

1 Minutes of the regular monthly meeting of the Planning Commission of the County of Henrico,
2 Virginia, held in the Board Room of the County Administration Building in the Government
3 Center at Parham and Hungary Springs Roads, Beginning at 9:00 a.m. Wednesday, January 24,
4 2001.

5

6 Members Present: C. W. Archer, C.P.C., Chairperson (Fairfield)
7 Ms. Elizabeth G. Dwyer, C.P.C., Vice Chairperson (Tuckahoe)
8 Mr. Ernest B. Vanarsdall, C.P.C. (Brookland)
9 Mr. Allen Taylor, P. E., C.P.C. (Three Chopt)
10 Mr. E. Ray Jernigan (Varina)
11 Mr. David A. Kaechele, Board of Supervisors Representative
12 (Three Chopt)

13

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

25

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

28

29 Mr. Archer - The Planning Commission will come to order. Good morning everyone.
30 Welcome to the first Plan of Development meeting for 2001. I'll like to recognize any
31 members of the media who may be present. Is there anyone here from the press?

32

33 Mr. Vanarsdall - Jeremy is sleeping in this morning, the Board had the Fair last night.

34

35 Mr. Archer - All right. Before we get started, Mr. McGarry, I have a little item that I
36 would like to take care of.

37

38 Mr. McGarry - Yes, sir.

39

40 Mr. Archer - Mr. Vanarsdall, would you join me down here, please. You knew this
41 was coming sooner or later. As most of you know Mr. Vanarsdall is our past chairman. He is
42 the veteran now on the Planning Commission having serve some so many years, and has been
43 chair probably as many times as many years I've been on the Commission. We value his
44 wisdom and his advice and he always does a fine job when he serves as chairman. So, Mr.
45 Vanarsdall, on behalf of the members of the Commission and the staff, we have a little token

46 of our appreciation that I would like to present to you. And you have 30 seconds for rebuttal.

47

48 Mr. Vanarsdall - Can I open it now?

49

50 Mr. Archer - Yes, sir.

51

52 Mr. Vanarsdall - Can I save the paper? My wife always tells me to save the paper. It was
53 wrapped very nice. Well, at least I know one thing, it is not a plaque. Oh, this is nice, thank
54 you very much. It is always a pleasure to be the Chairman. I've enjoyed it, this was my third
55 time and it's a pleasure and an honor and I thank everyone for this. Thank you, Chris.

56

57 Mr. Kaechele - What is it?

58

59 Mr. Archer - Part of it, Mr. Kaechele, was some luggage tags, not that we are trying
60 to send him anywhere. Okay, with that, I will turn the meeting over to Mr. Marlles, our
61 secretary. Good morning, sir.

62

63 Mr. Marlles - Good morning, Mr. Chairman, members of the Commission, ladies and
64 gentlemen. We do have a full quorum today so we can conduct business. The first item on the
65 agenda is the requests for deferrals and withdrawals and that will be handled by Mr. McGarry.

66

67 Mr. Archer - All right, Mr. McGarry.

68

69 Mr. McGarry - Good morning, Mr. Chairman, members of the Commission, ladies and
70 gentlemen. Staff is now aware of four requests for deferral. The first one is on page 7, POD-
71 95-00, Superstar Inc. Service Center.

72

73 **PLAN OF DEVELOPMENT (Deferred from the November 15, 2000, Meeting)**

74

POD-95-00 Superstar, Inc. Service Center - 9999 Brook Road (POD-3-96 Revised)	Foster & Miller, P.C. for Superstar, Inc.: Request for approval of a revised plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, 969 square foot service bay addition. The 1.316 acre site is located at 9999 Brook Road at the southeast corner of Brook Road (U.S. Route 1) and J.E.B. Stuart Parkway on parcel 33-A-3C. The zoning is B-3C, Business District (Conditional). County water and sewer. (Fairfield)
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75

76 Mr. McGarry - The applicant is requesting a two-month deferral to March 28, 2001.

77

78 Mr. Archer - Is there anyone here in opposition to the deferral of POD-95-00,
79 Superstar Inc. Service Center, to March 28, 2001? No opposition. Well, in that case I move
80 deferment of POD-95-00, Superstar Inc. to the March 28 meeting at the applicant's request.

81 Mr. Vanarsdall - Second.

82

83 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr. Vanarsdall.
84 All in favor say aye...all opposed say nay. The motion carries.

85

86 At the request of the applicant, the Planning Commission deferred POD-95-00, Superstar Inc.
87 Service Center - 9999 Brook Road (POD-3-96 Revised), to its March 28, 2001, meeting.

88

89 **SUBDIVISION (Deferred from the December 13, 2000 Meeting)**

90

Oak Hill Manor
(June 2000 Plan)

Schmidt & Associates for English Street Development, L.L.C.: The 5.021 acre site is located on Tonoka Road and Tonoka Court, approximately 200 feet west of the intersection on parcels 128-A-55 and part of 128-A-44A. The zoning is R-4, One-Family Residence District. County water and sewer. **(Fairfield) 19 Lots**

91

92 Mr. McGarry - The applicant is requesting a deferral to your next meeting, February 28,
93 2001.

94

95 Mr. Archer - Is there anyone here in opposition to the deferral of subdivision Oak Hill
96 Manor (June 2000 Plan) to the February 28, 2001, meeting? No opposition. I move
97 deferment of Oak Hill Manor (June 2000 Plan) to the February 28, 2001, meeting at the
98 request of the applicant.

99

100 Mr. Vanarsdall - Second.

101

102 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr. Vanarsdall.
103 All in favor say aye...all opposed say nay. The motion carries.

104

105 At the request of the applicant, the Planning Commission deferred subdivision Oak Hill Manor
106 (June 2000 Plan), to its February 28, 2001, meeting.

107

108 **SUBDIVISION**

109

Estates of Hampshire
(January 2001 Plan)

Bay Design Group, P.C. for Richard C. & Doris Brown and Wilton Real Estate & Development Corporation: The 12.00 acre site is located on the south line of Nuckols Road opposite its intersection with Dominion Hills Boulevard on part of parcels 10-A-12, 14 and 17C. The zoning is R-2C, One-Family Residence District (Conditional) and C-1C, Conservation District (Conditional). County water and sewer. **(Three Chopt) 18 Lots**

110

111 Mr. McGarry - The applicant is requesting a deferral for two weeks, to your night
112 meeting, February 15, 2001.

113

114 Mr. Archer - Is there anyone present in opposition to the deferral of subdivision
115 Estates of Hampshire (January 2001 Plan) to the February 15, 2001, meeting? No opposition.
116 Mr. Taylor.

117

118 Mr. Taylor - Mr. Chairman, I move deferment for two weeks for the Estates of
119 Hampshire (January 2001 Plan), at the applicant's request.

120

121 Mr. Vanarsdall - Second.

122

123 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall.
124 All in favor say aye...all opposed say nay. The motion carries. That was to the Zoning
125 meeting?

126

127 Mr. McGarry - Yes, that is to your night Zoning meeting.

128

129 Mr. Archer - All right.

130

131 At the request of the applicant, the Planning Commission deferred subdivision Estates of
132 Hampshire (January 2001 Plan) to its February 15, 2001, meeting.

133

134 **SUBDIVISION**

135

Hampshire
(January 2001 Plan)

Bay Design Group, P.C. for Dudley A. and May N. Brill, Kenneth V. & Nancy B. Amo, W. O. Jones, Jr., Barbara L. Smith, Gordan W. and B. L. Smith and Wilton Real Estate & Development Corporation: The 35.10 acre site is located on the south line of Nuckols Road and the west line of Shady Grove Road on parcels 10-A-12, 13, 14, 14A, 14B, 15, 16, 17A and 17B. The zoning is R-2AC, One-Family Residence District (Conditional) and A-1, Agricultural District. County water and sewer. **(Three Chopt) 79 Lots**

136

137 Mr. McGarry - For this case, the applicant is also requesting a deferral for two weeks, to
138 your night meeting, February 15, 2001.

139

140 Mr. Archer - Is there opposition to the deferment of Hampshire (January 2001 Plan) to
141 the February 15, 2001, meeting? No opposition. Mr. Taylor.

142

143 Mr. Taylor - Mr. Chairman, I move deferment for two weeks of Hampshire (January
144 2001 Plan), at the applicant's request.

145

146 Mr. Vanarsdall - Second.

147 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall.

148 All in favor say aye...all opposed say nay. The motion carries.

149

150 At the request of the applicant, the Planning Commission deferred subdivision Hampshire
151 (January 2001 Plan) to its February 15, 2001, meeting.

152

153 Mr. Archer - Are there any more?

154

155 Mr. McGarry - That's all that staff is aware of.

156

157 Mr. Archer - Okay. Thank you so much. Mr. Secretary.

158

159 Mr. Marlles - Mr. Chairman, the next item on the agenda are items on the Expedited
160 Agenda. Again, that will be handled by Mr. McGarry.

161

162 Mr. McGarry - We have a total of 14 items on your Expedited Agenda. The first one is
163 on page 2, transfer of approval, POD-48-88, POD-66-86 and POD-57-82. All of these are the
164 Hawthorne Motor Company located in Three Chopt, and there is an addendum item.

165

166 **TRANSFER OF APPROVAL**

167

POD-48-88, POD-66-86 and POD-57-82
Hawthorne Motor Company **Hirschler, Fleischer, Weinberg, Cox & Allen for Page Imports L.C.:** Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code, from G. William Carneal to Page Imports L.C. The 12.7 acre site is located along the south line of W. Broad Street (U.S. Route 250), opposite its intersection with West End Drive on parcel 59-A-28. The zoning is B-3C, Business District (Conditional). **(Three Chopt)**

168

169 Ms. Dwyer - What is the addendum item, Mr. McGarry?

170

171 Mr. McGarry - The new owner agrees and accepts to be responsible for continued
172 compliance. The standard language.

173

174 Ms. Dwyer - Thank you.

175

176 Mr. Vanarsdall - There's no opposition is it?

177

178 Mr. Archer - I don't think so. We need a motion.

179

180 Mr. Taylor - Mr. Chairman, I move approval of POD-48-88, POD-66-86 and POD-
181 57-82, Hawthorne Motor Company, I move for transfer of approval.

182

183 Ms. Dwyer - Second.

184 Mr. Archer - The motion was made by Mr. Taylor and seconded by Ms. Dwyer. All
185 in favor say aye...all opposed say nay. The motion carries.

186

187 The Planning Commission approved the transfer of approval request for POD-48-88, POD-66-
188 86 and POD-57-82, Hawthorne Motor Company, with the new owner accepting and agreeing
189 to be responsible for continued compliance with the conditions of the original approval.

190

191 **TRANSFER OF APPROVAL**

192

POD-98-95
Cameron at Wyndham

Hirschler, Fleischer, Weinberg, Cox & Allen for Addison Associates, L.C.: Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code, from Security Capital Atlantic, Inc. to Addison Associates L.C. The 22.3 acre site is located at the northwest corner of Nuckols Road and Old Nuckols Road on parcel 10-A-19N. The zoning is R-6C, General Residence District (Conditional). **(Three Chopt)**

193

194 Mr. McGarry - There is an addendum for this case also and the addendum includes a
195 condition. The condition basically sets a date for compliance with any deficiencies found on
196 site.

197

198 Mr. Archer - Is there anyone here in opposition to this transfer of approval? No
199 opposition. All right, Mr. Taylor.

200

201 Mr. Taylor - Mr. Chairman, I move approval of transfer of approval POD-98-95,
202 Cameron at Wyndham, with the condition on the addendum.

203

204 Mr. Vanarsdall - Second.

205

206 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall.
207 All in favor say aye...all opposed say nay. The motion carries.

208

209 The Planning Commission approved the transfer of approval request for POD-98-95, Cameron
210 at Wyndham, with the new owner accepting and agreeing to be responsible for continued
211 compliance with the conditions of the original approval and the following additional condition:

212

213 1. The deficiencies, as identified in the inspector's report dated December 18, 2000, shall
214 be corrected by **April 30, 2001**.

215

216

217 **TRANSFER OF APPROVAL**

218

POD-84-96
New Market Square
Shopping Center

Hunton & Williams for ERT Varina, Inc.: Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code, from Wilton Partners and Citizens and Farmers Bank to ERT Varina, Inc. and Citizens and Farmers Bank. The 12.7 acre site is located at the southwest corner of the intersection of Strath Road and New Market Road (State Route 5) on parcels 237-A-96, 95 and 95B. The zoning is B-1C, Business District (Conditional), A-1, Agricultural District, and ASO (Airport Safety Overlay) District. **(Varina)**

219

220 Mr. Archer - Is there anyone here in opposition to this transfer of approval? No
221 opposition. All right, Mr. Jernigan.

222

223 Mr. Jernigan- Mr. Chairman, I move for transfer of approval of POD-84-96, New
224 Market Square shopping Center.

225

226 Ms. Dwyer - Second.

227

228 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Ms. Dwyer.
229 All in favor say aye...all opposed say nay. The motion carries.

230

231 The Planning Commission approved the transfer of approval request for POD-84-96, New
232 Market Square Shopping Center, with the new owner accepting and agreeing to be responsible
233 for continued compliance with the conditions of the original approval.

234

235 **PLAN OF DEVELOPMENT (Deferred from the December 13, 2000, Meeting)**

236

POD-109-00
Air, Water & Soil
Laboratories @ Villa Park

Jordan Consulting Engineers, P.C. for Air, Water & Soil Properties, 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, 15,000 square foot (with a future 14,200 square foot addition) office/warehouse building. The 4.214 acre site is located on the south side of Villa Park Drive, approximately 1,800 feet west of Brook Road (U.S. Route 1) on part of parcel 62-11B-1D. The zoning is O/SC, Office/Service District (Conditional). County water and sewer. **(Brookland)**

237

238 Mr. McGarry - There is an addendum to this case also.

239

240 Mr. Vanarsdall - Mr. Chairman, this morning Mr. McGarry told me that he had a
241 suggestion from one of the citizen on what to do about the dumpster. So, I would like to pull

242 this off of the Expedited Agenda. Mr. McGarry is going to work on a condition so that we do
243 it for him.

244

245 Mr. Archer - All right, Mr. McGarry, go ahead and move on to the next case.

246

247 **THIS CASE WAS PULLED FROM THE EXPEDITED AGENDA AND PLACE BACK**
248 **IN ITS ORIGINAL ORDER OF THE REGULAR AGENDA TO BE HEARD LATER.**

249

250 **SUBDIVISION**

251

Portugee Industrial Center **Engineering Design Associates for Kenneth W. and Cynthia**
(A Dedication of Portugee **G. Evans:** The 1.905 acre site is located on the north side of
Drive and Portugee Place) Portugee Road and approximately 1,000 feet west of LaFrance
(January 2001 Plan) Road on part of parcel 196-A-18. The zoning is M-2, General
Industrial District and ASO (Airport Safety Overlay) District.
(Varina) 0 Lots

252

253 Mr. Archer - Is there anyone in the audience in opposition to this case, subdivision
254 Portugee Industrial Center? No opposition.

255

256 Mr. Jernigan - Ted, wasn't that pulled from the expedited agenda?

257

258 Mr. McGarry - That was the POD for the buildings.

259

260 Mr. Jernigan - Okay. I stand corrected.

261

262 Mr. Archer - All right. We are ready for a motion. Mr. Jernigan.

263

264 Mr. Jernigan - Mr. Chairman, I make a motion for approval for the Portugee Industrial
265 Center plans.

266

267 Mr. Vanarsdall - Second.

268

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

271

272 The Planning Commission granted conditional approval to Portugee Industrial Center (A
273 Dedication of Portugee Drive and Portugee Place) (January 2001 Plan), subject to the standard
274 conditions attached to these minutes for subdivisions not served by public utilities.

275 **SUBDIVISION**

276

Magnolia Pointe
(January 2001 Plan)

Michael E. Doczi & Associates, PLLLC for Donnie, Mike, Ann, Ed Lowery and Club Crossings, LLC: The 11.03 acre site is located at the intersection of Francis Road and Virginia Center Parkway on parcels 32-A-114-A, 32-A-117, 32-A-122, 32-A-102N. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Fairfield) 66 Lots**

277

278 Mr. McGarry - There is an addendum to this case.

279

280 Mr. Archer - Is there anyone here in opposition to subdivision Magnolia Pointe?

281

282 Ms. Dwyer - I just have a question about condition No. 13. It says "the proffers approved as a part of the zoning case shall be incorporated with this approval." That's an unfamiliar condition to me. I would just assume that all of those zoning proffers would be part of any development.

286

287 Mr. Kennedy - We are just putting it as a condition because we now print the proffers as a part of their construction plans. And we just incorporate them into the construction plans as part of the review process now. So, whenever there are proffers on a case, we now intend to incorporate that as a condition, just to make sure.

291

292 Ms. Dwyer - So, now we are just calling attention to everyone that there are proffers. That's a good idea. Okay.

294

295 Mr. Archer - Are there any other questions? All right, I move approval of subdivision Magnolia Pointe (January 2001 Plan), subject to the annotations on the plans, the standard conditions for subdivisions served by public utilities and additional condition No. 13 and additional condition No. 14 listed on the addendum.

299

300 Mr. Vanarsdall - Second.

301

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

304

305 The Planning Condition granted conditional approval to Magnolia Pointe (January 2001 Plan), subject to the annotations on the plans, the standard conditions attached to these minutes for subdivisions served by public utilities, and the following additional conditions.

308

309 13. The proffers approved as part of zoning case C-66C-00 shall be incorporated in this approval.

311

311 14. The portion of Francis Road shown on the tentative "to be vacated", shall be vacated prior to the recordation of the plat.

312

313 **SUBDIVISION**

314

Corrugated Road
(A Dedication of a Portion
of Corrugated Road)
(January 2001 Plan)

Engineering Design Associates for Richmond Cold Storage Company: The 2.1 acre site is located on the south line of Eubank Road and extends southwardly approximately 1,500 feet to a terminus on part of parcel 173-A-9A. The zoning is M-1, Light Industrial District and ASO (Airport Safety Overlay) District. **(Varina) 0 Lots**

315

316 Mr. Archer -

Is there opposition to Corrugated Road? No opposition. Mr. Jernigan.

317

318 Mr. Jernigan -

Mr. McGarry, the ESA plan has been filed, that was in the staff report?

319

320 Mr. McGarry -

To my knowledge it has been.

321

322 Mr. Jernigan -

Okay.

323

324 Mr. McGarry -

So, staff can recommend approval.

325

326 Mr. Jernigan -

With that, I move for approval of dedication of Corrugated Road to Henrico County, subject to the annotations on the plans and the standard conditions for subdivision served by public utilities, excluding conditions Nos. 10 and 11.

329

330 Mr. Taylor -

Second.

331

332 Mr. Archer -

The motion was made by Mr. Jernigan and seconded by Mr. Taylor. All if favor say aye...all opposed say nay. The motion carries.

334

The Planning Commission granted conditional approval to Corrugated Road (A Dedication of a Portion of Corrugated Road) (January 2001 Plan), subject to the annotations on the plans and the standard conditions attached to these minutes for subdivisions served by public utilities, excluding conditions Nos. 10 and 11.

339

340 **SUBDIVISION**

341

Malvern Hill Manor and a
Resubdivision of Buhrman
Estates Section A, Lot 2
(January 2000 Plan)

E. Delmonte Lewis for Robert Bluford & Malvern Hill Manor: The 237 acre site is located on the east side of Carter's Mill Road approximately 3,100 feet south of Willis Church Road on parcel 281-A-2 and part of 272-A-5. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield. **(Varina) 121 Lots**

342

343

344 Mr. Archer -

Is there opposition to Malvern Hill Manor? No opposition. Mr.

345 Jernigan.

346 Mr. Jernigan - Mr. Chairman, I move for approval of Malvern Hill Manor subdivision
347 subject to the annotations on the plans and standard conditions Nos. 11 and 12.

348

349 Mr. Taylor - Second.

350

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

353

354 The Planning Commission granted conditional approval to Malvern Hill Manor and a
355 Resubdivision of Buhrman Estates Section A, Lot 1 (January 2001 Plan), subject to the
356 annotations on the plans, the standard conditions attached to these minutes for subdivisions not
357 served by public utilities and the following additional conditions:

358

359 11. Each lot shall contain at least one acre, exclusive of floodplain areas.

360 12. The detailed plant list and specifications for the landscaping to be provided within the 25-
361 foot-wide planting strip easement along Carters Mill Road and the rear of lots 1-13, Block
362 B, shall be submitted to the Planning Office for review and approval prior to recordation
363 of the plat.

364

365 **SUBDIVISION**

366

Vial, Section 1
(January 2001 Plan)

**Jordan Consulting Engineers, P.C. for Gerald W., Otha B.,
Jr. and Ellis L., Sr. Vial:** The 1.98 acre site is located on the
east line of Staples Mill Road approximately 134 feet south of
Lanceor Drive on part of parcel 40-A-24. The zoning is R-2,
One-Family Residence District. Private well and County sewer.
(Brookland) 2 Lots

367

368 Mr. Archer - Is there anyone in opposition to Vial, Section 1? No opposition. Mr.
369 Vanarsdall.

370

371 Mr. Vanarsdall - I move that Vial, Section 1 (January 2001 Plan), be approved with the
372 annotations on the plan and the standard conditions for subdivisions.

373

374 Ms. Dwyer - Second.

375

376 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Ms. Dwyer.
377 All in favor say aye...all opposed say nay. The motion carries.

378

379 The Planning Commission granted conditional approval for Vial, Section 1 (January 2001
380 Plan), subject to the annotations on the plans and the standard conditions attached to these
381 minutes for subdivision served public sewer and not server by public water.

382 **PLAN OF DEVELOPMENT**

383

POD-3-01
The Carriage Homes @
Crossridge

Jordan Consulting Engineers, P.C. for Staples Mill, L.C. and Courtney, 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 76, one and two-story condominium units for a retirement community. The 23.97 acre site is located at 3500 Lanceor Drive on part of 40-A-1A. The zoning is R-6C, General Residence District (Conditional). County water and sewer. **(Brookland)**

384

385 Mr. Archer - Is there anyone in opposition to POD-3-01, Carriage Homes @
386 Crossridge? No opposition. Mr. Vanarsdall.

387

388 Mr. Vanarsdall - I move that POD-3-01, Carriage Homes @ Crossridge, be approved with
389 the annotations on the plan, the standard conditions for developments of this type and added
390 conditions Nos. 23 through 33.

391

392 Mr. Taylor - Second.

393

394 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Taylor.
395 All in favor say aye...all opposed say nay. The motion carries.

396

397 The Planning Commission approved POD-3-01, The Carriage Homes @ Crossridge, subject to
398 the annotations on the plans, the standard conditions attached to these minutes for
399 developments of this type, and the following additional conditions:

400

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

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

408 25. The proffers approved as a part of zoning case C-17C-00 shall be incorporated in this
409 approval.

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

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

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

- 419 29. The pavement shall be of an SM-2A type and shall be constructed in accordance with
420 County standard and specifications. The developer shall post a defect bond for all
421 pavement with the Planning Office - the exact type, amount and implementation shall be
422 determined by the Director of Planning, to protect the interest of the members of the
423 Homeowners Association. The bond shall become effective as of the date that the
424 Homeowners Association assumes responsibility for the common areas.
- 425 30. Storm water retention, based on the 50-10 concept, shall be incorporated into the
426 drainage plans.
- 427 31. The owners shall not begin clearing of the site until the following conditions have been
428 met:
- 429
- 430 (a) The site engineer shall conspicuously illustrate on the plan of development or
431 subdivision construction plan and the Erosion and Sediment Control Plan, the
432 limits of the areas to be cleared and the methods of protecting the required
433 buffer areas. The location of utility lines, drainage structures and easements
434 shall be shown.
- 435 (b) After the Erosion and Sediment Control Plan has been approved but prior to any
436 clearing or grading operations of the site, the owner shall have the limits of
437 clearing delineated with approved methods such as flagging, silt fencing or
438 temporary fencing.
- 439 (c) The site engineer shall certify in writing to the owner that the limits of clearing
440 have been staked in accordance with the approved plans. A copy of this letter
441 shall be sent to the Planning Office and the Department of Public Works.
- 442 (d) The owner shall be responsible for the protection of the buffer areas and for
443 replanting and/or supplemental planting and other necessary improvements to
444 the buffer as may be appropriate or required to correct problems. The details
445 shall be included on the landscape plans for approval.
- 446 32. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
447 Planning Office and approved prior to issuance of a certificate of occupancy for this
448 development.
- 449 33. The conceptual master plan, as submitted with this application, is for planning and
450 information purposes only. All subsequent detailed plans of development and
451 construction plans needed to implement this conceptual plan may be administratively
452 reviewed and approved and shall be subject to all regulations in effect at the time such
453 subsequent plans are submitted for review/approval.
- 454

455 **LANDSCAPE PLAN**

456

LP/POD-22-00
The Goddard School -
Town Center @ Twin
Hickory

Katherman & Company for Balzer & Associates: Request for approval of a landscape plan as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 1.43 acre site is located along the south line of Old Nuckols Road approximately 600 feet west of Nuckols Road on part of parcel 18-A-22E. The zoning is B-2C, Business District (Conditional). **(Three Chopt)**

457 Mr. McGarry - There is an addendum on this case. And the addendum reads that the
458 staff can recommend approval at this time.

459

460 Mr. Archer - Is there anyone present in opposition to LP/POD-22-00, The Goddard
461 School, landscape plan? No opposition. Mr. Taylor.

462

463 Mr. Taylor - Mr. Chairman, I move approval of landscape plan LP/POD-22-00, The
464 Goddard School - Town Center @ Twin Hickory, subject to the annotations on the plan and
465 the standard condition for projects of this type.

466

467 Mr. Vanarsdall - Second.

468

469 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall.
470 All in favor say aye...all opposed say nay. The motion carries.

471

472 The Planning Commission approved the landscape plan for LP/POD-22-00, The Goddard
473 School - Town Center @ Twin Hickory, subject to the standard conditions attached to these
474 minutes for landscape plans.

475

476 **PLAN OF DEVELOPMENT**

477

POD-105-00

Telegraph Car Wash -
Brook Road (U.S. Route 1)

Balzer & Associates for East Coast Oil Corporation and Superwash: 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, 4,426 square foot, car wash with 8 self service bays and 1 automatic bay. The 1.25 acre site is located on the east line of Brook Road (U.S. Route 1), approximately 210 feet north of Mountain Road on parcel 53-A-24A. The zoning is B-3, Business District and A-1, Agricultural District. County water and sewer. **(Fairfield)**

478

479 Mr. McGarry - There is an addendum on this case.

480

481 Mr. Archer - Is there anyone here opposed to POD-105-00, Telegraph Car Wash? We
482 have opposition. Thank you.

483

484 Mr. Chewning - May I address the Commission?

485

486 Mr. Archer - Yes, sir. This may not take long.

487

488 Mr. Chewning - Mr. Chairman, members of the Commission. We have looked over the
489 plans for this car wash.

490

491 Mr. Archer - Could you identify yourself for the record, sir?

492

493 Mr. Chewning - Oh, yes. I'm R. K. Chewning, 8701 Telegraph Road. There are
494 several houses on the east side of Telegraph Road facing this development. Now the woods,
495 there is no screen between these houses and this development, the east side of this
496 development. Now I find no problem with this scheme, except, that there is a plan for a metal
497 fence for.... chain-link fence. A chain-link fence on the east side of this development. Now,
498 whatever the rules, people are going to litter. And the prevailing wind that comes from the
499 west is going to blow that litter up against that chain-link fence. These houses on the east side
500 of Telegraph Road will be facing that fence.

501

502 Mr. Archer - Sir, to save a little time, we will have to pull this item off of the
503 expedited agenda. We will hear the case later.

504

505 Mr. Chewning - I'm not asking for anything fancy, all I'm asking for is an opaque fence.
506 A plain wooden fence so that we won't have to look at the liter blowing up against that chain-
507 link fence.

508

509 Mr. Archer - We will try to get that worked out with the applicant, sir. In fact,
510 between now and that time you may want to have an opportunity to get together with the
511 developer and the planner and see if you can come up with a solution and then we will be able
512 to move through this rather quickly when we get to it on the regular agenda.

513

514 Mr. Chewning - Thank you, sir.

515

516 Mr. Archer - Thank you.

517

518 Mr. Vanarsdall - Have you talked to anyone about this before today?

519

520 Mr. Chewning - No I have not. I have not seen the plans until today, I just happen to see
521 them at the back.

522

523 **THIS CASE WAS PULLED FROM THE EXPEDITED AGENDA AND PLACE BACK**
524 **IN ITS ORIGINAL ORDER OF THE REGULAR AGENDA TO BE HEARD LATER.**

525

526 Mr. Archer - Thank you, sir. All right, Mr. McGarry, do we have any more on the
527 Expedited Agenda?

528

529 Mr. McGarry - Yes, we have two more.

530

531 **LANDSCAPE PLAN**

532

LP/POD-9-00
Lakeland Townes, Section C

Peace Nurseries for Laurel Lakes Associates: Request for approval of a landscape plan as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 8.025 acre site is located on the southeast corner of the intersection of Hungary Road and Hungary Spring Road on parcels 50-21-R-1 through 50-21-AA-6 (including 60 parcels) and 50-21-C. The zoning is RTHC, Residential Townhouse District (Conditional) and C-1C, Conservation District (Conditional). **(Brookland)**

533

534 Mr. Archer - Is there anyone in the audience in opposition to this case, LP/POD-9-00,
535 Lakeland Townes, Section C, landscape plan? We have opposition. Okay, this case will also
536 be pulled from the Expedited Agenda.

537

538 **THIS CASE WAS PULLED FROM THE EXPEDITED AGENDA AND PLACE BACK**
539 **IN ITS ORIGINAL ORDER OF THE REGULAR AGENDA TO BE HEARD LATER.**

540

541 Mr. Archer - Mr. McGarry, what is our next item?

542

543 Mr. McGarry - The last item on the Expedited Agenda is on page 27, POD-2-01,
544 Emerywood Office Park, and there is an addendum item that adds condition No. 30.

545

546 **PLAN OF DEVELOPMENT**

547

POD-2-01
Emerywood Office Park -
Emerywood Parkway

TIMMONS for Pruitt Properties, Inc. and Pruitt & Associates: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct two, three-story office buildings totaling ~~133,560~~ 136,870 square feet total. The 9.82 acre site is located on the south line of Emerywood Parkway, approximately 800 feet west of W. Broad Street (U. S. Route 250) on parcel 81-8-B-2. The zoning is M-1, Light Industrial District. County water and sewer. **(Three Chopt)**

548

549 Mr. Archer - Is there opposition to POD-2-01, Emerywood Office Park? No
550 opposition.

551

552 Ms. Dwyer - I do have one question, just as a point of information? This is zoned M-
553 1 and offices are being put in the M-1. Would the development standards, as outlined on this
554 POD, be any different if this had been zoned office for O-3 or O-2?

555

556 Mr. Wilhite - The setbacks would have been different. There would be slightly
557 different setback requirements and the limitations on height as well.

558 Ms. Dwyer - I was just curious. Thank you.
559
560 Mr. Archer - Are there any other questions?
561
562 Mr. Taylor - I have one question, Mr. McGarry. What is item No. 30? You said that
563 they added No. 30. I have 20 but I do not have 30.
564
565 Mr. Wilhite - Actually, Mr. Taylor, that's just a correction on your original agenda.
566 There were two number 29's and we changed it on the addendum to straighten out the
567 numbering system.
568
569 Mr. Taylor - Okay. Thank you.
570
571 Mr. Archer - All right, Mr. Taylor, are you ready for a motion?
572
573 Mr. Taylor - I believe so. There was no opposition?
574
575 Mr. Archer - No.
576
577 Mr. Taylor - Mr. Chairman, then, I would move approval of POD-2-01, Emerywood
578 Office Park, subject to the standard conditions for developments of this type and additional
579 conditions Nos. 23 through 30.
580
581 Mr. Vanarsdall - Second.
582
583 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall.
584 All in favor say aye...all opposed say nay. The motion carries.
585
586 The Planning Commission approved POD-2-01, Emerywood Office Park - Emerywood
587 Parkway, subject to the standard conditions for developments of this type, the annotations on
588 the plans, and the following additional conditions:
589
590 23. The easements for drainage and utilities as shown on approved plans shall be granted to
591 the County in a form acceptable to the County Attorney prior to any occupancy permits
592 being issued. The easement plats and any other required information shall be submitted
593 to the County Real Property Agent at least sixty (60) days prior to requesting
594 occupancy permits.
595 24. The limits and elevations of the 100-year frequency flood shall be conspicuously noted
596 on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year
597 floodplain must be labeled "Variable Width Drainage and Utility Easement." The
598 easement shall be granted to the County prior to the issuance of any occupancy permits.
599 25. The developer shall provide fire hydrants as required by the Department of Public
600 Utilities and Division of Fire.
601 26. Outside storage shall not be permitted.
602 27. The certification of building permits, occupancy permits and change of occupancy

603 permits for individual units shall be based on the number of parking spaces required for
 604 the proposed uses and the amount of parking available according to approved plans
 605 28. Any necessary off-site drainage and/or water and sewer easements must be obtained in
 606 a form acceptable to the County Attorney prior to final approval of the construction
 607 plans.
 608 29. Deviations from County standards for pavement, curb or curb and gutter design shall be
 609 approved by the County Engineer prior to final approval of the construction plans by
 610 the Department of Public Works.
 611 30. Insurance Services Office (ISO) calculations must be included with the plans and
 612 approved by the Department of Public Utilities prior to the issuance of a building
 613 permit.

614
 615 Mr. Archer - Well, we almost got all of it on the Expedited Agenda. All right. Mr.
 616 Secretary, before we move on, I neglected to do something that I should not have done, and
 617 y'all can kick me for it after the meeting. For those of you who have not met him, this is Mr.
 618 Jernigan who is the new representative from the Varina District. And back for a repeat
 619 engagement is Mr. Dave Kaechele from the Board of Supervisors from the Three Chopt
 620 District. It's nice to have you both.

621
 622 Mr. Jernigan - Thank you, sir.

623
 624 Mr. Kaechele - Thank you.

625
 626 Mr. Marlles - Mr. Chairman, the next item on the agenda are subdivision extensions of
 627 conditional approval. This information is presented to the Commission for informational
 628 purposes only. Mr. Wilhite, do you have any additional information to present to the
 629 Commission?

630
 631 Mr. Wilhite - No, sir, not unless there are some questions by Commission members.

632
 633 **(FOR INFORMATIONAL PURPOSE ONLY)**

634
 635 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**

636

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended
Carrington (January 2000 Plan)	Three Chopt	35	35	0	1 Year 01/23/02
Carrington North (January 2000 Plan)	Three Chopt	108	108	0	1 Year 01/23/02
Chartwood (January 1998 Plan)	Varina	88	38	2	2 Years 01/22/03
Mill Place West (January 1997 Plan)	Brookland	44	23	3	1 Year 01/23/02

January 24, 2001

Sterling Forest (January 2000 Plan)	Fairfield	175	175 120	0	1 Year 01/23/02
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637

638 Mr. Archer - Are there any questions by anyone? All right, do we need to take any
639 action on this, Mr. Secretary?

640

641 Mr. Marlles - Not on this you don't need to, Mr. Chairman, however, the next item
642 listed under subdivision extensions of conditional approval have exceeded the 60 months that
643 staff can approve administratively. I'll let Mr. Wilhite summarize those for you. Those will
644 require an action on the part of the Commission.

645

646 Mr. Archer - Mr. Wilhite.

647

648 Mr. Wilhite - We only have one subdivision up for Planning Commission extension,
649 Almond Creek Estates. We have had at least 80 plots get final approval. A section of this has
650 been recorded as recently as May 2000. We recommend a one-year extension of the remaining
651 21 lots.

652

653 **FOR PLANNING COMMISSION APPROVAL**

654

655 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**

656

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended
Almond Creek Estates (January 1993 Plan)	Varina	101	21	7	1 Year 01/23/02

657

658 Mr. Archer - Are there any questions by the Commission? We need a motion on this,
659 do we not, Mr. Secretary?

660

661 Mr. Marlles - Yes, sir.

662

663 Mr. Archer - Mr. Jernigan.

664

665 Mr. Jernigan - Mr. Chairman, I move for approval for subdivision extension for
666 Almond Creek Estates for one year.

667

668 Ms. Dwyer - Second.

669

670 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Ms. Dwyer.
671 All in favor say aye...all opposed say nay. The motion carries.

672

673 The Planning Commission approved the subdivision extension of conditional approval for

674 Almond Creek Estates (January 1993 Plan) for one year, January 23, 2001.

675

676 Mr. Marles - Mr. Chairman, the first case on the agenda to be heard is on page 5, a
677 transfer of approval request for POD-86-96, Blockbuster Square.

678

679 **TRANSFER OF APPROVAL**

680

POD-86-96
Blockbuster Square
(POD-37-87 Revised)

Theodore and Faye Kefalas for Marpisa LLC: Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code, from Brookside Property Associates L.P. to Marpisa LLC. The 1.8 acre site is located at the southwest corner of W. Broad Street (U.S. Route 250) and Tanelorn Drive on parcel 59-3-A-2A. The zoning is B-2C, Business District (Conditional). **(Three Chopt)**

681

682 Mr. Archer - Is there anyone in the audience in opposition to this transfer? No
683 opposition. Mr. Wilhite.

684

685 Mr. Wilhite - Mr. Chairman, staff has completed an inspection of the site and we have
686 discovered a number of deficiencies there. Over the past week we have attempted to contact
687 the new property owners without success. We have not heard back from them. I think staff is
688 not going to be in the position to recommend at this time and there should be a need for a
689 deferral.

690

691 Mr. Archer - Is there anyone here to speak to that?

692

693 Mr. Vanarsdall - Are you recommending deferral or the applicant?

694

695 Mr. Wilhite - We can not recommend approval because we have not heard back from
696 the applicant, so I would suggest that the case be deferred for one month.

697

698 Mr. Archer - There's no one here to represent the applicant today?

699

700 Mr. Wilhite - We have not been able to get in contact with them.

701

702 Mr. Archer - All right, Mr. Taylor.

703

704 Mr. Taylor - Mr. Chairman, I recommend a one-month deferral for transfer of
705 approval for POD-86-96, Blockbuster Square.

706

707 Mr. Vanarsdall - Second.

708

709 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall
710 for a month deferral to the February 28, 2001, meeting. All in favor say aye...all opposed say
711 nay. The motion carries.

712 The Planning Commission deferred the transfer of approval request for POD-86-96,
713 Blockbuster Square (POD-37-87 Revised) to its February 28, 2001, meeting.

714

715 **SPECIAL EXCEPTION FOR A HELISTOP**

716 **(Deferred from the December 13, 2000, Meeting)**

717

POD-110-00

First Union National Bank
Expansion at Innsbrook

TIMMONS for First Union National Bank: Request for approval of a special exception for a helistop, as required by Chapter 24, Section 24-50.12(c) of the Henrico County Code. The 51.93 acre site is located at 4340 Innslake Drive, Innslake Drive and Dominion Boulevard on part of parcel 37-2-E-1, 37-2-E-1A, 37-A-47, 48, 52, 52A and 53. The zoning is O-3C, Office District (Conditional). County water and sewer.
(Three Chopt)

718

719 Mr. Archer - Is there anyone here in opposition for the special exception for a
720 helistop, POD-110-00? No opposition. Mr. Strauss.

721

722 Mr. Strauss - Thank you, Mr. Chairman, members of the Commission. You may
723 recall at our last meeting that the plan of development associated with this special exception for
724 a helistop was deferred. I'm sorry. The plan of development was approved, and the special
725 exception was deferred, at the recommendation of the County Attorney in order to allow the
726 applicant and staff additional time to investigate FAA requirements for helistop. Since that
727 time, the applicant has recently reported to the Planning staff that they have initiated
728 discussions with the local FAA officials in Richmond. And their architect for the helistop has
729 confirmed that the proposed helistop will be designed in accordance with the FAA guidelines.
730 This was one of the conditions proposed by the staff at our last meeting: "that the applicant
731 comply with all rules and regulations of the Federal Aviation Administration regarding
732 helicopter landing sites." The applicant is in agreement with that condition and this design
733 effort is under way with their design of this helistop. Another staff recommendation was that
734 the flight operations be limited to one flight per day, Monday through Friday, between the
735 hours of 4:30 p.m. and 6:00 p.m. The applicant's operational plans have not changed since
736 our last meeting and they are still in agreement with this condition. The applicant proposes to
737 land their helicopter, a "Robinson 44" and I will try to bring up a picture of that. This is a
738 small four-seat helicopter. They propose to land it once a day at the proposed location at the
739 western end of the site. The other two conditions which staff proposed relate to flights
740 occurring under VFR, Visual Flight Rules, only and confining the flight path to air space
741 above roads and highways. These conditions were proposed in response to citizens concerns
742 and calls on the subject of reducing helicopter noise in the response to questions of safety. The
743 applicant is in agreement to both of these conditions and we can't find any conflict between
744 these conditions and the FAA requirements. In fact, the condition regarding confinement of
745 the flight path to air space above road and highways, is actually one of the recommendations of
746 the Helicopter Association International's "Fly Neighborly Program," an internationally
747 recognized program in conjunction with the FAA's requirements for noise abatement for
748 helicopter operations over densely populated residential areas.

749 I would, in conclusion, direct the your attention to the staff's recommended conditions, which
750 we are about to hand out. The ones on the addendum are actually outdated at this point. I'm
751 going to hand out these latest recommendations or conditions now. We just crafted these
752 conditions this morning with the County Attorney, and the applicant and they are in agreement
753 with these conditions. So, we would be recommending approval of this special exception with
754 these conditions. I'll be happy to answer any additional questions you may have. And, Mr.
755 Brad Kersey, the project manager for this project, is also here this morning.

756

757 Mr. Kaechele - Did you say that the flights excluded the weekends?

758

759 Mr. Strauss - Yes, sir. Their operational plan from the beginning is only to use the
760 helistop Monday through Friday and the hours are from 4:30 p.m. to 6:00 p.m. which is listed
761 in the condition that we have here. They only plan, I believe, to land at 5:00 p.m. The
762 purposes of these landings is to transfer bank information from the northern branches to their
763 headquarters in Richmond.

764

765 Ms. Dwyer - I asked a question last time about whether there had been any
766 conversation with Henrico officials, public safety officials, about using this heliopad or
767 helistop in case of some sort of an emergency. Has that been explored?

768

769 Mr. Strauss - Yes, the applicant informed us yesterday, and that is part of the
770 condition No. 1 modified this morning, they are willing to allow this helistop to be used for
771 emergency uses such as Police and rescue, life threatening situations etc.

772

773 Ms. Dwyer - This just says medical emergencies.

774

775 Mr. Strauss - Well, we would actually like to strike that. I think it is agreeable to the
776 applicant, "emergencies" in general.

777

778 Ms. Dwyer - I think that would be a good idea. Thank you.

779

780 Mr. Archer - Are there any more questions of Mr. Strauss?

781

782 Ms. Dwyer - And it may be used by anyone?

783

784 Mr. Strauss - I imagine so. If some one is in need of a spot to land this would be it.

785

786 Mr. Taylor - But our discussions of the normal use, excepting a dire in-flight
787 emergency would be state, federal and local officials for medical or other types of emergency.
788 It would not be normally used for in-flight type of emergencies. For instance if they were
789 having a "mac attack" or something similar to that. So, it would only be in those dire cases
790 that they require a facility to land on, would it be generally used. Is Mr. Kersey still with us?
791 Mr. Kersey would you care to just discuss this just a bit and answer questions that the
792 Commission may have?

793

794 Mr. Kersey - Good morning, Mr. Commissioner, and members of the Commission.
795 I'm Brad Kersey on behalf of First Union. Thank you for consideration for the helistop for
796 First Union. We have reviewed the five conditions that have been proposed and we are in
797 agreement with those. As well as we would like to reinforce that we believe that the helistop
798 would provide a benefit that the community.... aimed toward emergency and police emergency
799 use. I'll be happy to answer any other questions.

800

801 Mr. Archer - Are there any questions.

802

803 Mr. Kaechele - The arrival and the departure is back away from the residential areas, is
804 that right?

805

806 Mr. Kersey - That is the flight plan that they currently use. Our site is adjacent to
807 Innslake Drive. The flight path that they use for incoming and outgoing takes them east,
808 northeast, over Dominion Boulevard and over the Virginia Power building.

809

810 Ms. Dwyer - If your plans should change at any time then you would need to come
811 back for another condition, special exception.

812

813 Mr. Kersey - As far as operational plans?

814

815 Ms. Dwyer - Right.

816

817 Mr. Kersey - Yes, ma'am.

818

819 Mr. Archer - Are there any further questions?

820

821 Mr. Taylor - What I want to do is highlight the location of this. We are going to just
822 project where the helistop is relative to the site (picture of helistop was projected on the
823 screen). The location of the helistop is highlighted off to the southwest side of the area and
824 that's away from any of the structures and it will be lighted and marked in accordance with
825 FAA standards. So, with that, Mr. Chairman, and if no one has any questions, I will move
826 approval of POD-110-00, First Union Bank Expansion at Innsbrook, subject to the standard
827 conditions for developments of this type, the annotations on the plan and conditions Nos. 1
828 through 5 on the sheet provided by the applicant dated January 24, 2001.

829

830 Mr. Vanarsdall - Special exception.

831

832 Mr. Jernigan - I'll second it.

833

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

836

837 Mr. Vanarsdall - I do have a question. Mr. Taylor, you said the conditions on this sheet
838 as dated today, 24th of January, but that doesn't take in replace the No. 1 on the addendum

839 does it? On the addendum it has a, b, and c.

840

841 Mr. Taylor - Yes, I think it would replace everything on the addendum because we
842 have reworked it with new conditions.

843

844 Mr. Strauss - Yes, we are replacing the conditions listed on your addendum, 1a
845 through c with modified Nos. 1 through 4, with the word "medical" being dropped and it's just
846 emergencies in general.

847

848 Mr. Vanarsdall - I just wanted to be careful, Mr. Chairman, thank you.

849

850 Ms. Dwyer - Our cover did not actually have a date on it.

851

852 Mr. Vanarsdall - Mine didn't either I just wrote it on it.

853

854 Ms. Taylor - I do want to thank Mr. Cursey and First Union National Bank for all of
855 the assistance and spirit of goodwill that we worked out these conditions. Thank you.

856

857 Mr. Archer - Okay. We had a motion and a second. All of those in favor say aye...all
858 opposed say nay. The motion carries.

859

860 The Planning Commission approved the special exception request for a helistop for POD-110-
861 00, First Union National Bank Expansion at Innsbrook, subject to the standard conditions for
862 developments of this type and the following additional conditions:

863

864 1. Flight operations shall be limited to one incoming and outgoing helicopter flight per
865 day, Monday through Friday, between the hours of 4:30 p.m. and 6:00 p.m. However,
866 the helistop may also be used in cases of emergency.

867 2. The applicant's operations on the property shall comply with all applicable rules and
868 regulations of the Federal Aviation Administration and the Virginia Department of
869 Aviation.

870 3. The helistop shall be located and designed in accordance with all rules and regulations
871 of the Federal Aviation Administration and the Virginia Department of Aviation. The
872 helistop may not be located closer than 350 feet to any permanent structure.

873 4. To the maximum extent possible, the flight path will be confined to the air space above
874 roads and highways in order to minimize noise and protect public safety.

875 5. No flight operations may occur at the helistop except in VFR (Visual Flight Rule)
876 conditions.

877

878 Mr. Vanarsdall - For Mr. Jernigan's benefit, be sure that everything you approve has a
879 date on it because it won't come back to haunt you next week, it will come back year after
880 next.

881

882 Mr. Jernigan - I've dated mine.

883

884 Mr. Archer - Thank you, Mr. Vanarsdall.
885

886 Mr. Jernigan - Thank you, Ernie.
887

888 **PLAN OF DEVELOPMENT (Deferred from the December 13, 2000, Meeting)**
889

POD-109-00
Air, Water & Soil
Laboratories @ Villa Park

Jordan Consulting Engineers, P.C. for Air, Water & Soil Properties, 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, 15,000 square foot (with a future 14,200 square foot addition) office/warehouse building. The 4.214 acre site is located on the south side of Villa Park Drive, approximately 1,800 feet west of Brook Road (U.S. Route 1) on part of parcel 62-11B-1D. The zoning is O/SC, Office/Service District (Conditional). County water and sewer. **(Brookland)**

890
891 Mr. Marlles - Where is Mr. McGarry?
892

893 Mr. Archer - Well, while we are looking for him, is there anyone here in opposition to
894 POD-109-00?

895
896 Mr. Marlles - Mr. Wilhite, do you see Mr. McGarry out in the lobby?
897

898 Mr. Wilhite - I understand that there are still discussions going on right now so it
899 might be a good idea for us to pass this by.

900
901 Mr. Marlles - Mr. Chairman, I would just recommend that we go on to the next case.
902

903 Mr. Archer - All right. Let's do that and come back to it.
904

905 Mr. Vanarsdall - Let's just pass it over. They are trying to work out the thing about the
906 trash.

907
908 **THIS CASE WAS PASSED BY AGAIN TO BE HEARD LATER DURING THE**

909 **MEETING**
910

911 **SUBDIVISION**

912

Old Washington Place
(January 2001 Plan)

Foster & Miller, P.C. for Fred T. Mayers, Sr. and others and Viking Builders, L.L.C.: The 4.26 acre site is located on the west line of Old Washington Highway, approximately 1,056 feet to the north line of Mountain Road on parcels 31-A-14 and 55. The zoning is R-2A, One-Family Residence District. County water and sewer. **(Brookland) 10 Lots**

913

914 Ms. Goggin - Good morning, Mr. Chairman, Planning Commission members and
915 members of the audience. The applicant, Viking Builders, has addressed the concerns the staff
916 has had with this proposed subdivision. Viking Builders have demonstrated that a stub road is
917 not needed because road access is provided through adjacent property, thus, the parcel located
918 between the proposed subdivision and the railroad tracks is not landlocked as we were
919 originally concerned about. Staff still recommends, as a condition of approval, that the legal
920 status for the abandon road bed must be provided and that the existing private road be held in
921 reserved unless all parties having legal interest consent for the road to be removed or provided
922 a quit claim deed. At this time Old Washington Highway, the ultimate right-of-way, is 50 feet
923 and that is what is provided presently. In the pursuit of quality of development, the applicant
924 has agreed to provide a landscape strip planted with an evergreen buffer at the rear of all lots
925 adjacent to M-2 zoning. This buffer would be comprised of four large and two small trees per
926 80 linear feet. So, that would be six trees per lot.

927

928 Also, prior to final plat approval, a draft of the declaration of covenants and conditions, or
929 some other acceptable documentation, must be submitted to the Planning Office for review.
930 The covenants or other documentation would address an acceptable method for allowing
931 vehicle turnarounds behind the front of each dwelling to prevent vehicles from backing on to
932 Old Washington Highway when exiting the property. They would also preclude attached
933 front-loading garages and that would also prevent back exiting onto Old Washington Highway.
934 And an increase of the front yard setback of at least 15 feet for the dwellings built on the lot.
935 There are two changes to the annotated plan that unfortunately I didn't get to you in time and I
936 apologize for that. But, they are at the top of the plan that a stub road will no longer be
937 required and that curb and gutter will be required unless it's waived by Public Works. The
938 applicant and that department are still working on that issue right now.

939

940 At this time, staff recommend approval subject to the standard conditions for subdivisions
941 served by public utilities, the following additional conditions and the conditions on your
942 addendum are recommended.

943

944 Mr. Vanarsdall - Mr. Chairman, there has been a lot of conversation on this and I'm not
945 up-to-date on it and I see no reason for the stub road. The people behind it own Lots 17 and
946 15 and they are not going to landlock it themselves, so I would like to defer this case. Well, is
947 the applicant here?

948

949 Ms. Goggin - Yes, sir. The applicant and the engineer are here.

950 Mr. Webster - Good morning, Mr. Chairman, members of the Commission. I'm Gary
951 Webster with Foster & Miller representing the applicant Viking Builders, and Mr. Bill Curl,
952 who is here today on this agenda item for your consideration this morning. Before I go into
953 any kind of presentation....

954

955 Mr. Vanarsdall - Let me ask you a question on this. It is my understanding that we
956 wouldn't need the stub road because Lots 17 and 15 are not going to landlock themselves.

957

958 Mr. Webster - That's correct.

959

960 Mr. Vanarsdall - And it was my understanding that the houses would be setback 60 feet
961 from Old Washington Highway.

962

963 Mr. Webster - That's correct.

964

965 Mr. Vanarsdall - It is my understanding is that the garage would be in the back.

966

967 Mr. Webster - Right. If there is a garage it would be in the back. If it is detached it
968 will be in the back.

969

970 Mr. Vanarsdall - My concern when I first looked at this was the safety of anyone backing
971 out onto Old Washington Highway or any highway. So, I understand that it will be in the back
972 and then you can go into your garage, back out, and then head out on to Old Washington
973 Highway.

974

975 Mr. Webster - That's correct.

976

977 Mr. Vanarsdall - Okay. So, all of that will be done at layout time, right?

978

979 Mr. Webster - Yes, sir.

980

981 Mr. Vanarsdall - For the curb and gutter, I never did get an answer on that. Christina,
982 said we didn't get one from, Bob Thompson was in on it and didn't get it, so do you see any
983 reason to defer it this morning or has everything been worked out?

984

985 Mr. Webster - No, sir. I see no reason to defer it because normally curb and gutter is
986 an issue, which is resolved at construction plan stage with Public Works anyway. And I
987 believe I heard Planning say that they were not going to require it unless Public Works did and
988 those are issues that we can address as we go through the process in developing our
989 construction plans and applying for final subdivision approval.

990

991 Mr. Vanarsdall - Okay.

992

993 Mr. Webster - But there is one thing that I would like to make sure that we don't get
994 into a problem on. Condition No. 14, which states: The legal status for the abandon road bed

995 must be provided. We will certainly exercise every opportunity we have to determine what the
996 status of that is. And then it says, "The existing private road should be held in reserved."
997 Does that mean that our lot, as shown on the plat, can stay as is and we will provide an
998 easement through our lot for that road? Or, do they mean that the property line, that that lot
999 has to be in abeyance until that road is worked out? Do you know?

1000

1001 Mr. Vanarsdall - I don't know what that means. Maybe Ms. Goggin can tell you or Mr.
1002 Silber, he was in on it.

1003

1004 Ms. Goggin - It is my understanding that the abandon road bed will be taken out of the
1005 property line width. So, the property line would be at the edge of the abandon roadway.

1006

1007 Ms. Dwyer - Then what would happen ultimately to that strip if.... It seems to me that
1008 it would make more sense to have it as part of the property but grant an easement... I assume
1009 it's being used by someone, behind, no?

1010

1011 Mr. Webster - To the best of my knowledge, and had conversations yesterday on it, all
1012 it is an old railroad bed that goes back to the tracks in the rear. We have gotten a title policy
1013 on it and it didn't mention any kind of access. And you are hitting right on what I was getting
1014 to, we wind up with a strip of "no mans land" in there and in my opinion I think it would be
1015 better to keep the property line as is. And we have certainly got no problem with dedicating
1016 an easement at this point and showing it on the subdivision plat so that the opportunity to use
1017 that road should it ever arise.

1018

1019 Ms. Dwyer - Use it as a railroad?

1020

1021 Mr. Webster - No, not as a railroad, as access to the railroad. It's supposedly is what it
1022 was. Not only is it a concern from the property being "no mans land" so to speak, if it is cut
1023 off. Also our lots are just over the 80-foot frontage requirements and I believe that would cost
1024 a lot from the development to cut that off.

1025

1026 Ms. Dwyer - What is the purpose of reserving this road bed? Is it just because we
1027 don't know who owns it or we don't know what it's stands for?

1028

1029 Mr. Webster - It shows up on the ground, and when we did our survey there were just
1030 old tire tracks that goes through there and as part of our survey requirements is that we show
1031 the roads going through and that's what it is. But as far as any legal status, when the title
1032 search was done, they found no mention of an access easement or anything of that nature. And
1033 for that matter, if we gave them an easement it would give it more standing than it has now.

1034

1035 Ms. Goggin - Just to let you know, I did some deed research. I believe that it is a 15-
1036 foot right-of-way to Old Washington Highway from parcel 15 and I have the deed book and
1037 page number. It was somebody's driveway.

1038

1039 Ms. Dwyer - So, it doesn't have anything to do necessarily with its abandon railroad

1040 bed status.

1041

1042 Ms. Goggin - It was somebody's right-of-way to get that otherwise landlocked, legally
1043 landlocked....

1044

1045 Ms. Dwyer - Do you have a problem with it being an easement, which would do the
1046 same thing if it were granted in favor of the lot that it leads to, Lot 15, did you say?

1047

1048 Ms. Goggin - Yes, ma'am. Which is behind....

1049

1050 Ms. Dwyer - And then the parties, I assume, if it is granted in favor of Lot 15, and
1051 you might want to check with the County Attorney on that, but I think if it is granted in favor
1052 of Lot 15, and Lot 15 says they don't need it, then Lot 15 and this lot owner could eliminate
1053 the easement.

1054

1055 Ms. Goggin - As we previously discussed, the same owner owns Lots 13, 15 and 17.
1056 So, he does have road frontage through Lot 17. I wouldn't think that getting that parcel owner
1057 to agree to abandon that easement would be that difficult. But, as it is, that is the legal right-
1058 of-way for that piece of land if it were to be sold separately.

1059

1060 Mr. Vanarsdall - So, you are saying that we don't need condition No. 14, is that right?

1061

1062 Mr. Webster - Well, I don't know if we don't it, I just wanted to know what was meant
1063 by the term "held in reserve." If we could say something to the nature of an easement be
1064 granted through or be set aside through that lot unless the legal status of that access going
1065 through could be done prior to final subdivision approval. I just want to make sure that the
1066 property didn't get cut off at that held reserved. That is my reason for raising the question.

1067

1068 Mr. Vanarsdall - Okay. Thank you.

1069

1070 Mr. Silber - Mr. Vanarsdall, maybe if I can suggest my opinion on this. I would
1071 prefer at this point that we not determine whether this be an easement on the lot or it be held
1072 outside the lot at this time. They have not done their research, yet and they have not provided
1073 any legal documentation as to the status of this road bed. I would suggest that it not be tied
1074 down at this point. Typically, Christina is right, typically we prefer this not be on the lot, that
1075 it be outside the lot. But until we find out the legal status of this access point, I think we
1076 should determine that at some later time.

1077

1078 Mr. Vanarsdall - So, you are saying leave No. 14 in there?

1079

1080 Mr. Silber - Yes, sir.

1081

1082 Ms. Dwyer - Do we defer it until that information or situation is resolved?

1083

1084 Mr. Silber - Do you mean to defer the subdivision?

1085

1086 Ms. Dwyer - Yes.

1087

1088 Mr. Silber - No. I just think we can work this out later when they provide
1089 documentation. Number 14 says "They need to provide us legal documentation as to the status
1090 of this road bed." I think Mr. Webster is just saying can this be a part of lot, and I'm saying at
1091 this point I don't want to be locked into it being a part of the lot or not, I'd like to see what
1092 documentation they provide us and we will determine that later on.

1093

1094 Ms. Dwyer - So "held in reserve" could mean a lot of different things.

1095

1096 Mr. Webster - Exactly.

1097

1098 Mr. Silber - What we have had in the past is we have had.... You may recall up in the
1099 Wyndham area when there was a private road that was maundering around and through some
1100 of the proposed subdivision. That access point was kept outside of the lots so that it was
1101 encumbrance on those property owners at they brought those lots. But I think we can work
1102 this out at a later date.

1103

1104 Mr. Archer - Thank you, Mr. Silber.

1105

1106 Mr. Webster - I have one more thing, Mr. Vanarsdall. I was glad to see you
1107 recognized for your past chairmanship. It has been a pleasure for me dealing with you. At
1108 least up until this point. But, seriously, I think you did a good job. And also I would like to
1109 take this opportunity on behalf of our client and myself to express gratitude to the staff for....
1110 As you can tell this is a small project but yet it's had a number of issues which have had to
1111 pursued on through the County levels to reach resolution. We had our staff/developer meeting
1112 and we had an issue, which was unresolved shortly after the staff/developer. And it was on the
1113 weekend that the County was off Friday and Monday and of course that took some time out of
1114 us being able to move forward. On that Friday I got a call from Christina Goggin on her day
1115 off letting me know what the department's response on further research. So, I would like to
1116 thank her and the staff for that. And I'll be glad to answer any questions, and with that, we
1117 would respectfully request approval of the conditional subdivision.

1118

1119 Ms. Dwyer - I have a question, if I may.

1120

1121 Mr. Archer - Go ahead, Ms. Dwyer.

1122

1123 Ms. Dwyer - I realize that this is zoned A-2, but I know that we have also, in hearing
1124 some other cases, I'm sure Mr. Vanarsdall has this concern as well. Obviously, if it is zoned
1125 R-2A, then you can develop it for R-2A. I'm just wondering what your thought process is
1126 behind that since you have this heavy industrial use immediately adjacent to all these
1127 residential lots that you are planning to put in. Why not develop it as something else that
1128 would be maybe a buffer between the M-1 and the R-2A on the other side of Washington
1129 Highway?

1130

1131 Mr. Webster - Well, our lots are 200 and some feet deep.

1132

1133 Mr. Vanarsdall - It's 220.

1134

1135 Mr. Webster - It's 220 feet deep and there is a landscape buffer requirement, which is
1136 being set forth by staff in condition No. 13 on the rear of the lots that abuts to that M-2. So,
1137 there will be some buffering provided between the two. But, quite, candidly, I don't know that
1138 I can see that M-2 ever being used as M-2 but then again who knows.

1139

1140 Mr. Vanarsdall - And another reasons is that the garages being in the back would be kind
1141 of a buffer for the noise.

1142

1143 Ms. Dwyer - Well, the M-2 is being used now, isn't it?

1144

1145 Mr. Webster - No. Not behind this, beside it is.

1146

1147 Ms. Dwyer - Okay. Well, I just remember some neighbors in the Haley's Hollow
1148 area complaining about the industrial use.

1149

1150 Mr. Webster - To the side of us there is some M-2 use to the side. And going all the
1151 way back to the tracks, there's M-2 use which is active. But this piece right behind us, I think
1152 is parcel 15, I believe it is, that's currently undeveloped.

1153

1154 Ms. Dwyer - Well, but, my map shows that most of what is behind your site is zoned
1155 M-2.

1156

1157 Mr. Webster - Correct.

1158

1159 Ms. Dwyer - It's very little that's not.

1160

1161 Mr. Webster - That's correct.

1162

1163 Ms. Dwyer - So, most of the lots will have M-2 zoning directly behind them.

1164

1165 Mr. Webster - Right.

1166

1167 Ms. Dwyer - And our map shows an overhead crane in that area. So, really it is the
1168 comment, because certainly you are entitled to develop it for residential, I just, you know,
1169 questioning why, why not something else that might not be as sensitive to the industrial noise.

1170

1171 Mr. Webster - Why not develop the R-2A piece or something else, as in go for
1172 rezoning?

1173

1174 Ms. Dwyer - Yes.

1175

1176 Mr. Webster - I'm not sure that the rezoning would have been successful from with
1177 some of the conversations I've had. You've got R-2A right across the road from us, so this
1178 would, in our mind, this would certainly be in keeping with the general area. You've got R-
1179 2A across the road. We've got some real deep R-2A lots, and then you've got, again, I'm not
1180 sure how viable that little strip of M-2 that's about 200 feet deep and railroad tracks all one
1181 side of it. I could almost see that being zoned to something other than M-2, actually, but you
1182 know that's just my opinion.

1183

1184 Ms. Dwyer - One other thing that I notice, in the old conditions you committed to a
1185 25-foot landscape strip and then the new condition there's no commitment to any distance, any
1186 length of the strip, unless I missed something.

1187

1188 Ms. Goggin - Ma'am, that was a staff change. We didn't feel that it was necessary to
1189 compress it in the 25 feet necessarily to fit those trees in there that they would obviously use it
1190 as screening versus spreading them all over the rear yard. But, we can change that back.
1191 That's no problem.

1192

1193 Ms. Dwyer - If it's a staff change that's fine. Usually we try to nail about at least
1194 some amount that will be reserved for landscaping. But, if you feel numerating the types of
1195 trees and the number of trees would be sufficient, then...

1196

1197 Ms. Goggin - The idea is the fact that it says that the landscape strip against the M-2
1198 zoning that it would allow a little bit of freedom but still provide for the buffering. That way it
1199 could be a little bit more narrower and compact or it could be a little bit more spread out or
1200 could lend onto topography or the soils there.

1201

1202 Ms. Dwyer - We only have two large trees for the whole lot?

1203

1204 Ms. Goggin - There are two large trees and two small trees, which that is the typical
1205 25-foot transitional buffer, per 100 feet. We narrowed it from 100 to 80 so that it would be
1206 per lot.

1207

1208 Mr. Archer - All right, are there any further questions?

1209

1210 Mr. Vanarsdall - All right. I move that Old Washington Place subdivision be approved
1211 with the annotations on the plans and the standard conditions for subdivisions and added
1212 conditions Nos. 12, 13, 14, and 15. And on today's list, the revised part of the subdivision
1213 dated today with conditions Nos. 13, 14 and 15. And then we will address the layout later and
1214 I do not see a reason for a stub road because of Lots Nos. 15 and 17 owned by the people
1215 behind it. It can't be landlocked. That's the end of my motion.

1216

1217 Mr. Taylor - I'll second that one.

1218

1219 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Taylor.

1220 All in favor say aye...all opposed say nay. The motion carries.

1221

1222 The Planning Commission granted conditional approval to subdivision Old Washington Place
1223 (January 2001 Plan), subject to the annotations on the plans, the standard conditions for
1224 subdivisions served by public utilities, and the following additional conditions:

1225

1226 12. Any necessary off-site drainage easements must be obtained prior to final approval of the
1227 construction plans by the Department of Public Works.

1228 13. A landscape strip planted with an evergreen buffer (4 large and 2 small trees per 80
1229 linear feet) will be provided at the rear of all lots adjacent to M-2 zoning.

1230 14. Legal status for the abandoned roadbed must be provided. Staff recommends that the
1231 existing private road be held in reserve unless all parties having legal interest give
1232 consent for road to be removed or provide a quick claim deed.

1233 15. Prior to final plat approval, a draft of the declaration of covenants and conditions, or
1234 some other acceptable documentation, must be submitted to the Planning Office for
1235 review. Such covenants, or other documentation, must address: a) an acceptable method
1236 for allowing vehicle turnarounds behind the front of each dwelling to prevent vehicles
1237 from backing onto Old Washington Highway when exiting the property, b) precluding
1238 attached front load garages, and c) an increased front yard setback of at least 15
1239 additional feet for dwellings built on the lots. Should restrictive covenants be used, they
1240 shall be in form satisfactory to the County Attorney and shall be recorded prior to
1241 recordation of the subdivision plat.

1242

1243 Mr. McGarry - Mr. Chairman, the case that was passed over is ready, if you are
1244 interested in going to that one.

1245

1246 Mr. Archer - Mr. Secretary, do you want to call the one that was passed over?

1247

1248 Mr. Marlles - Yes, sir. That's on page 8 of your agenda, POD-109-00, Air, Water &
1249 Soil Laboratories @ Villa Park.

1250

1251 **PLAN OF DEVELOPMENT (Deferred from the December 13, 2000, Meeting)**

1252

POD-109-00
Air, Water & Soil
Laboratories @ Villa Park

Jordan Consulting Engineers, P.C. for Air, Water & Soil Properties, 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, 15,000 square foot (with a future 14,200 square foot addition) office/warehouse building. The 4.214 acre site is located on the south side of Villa Park Drive, approximately 1,800 feet west of Brook Road (U.S. Route 1) on part of parcel 62-11B-1D. The zoning is O/SC, Office/Service District (Conditional). County water and sewer. **(Brookland)**

1253

1254 Mr. Archer - Is there anyone in the audience in opposition to POD-109-00, Air, Water

1255 & Soil Laboratories? No opposition. Mr. McGarry.

1256

1257 Mr. McGarry - The revised plan is on your screen. It is almost identical to the one
1258 that's in your packet. The most significant difference is the access drive through the parking
1259 lot and around the southern end of the building to the loading area. The drive has been
1260 reduced from 30 feet to 24. Staff can recommend approval of this revised plan subject to the
1261 standard conditions plus Nos. 9 and 11 amended, Nos. 23 through 31, No. 32 is on your
1262 addendum and we have crafted the following condition No. 33 regarding the neighbor's
1263 concern. So, staff recommends condition No. 33, which would read: All deliveries, loading or
1264 unloading activities in the loading area, including dumpsters, shall occur between the hours of
1265 7:00 a.m. and 9:00 p.m. I'll be happy to answer any questions you may have.

1266

1267 Mr. Archer - Are there any questions of Mr. McGarry by Commission members?

1268

1269 Ms. Dwyer - Could you go over the access that goes from B-3 through an A-1?
1270 There's obviously no statutory prohibition against an access road from a B-3 going to an A-1.
1271 I guess I'm concerned about the people from the car wash coming out and....

1272

1273 Mr. McGarry - Ms. Dwyer, I don't think that sounds like my case.

1274

1275 Ms. Dwyer - Oh, I'm sorry. I'm with you now.

1276

1277 Mr. Archer - Are there any further questions?

1278

1279 Ms. Dwyer - I don't have any questions on that.

1280

1281 Mr. Archer - Mr. Vanarsdall, do you need to hear from anybody?

1282

1283 Mr. Vanarsdall - No, I don't need to hear from the applicant.

1284

1285 Ms. Dwyer - Actually, I do have one question. The semi-volatile and the volatile
1286 organic instrument labs, what kinds of volatile things are going on in the lab? Do you know?
1287 I was just curious.

1288

1289 Mr. McGarry - I'll defer that to the engineer to see if he knows. Unfortunately, the
1290 people who are running the lab have left since we worked things out. But, maybe he can
1291 address it. And I have some notes on it so I'll pull them out.

1292

1293 Mr. Taylor - Let me try it. Normally the volatiles are gases, (naptas?), fluids that are
1294 easily volatile at their room conditions and temperature. So, I would guess that that would be
1295 that type of thing that they have to worry about and then the semi-volatiles will be heavier stuff
1296 like lubricating oils and the stuff you really don't detect an odor from. The volatiles are
1297 usually those that are pungent or aromatic and they volatize easily like gasoline.

1298

1299 Ms. Dwyer - Is there someone here who can speak exactly what this particular lab is

1300 going to be dealing with?

1301

1302 Mr. McGarry - I found some notes that I think will give you that information. This lab
1303 will not have any bacteria samples nor explosives and all chemicals will come in bottles no
1304 larger than 4 liters. That roughly a gallon. So, they aren't going to have any trucks coming in
1305 and unloading these huge tanks.

1306

1307 Ms. Dwyer - So, this is a testing lab, not an experimental kind of lab?

1308

1309 Mr. McGarry - Correct.

1310

1311 Mr. Archer - All right. Are there any further questions?

1312

1313 Mr. Vanarsdall - No. I move POD-109, Air, Water and Soil Laboratories @ Villa Park
1314 be approved with the standard conditions for developments of this type, the annotations on the
1315 plans, and then we have several conditions. Nos. 9 and 11 amended, and Nos. 23 through 31.

1316

1317 Mr. McGarry - Plus the addendum item No. 32 and then the verbal condition No. 33 that
1318 I gave at the beginning of my presentation.

1319

1320 Mr. Vanarsdall - Right. Thank you.

1321

1322 Mr. Jernigan - Second.

1323

1324 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Jernigan.
1325 All in favor say aye...all opposed say nay. The motion carries.

1326

1327 The Planning Commission approved POD-109-00, Air, Water & Soil Laboratories @ Villa
1328 Park, subject to the standard conditions for developments of this type, the annotations on the
1329 plan and the following additional conditions:

1330

1331 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Planning Office for
1332 review and Planning Commission approval prior to the issuance of any occupancy
1333 permits.

1334 11. **AMENDED** - Prior to the approval of an electrical permit application and installation
1335 of the site lighting equipment, a plan including depictions of light spread and intensity
1336 diagrams, and fixture specifications and mounting height details shall be submitted for
1337 Planning Office review and Planning Commission approval.

1338 23. The developer shall provide fire hydrants as required by the Department of Public
1339 Utilities and Division of Fire.

1340 24. The proffers approved as a part of zoning case C-87C-86 shall be incorporated in this
1341 approval.

1342 25. Any necessary off-site drainage and/or water and sewer easements must be obtained in
1343 a form acceptable to the County Attorney prior to final approval of the construction
1344 plans.

- 1345 26. Deviations from County standards for pavement, curb or curb and gutter design shall be
 1346 approved by the County Engineer prior to final approval of the construction plans by
 1347 the Department of Public Works.
- 1348 27. Insurance Services Office (ISO) calculations must be included with the plans and
 1349 approved by the Department of Public Utilities prior to the issuance of a building
 1350 permit.
- 1351 28. Approval of the construction plans by the Department of Public Works does not
 1352 establish the curb and gutter elevations along the Henrico County maintained right-of-
 1353 way. The elevations will be set by Henrico County.
- 1354 29. Prior to issuance of a building permit, the developer must furnish a letter from
 1355 Dominion Virginia Power stating that this proposed development does not conflict with
 1356 their facilities.
- 1357 30. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97 (b)
 1358 and Section 24-50.22(g) of the Henrico County Code.
- 1359 31. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
 1360 Planning Office and approved prior to issuance of a certificate of occupancy for this
 1361 development.
- 1362 32. Prior to construction plan approval for Phase 2, the developer shall provide a sight line
 1363 plan which would show the screening of all loading area facilities. Further, any
 1364 remedial screening necessary to meet the screening requirements of condition No. 30
 1365 shall be completed by the property owner.
- 1366 33. All deliveries, loading or unloading activities in the loading area, including dumpsters,
 1367 shall occur between the hours of 7:00 a.m. and 9:00 p.m.

1369 **PLAN OF DEVELOPMENT**

1370

POD-105-00
 Telegraph Car Wash -
 Brook Road (U.S. Route 1)

Balzer & Associates for East Coast Oil Corporation and Superwash: 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, 4,426 square foot, car wash with 8 self service bays and 1 automatic bay. The 1.25 acre site is located on the east line of Brook Road (U.S. Route 1), approximately 210 feet north of Mountain Road on parcel 53-A-24A. The zoning is B-3, Business District and A-1, Agricultural District. County water and sewer. **(Fairfield)**

1371

1372 Mr. Archer - All right.

1373

1374 Ms. Goggin - The applicant, Mr. Bialkowski, who told me I could call him Rod for my
 1375 inability to pronounce his last name correctly. He has addressed staff's concerns with the plan
 1376 as submitted, with the exception of water quality, which he did work out with Public Works.
 1377 The applicant has worked with Kim Vann, the Police planning, to eliminate possible crime
 1378 instigators on site. For example: There are not going to be any pay phone. There is not going
 1379 to be any vending not directly associated with the proposed use to help deter loitering. They
 1380 have also agreed to place a decorative fence around the property to help define boundaries and

1381 to help set a standard of development along Brook Road corridor. And I have a cut sheet of
1382 some propose fence design. Would you like for me to put them up?

1383

1384 Mr. Archer - I think that would be good, Ms. Goggin. Incidentally, is there anyone
1385 else here who is opposed to this plan? Did we satisfy the gentleman who was here earlier?

1386

1387 Ms. Goggin Yes, sir. The final design of the decorative fence will be decided at
1388 construction plan approval.

1389

1390 Mr. Archer - Ms. Goggin, may I interrupt you for a second?

1391

1392 Ms. Goggin - Yes, sir.

1393

1394 Mr. Archer - Wasn't there a reason why there was an open fence at first? Did that
1395 have to do with the Police Department request?

1396

1397 Ms. Goggin - Yes, sir. They suggested that it be an open fence because opaque solid
1398 board fences have a tendency to become graffitied.

1399

1400 Mr. Archer - So, that they can see what's going on, on the other side.

1401

1402 Ms. Goggin - I was going to say as a matter of fact, we talked about that with Mr.
1403 Chewning about why chain-link was suggested versus a board on board. He understood that,
1404 he just doesn't want to see the litter that may blow up against it. So, he said that screening,
1405 vegetative screening would be appropriate for him. I was going to say, the applicant did work
1406 out the issues with Public Works on the water quality, so that's okay. And staff recommends
1407 approval of the plan of development subject to the annotations on the plan, the standard
1408 conditions for developments of this type, the additional conditions and No. 9 amended so that
1409 the landscaping plan comes back before the Planning Commission to insure that Mr.
1410 Chewning's concerns are addressed.

1411

1412 Ms. Dwyer - Which fence style is being used?

1413

1414 Ms. Goggin - They are looking at one of these two, right here (referring to screen).
1415 To be on Brook Road and then the chain-link in the rear, that will be blocked by the building.
1416 A vinyl coated chain-link, not just metal.

1417

1418 Mr. Archer - And the vegetation would exist along that border?

1419

1420 Ms. Goggin - It would be along the east side of the property so the chain-link would be
1421 screened from the residence on Telegraph Road.

1422

1423 Mr. Archer - Ms. Goggin, I have one more question. Condition No. 27 says "The
1424 standard concrete sidewalk shall be provided along the west side of Brook Road." Is it the
1425 west side or the east side?

1426
1427 Ms. Goggin - It's on the east side. I'm sorry, I've been saying east and I meant to say
1428 west about the chain-link fence, I'm sorry west side.
1429
1430 Mr. Archer - The west side would be the opposite side of the road from the....
1431
1432 Ms. Goggin - Yes. I'm so sorry. The west side is the correct side for the sidewalk.
1433
1434 Mr. Archer - So, it should be the east side, then, right?
1435
1436 Mr. Taylor - On the plan the five-foot sidewalk is on the west side.
1437
1438 Mr. Archer - Yes, I know. I was just curious, that's the opposite side of the road
1439 from the car wash, right?
1440
1441 Mr. Taylor - That's on the Brook Road side.
1442
1443 Ms. Goggin - The side adjacent to Brook Road is where the sidewalk is going.
1444
1445 Mr. Vanarsdall - If you are standing in front of the property would it be on the left or the
1446 right?
1447
1448 Ms. Goggin - It would be on the western property line and the east side of Brook
1449 Road. So, No. 27 should be changed the east side of Brook Road.
1450
1451 Mr. Archer - That's all right, Ms. Goggin, no problem. I should have asked about it
1452 earlier but I didn't notice until just now. Ms. Dwyer, you had a question, did you not?
1453
1454 Ms. Dwyer - Well, it's kind of like the case involving a residential against M-1. I just
1455 look at the car wash in the intensity of that use and taking all that traffic and putting it out onto
1456 Telegraph Road where we have our existing residential uses. Although, I see that the A-1,
1457 which is used for residential, is surrounded by M-1 and B-3 so there is not a whole lot that we
1458 can do about that. I just had a concern about that.
1459
1460 Ms. Goggin - I was going to say that there is no access onto Telegraph Road. Those
1461 lines that are shown there were proposed utilities and easement but you can see on the east
1462 property line the curb and gutter.
1463
1464 Ms. Dwyer - I'm sorry, I misinterpreted the plan then. Okay. Then, no problem
1465 then.
1466
1467 Ms. Goggin - The engineer and the applicant are both here if you have any questions
1468 for them.
1469
1470 Ms. Dwyer - So, it's solely for utilities?

1471
1472 Ms. Goggin - Utilities and BMP.
1473
1474 Ms. Dwyer - Could they ever have an access drive to Telegraph Road through here?
1475
1476 Ms. Goggin - The way our zoning ordinance is written, you can't cross an A-1 to get
1477 to a B-2.
1478
1479 Ms. Dwyer - When I thought we were doing this case earlier, that was my concern. I
1480 think I'm straight now.
1481
1482 Ms. Goggin - It would have to be rezoned.
1483
1484 Ms. Dwyer - It would have to be rezoned to get vehicular access. Okay.
1485
1486 Mr. Archer - Are there any further questions? I don't need to hear from the applicant
1487 unless somebody else does.
1488
1489 Mr. Taylor - I just I've got one question in the numbers, Mr. Chairman. You stated
1490 there's a condition No. 9....
1491
1492 Mr. Archer - She's recommending that we add No. 9 amended.
1493
1494 Mr. Taylor - Is that on the addendum?
1495
1496 Mr. Archer - I don't know if it's in the addendum or not but I'm going to do it.
1497
1498 Mr. Vanarsdall - It's not on paper.
1499
1500 Mr. Archer - Ms. Goggin, I know you put a lot of hard work into this and we really
1501 do appreciate it. We've had several telephone conversations about this. This was pretty tough
1502 to get done. And I need to compliment the applicant also. Are there any further questions? If
1503 not, I recommend approval of POD-105-00, Telegraph Car Wash, subject to the standard
1504 conditions, staff's recommendations, No. 9 amended, added conditions Nos. 23 through 33,
1505 with the correction of condition No. 27 to show that the sidewalk will be on the east side of
1506 Brook Road and not the west side. Did I miss anything?
1507
1508 Mr. Jernigan - You got it.
1509
1510 Mr. Vanarsdall - Second.
1511
1512 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr. Vanarsdall.
1513 All in favor say aye...all opposed say nay. The motion carries.
1514
1515 The Planning Commission approved POD-105-00, Telegraph Car Wash - Brook Road (U.S.

1516 Route 1) subject to the standard conditions attached to these minutes for developments of this
1517 type, the annotations on the plans and the following additional conditions:

1518

1519 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Planning Office for
1520 review and Planning Commission approval prior to the issuance of any occupancy
1521 permits.

1522 23. The easements for drainage and utilities as shown on approved plans shall be granted to
1523 the County in a form acceptable to the County Attorney prior to any occupancy permits
1524 being issued. The easement plats and any other required information shall be submitted
1525 to the County Real Property Agent at least sixty (60) days prior to requesting
1526 occupancy permits.

1527 24. The entrances and drainage facilities on Brook Road (State Route 1) shall be approved
1528 by the Virginia Department of Transportation and the County.

1529 25. A notice of completion form, certifying that the requirements of the Virginia
1530 Department of Transportation entrances permit have been completed, shall be submitted
1531 to the Planning Office prior to any occupancy permits being issued.

1532 26. The developer shall provide fire hydrants as required by the Department of Public
1533 Utilities and Division of Fire.

1534 27. A standard concrete sidewalk shall be provided along the west side of Brook Road
1535 (State Route 1).

1536 28. Deviations from County standards for pavement, curb or curb and gutter design shall be
1537 approved by the County Engineer prior to final approval of the construction plans by
1538 the Department of Public Works.

1539 29. Insurance Services Office (ISO) calculations must be included with the plans and
1540 approved by the Department of Public Utilities prior to the issuance of a building
1541 permit.

1542 30. Approval of the construction plans by the Department of Public Works does not
1543 establish the curb and gutter elevations along the Virginia Department of Transportation
1544 maintained right-of-way. The elevations will be set by the contractor and approved by
1545 the Virginia Department of Transportation.

1546 31. The owner or manager on duty shall be responsible for temporarily closing the car
1547 facility when the on-site stacking space is inadequate to serve customer demand to
1548 prevent a backup of vehicles onto the public right-of-way. The owner shall arrange with
1549 the Traffic Engineer to provide standard traffic control signs to notify customers that
1550 stopping or standing on the public right-of-way shall not be permitted near the
1551 entrances to the car wash facility.

1552 32. A 42" fence shall be placed around the development area. The front (west) property
1553 line on Brook Road and sides extending east from Brook Road (approximately 200
1554 linear feet) shall be decorative in design while the rear area (east of the proposed curb
1555 and gutter) can be vinyl coated chain link. The fence detail will be submitted and
1556 approved within the final Plan of Development construction plans for signature.

1557 33. The conceptual master plan, as submitted with this application, is for planning and
1558 information purposes only. All subsequent detailed plans of development and
1559 construction plans needed to build the future automatic car wash bay may be
1560 administratively review and approved and shall be subject to all regulations in effect at

1561 the time such subsequent plans are submitted for review/approval.

1562

1563 **PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION**

1564

POD-4-01

Citizens & Farmers Bank -
Williamsburg Road

Engineering Design Associates for Oscar S. and Joyce C. Rickman; Gregg L. Conner; W. D. Cobb and Citizens & Farmers Bank: Request for approval of a plan of development and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code to construct a two-story, 3,600 square foot bank and future office space. The 1.00 acre site is located at 104 Williamsburg Road (U. S. Route 60). The zoning is B-1, Business District and ASO (Airport Safety Overlay) District. County water and sewer. **(Varina)**

1565

1566 Mr. Archer - Is there anyone in the audience in opposition to POD-4-01, Citizens &
1567 Farmers Bank? We have opposition. Mr. Kennedy.

1568

1569 Mr. Kennedy - The bank is 3,600 square feet and the office space is actually the second
1570 story. The building is to be built in a kind of residential style in keeping with the
1571 recommendations of the Sandston/Williamsburg Road Study. The transitional buffer
1572 requirement is required along the rear property line. It normally requires a 10-foot transitional
1573 buffer between residential property. In this case, the alternative is not available by right,
1574 normally. A 10-foot transitional buffers in some cases, by right, deviation is permitted and an
1575 alternative is permitted that permits fencing to reduce it. In this case they require specific
1576 deviation approval by the Planning Commission. So, it will need a separate approval for that.
1577 The landscape strip that they have between the parking and the adjoining property line, instead
1578 of it being 10 foot wide it would be approximately 8 foot wide. The applicant is requesting
1579 what would normally be the typical alternative, which would be to reduce the width of the
1580 landscape buffer by providing a fence as an alternative. So, they are submitting a vinyl picket
1581 fence along that property line, a five-foot-high vinyl picket fence. And they can still provide
1582 landscaping in that eight-foot strip. The park is angled, it's kind of a tight site, in order to get
1583 the parking in and get the circulation, they need to angle the parking and this deviation will
1584 keep the parking on that side. Then balance of this site is not shown as being developed.
1585 There are several buildings on this site. There are some old buildings which are pretty
1586 dilapidated. They will all be removed. They will clean up that block. It will be a good fresh
1587 start for that area. With that, staff can recommend approval. They need to address the
1588 transitional buffer deviation themselves as an alternative, as we indicated previously. If the
1589 deviation is not approved they do have the balance of the site to put parking in. However, it
1590 would preclude them from possible future development of the balance of the site. And with
1591 that, I'll let the applicant make their presentation.

1592

1593 Mr. Archer - All right. Thank you, Mr. Kennedy. Would the applicant come forward
1594 please?

1595 Ms. Isaac - Good morning, I'm Laraine Isaac with Engineering Design Associates.

1596

1597 Mr. Archer - Good morning, Ms. Isaac.

1598

1599 Ms. Isaac - A couple of other things happened on this site. When it was originally
1600 submitted, we did show the 10-foot buffer strip adjacent to the "R" district. We also had
1601 shown all of our one-way driveways at 18 feet, which permitted us to have the full 10-foot
1602 buffer. The fire department requested that those one-way driveways be increased to 20 feet,
1603 eating up more property. Also the Division of Police requested that we put a fence along that
1604 rear property line for security purposes. And they did want a fence put up that was not solid.
1605 They wanted to be able to have some visibility through it to make sure that no one was hiding
1606 behind it. It made sense. The bank saw that this was probably a very good idea. So, they
1607 approved the installation of the vinyl fence. With that fence, we would like to reduce the
1608 buffer requirement from the 10 foot that's required to the 8, which I think is going to achieve
1609 the same purpose. If we have a fence that people want to be able to see through, then we
1610 should provide near enough planting strip that they can actually see through it. I think it meets
1611 the intent of the Code. Those are my comments. If you've got any questions I'll be happy to
1612 answer them.

1613

1614 Mr. Archer - Thank you, Ms. Isaac. Are there any questions from the Commission?

1615

1616 Mr. Taylor - Ms. Isaac, do you have an elevation view of what that fence is going to
1617 look like for the Commission?

1618

1619 Ms. Isaac - No, sir. All I've been told is that it's a white, vinyl, picket fence and
1620 that every other picket will be removed for visibility. A standard dog ear picket fence.

1621

1622 Mr. Taylor - Will it be a wide picket?

1623

1624 Ms. Isaac - It's about a six-inch picket, I believe. We will be able to provide details
1625 with the landscape plan.

1626

1627 Mr. Taylor - So, with the wide pickets like that, I guess you are going to spread the
1628 pickets out so that you can see through.

1629

1630 Ms. Isaac - Every other picket will be removed.

1631

1632 Ms. Dwyer - What conversations have you had with the Barnes who live adjacent to
1633 this?

1634

1635 Ms. Isaac - None. This is the first I knew that there was any opposition to the case.

1636

1637 Ms. Dwyer - What about this extra property on the page to the right?

1638

1639 Ms. Isaac - There are absolutely no plans for this property. The bank has no plans.
1640 There are three parcels that they are buying and they are developing that portion of the site that

1641 they need.

1642

1643 Ms. Dwyer - I'm just wondering, since you're backing right up to residential, maybe
1644 you could spread the design out a little bit and use some of the vacant property and pull the
1645 development away from the residential.

1646

1647 Ms. Isaac - The bank wanted the property developed as it is because of not knowing
1648 what could be provided on the remainder of the property.

1649

1650 Ms. Dwyer - So, they want to reserve that for future development, is that what you are
1651 saying?

1652

1653 Ms. Isaac - Yes. And in not knowing what possibly uses there are that by keeping
1654 their site as tight and compact on that corner as possible allows more variety on the remainder
1655 of the property.

1656

1657 Ms. Dwyer - And pushes the development right up against the residential.

1658

1659 Ms. Isaac - I don't know if there is any way around that, even with spreading it
1660 sideways, that we still have to deal with those driveway widths and for circulation. And, I
1661 don't think spreading the development out is going to have any impact on the depth.

1662

1663 Ms. Dwyer - I'm just wondering if the building could be narrower and longer,
1664 achieving the same square footage but giving you more space between the development and the
1665 residential.

1666

1667 Ms. Isaac - It's very possible. I know the bank has been drawn to meet those needs
1668 of the bank. And this is very similar to the building they have on New Market and Strath
1669 Roads. It has to function internally to the best of the bank being able to provide services to the
1670 public and to its clients. So, I think when you say, you know, can the building be redesigned,
1671 I think any building can be redesigned, whether that redesign meets the intent of the needs of
1672 the company is different. So, I would say that it can be redesigned but I don't think it is really
1673 feasible at this point.

1674

1675 Mr. Archer - All right. Are there any further questions? Thank you, Ms. Isaac. We
1676 had opposition, did we not?

1677

1678 Mr. Kennedy - Yes, sir.

1679

1680 Mr. Archer - All right, sir, you can now come forward. When you reach the podium,
1681 sir, please state your name clearly and give your address.

1682

1683 Mr. Barnes - Mr. Chairman, Mrs. Chairman. I'm Mr. Andrew Barnes and I live at 2
1684 Garland Avenue, which is right behind where that bank is planned on being built. The thing
1685 is, there's a Race Trac on Garland Avenue right now. What kind of a buffer zone are they

1686 going to put up there? My yard is on an angle, it's not a square yard, and by the looks of this
1687 plan they are showing it as straight yard, but it is not.

1688

1689 Mr. Archer - Sir, is that your house that we see in the center of the screen?

1690

1691 Mr. Barnes - I live on 2 Garland Avenue, which is right behind this lot.

1692

1693 Mr. Jernigan - Mr. Chairman, excuse me. I've been by there. His house is
1694 approximately 70 feet from the property line, 60 to 70 feet. And it sits back off the road
1695 maybe come in about half way in that lot.

1696

1697 Mr. Barnes - Let me ask a question. Where are they going to access to get to the
1698 bank? One is going to be on Garland Avenue and one is going to be on Williamsburg Road.
1699 So, there will be trouble getting off of Garland Avenue.

1700

1701 Mr. Kennedy - The way the traffic is set up it exit primarily on Garland, it's one way.
1702 There is an entrance here that will feed through the drive and then turnaround and stack here,
1703 behind the building. They won't be stacking from Garland, it would stack around the back of
1704 the building. This doesn't show it, but they are required to provide curb and gutter
1705 improvements to Garland Avenue and do some minor widening on Garland Avenue. That's a
1706 condition of the approval.

1707

1708 Mr. Barnes - That will be on my side of the yard too, then, right?

1709

1710 Mr. Kennedy - Actually, they will provide curb and gutter on this side of the street to
1711 widening it (pointing to the plan).

1712

1713 Mr. Barnes - Well, what about my house and all through there?

1714

1715 Mr. Kennedy - They are not anticipating any traffic from Garland, they are anticipating
1716 their traffic coming from Williamsburg Road and exiting Garland Avenue.

1717

1718 Mr. Barnes - See, I haven't seen the plan I just heard that they were making a decision
1719 to buy it. That's the only thing I knew about it.

1720

1721 Mr. Kennedy - The applicant should have submitted something to you.

1722

1723 Mr. Barnes - Well, they just said the land was up for sale and that was it. I've been
1724 living there for almost 30 years and I plan on living there until I retire, which will be in a few
1725 more years.

1726

1727 Mr. Jernigan - Mr. Barnes, are you against the bank altogether?

1728

1729 Mr. Barnes - Well, I know Williamsburg Road had been put up for business zoning
1730 years ago, from what I understand. Anything that goes up for sale is supposed to be for a

1731 business from what I've been told years ago, when Mr. Mehfoud was living, the whole
1732 Williamsburg Road, when he was alive years ago. I presume anything on Williamsburg Road
1733 that goes up now is supposed to be business.

1734

1735 Mr. Jernigan - Well, most of the fronting property is going to be that way, and that kind
1736 of falls along with the plans for the County for the future. I was by your house one day last
1737 week, but it was a quarter to eight and I didn't want to interrupt you at that time.

1738

1739 Mr. Barnes - Well, for one thing, we have been having some work done on the house
1740 and nobody was there. We are living with my daughter right now in Chesterfield.

1741

1742 Mr. Jernigan - Well, the door was open and I saw it, but I didn't want to come up at
1743 that time of the morning to talk to you.

1744

1745 Mr. Barnes - Was it on a Saturday or something like that?

1746

1747 Mr. Jernigan - No, it was during the week.

1748

1749 Mr. Barnes - During the week?

1750

1751 Mr. Jernigan - Yes. What you are looking at now, do you agree that this is going to be
1752 an asset to the community? And I realize that you may not want the bank there, but it's going
1753 to look a whole lot better than what you are looking at now.

1754

1755 Mr. Barnes - And it's going to be a two-story bank?

1756

1757 Mr. Jernigan - Yes, sir. An office on the second floor.

1758

1759 Mr. Taylor - Do we have a color elevation rendering of the bank?

1760

1761 Mr. Kennedy - No.

1762

1763 Mr. Jernigan - It's in the plans.

1764

1765 Mr. Taylor - Yes, but it's not in color. I was interested to see what if any color has
1766 been selected by the bank.

1767

1768 Ms. Dwyer - Mr. Barnes, have you seen the elevations as to what the building is going
1769 to look like?

1770

1771 Mr. Archer - Is it possible to put it on the screen?

1772

1773 Mr. Kennedy - Yes.

1774

1775 Mr. Archer - Mr. Barnes, does that help you at all any?

1776
1777 Ms. Dwyer - It looks like they tried to make it residential.
1778
1779 Mr. Jernigan - It has the Colonial look is what they are trying to achieve.
1780
1781 Mr. Barnes - All right, but I've got one question. I heat by wood, sir. I heat my
1782 house by wood. So what would that cause? I still heat by wood. All of a sudden I get a
1783 notice on my door saying wood can't be used no more.
1784
1785 Mr. Jernigan - I don't know why you would receive that.
1786
1787 Mr. Barnes - Well, I know they wouldn't but you never know. That's why, right now
1788 I've got wood stacked up. I've still got some more to split.
1789
1790 Mr. Jernigan - You would be concerned about a fire starting or sparks?
1791
1792 Mr. Barnes - Yes, or people running through the yard and stuff like that, or trash. I
1793 have trouble with children running through the yard now.
1794
1795 Mr. Taylor - On the plans it indicates that the material will be vinyl siding and with a
1796 brick foundation and the roof shingles to be heavy texture asphalt. I think they will be
1797 reasonable fire retardant and I can't understand why an adjacent property owner wouldn't be
1798 able to have a fire place or burn wood - as long as you don't have hazardous piles of wood.
1799
1800 Mr. Kaechele - There's no ordinance against that.
1801
1802 Mr. Archer - Not to my knowledge.
1803
1804 Mr. Jernigan - You can burn wood.
1805
1806 Mr. Kennedy - And there a fence here going to be provided to keep people from going
1807 through your yard.
1808
1809 Mr. Barnes - All right. And, also to keep trash and all coming through too.
1810
1811 Mr. Kennedy - Typically, a bank doesn't generate as much trash like a fast food
1812 restaurant.
1813
1814 Mrs. Barnes - Now, is this facing Williamsburg Road that we are seeing here?
1815
1816 Mr. Archer - Pardon me, ma'am, would you identify yourself please for the record.
1817
1818 Mrs. Barnes - Oh, I'm sorry. I'm Martha Barnes, 2 Garland Avenue in Sandston. I
1819 understand from the plans that I saw that the bank's property will be parallel to ours on one
1820 side and then coming around to the back of our property. So we are going to be surrounded by

1821 development either way we go. And the parking lot is going to be parallel to us, is this
1822 correct?

1823

1824 Mr. Kennedy - The parking lot is right here (referring to rendering) and here is your
1825 property.

1826

1827 Mrs. Barnes - So, it's parallel to us.

1828

1829 Mr. Kennedy - This is along Williamsburg and this is your property here (referring to
1830 rendering) and this is the bank and you are facing (unintelligible) and then there is going to be
1831 a line of trees there and up to there which is (unintelligible).

1832

1833 Mrs. Barnes - Well, that helps some.

1834

1835 Mr. Kennedy - And along here, there (referring to the plan) will be a white, vinyl, board
1836 fence. Now if you wish, you can ask for a different type of fence or landscape controls for
1837 this buffer, so that you have buffer from that site to the bank. But, you won't be shielded from
1838 both sides. That's what it would look like coming from your property.

1839

1840 Mrs. Barnes - Okay. We understand a little bit more than we did because we had not
1841 seen the plan, so now we are getting an understanding of how things will be.

1842

1843 Mr. Archer - That's why we are here, ma'am.

1844

1845 Mr. Jernigan - Does that look okay to you, Mrs. Barnes?

1846

1847 Mrs. Barnes - Well, I'm against development of any type, but that's my personal
1848 standard. That's just the way I feel about it. If I were in charge of the world there would be
1849 no progress, but be that as it may, that's my personal preference. I don't want anything next
1850 to me. I don't want any of that. But, that's what we will get and there's nothing I can do
1851 about it. We realize there's nothing we do, except to express our opinion.

1852

1853 Mr. Marlles - If you have any specific questions you might want to address them to the
1854 Commission now that you have a better understanding of the plan.

1855

1856 Mrs. Barnes - I have no more questions.

1857

1858 Mr. Vanarsdall - Do you know how to get in touch with Mr. Jernigan, the Commissioner
1859 for the district?

1860

1861 Mrs. Barnes - Yes, sir.

1862

1863 Mr. Taylor - And Mr. and Mrs. Barnes, I want to point out again, although the plan
1864 shows that there are plantings along your backyard, and then there's a fence. What is shown on
1865 the plans is a white, vinyl, upright, picket fence. I'm sure that the applicant would be willing

1866 to discuss that fence and the shrubbery to make sure that it is acceptable to you and refine that
1867 in a final design. And I would encourage you to work with Ms. Isaac and coming up with any
1868 thoughts you might have as to what you would seek to make it really attractive.

1869

1870 Mr. Barnes - I understand, most likely all them trees that runs on the line right now,
1871 will all have to come down too.

1872

1873 Mr. Taylor - You really can't tell that from the plan, sir. Is that treed now?

1874

1875 Mr. Barnes - Yes. There's about five along the line, which are wild cherry trees.

1876

1877 Mr. Taylor - Are the trees, sir, on your property or are they on the bank's property?

1878

1879 Mr. Barnes - The majority of them are on the other side.

1880

1881 Mr. Taylor - Well, certainly some would come down to allow for the parking but they
1882 will be replaced by a series of trees. And I think if you work with the applicant they will be
1883 able to work something out to your satisfaction both in the nature and color of the fence and
1884 then the nature and color of the trees.

1885

1886 Mr. Barnes - I know one of the trees is mine and the other one may be splitting the
1887 line, the way the line runs on an angle, it's not a square.

1888

1889 Mr. Kennedy - But there are two large oaks in the front that will be saved.

1890

1891 Mr. Barnes - Two oaks?

1892

1893 Mr. Kennedy - Yes. If you look at the plan up on the screen there are two large oak
1894 trees, 36-inch oak trees, here and here (referring to screen).

1895

1896 Mr. Barnes - Those are not on my property anyway, they are out on Williamsburg
1897 Road. What I was talking about is on the back side, which is on our line and the other lines.

1898

1899 Mr. Taylor - Sir, do you have any other questions for the Commission?

1900

1901 Mr. Barnes - No, sir.

1902

1903 Mr. Archer - Thank you so much for coming down. All right. Are there any other
1904 further questions or are we ready for a motion?

1905

1906 Mr. Jernigan - We have to make a motion for the deviation.

1907

1908 Mr. Kennedy - Yes, separate motions.

1909

1910 Mr. Archer - Ms. Isaac, do you have anything you want to say? One, second, Mr.

1911 Jernigan.

1912

1913 Ms. Isaac - I just want to emphasize what was stated here, that we will be happy to
1914 work with them on trying to come up with a fence design and an acceptable buffer strip. And
1915 it may be that we have to change the kind of fence that I testified to earlier that we would
1916 provide, and I think that this can be a part of the landscape plan, the details. I mean, we have
1917 agreed to put a fence and the details of that fence and, of course, the landscaping to be
1918 provided can be deferred to the landscape plan and that would give us all an opportunity to
1919 make sure that everyone is happy with the final outcome.

1920

1921 Mr. Archer - Okay. That's what they wanted to hear and to get it on the record that
1922 you are willing to work with the neighbors. Thank you, very much. All right, Mr. Jernigan.
1923 I'm sorry, I didn't mean to interrupt you.

1924

1925 Mr. Jernigan - That's all right. I guess at this time, I would like to move for approval
1926 of a deviation of two foot on the setback....

1927

1928 Mr. Marlles - Transitional buffer.

1929

1930 Mr. Jernigan - I'm sorry, transitional buffer on POD-4-01.

1931

1932 Mr. Vanarsdall - Second.

1933

1934 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mr. Vanarsdall.
1935 All in favor say aye...all opposed say nay. The motion carries.

1936

1937 The Planning Commission approved the transitional buffer deviation for POD-4-01, Citizens &
1938 Farmers Bank - Williamsburg Road.

1939

1940 Mr. Jernigan - And, Mr. Chairman, I'd like to move for approval of POD-4-01 subject
1941 to the annotations on the plans and standard conditions for developments of this type.

1942

1943 Mr. Vanarsdall - And you want to state your numbers for the additional conditions on the
1944 agenda.

1945

1946 Mr. Jernigan - Oh, excuse me. With added conditions Nos. 23 through 32.

1947

1948 Ms. Dwyer - Would you like to bring the landscape plan back to the Commission?
1949 You can require that.

1950

1951 Mr. Jernigan - Yes, ma'am. We will check with the Barnes and make sure that the
1952 landscape plan meets to their approval.

1953

1954 Ms. Dwyer - So, that would be No. 9 amended.

1955

1956 Mr. Jernigan - Yes, No. 9 amended.
1957
1958 Mr. Taylor - Second.
1959
1960 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mr. Taylor. All
1961 in favor say aye...all opposed say nay. The motion carries.
1962
1963 The Planning Commission approved POD-4-01, Citizens & Farmers Bank - Williamsburg
1964 Road, subject to the standard conditions attached to these minutes, the annotations on the plans
1965 and the following additional conditions:
1966
1967 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Planning Office for
1968 review and Planning Commission approval prior to the issuance of any occupancy
1969 permits.
1970 23. The easements for drainage and utilities as shown on approved plans shall be granted to
1971 the County in a form acceptable to the County Attorney prior to any occupancy permits
1972 being issued. The easement plats and any other required information shall be submitted
1973 to the County Real Property Agent at least sixty (60) days prior to requesting
1974 occupancy permits.
1975 24. The entrances and drainage facilities on (U.S. Route 60) shall be approved by the
1976 Virginia Department of Transportation and the County.
1977 25. A notice of completion form, certifying that the requirements of the Virginia
1978 Department of Transportation entrances permit have been completed, shall be submitted
1979 to the Planning Office prior to any occupancy permits being issued.
1980 26. Any necessary off-site drainage and/or water and sewer easements must be obtained in
1981 a form acceptable to the County Attorney prior to final approval of the construction
1982 plans.
1983 27. Deviations from County standards for pavement, curb or curb and gutter design shall be
1984 approved by the County Engineer prior to final approval of the construction plans by
1985 the Department of Public Works.
1986 28. In the event of any traffic backup which blocks the public right-of-way as a result of
1987 congestion caused by the drive-up teller facilities, the owner/occupant shall close the
1988 drive-up teller facilities until a solution can be designed to prevent traffic backup.
1989 29. Insurance Services Office (ISO) calculations must be included with the plans and
1990 approved by the Department of Public Utilities prior to the issuance of a building
1991 permit.
1992 30. Approval of the construction plans by the Department of Public Works does not
1993 establish the curb and gutter elevations along the Henrico County maintained right-of-
1994 way. The elevations will be set by Henrico County.
1995 31. Approval of the construction plans by the Department of Public Works does not
1996 establish the curb and gutter elevations along the Virginia Department of Transportation
1997 maintained right-of-way. The elevations will be set by the contractor and approved by
1998 the Virginia Department of Transportation.
1999 32. The conceptual master plan, as submitted with this application, is for planning and
2000 information purposes only. All subsequent detailed plans of development and

2001 construction plans needed to implement this conceptual plan may be administratively
2002 reviewed and approved and shall be subject to all regulations in effect at the time such
2003 subsequent plans are submitted for review/approval.

2004

2005 Mr. Marlls - Mr. Chairman, our next case is the last case on the agenda.

2006

2007 **LANDSCAPE PLAN**

2008

LP/POD-9-00
Lakeland Townes, Section C

Peace Nurseries for Laurel Lakes Associates: Request for approval of a landscape plan as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 8.025 acre site is located on the southeast corner of the intersection of Hungary Road and Hungary Spring Road on parcels 50-21-R-1 through 50-21-AA-6 (including 60 parcels) and 50-21-C. The zoning is RTHC, Residential Townhouse District (Conditional) and C-1C, Conservation District (Conditional). **(Brookland)**

2009

2010 Mr. Archer - Is there anyone in the audience in opposition to this landscape plan? We
2011 have opposition. Ms. News.

2012

2013 Ms. News - The plan before you has been recommended by staff for approval,
2014 however, an adjacent neighbor has requested that something be done to increase the buffering
2015 at the corner of Hungary Spring Road and Hungary Road. This neighbor lives caddy-corner,
2016 on the northwest corner of the intersection, and has expressed concerns regarding noise and
2017 trash. He originally wanted some additional planting on his property. However, the parties
2018 have met in the hallway and the applicant has agreed to revise his plan to change all of the
2019 shrubs on the corner to large evergreen shrubs in lieu of the junipers and burning bush, and
2020 adjust the plantings to accommodate sight distance. There are also deciduous and evergreen
2021 trees proposed on this same corner. The neighbor has indicated that he can agree with these
2022 changes, therefore staff can recommend approval of the plan with revised planting species on
2023 the corner. Staff has agreed to provide the neighbor with a copy of the plan, to provide it prior
2024 to final signature, to make sure he is satisfied. I'll be happy to answer any questions. And
2025 both the neighbor, Mr. Pulling, and the applicant are available if you need additional
2026 information.

2027

2028 Mr. Archer - Thank you, Ms. News. Are there any questions from the Commission?

2029

2030 Ms. Dwyer - How far around the corner will the additional taller evergreens be
2031 planted? How many feet along Hungary?

2032

2033 Ms. News - What we talked about was, basically, along Hungary Road to the end of
2034 Lot 1, that where we have the burning bush and the juniper and then it jumps up to bayberry
2035 from that side all the way around to about half, to basically where the house starts on the side
2036 on Hungary Spring Road, in that area. The applicant also indicated that, it's an owner option,

2037 but most likely there will be a fence around the rear of this property. The circles you see next
2038 to lot 1, all of those are evergreen trees and then out in the buffer that will be large evergreen
2039 shrubs as well as some deciduous trees or some crepe myrtles and a London Plane Tree in
2040 there. They have showed all the planting within the 10-foot planting strip easement but they
2041 actually have flexibility to pull that back as needed. We will work with the traffic engineer. It
2042 shouldn't be too difficult because there is a traffic signal and we don't have traffic coming
2043 from that side over there.

2044

2045 Ms. Dwyer - So, when you say comes around to where the house begins, do you mean
2046 the townhouse on this property?

2047

2048 Ms. News - Yes, the rear of the structure.

2049

2050 Mr. Vanarsdall - We will need to hear from the applicant, Mr. Chairman, because we
2051 have opposition.

2052

2053 Mr. Archer - All right. Are there any other questions for Ms. News by the
2054 Commission? Thank you, ma'am. Will the applicant please come down?

2055

2056 Mr. Staufer - I'm Greg Staufer with Ryan Homes, production manager.

2057

2058 Mr. Vanarsdall - The reason I asked for you is because you have a gentleman behind you
2059 that has some questions. Thank you.

2060

2061 Mr. Pulling - My name is Lee Pulling and I own the property at 8100 Hungary Road.
2062 This gentleman has accommodated my request as far as additional evergreens and I'm satisfied
2063 with the resolution.

2064

2065 Mr. Vanarsdall - You all have already got straight?

2066

2067 Mr. Pulling - Yes, sir.

2068

2069 Mr. Vanarsdall - Thank you, Lee.

2070

2071 Mr. Archer - All right. Are there any other questions, Mr. Vanarsdall?

2072

2073 Mr. Vanarsdall - I'm ready. I move LP/POD-9-00, Lakeland Townes, Section C, be
2074 approved, recommended by staff, and the annotations on the plan and the standard conditions
2075 for landscape plans.

2076

2077 Mr. Taylor - Second.

2078

2079 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Taylor.
2080 All in favor say aye...all opposed say nay. The motion carries.

2081 The Planning Commission approved the landscape plan for LP/POD-9-00, Lakeland Townes,

2082 Section C, subject to the standard conditions for landscape plans attached to these minutes.

2083

2084 Mr. Marles - Mr. Chairman, we have a request that will be presented by Mr. O'Kelly.

2085 It's a resolution to amend the zoning ordinance to allow by provisional use permit an increase

2086 in certain building heights in the B-3 District. Mr. O'Kelly.

2087

2088 Mr. Archer - Mr. O'Kelly, can you give us some idea how long your presentation
2089 might be?

2090

2091 Mr. O'Kelly - Hopefully, no more than a few minutes, Mr. Chairman.

2092

2093 Mr. Vanarsdall - Oh, do you want to take a break? I get the hint.

2094

2095 Mr. O'Kelly - I can be as brief as you like.

2096

2097 Mr. Archer - Is that okay with the Commission? All right. Let's press on, sir.

2098 **RESOLUTION - To Amend the Zoning Ordinance to Allow by Provisional Use Permit an**
2099 **Increase in Certain Building Heights in The B-3 Business District**

2100

2101 Mr. O'Kelly - The Commission is currently aware that in the B-3, Business District,
2102 buildings in excess of 45 feet up to 110 feet in height, which is the maximum building height
2103 permitted in County, anything over 45 feet must be approved as a special exception. The
2104 proposal that this resolution would introduce is for permitting taller structures for
2105 entertainment facilities, such as coliseums, stadiums and racetracks. If the Board of
2106 Supervisors desire to permit a taller structure, greater than 110 feet, it could be done through a
2107 provisional use permit.

2108

2109 As you are aware, Richmond International Raceway has been working on a master plan for
2110 expansion and those concept plans have been shared with both the Board and Planning
2111 Commission members. The expansion plans for the racetrack would require this amendment.
2112 There are representatives of the Richmond International Raceway available this morning for
2113 discussion if necessary. The staff would like to provide a few dates to the Commission for
2114 possible consideration of an amendment. And probably the earliest we could have an
2115 amendment advertised would be for your February 28, 2001, POD meeting. However, there
2116 has been some discussion about perhaps it will be better to have the proposal submitted to the
2117 Commission at one of your night meetings, and the earliest night meeting we could advertise
2118 this for would be your March 9 meeting. That would give you an opportunity, if you so
2119 desire, to perhaps have a work session at your February 28 meeting.

2120

2121 Mr. Archer - That's March 8, actually.

2122

2123 Mr. O'Kelly - I'm sorry, we must have a mistake on our Planning Commission
2124 calendar. I'm sorry, I'm looking at a 2000 calendar.

2125

2126 Mr. Archer - That'll do it.

2127

2128 Ms. Dwyer - I think we have some ghost here today in our paperwork.

2129

2130 Mr. Vanarsdall - What is the question?

2131

2132 Mr. Archer - We actually moved that date, Mr. Vanarsdall, to accommodate the APA
2133 Conference. Normally it would have been the 15th but it is the 8th.

2134

2135 Ms. Dwyer - That sounds fine.

2136

2137 Mr. O'Kelly - The public hearing on the 8th?

2138

2139 Ms. Dwyer - Do we know what our agenda in March is going to be like.

2140

2141 Mr. Marlles - I'm not sure if we do or not at this point, Ms. Dwyer.

2142

2143 Mr. Archer - It probably would be better at the night meeting.
2144

2145 Mr. Vanarsdall - Well, what is our conclusion?
2146

2147 Ms. Dwyer - Let's do it at the rezoning meeting on March 8.
2148

2149 Mr. O'Kelly - And a work session on February 28, if necessary.
2150

2151 Ms. Dwyer - On the 28th.
2152

2153 Mr. O'Kelly - Yes, the 28th.
2154

2155 Mr. Marlles - Mr. Chairman, to help the Commission determine whether or not they
2156 would like to have a work session, we can send out a draft of the proposed ordinance
2157 amendment and maybe some background information explanation to the Commission. And the
2158 Commission could get back to staff as to whether you feel you need to have a work session. I
2159 don't think you need to determine now whether you want to have a work session on it.
2160

2161 Mr. Archer - That's a good suggestion, Mr. Secretary.
2162

2163 Ms. Dwyer - Do we have to set a work setting in an official meeting?
2164

2165 Mr. Silber - Yes.
2166

2167 Ms. Dwyer - Randy, said yes. So, we couldn't set the work session until our zoning
2168 meeting in February and we will have time to advertise the work session for the February 28
2169 meeting. Would we have time to do that?
2170

2171 Mr. Silber - No. So, that wouldn't work, Mr. Marlles.
2172

2173 Mr. Marlles - Well, maybe we can tentatively schedule a work session and the
2174 Commission can, after reviewing the information, decide whether or not they want to have a
2175 work session.
2176

2177 Mr. Archer - Do that today, is that what you are saying?
2178

2179 Mr. Marlles - Yes, that's fine.
2180

2181 Ms. Dwyer - But if we decide to do it and then cancel it, we would have advertised it
2182 already, right?
2183

2184 Mr. O'Kelly - It's not advertised, not work sessions. Usually we notify interested
2185 individuals that might be interested in the work session item.
2186

2187 Ms. Dwyer - Do you put the work sessions on the web site?

2188 Mr. O'Kelly - Yes, and your agenda will be on the web site as well. So, we need a
2189 motion, Mr. Chairman, to approve the resolution, setting a public hearing on March 8 and a
2190 date for a work session at your POD meeting in February.
2191

2192 Mr. Archer - So, we need a motion on the resolution first.
2193

2194 Mr. Vanarsdall - So, when is the public hearing?
2195

2196 Ms. Dwyer - March 8.
2197

2198 Mr. Vanarsdall - And what time?
2199

2200 Mr. Archer - Do you think we need to schedule it early, Mr. Secretary?
2201

2202 Mr. Marlles - I don't believe so, Mr. Chairman.
2203

2204 Mr. Archer - Start at the regular time, 7:00 p.m.?
2205

2206 Mr. Marlles - Yes.
2207

2208 Mr. Vanarsdall - At 7:00 p.m. on March 8. When is the work session?
2209

2210 Ms. Dwyer - February 28.
2211

2212 Mr. Vanarsdall - I know but when?
2213

2214 Mr. O'Kelly - At the end of the POD meeting.
2215

2216 Mr. Vanarsdall - All right. At the end of the day. All right. I've got it.
2217

2218 Mr. Archer - Do I need to make a motion on the resolution or can anyone do it?
2219

2220 Mr. O'Kelly - Mr. Chairman, before you do make a motion, I indicated that council for
2221 Richmond International Raceway, Andy Conlin, is present. I don't know whether or not you
2222 would like to hear from him before you make a motion or not, but he is available.
2223

2224 Mr. Archer - We will hear from Mr. Conlin, we might change our minds. Mr.
2225 Conlin, if you care to say anything we'll be happy to hear from you. All right. They
2226 declined, Mr. O'Kelly.
2227

2228 Mr. O'Kelly - Then a motion would be in order.
2229

2230 Ms. Dwyer - Are we moving just for the resolution?
2231

2232 Mr. O'Kelly - Yes.

2233

2234 Ms. Dwyer - And not the dates yet, that's a second motion, right?

2235

2236 Mr. Archer - I think that would be proper.

2237

2238 Ms. Dwyer - I move that the Commission approve the resolution to direct staff to
2239 initiate a study in recommendation relating to amending building heights in B-3 districts.

2240

2241 Mr. Vanarsdall - Second.

2242

2243 Mr. Archer - The motion was made by Ms. Dwyer and seconded by Mr. Vanarsdall.

2244 All in favor say aye...all opposed say nay. The motion carries.

2245

2246 The Planning Commission approved the resolution to direct staff to initiate a study in
2247 recommendation relating to amending building heights in B-3 Districts.

2248

2249 Mr. Archer - And now we need a motion on setting the tentative work session.

2250

2251 Ms. Dwyer - I move that we set a work session to consider this resolution at the end of
2252 our POD meeting on February 28, 2001. We will set a public hearing to do the same at 7:00
2253 p.m. on March 8, 2001.

2254

2255 Mr. Archer - Thank you, Ms. Dwyer.

2256

2257 Mr. Taylor- Second.

2258

2259 Mr. Archer - The motion was made by Ms. Dwyer and seconded by Mr. Taylor. All
2260 in favor say aye...all opposed say nay. The motion carries.

2261

2262 The Planning Commission approved the setting of a tentative work session on the resolution
2263 for building heights in B-3 Districts for the February 28, 2001, meeting and a public hearing
2264 for March 8, 2001, at 7:00 p.m.

2265

2266 Mr. Marlles - Mr. Chairman, before we move on to the minutes. Mr. Strauss, would
2267 you join Mr. O'Kelly at the podium for a minute. Mr. Chairman, and members of the
2268 Commission, I think you all are aware that last night the Board took action on the plan of
2269 development for the State Fair Park. That's a project that spans well over 14 months and
2270 certainly involved a lot of effort on both the part of the Board, the Planning Commission and
2271 staff. But I would just like to point out and commend both Mr. O'Kelly and Mr. Strauss for
2272 the work that they have put on the plan of development. I can tell you it took many hours of
2273 effort on their part, including working on weekends to get that plan into a state where the
2274 Board could take action on it and I do think that they need to be publicly acknowledged for the
2275 efforts that they have made.

2276

2277 Mr. Kaechele - Mr. Chairman, I would just like to second that on behalf of the Board of

2278 Supervisors, the respect for the staff's efforts here as well as the Commission. It's been a long
2279 argurus process and very sensitive to many people, but at the conclusion last night I think
2280 everybody was happy to have it over with.

2281

2282 Mr. O'Kelly - Thank you, Mr. Kaechele.

2283

2284 Mr. Archer - Thank you for those remarks, Mr. Kaechele. And to you gentlemen, we
2285 wish the applauds could have been louder but that's the best you can do with a small crowd.

2286

2287 Mr. Vanarsdall - Mr. Chairman, I would like to mention that Mr. Andy Conlin had been
2288 in the hospital and I see that he is here today and he looks good.

2289

2290 Mr. Archer - Glad to see you, Andy. All right, we have one more item, I believe, do
2291 we not Mr. Secretary?

2292

2293 Mr. Marlles - Yes, sir. It's for the minutes of the December 13 meeting.

2294

2295 Ms. Dwyer - I have no changes.

2296

2297 Mr. Vanarsdall - I have none.

2298

2299 Mr. Archer - Neither do I.

2300

2301 Mr. Vanarsdall - Then, I make a motion that we approve the minutes as read.

2302

2303 Mr. Taylor - I'll second that.

2304

2305 Mr. Archer - The motion was made by Mr. Vanarsdall to approve the minutes and
2306 seconded by Mr. Taylor. All in favor say aye...all opposed say nay. The motion carries.

2307

2308 The Planning Commission approved the minutes of the December 13, 2000, Planning
2309 Commission meeting.

2310

2311 Mr. Marlles - Mr. Chairman, before we adjourn I would like to make one other quick
2312 announcement. I would also like to recognize Leslie News who was our department's nominee
2313 for a new program that was announced by the County Manager earlier this fall "The
2314 Excellence in Public Service Award." Ms. News was actually nominated by the members of
2315 the Planning Office for her outstanding customer service and public service and I was negligent
2316 in not mentioning her as well.

2317

2318 Mr. Archer - Congratulation, Ms. News.

2319

2320 Mr. Vanarsdall - I certainly agree with that in my dealings with her.

2321

2322 Mr. Archer - And, Ms. Goggin, congratulations on getting through your fist meeting.

2323 Ms. Goggin - Thank you.
2324
2325 Ms. Dwyer - I move we adjourn.
2326
2327 Mr. Vanarsdall - Second.
2328
2329 Mr. Archer - The motion was made by Ms. Dwyer to adjourn and seconded by Mr.
2330 Vanarsdall. All in favor say aye...all opposed say nay. The motion carries.
2331
2332 On a motion by Ms. Dwyer and seconded by Mr. Vanarsdall, the Planning Commission
2333 adjourned its meeting for January 24, 2001, at 11:00 a.m.
2334
2335
2336
2337
2338

C. W. Archer, C.P.C., Chairperson
2339
2340
2341
2342
2343

John R. Marlles, AICP, Secretary
2344