Dwyer - Thank you. Mrs. Wade.
2507
2508 Mrs. Wade - Driving through there, gradually, it is inching back up as far as the
2509 neighborhood is concerned, and the condition of the buildings. I would move, therefore, that
2510 POD-3-99, be approved, subject to the standard conditions for developments of this type, the
2511 annotations on the plans, and condition No. 9 for the landscaping to come back, and we will
2512 talk about the fence, and Mr. Nitishin indicated they would be willing to put in a vinyl fence
2513 and also some landscaping back there, and that they will adjust the parking in the front in order
2514 to provide 20 feet of landscaping strip along Broad Street, and added conditions, with
2515 condition No. 9 Amended and No. 23 through 37.
2516
2517 Mr. Vanarsdall - Second.
2518

2519 Ms. Dwyer - Motion by Mrs. Wade and a second by Mr. Vanarsdall. All in favor say
2520 aye. All opposed say no. The motion carries.

2521
2522 Mrs. Wade - And I know Home Depot is not going to allow a mess behind their
2523 building like the one next to it.

2524
2525 The Planning Commission voted to approve POD-3-99, Home Depot – 6517 West Broad Street
2526 (POD-55-73 Rev.), subject to the annotations on the plans, standard conditions for
2527 developments of this type and the following additional conditions:

- 2528
2529 9. **AMENDED** – A detailed landscaping plan shall be submitted to the Planning Office for
2530 review and Planning Commission approval prior to the issuance of any occupancy
2531 permits.
- 2532 23. The right-of-way for widening of W. Broad Street (U.S. Route 250) as shown on
2533 approved plans shall be dedicated to the County prior to any occupancy permits being
2534 issued. The right-of-way dedication plat and any other required information shall be
2535 submitted to the County Real Property Agent at least 60 days prior to requesting
2536 occupancy permits.
- 2537 24. The easements for drainage and utilities as shown on approved plans shall be granted to
2538 the County in a form acceptable to the County Attorney prior to any occupancy permits
2539 being issued.
- 2540 25. The entrances and drainage facilities on W. Broad Street (U.S. Route 250) shall be
2541 approved by the Virginia Department of Transportation and the County.
- 2542 26. A notice of completion form, certifying that the requirements of the Virginia
2543 Department of Transportation entrances permit have been completed, shall be submitted
2544 to the Planning Office prior to any occupancy permits being issued.
- 2545 27. The developer shall provide fire hydrants as required by the Department of Public
2546 Utilities in its approval of the utility plans and contracts.
- 2547 28. A standard concrete sidewalk shall be provided along the south side of W. Broad Street
2548 (U.S. Route 250).
- 2549 29. Outside storage shall not be permitted.
- 2550 30. Any necessary off-site drainage easements must be obtained in a form acceptable to the
2551 County Attorney prior to final approval of the construction plans by the Department of
2552 Public Works.
- 2553 31. Deviations from County standards for pavement, curb or curb and gutter design shall be
2554 approved by the County Engineer prior to final approval of the construction plans by
2555 the Department of Public Works.
- 2556 32. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b)
2557 of the Henrico County Code.
- 2558 33. Storm water retention, based on the 50-10 concept, shall be incorporated into the
2559 drainage plans.
- 2560 34. Insurance Services Office (ISO) calculations must be included with the utilities plans
2561 and contracts and must be approved by the Department of Public Utilities prior to the
2562 issuance of a building permit.

- 2563 35. Approval of the construction plans by the Department of Public Works does not
2564 establish the curb and gutter elevations along the Henrico County maintained right-of-
2565 way. The elevations will be set by Henrico County.
- 2566 36. Approval of the construction plans by the Department of Public Works does not
2567 establish the curb and gutter elevations along the Virginia Department of Transportation
2568 maintained right-of-way. The elevations will be set by the contractor and approved by
2569 the Virginia Department of Transportation.
- 2570 37. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
2571 Planning Office and approved prior to issuance of a certificate of occupancy for this
2572 development.
- 2573

2574 **PLAN OF DEVELOPMENT (Deferred from the January 26, 1999 Meeting)**

2575

POD-4-99
Burger King @
Tuckahoe Village
Shopping Center
(POD-70-96 Revised)

Grattan Associates, P.C. for Burger King Corporation and Tuckahoe Village Shopping Center Corporation: 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 addition to an existing shopping center. The 0.67-acre site is located approximately 580 feet east of Westbriar Drive on Patterson Avenue (State Route 6) on part of parcel 88-A-25 and all of 88-A-22. The zoning is B-2, Business District. County water and sewer (Tuckahoe)

2576
2577 Ms. Dwyer - Is there anyone in the audience in opposition to POD-4-99 Burger King
2578 @ Tuckahoe Village Shopping Center (POD-70-96 Revised)? Is there anyone who would like to
2579 speak to the case? Thank you. We will get to you in a moment. Mr. McGarry.

2580
2581 Mr. McGarry - Madam Chairman, this plan was deferred from the January 26
2582 meeting to allow the applicant to address neighborhood concerns. Revised architectural plans
2583 and site plans have been submitted and its review is complete. The site, of course, is within the
2584 Tuckahoe Village Shopping Center, which is zoned B-2, Business. First, a more traditional
2585 Burger King building design has been substituted for the original contemporary design and that is
2586 included in your plans.

2587
2588 Ms. Dwyer - That is the Las Vegas design, right?

2589
2590 Mr. McGarry - The Las Vegas design has been left in Las Vegas. Secondly, the
2591 neighborhood's concerns regarding landscaping have been addressed in the annotations and the
2592 requirements for the landscaping and lighting plan approval have been recommended to come
2593 back to the Commission as No.9 and No. 11 Amended. Further, your plan annotation, No. 4,
2594 also places special emphasis on speaker order-box landscaping to try to muffle the sound from
2595 that. Lastly, Condition No. 33 on your Addendum addresses the restaurant ventilating system
2596 that is sometimes a concern. With that, staff can recommend approval, subject to standard
2597 conditions, plus Nos. 9 and 11 Amended and conditions No. 23 through 33. I will be happy to
2598 answer any questions.

2599
2600 Ms. Dwyer - Mr. McGarry, the dumpster screen will be a split-faced block to match the
2601 building. Is that correct?
2602
2603 Mr. McGarry - I think it is.
2604
2605 Ms. Dwyer - Any questions for Mr. McGarry?
2606
2607 Mrs. Wade - He mentioned the screening to muffle the sound. Is it possible on a POD
2608 to say "sound should not be heard beyond the property line?"
2609
2610 Ms. Dwyer - That is an interesting question, Mrs. Wade, and I have been dealing with
2611 that question in detail on another case, and I know it is an issue on this case, and I know the
2612 County has had two other cases in which sound has been a critical issue, one was the MCI case
2613 off Francistown, and I am not sure if that is Three Chopt or Brookland, and the Cedarfield case,
2614 also. As I understand from the County Attorney, we do not have a sound ordinance that is
2615 available to us to impose that kind of a condition. If it were a Provisional Use Permit, then yes,
2616 we could do that, but at this point we don't have that ordinance authority. What we have done
2617 here is, there is new technology that prints the menu to try to minimize that back and forth
2618 talking. This was an issue discussed at length. As you see the two landscape islands between
2619 Patterson Avenue and the little diagonal/rectangle...
2620
2621 Mr. McGarry - That is the voice box.
2622
2623 Ms. Dwyer - Diagonal/rectangle that is placed diagonally on your plan, that is the box
2624 where they place the orders. We are looking at some landscaping in those islands to minimize
2625 the sound. We are looking at additional landscaping along Patterson Avenue. Because of the
2626 configuration of the lot, because of its narrowness, the building could not be oriented in another
2627 way to allow this box to be put in the rear of the building, which would have been preferable.
2628
2629 Mrs. Wade - When I saw this wording, I assumed what you said was the case, because
2630 they didn't have much room out front, either.
2631
2632 Ms. Dwyer - No, but we are increasing it slightly. Any questions for Mr. McGarry?
2633 Thank you. Will the applicant come forward, please.
2634
2635 Mr. Grattan - My name is Stewart Grattan with Grattan Associates and I am representing
2636 Burger King.
2637
2638 Mrs. Wade - Are you the Las Vegas man?
2639
2640 Mr. Grattan - Not yet. Not yet. It is actually Reno, but it is no longer Henrico.
2641
2642 Ms. Dwyer - I don't know if you remember the original architecture, but Burger King
2643 has graciously agreed to drop back and use one of their older prototype buildings.
2644

2645 Mr. Grattan - I would like to speak to the, do you have a question, Mrs. Wade?
2646

2647 Mrs. Wade - No, I was just saying it was good of Burger King to do that.
2648

2649 Mr. Grattan - I would like to speak to the wording here, the term "heavily screened"
2650 concerns me a bit. What we are proposing is a situation very similar to the Arby's just down the
2651 road, which, admittedly, from the residents is not a noise problem, and has never been a noise
2652 problem. Most of the noise generated at night and through the drive-through situation is due to
2653 McDonalds, which is a completely different arrangement. McDonald's has the order menu
2654 board, which directs out towards Patterson Avenue, and the pickup window within 20 feet of that
2655 on the - that would be the east side of the building - so both of those points of discussion and
2656 noise coming off of that side, we are proposing an arrangement similar to the Arby's. It has the
2657 speaker on a pedestal square and perpendicular to the drive-through lane so that sound is directed
2658 parallel down Patterson Avenue and will not be directed towards the houses, and the pickup
2659 window is on the back of the building, which won't even be visible from the residents or
2660 Patterson Avenue, and, to go a step further, as Ms. Dwyer indicated, the speaker box has a
2661 monitor screen with it which displays the order and will cut down on a lot of the discussion and
2662 chatter back and forth at the speaker box. So, based on the fact that Arby's right now is not a
2663 problem, and what we are proposing is an improvement on that, heavily screened landscaping to
2664 muffle sound is something that concerns Burger King in that we need to maintain a vista to the
2665 menu board several cars back in the stack behind the ordering position, so to speak, so, by the
2666 time a person pulls up to it, they have had a chance to review the menu and come up with their
2667 order. If we present some sort of screen or buffer between that point, that will slow the whole
2668 process down which will complicate everything. I think, as Ms. Dwyer indicated, we are
2669 proposing trees in the two parking islands, which would help, some shrubbery in there might
2670 help, and we have even talked and discussed a landscape hedge along Patterson Avenue. But,
2671 the term "heavily screened" right now is...
2672

2673 Ms. Dwyer - Is there a problem putting trees and shrubbery in these two islands that I
2674 mentioned earlier?
2675

2676 Mr. Grattan - I don't think it is as long as we can maintain that third car behind the
2677 menu board to be able to see the menu.
2678

2679 Ms. Dwyer - Where exactly is the menu board?
2680

2681 Mr. Grattan - It is that diagonal line just beyond the speaker pedestal.
2682

2683 Ms. Dwyer - No one is suggesting that there be landscaping, I was assuming that we
2684 were talking about landscaping in these islands, and not landscaping closer, or between the menu
2685 board and the island. That was staff's intention.
2686

2687 Mr. Grattan - We have no problem with that, but it is just the wording here that can be
2688 interpreted to be much more restrictive.
2689

2690 Ms. Dwyer - Heavily screened? We are all of one mind in that we are going to be
2691 screening trees and shrubbery in these islands to the maximum extent possible. Is that right?

2692
2693 Mr. Grattan - Yes.

2694
2695 Ms. Dwyer - And we are not expecting landscaping between these islands and the menu
2696 board to obscure the menu board. But we have that on record as that is what staff, the
2697 Commission and you agree to, are we OK with that?

2698
2699 Mr. Grattan - We are comfortable with that.

2700
2701 Ms. Dwyer - OK. And the dumpster is going to be...

2702
2703 Mr. Grattan - The dumpster will be split-faced block to match the building.

2704
2705 Ms. Dwyer - And we are increasing the landscaping area along Route 5 to 10 feet from
2706 six feet?

2707
2708 Mr. Grattan - It is actually Route 6, but yes, it is six feet now, roughly. It is sort of
2709 perfectly parallel and we would be moving that, (part of conversation interrupted when tape
2710 switched over)...and wind up, and we will be providing two feet of green space from the right-
2711 of-way to the face curb.

2712
2713 Ms. Dwyer - Any other questions for Mr. Grattan? Thank you. I will hear from the
2714 neighbors.

2715
2716 Ms. Miller - Good afternoon. I am Kathleen Miller and I am adjacent to the property.
2717 We wanted to come here today to tell you that we have had exceptional help from the Burger
2718 King Corporation and our representative, Ms. Dwyer. They have come to my home for a
2719 meeting and I think we saved everyone, you folks, a lot of time, because we have resolved many
2720 of the questions that we had in our mind and they have certainly done everything they could to
2721 help us. We realize that it is zoned B-2. The only other thing I want to say is that we will, in the
2722 future, be keeping our eye on this development. We realize it is B-2. We have been there 35
2723 years and we think the original intent of that was for neighborhood-type businesses, you know,
2724 grocery store, bank and so forth. And, we just don't want to have a corridor of fast-food stores
2725 adjacent to our little neighborhood, so these are our big concerns and we think three fast foods
2726 will be more than sufficient, but they have helped us considerably and we appreciate that a lot.
2727 Thank you.

2728
2729 Ms. Dwyer - As you mentioned, ma'am, this will be the third fast-food restaurant in a
2730 row and there is another pad for another potential.

2731
2732 Ms. Miller - There is room for potential and we realize it is B-2, but you know, 40
2733 years ago, I don't think there were many fast-food restaurants, and our neighborhood consists of
2734 88 homes back in there. We took a count, and it is like a little hidden neighborhood. You
2735 don't, people don't realize it is there, and they are all interested home owners and tax payers;

2736 and we would just like to keep a lid on what is going on over there. That's what we would like
2737 to do.

2738
2739 Ms. Dwyer - You are directly across from...

2740
2741 Ms. Miller - I am practically where the R is, I am the fourth house, where you see
2742 Pinewood, the house setting catty-cornered, I am either the R or the Dash in there. I am directly
2743 across from it.

2744
2745 Ms. Dwyer - I know this is not within the purview of the Commission, but I am aware
2746 so I mention that Burger King has also agreed to do some off-site landscaping.

2747
2748 Ms. Miller - They have, they have indeed. They volunteered that. We wanted it. We
2749 asked could do they do something, but as a point of fact they did not have to do anything for us,
2750 and I am very appreciative of that, because they called me on the phone, and I was totally
2751 flabbergasted, but I thought it was a very nice gesture. I think they want to be good neighbors,
2752 so I think that they have done everything they can to make this a nice business establishment, and
2753 I appreciate that. But, we do want to keep on top of what is going to happen in the future.

2754
2755 Ms. Dwyer - You might want to contact the owner of the site, the whole shopping
2756 center, as a neighborhood association, and comment on your concerns.

2757
2758 Ms. Miller - Yes, we have dealt with him before. That is pretty tough.

2759
2760 Ms. Dwyer - It still might not be a bad...

2761
2762 Ms. Miller - I don't want to call any names, but it is pretty tough to deal with him, but
2763 we will try.

2764
2765 Mrs. Wade - Some are tougher than others.

2766
2767 Ms. Miller - Yes, you are right. Thank you so much.

2768
2769 Mr. Archer - Do you all get free burgers forever?

2770
2771 Ms. Miller - No.

2772
2773 Ms. Alice Chase - I'm Alice Chase and I live across the street from Ms. Miller. I just want
2774 to reiterate what she had said. They have been very kind and have tried every way to work with
2775 us, and I appreciate what the County has done to modify the smoke and the filters and all of that.
2776 We thank you.

2777
2778 Mrs. Wade - I wish these Burger King people would talk to the ones down at Broad and
2779 Sunnybrook, as they are apparently not that interested in being good neighbors.

2780

2781 Ms. Dwyer - Any other questions by Commission members? Mr. Grattan, if you could
2782 convey to Burger King my appreciation also for their willingness to cooperate and enhance
2783 landscaping and to change their architectural style and be responsive to the neighbors interests in
2784 landscaping even on their own homes, and I think they have obviously gone far above and
2785 beyond the minimum requirements that we so often hear people wanting to adhere to. So, if you
2786 would just let them know that they have been publicly acknowledged and thanked by this
2787 Commission and by the neighbors for their efforts on this case. I am not going to delay this any
2788 longer and I move for approval of POD-4-99, Burger King at Tuckahoe Village Shopping Center
2789 (POD-7-96 Revised), with Nos. 9 and 11 Amended, Conditions Nos. 23 through 33, including
2790 the annotations on the plan and the standard conditions for developments of this type.

2791
2792 Mr. Vanarsdall - Second.

2793
2794 Ms. Dwyer - Motion by Ms. Dwyer and second by Mr. Vanarsdall. All in
2795 favor say aye. All opposed say no. The motion carries.

2796
2797 The Planning Commission voted to approve POD-4-99, Burger King @ Tuckahoe Village
2798 Shopping Center (POD-70-96 Revised), subject to the annotations on the plan, standard
2799 conditions for developments of this type and added conditions Nos. and 11 Amended and No. 23
2800 through 33 as shown below:

- 2801
2802 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Planning Office for
2803 review and Planning Commission approval prior to the issuance of any occupancy
2804 permits.
- 2805 11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including
2806 depictions of light spread and intensity diagrams and fixture mounting height details shall
2807 be submitted for Planning Office review and Planning Commission approval.
- 2808 23. Only retail business establishments permitted in a B-2 zone may be located in this center.
- 2809 24. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent
2810 of the total site area.
- 2811 25. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).
- 2812 26. The developer shall provide fire hydrants as required by the Department of Public
2813 Utilities in its approval of the utility plans and contracts.
- 2814 27. Any necessary off-site drainage easements must be obtained in a form acceptable to the
2815 County Attorney prior to final approval of the construction plans by the Department of
2816 Public Works.
- 2817 28. Deviations from County standards for pavement, curb or curb and gutter design shall be
2818 approved by the County Engineer prior to final approval of the construction plans by
2819 the Department of Public Works.
- 2820 29. Insurance Services Office (ISO) calculations must be included with the utilities plans
2821 and contracts and must be approved by the Department of Public Utilities prior to the
2822 issuance of a building permit.
- 2823 30. Approval of the construction plans by the Department of Public Works does not
2824 establish the curb and gutter elevations along the Virginia Department of Transportation
2825 maintained right-of-way. The elevations will be set by the contractor and approved by
2826 the Virginia Department of Transportation.

- 2827 31. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
 2828 Planning Office and approved prior to issuance of a certificate of occupancy for this
 2829 development.
- 2830 32. The certification of building permits, occupancy permits and change of occupancy
 2831 permits for individual units shall be based on the number of parking spaces required for
 2832 the proposed uses and the amount of parking available according to approved plans.
- 2833 33. The developer shall install an adequate restaurant ventilating and exhaust system to
 2834 minimize smoke, odors, and grease vapors. The plans and specifications shall be
 2835 included with the building permit application for review and approval. If, in the
 2836 opinion of the County, the type system provided is not effective, the Commission
 2837 retains the rights to review and direct the type of system to be used.
 2838

2839 **PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION**
 2840

POD-16-99
 CVS & Retail/Office
 @ Woodman and
 Hungary Roads
 (POD-134-87 and
 POD-25-86 Revised)
 (POD-146-88
 Expired)

**Vanasse Hangen Brustlin, Inc. for Market Square Partners and
 Wilton Partners Woodman LLC:** Request for approval of a plan of
 development and transitional buffer deviation as required by Chapter
 24, Section 24-106 and 24.106.2 of the Henrico County Code to
 redevelop an existing one-story, 10,318 square foot building for a
 retail pharmacy and construct a one-story, 5,017 square foot
 retail/office building. The 1.74-acre site is located at 9501 Woodman
 Road, at the northeast corner of the intersection of Woodman and
 Hungary Roads on parcels 51-A-89 and 89A. The zoning is B-2C,
 Business District (Conditional). **(Brookland)**

2841
 2842 Ms. Dwyer - Is there any opposition in the audience to POD-16-99, CVS &
 2843 Retail/Office @ Woodman and Hungary Roads? No opposition. Ms. News.
 2844

2845 Ms. News - This project involves redevelopment of an existing building for use as
 2846 CVS Pharmacy and construction of a new building for retail and office use. The proposed
 2847 building will match the style and materials of the first building. Two separate rezoning cases
 2848 exist for separate portions of the site. The proffers of the case regulating the CVS Building
 2849 require close of business at 11:00 p.m. The proposed new building is required to close no later
 2850 than 12:00 in accordance with B-2 development standards. A transitional buffer deviation has
 2851 been requested. A 25-foot transitional buffer is required behind the building. A six-foot brick
 2852 wall has been proposed in accordance with the allowable alternatives for the reduction in the
 2853 buffer. A four-foot buffer, in lieu of the required additional 13 feet, is proposed, matching the
 2854 width of the adjacent buffer behind CVS which contains a six-wood fence. The applicant has
 2855 agreed to provide the plant material normally required in the buffer in alternate locations along
 2856 the rear of the property to meet the spirit and intent of the ordinance, as there would be very
 2857 little room for landscaping in the remaining buffer. The staff has recommended that trash
 2858 compactor and dumpster screen be constructed of brick to match the building, which the
 2859 applicant has agreed to. The applicant has also agreed to provide rooftop screening for the
 2860 existing HVAC equipment on CVS and for any new HVAC equipment on the new building,

2861 which will most also likely be on the rear of the roof. Staff recommends approval and I'll be
2862 glad to answer any questions.

2863
2864 Ms. Dwyer - Any questions of Ms. News?

2865
2866 Mr. Vanarsdall - Yes. Ms. News, is the dumpster enclosure, you recommended brick.
2867 Have they agreed to brick?

2868
2869 Ms. News - That is correct. The dumpster and the compactor.

2870
2871 Mr. Vanarsdall - Very good; no further questions from me.

2872
2873 Ms. Dwyer - Are there any further questions by Commission members?

2874
2875 Mrs. Wade - Is this the site with the old house on it?

2876
2877 Ms. News - There is an existing restaurant, Jan's Restaurant, on the site there. Next
2878 to it is a wooded site. It is empty right now.

2879
2880 Mr. Vanarsdall - Well, I understand that the video store and the cleaners are moving into
2881 the new building.

2882
2883 Ms. News - Right. They are relocating the existing tenants except for the restaurant
2884 into the new retail space. There was a POD approved on that site but it expired.

2885
2886 Ms. Dwyer - Any other questions for Ms. News? Would you like to hear from the
2887 applicant, Mr. Vanarsdall?

2888
2889 Mr. Vanarsdall - No, ma'am. I move POD-16-99, CVS & Retail/Office @ Woodman and
2890 Hungary Roads (POD-134-87 and POD-25-86 Revised) (POD-146-88 Expired) be approved with
2891 the standard conditions for developments of this type, the annotations on the plans, and
2892 conditions Nos. 23 through 29, with the recommendation that the dumpster enclosure be brick.
2893 Thank you, Ms. News.

2894
2895 Mr. Archer - I will second that.

2896
2897 Ms. Dwyer - We have a motion by Mr. Vanarsdall and a second by Mr. Archer. All in
2898 favor say aye. All opposed say no. The motion carries.

2899
2900 The Planning Commission voted to approve POD-16-99, CVS & Retail/Office @ Woodman and
2901 Hungary Roads (POD-134-87 and POD-25-86 Revised) (POD-146-88 Expired), subject to the
2902 annotations on the plans, the standard conditions for developments of this type and additional
2903 conditions Nos. 23 through 29 shown below:

2904

- 2905 23. The easements for drainage and utilities as shown on approved plans shall be granted to
2906 the County in a form acceptable to the County Attorney prior to any occupancy permits
2907 being issued.
- 2908 24. The developer shall provide fire hydrants as required by the Department of Public
2909 Utilities in its approval of the utility plans and contracts.
- 2910 25. Any necessary off-site drainage easements must be obtained in a form acceptable to the
2911 County Attorney prior to final approval of the construction plans by the Department of
2912 Public Works.
- 2913 26. Deviations from County standards for pavement, curb or curb and gutter design shall be
2914 approved by the County Engineer prior to final approval of the construction plans by
2915 the Department of Public Works.
- 2916 27. Insurance Services Office (ISO) calculations must be included with the utilities plans
2917 and contracts and must be approved by the Department of Public Utilities prior to the
2918 issuance of a building permit.
- 2919 28. Approval of the construction plans by the Department of Public Works does not
2920 establish the curb and gutter elevations along the Henrico County maintained right-of-
2921 way. The elevations will be set by Henrico County.
- 2922 29. The owner or manager on duty shall be responsible for temporarily closing the car
2923 facility when the on-site stacking space is inadequate to serve customer demand to
2924 prevent a backup of vehicles onto the public right-of-way. The owner shall arrange with
2925 the Traffic Engineer to provide standard traffic control signs to notify customers that
2926 stopping or standing on the public right-of-way shall not be permitted near the entrances
2927 to the drive through facility.

2928
2929 **RESOLUTION: To Initiate an Amendment to the Major Thoroughfare Plan Adding A**
2930 **Connector Road Between I-895 and the Richmond International Airport.**
2931

2932 Mr. Silber - What this Resolution is is a Resolution to Initiate an Amendment to the
2933 Major Thoroughfare Plan. This request came in from Bill Axselle, who represents the Capital
2934 Region Airport Commission. They want to add a road to the Major Thoroughfare Plan, this
2935 being the Airport Drive connecting I-895. The MPO has approved the feasibility study
2936 regarding the Airport Drive connector and VDOT hopes to have this, or I guess CRAC hopes
2937 to have this added to VDOT's six-year plan as far as preliminary engineering and right-of-way
2938 acquisition. The bottom line is that this resolution would initiate a staff study and setting a
2939 public hearing for March 23, to bring back a study and public hearing on March 23 for the
2940 Commission's consideration.

2941
2942 Mrs. Wade - And they are going to let them hook on finally to the airport?
2943

2944 Mr. Silber - Yes, ma'am, that is the plan.
2945

2946 Ms. Dwyer - Any questions about the resolution of Mr. Silber?
2947

2948 Mr. Vanarsdall - I think this was one of the questions when I-895 first surfaced, I think
2949 this was one of the things that was in opposition because it did not have connections. Is that
2950 right?

2951
2952 Mr. Silber - There was concern, especially from the airport. There was no
2953 connection, yes, sir. It is not too often that we are amending the Major Thoroughfare Plan to
2954 add a road; usually it is the opposite.
2955
2956 rs. Quesinberry - And who has the financial responsibility when that road is added or if it
2957 is added?
2958
2959 Mr. Silber - The County would not have any financial responsibility, hopefully. I
2960 believe they are seeking federal funding to build that road, but by putting it on the plan, then
2961 any development that occurs along that corridor, we can reserve the corridor and ask the
2962 developers to dedicate it, but the future funding would not be the County's responsibility.
2963
2964 Ms. Dwyer - We will get more detailed information about it once the staff report is
2965 prepared. This is directing staff to look into it and prepare a report for our information and a
2966 public hearing for March 23.
2967
2968 Mrs. Wade - Is there any information about the impact?
2969
2970 Ms. Dwyer - Is there a motion on this Resolution?
2971
2972 Mrs. Quesinberry - I will make a motion that we approve the Resolution to Initiate An
2973 Amendment to the Major Thoroughfare Plan Adding a Connector Road Between I-895 and the
2974 Richmond International Airport.
2975
2976 Mrs. Wade - Second.
2977
2978 Ms. Dwyer - We have a motion by Mrs. Quesinberry and a second by Mrs. Wade.
2979 All in favor say aye. All opposed say no. The motion passes.
2980
2981 The Planning Commission voted to approve the Resolution to Initiate an Amendment to the
2982 Major Thoroughfare Plan Adding A Connector Road between I-895 and the Richmond
2983 International Airport and to hold a public hearing on March 23, 1999.
2984
2985 Mr. Silber - The plan is to move upstairs to the County Manager's Conference Room.
2986 We have lunch for everyone. We will be briefed by the consultants on the Williamsburg Road
2987 Technology Boulevard Study. We hope to do that in about an hour, maybe a little longer than
2988 that, with the second item being Residential Strategies, which there will be a presentation by, I
2989 believe, Mr. John Marlles, and we would like to walk the Commission through Residential
2990 Strategies. So, we have two work sessions upstairs and we have to be out of the room upstairs
2991 either by 3 or 3:30 p.m. Lunch is served.