

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, July 27,
4 2005.

5

6 Members Present: Mr. Ernest B. Vanarsdall, C.P.C., Chairperson (Brookland)
7 Mr. C. W. Archer, C.P.C., Vice Chairperson (Fairfield)
8 Mr. Tommy Branin (Three Chopt)
9 Mrs. Bonnie-Leigh Jones (Tuckahoe)
10 Mr. E. Ray Jernigan, C.P.C. (Varina)
11 Mr. David A. Kaechele (Three Chopt) Board of Supervisors
12 Representative
13 Mr. Randall R. Silber, Director of Planning, Secretary
14

15 Others Present: Mr. David D. O'Kelly, Jr., Assistant Director of Planning
16 Ms. Leslie A. News, CLA, Principal Planner
17 Mr. James P. Strauss, CLA, County Planner
18 Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner
19 Mr. E. J. (Ted) McGarry, III, County Planner
20 Mr. Michael F. Kennedy, County Planner
21 Ms. Christina L. Goggin, AICP, County Planner
22 Mr. Michael P. Cooper, County Planner
23 Mr. Tony Greulich, County Planner
24 Mr. Michael Jennings, Assistant Traffic Engineer
25 Ms. Diana B. Carver, Recording Secretary
26

27

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

30

31 Mr. Vanarsdall - Good morning, everybody, the Planning Commission will now come to
32 order. Mr. Kaechele, how are you this morning?

33

34 Mr. Kaechele - Good morning.

35

36 Mr. Vanarsdall - And all of the Commission members and staff. Mr. Silber and Mr.
37 O'Kelly. I will now turn the meeting over to our Director and Secretary, Mr. Silber.

38

39 Mr. Silber - Thank you, Mr. Chairman, good morning. We have all of the
40 Commission members present this morning. First on the agenda would be consideration of any
41 deferrals or withdrawals. I'm not aware that we have any deferrals, Ms. News.

42

43 Ms. News - Staff has not received any requests for deferrals but I believe the
44 Commission may have a deferral.

45

46 Mr. Silber - Okay.

47

48 Mr. Jernigan - Yes, Ms. News, I have one on page 2, the landscape plan for LP/POD-
49 34-05, The Village @ Osborne.

50

51 **LANDSCAPE PLAN (Deferred from the June 22, 2005, Meeting)**

52

LP/POD-34-05 The Village @ Osborne – Zero Lot Line Dwellings Osborne Turnpike	Foster & Miller, P.C. for FTF, LLC: 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 41.758-acre site is located at 7101 Osborne Turnpike, approximately 4,500 feet north of Burning Tree Road on parcels 802-696-9269 and 803-696-6866. The zoning is R-5AC, General Residence District (Conditional) (Varina)
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53

54 Mr. Vanarsdall - Is there anyone in the audience in opposition to LP/POD-34-05, The
55 Village @ Osborne, being deferred this morning? There is no opposition.

56

57 Mr. Jernigan - Mr. Chairman, with that I move for deferral of landscape plan LP/POD-
58 34-05, The Village @ Osborne, to the October 26, 2005, by request of the Commission.

59

60 Mr. Archer - Second, Mr. Chairman.

61

62 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Archer.
63 All in favor say aye...all opposed say nay. The ayes have it. The motion passes.

64

65 The Planning Commission deferred the landscape plan for LP/POD-34-05, The Village @
66 Osborne, to its October 26, 2005, meeting.

67

68 Mr. Silber - Are there any other deferrals by the Commission? All right. Next on
69 the agenda would be the Expedited Agenda. These are items that are placed on a special
70 agenda for consideration. These are items that the plan has been reviewed by the County
71 administration. There are no outstanding issues that staff has with the plan. The Planning
72 Commissioner from that district is comfortable with the request and the applicant has agreed to
73 all of the conditions that have been placed on this plan, or this request. So, they are placed on
74 the Expedited Agenda so we can hear these without a particular testimony on each case, so that
75 we can approve them more quickly. I believe we have a number of items on the Expedited
76 Agenda this morning. Ms. News, if you could inform us of those please.

77

78 Ms. News - Yes, sir. We have 10 items on the Expedited Agenda. The first item is
79 on page 4 of your agenda and it is located in the Varina District, LP/POD-90-02, Airport Self
80 Storage. There is an addendum item on page 1 of your addendum which includes a revised
81 plan. That plan shows the addition of six evergreen trees on the west side of the building
82 which the applicant is in agreement with, and there is a revised recommendation
83 recommending approval.

84 **LANDSCAPE PLAN**

85

LP/POD-90-02
Airport Self Storage –
Williamsburg Road and
Audubon Drive

Shipp & Wilson, Inc. for Camco LLC: 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 4.5-acre site is located at 520 W. Williamsburg Road (U.S. Route 60) on parcel 823-716-6129. The zoning is M-1C, Lighting Industrial District (Conditional) and ASO, Airport Safety Overlay District. **(Varina)**

86

87 Mr. Vanarsdall - Is there anyone in the audience in opposition to LP/POD-90-02, Airport
88 Self Storage? No opposition. Mr. Jernigan.

89

90 Mr. Jernigan - Mr. Chairman, with that, I move for approval of landscape plan
91 LP/POD-90-02, Airport Self Storage, the annotations on the plans and the recommendation by
92 staff on the addendum.

93

94 Mr. Archer - Second.

95

96 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Archer.
97 All in favor say aye...all opposed say nay. The ayes have it. The motion passes.

98

99 The Planning Commission approved the landscape plan for LP/POD-90-02, Airport Self
100 Storage, subject to the annotations on the plans and the standard conditions attached to these
101 minutes for landscape plans.

102

103 Ms. News - Next on page 5 of your agenda, located in the Three Chopt District, is
104 the landscape plan, LP/POD-92-04, Goddard School Expansion at the Town Center at Twin
105 Hickory.

106

107 **LANDSCAPE PLAN**

108

LP/POD-92-04
Goddard School Expansion –
Town Center @ Twin
Hickory–Old Nuckols
Road

**Shipp & Wilson, Inc. for D&B Holdings, LLC c/o The
Goddard School and Retlaw 100, LLC:** 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 .397-acre site is located along the south line of Old Nuckols Road, approximately 600 feet west of the intersection of Old Nuckols Road and Nuckols Road on parcel 745-773-8662 and part of parcel 745-773-9641. The zoning is B-2C, Business District (Conditional). **(Three Chopt)**

109

110 Mr. Vanarsdall - Is there anyone in the audience in opposition to LP/POD-92-04, Goddard
111 School Expansion? No opposition. Mr. Branin.

112

113 Mr. Branin - Mr. Chairman, I move to approve LP/POD-92-04, Goddard School
114 Expansion on the Expedited Agenda.

115

116 Mr. Jernigan - Second.

117

118 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mr. Jernigan. All
119 in favor say aye...all opposed say nay. The ayes have it. The motion passes.

120

121 The Planning Commission approved the landscape plan for LP/POD-92-04, Goddard School
122 Expansion - Town Center @ Twin Hickory, subject to the annotations on the plans and the
123 standard conditions attached to these minutes for landscape plans.

124

125 Ms. News - Next on page 13 of your agenda, located in the Varina District, is the
126 subdivision Kings Landing (July 2005 Plan) for 10 lots. There is an addendum item on page 2
127 of your addendum which includes two additional conditions which address floodplain location
128 and RPA encroachments, and a revised recommendation for approval.

129

130 **SUBDIVISION**

131

Kings Landing
(July 2005 Plan)
4201 New Market Road

Timmons Group for Rogers-Chenault, Inc.: The 45.90-acre site proposed for a subdivision of 10 single-family homes is located on the west line of New Market Road, approximately 1,442 feet south of Long Bridge Road on parcel 813-678-3666. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield. **(Varina) 10 Lots**

132

133 Mr. Vanarsdall - Is there anyone in the audience in opposition to subdivision Kings
134 Landing (July 2005 Plan) in the Varina District? No opposition. Mr. Jernigan.

135

136 Mr. Jernigan - Mr. Chairman, I move for approval of subdivision Kings Landing (July
137 2005 Plan) subject to the annotations on the plans, the standard conditions for subdivisions not
138 served by public utilities and the additional conditions listed in the agenda Nos. 11 through 19
139 as recommended by staff on the addendum.

140

141 Mr. Archer - Second.

142

143 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Archer.
144 All in favor say aye...all opposed say nay. The ayes have it. The motion passes.

145

146 The Planning Commission granted conditional approval to Kings Landing (July 2005 Plan)
147 subject to the annotations on the plans, the standard conditions attached to these minutes for
148 subdivisions not served by public utilities, and the following additional conditions:

149

150 11. Each lot shall contain at least 43,560 square feet, exclusive of the flood plain areas.

151 12. The limits and elevation of the 100-year frequency flood shall be conspicuously noted on

187 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-44-05, Three
188 Paragon Place in the Brookland District? Is there anyone here this morning representing the
189 Paragon?

190

191 A Man in the Audiences acknowledges with a wave of his hand.

192

193 Mr. Vanarsdall - Good morning. I just wanted to say that I'm glad to see the Paragon
194 building being expanded. It's a very nice park over there and we would like to keep it like
195 that. Thank you for being here. I move POD-44-05, Three Paragon Place, be approved with
196 the standard conditions for developments of this type, and the following conditions
197 recommended by staff, Nos. 23 through 34, and the addendum says that staff recommends it.

198

199 Mr. Jernigan - Second.

200

201

202 Mr. Vanarsdall - The motion was made by Vanarsdall and seconded by Mr. Jernigan. All
203 in favor say aye...all opposed say nay. The ayes have it. The motion passes.

204

205 The Planning Commission approved POD-44-05 (POD-117-88 and POD-40-98 Revised),
206 Three Paragon Place - subject to the annotations on the plans, the standard conditions attached
207 to these minutes for developments of this type, and the following additional conditions:

208

209 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
210 screens, walls, fences, lighting and other site improvements shall be properly
211 maintained in good condition at all times. Any necessary repairs shall be made in a
212 timely manner.

213 24. The easements for drainage and utilities as shown on approved plans shall be granted to
214 the County in a form acceptable to the County Attorney prior to any occupancy permits
215 being issued. The easement plats and any other required information shall be submitted
216 to the County Real Property Agent at least sixty (60) days prior to requesting
217 occupancy permits.

218 25. The limits and elevations of the 100-year frequency flood shall be conspicuously noted
219 on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year
220 floodplain must be labeled "Variable Width Drainage and Utility Easement." The
221 easement shall be granted to the County prior to the issuance of any occupancy permits.

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

224 27. The proffers approved as a part of zoning case C-80C-84 shall be incorporated in this
225 approval.

226 28. Any necessary off-site drainage and/or water and sewer easements must be obtained in
227 a form acceptable to the County Attorney prior to final approval of the construction
228 plans.

229 29. Deviations from County standards for pavement, curb or curb and gutter design shall be
230 approved by the County Engineer prior to final approval of the construction plans by
231 the Department of Public Works.

- 232 30. Storm water retention, based on the 50-10 concept, shall be incorporated into the
233 drainage plans.
- 234 31. Insurance Services Office (ISO) calculations must be included with the plans and
235 contracts and must be approved by the Department of Public Utilities prior to the
236 issuance of a building permit.
- 237 32. Approval of the construction plans by the Department of Public Works does not
238 establish the curb and gutter elevations along the Henrico County maintained right-of-
239 way. The elevations will be set by Henrico County.
- 240 33. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
241 Department of Planning and approved prior to issuance of a certificate of occupancy for
242 this development.
- 243 34. The location of all existing and proposed utility and mechanical equipment (including
244 HVAC units, electric meters, junction and accessory boxes, transformers, and
245 generators) shall be identified on the landscape plans. All equipment shall be screened
246 by such measures as determined appropriate by the Director of Planning or the
247 Planning Commission at the time of plan approval.
- 248
- 249 Ms. News - The next item is on page 19 of your agenda, located in the Three Chopt
250 District, is POD-46-05, Preston Square Residential Townhouses.

251

252 **PLAN OF DEVELOPMENT**

253

POD-46-05
Preston Square –
Twin Hickory Road

E. D. Lewis & Associates, P.C. for Preston Square, L.L.C.:
Request for approval of a plan of development as required by
Chapter 24, Section 24-106 of the Henrico County Code, to
construct 28, two-story, 2,100 square foot townhouse for sale
units. The 5.00-acre site is located on the west side of Twin
Hickory Road, approximately 1,500 feet east of Nuckols Road
on parcels 747-774-6515 and 5839. The zoning is RTHC,
Residential Townhouse District (Conditional). County water
and sewer. **(Three Chopt)**

254

255 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-46-05, Preston
256 Square in the Three Chopt District? No opposition. Mr. Branin.

257

258 Mr. Branin - We have someone in the audience with their hand up, Mr. Chairman.

259

260 Mr. Silber - There's someone who would like to speak. Are you in opposition to the
261 approval (speaking to the person in the audience)?

262

263 Mr. Waldenmaier - Just to be sure, is this the ex-Parker property on Twin Hickory?

264

265 Mr. Silber - Yes, it is.

266

267 Mr. Waldenmaier - The residents around this area have not seen this POD. So to expedite it

268 without having privy or prior to information to what's being approved (unintelligible).

269

270 Mr. Vanarsdall - I believe we are going to have you come to the microphone so that we
271 can pick this up. This is being recorded.

272

273 Mr. Waldenmaier - I apologize. I'm Eric Waldenmaier. I'm a neighbor adjoining the
274 property. We have not, as neighbors, seen the POD. We have talked to the builders and we
275 are looking forward to having them as neighbors and working with them. However, there
276 have been some things that have been promised, put in proffers, discussed with the builders
277 that we don't believe would not be in there, but it would be foolish not to verify. And without
278 seeing the plan of development, I think there is a concern that perhaps everything wouldn't be
279 there. Let me rephrase that. I just want to verify what's been promised to be in the POD.

280

281 Mr. Silber - Mr. Chairman, I think it maybe appropriate just to pull this off the
282 Expedited Agenda and have it come up on the agenda in the order in which it is found.

283

284 Mr. Vanarsdall - I do too. What is your name?

285

286 Mr. Waldenmaier - Eric Waldenmaier. I live on Maple Hill Place.

287

288 Mr. Vanarsdall - What we will do is take it off of the Expedited Agenda and hear it in the
289 regular order.

290

291 Mr. Waldenmaier - Thank you very much.

292

293 **THIS CASE WAS REMOVED FROM THE EXPEDITED AGENDA AND PLACED ON**
294 **THE REGULAR AGENDA IN THE ORDER IN WHICH IT APPEARS.**

295

296 Ms. News - Next on the agenda, on page 22 of your agenda, in the Varina District is
297 POD-48-05, which is POD-106-00 expired, Roffis Office Building.

298

299 **PLAN OF DEVELOPMENT**

300

POD-48-05 Roffis Office Building – 4825 S. Laburnum Avenue (POD-106-00 Expired)	Engineering Design Associates for Roffis Real Estate, 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, 9,564 square foot medical office building. The 1.309-acre site is located on the east side of S. Laburnum Avenue, approximately 320 feet south of Finlay Street on parcel 816-715-2511. The zoning is B-2C, Business District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. (Varina)
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301

302 Mr. Vanarsdall - Is there anyone in the audience in opposition to this case, POD-48-05,
303 Roffis Office Building, in the Varina District? No opposition. Mr. Jernigan.

304 Mr. Jernigan - Mr. Chairman, with that, I will move for approval of POD-48-05, Roffis
305 Office Building, subject to the annotations on plans, the standard conditions for developments
306 of this type and the following additional conditions Nos. 23 through 37.

307

308 Mr. Archer - Second, Mr. Chairman.

309

310 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Archer.
311 All in favor say aye...all opposed say nay. The ayes have it. The motion passes.

312

313 The Planning Commission approved POD-48-05, Roffis Office Building (POD-106-00
314 Expired) subject to the annotations on the plans, the standard conditions attached to these
315 minutes for developments of this type, and the following additional conditions:

316

317 23. The right-of-way for widening of S. Laburnum Avenue as shown on approved plans
318 shall be dedicated to the County prior to any occupancy permits being issued. The
319 right-of-way dedication plat and any other required information shall be submitted to
320 the County Real Property Agent at least sixty (60) days prior to requesting occupancy
321 permits.

322 24. The easements for drainage and utilities as shown on approved plans shall be granted to
323 the County in a form acceptable to the County Attorney prior to any occupancy permits
324 being issued. The easement plats and any other required information shall be submitted
325 to the County Real Property Agent at least sixty (60) days prior to requesting
326 occupancy permits.

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

329 26. A standard concrete sidewalk shall be provided along the east side of Laburnum
330 Avenue.

331 27. Outside storage shall not be permitted.

332 28. The proffers approved as a part of zoning case C-35C-88 shall be incorporated in this
333 approval.

334 29. The certification of building permits, occupancy permits and change of occupancy
335 permits for individual units shall be based on the number of parking spaces required for
336 the proposed uses and the amount of parking available according to approved plans.

337 30. Any necessary off-site drainage and/or water and sewer easements must be obtained in
338 a form acceptable to the County Attorney prior to final approval of the construction
339 plans.

340 31. Deviations from County standards for pavement, curb or curb and gutter design shall be
341 approved by the County Engineer prior to final approval of the construction plans by
342 the Department of Public Works.

343 32. Storm water retention, based on the 50-10 concept, shall be incorporated into the
344 drainage plans.

345 33. Insurance Services Office (ISO) calculations must be included with the plans and
346 contracts and must be approved by the Department of Public Utilities prior to the
347 issuance of a building permit.

348 34. Approval of the construction plans by the Department of Public Works does not

- 349 establish the curb and gutter elevations along the Henrico County maintained right-of-
 350 way. The elevations will be set by Henrico County.
- 351 35. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
 352 Department of Planning and approved prior to issuance of a certificate of occupancy for
 353 this development.
- 354 36. The location of all existing and proposed utility and mechanical equipment (including
 355 HVAC units, electric meters, junction and accessory boxes, transformers, and
 356 generators) shall be identified on the landscape plans. All equipment shall be screened
 357 by such measures as determined appropriate by the Director of Planning or the
 358 Planning Commission at the time of plan approval.
- 359 37. A note in bold lettering shall be provided on the erosion control plan indicating that
 360 sediment basins or traps located within buildable areas or building pads shall be
 361 reclaimed with engineered fill. All materials shall be deposited and compacted in
 362 accordance with the applicable sections of the state building code and geotechnical
 363 guidelines established by the engineer. An engineer's report certifying the suitability of
 364 the fill materials and its compaction shall be submitted for review and approval by the
 365 Director of Planning and Director of Public Works and the Building Official prior to
 366 the issuance of any building permit(s) on the affected sites.

367
 368 Ms. News- Next on page 26 of your agenda, and located in the Varina District, is
 369 subdivision Four Mile Run (July 2005 Plan) for 25 lots.

370
 371 **SUBDIVISION**

372
 Four Mile Run **Engineering Design Associates for Fon-Saw, LLC:** The
 (July 2005 Plan) 12.75-acre site proposed for a subdivision of 26 single-family
 Four Mile Run and homes is located at the intersection of Goldeneye Lane and
 a Reserved Parcel of Section Heather Ridge Drive, 500 feet east of Four Mile Run Parkway
 E on parcel 820-686-4881 and 821-688-7446. The zoning is R-
 2AC, One-Family Residence District (Conditional). County
 water and sewer. **(Varina) 25 Lots**

373
 374 Mr. Vanarsdall - Four Mile Run in Varina, Four Mile Run and a Reserved Parcel of
 375 Section E. Is there anyone in the audience in opposition to this case? No opposition. Mr.
 376 Jernigan.

377
 378 Mr. Jernigan - Mr. Chairman, I move for approval of Subdivision Four Mile Run (July
 379 2005 Plan), and Reserved Parcel of Section E, subject to the annotations on the plans, the
 380 standard conditions for subdivisions served by Public Utilities and the following additional
 381 conditions, Nos. 12 through 16.

382
 383 Mr. Archer - Second.

384
 385 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Archer.
 386 All in favor say aye. All opposed say no. The ayes have it. The motion is approved.

387 The Planning Commission granted conditional approval to subdivision Four Mile Run (July
388 2005 Plan), Four Mile Run and a Reserved Parcel of Section E, subject to the annotations on
389 the plans, the standard conditions attached to these minutes for subdivisions served by public
390 utilities and the following additional conditions:

391

392 12. The proffers approved as part of zoning case C-66C-04 shall be incorporated in this
393 approval.

394 13. The limits and elevation of the 100-year frequency flood shall be conspicuously noted on
395 the plat and construction plans and labeled "Limits of 100-year floodplain." Dedicate
396 floodplain as a "Variable Width Drainage & Utilities Easement."

397 14. Prior to requesting recordation, the developer shall furnish a letter from Dominion
398 Virginia Power stating that this proposed development does not conflict with its facilities.

399 15. Prior to requesting the final approval, a draft of the covenants and deed restrictions for
400 the maintenance of the common area by a homeowners association shall be submitted to
401 the Department of Planning for review. Such covenants and restrictions shall be in form
402 and substance satisfactory to the County Attorney and shall be recorded prior to
403 recordation of the subdivision plat.

404 16. The detailed plant list and specifications for the landscaping to be provided within the 35-
405 foot-wide landscape buffer abutting the Dominion Virginia Power easement shall be
406 submitted to the Department of Planning for review and approval prior to recordation of
407 the plat.

408

409 Ms. News - Next we have, on page 27 of the agenda and located in the Brookland
410 District, subdivision Wickham (July 2005 Plan) on Staples Mill Road.

411

412 **SUBDIVISION**

413

Wickham (July 2005 Plan)
10650 Staples Mill Road
(U. S. Route 33)

Koontz-Bryant, P.C. for Charles Marchetti, L. Marchetti, Jr. and L. Marchetti III and Attack Properties, Inc.: The 77.95-acre site proposed for a subdivision of 98 single-family homes is located on the west side of Staples Mill Road (U.S. Route 33) directly across the highway from Meadow Pond Lane, approximately 1550 feet north of the intersection of Route 33 and Courtney Road on parcels 761-767-2889, 6317 and 8633. The zoning is A-1, Agricultural District and R-2A, One-Family Residence District. County water and sewer.
(Brookland) 98 Lots

414

415 Mr. Vanarsdall - Is there anyone in the audience in opposition to Wickham (July 2005
416 Plan), in the Brookland District? No opposition.

417

418 I move that Wickham (July 2005 Plan), Staples Mill Road, be approved subject to the
419 annotations on the plans and the standard conditions for subdivisions served by public utilities
420 and the following conditions Nos. 12 through 20.

421 Mr. Branin - Second.

422

423 Mr. Vanarsdall - The motion made by Mr. Vanarsdall and seconded by Mr. Branin. All
424 in favor say aye. All opposed say no. The motion passes.

425

426 The Planning Commission granted conditional approval to subdivision Wickham (July 2005
427 Plan) subject to the annotations on the plans, the standard conditions attached to these minutes
428 for subdivisions served by public utilities and the following additional conditions:

429

430 12. Lots on the plan marked with an asterisk must be identified on the recordation plat with
431 an asterisk. Add the following note conspicuously to the plat under the heading:
432 "NOTES:" This lot has limitations for dwelling shape, size and location. For details,
433 refer to construction plans on file in the Department of Planning.

434 13. The limits and elevation of the 100-year frequency flood shall be conspicuously noted on
435 the plat and construction plans and labeled "Limits of 100-year floodplain." Dedicate
436 floodplain as a "Variable Width Drainage & Utilities Easement."

437 14. Each lot shall contain at least 13,500 square feet, exclusive of the flood plain areas.

438 15. At least sixty days prior to recordation of the plat, a draft of the covenants and deed
439 restrictions for the maintenance of the common area shall be submitted to the Department
440 of Planning for review. Such covenants and restrictions shall be in form and substance,
441 satisfactory to the County Attorney and shall be recorded prior to recordation of the
442 subdivision plat.

443 16. The details for the landscaping to be provided within the common area along Staples Mill
444 Road (U.S. Route 33) shall be submitted to the Department of Planning for review and
445 approval prior to recordation of the plat.

446 17. Any necessary offsite drainage easements must be obtained prior to final approval of the
447 construction plan by the Department of Public Works.

448 18. The proffers approved as part of zoning case C-19C-05 shall be incorporated in this
449 approval.

450 19. The owner shall not begin clearing of the site until the following conditions have been
451 met:

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

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

460 (c) The site engineer shall certify in writing to the owner that the limits of clearing have
461 been staked in accordance with the approved plans. A copy of this letter shall be sent
462 to the Department of Planning and the Department of Public Works.

463 (d) The owner shall be responsible for the protection of the buffer areas and for
464 replanting and/or supplemental planting and other necessary improvements to the
465 buffer as may be appropriate or required to correct problems. The details shall be
466 included on the landscape plans for Planning Commission approval.

467 20. Any future building lot containing a BMP, sediment basin or trap and located within the
468 buildable area for a principal structure or accessory structure, may be developed with
469 engineered fill. All material shall be deposited and compacted in accordance with the
470 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
471 professional engineer. A detailed engineering report shall be submitted for the review
472 and approval by the Building Official prior to the issuance of a building permit on the
473 affected lot. A copy of the report and recommendations shall be furnished to the
474 Directors of Planning and Public Works.

475

476 Ms. News - The next case is on page 4 of your agenda, Three Fountains North, Section
477 6 (June 2005 Plan) in the Fairfield District for four lots. There is also an addendum item on page
478 4 that indicates that staff's concerns regarding the dam are addressed and staff is now
479 recommending approval.

480

481 **SUBDIVISION**

482

Three Fountains North, Section 6 (June 2005 Plan) Oster Drive and Eisenhower Drive	Burgess & Niple for Three Fountains North Civic Association, Inc. and Anson O. Edmunds: The 2.93-acre site for a proposed subdivision of 4 single-family homes is located at the northeast corner of the intersection of Oster Drive and Eisenhower Drive, adjacent to Three Lakes Park on parcel 792-751-5595. The zoning is R-2A, One-Family Residence District. County water and sewer. (Fairfield) 4 Lots
--	---

483

484 Mr. Vanarsdall - Is there anyone in the audience in opposition to subdivision Three Fountains
485 North, Section 6, in the Fairfield District? No opposition. Mr. Archer.

486

487 Mr. Archer - Mr. Chairman, I move approval on the Expedited Agenda of Three
488 Fountains North, Section 6, subject to the staff's recommendation on the addendum, standard
489 conditions for subdivisions served by Public Utilities and additional conditions Nos. 12 through
490 15.

491

492 Mr. Jernigan - Second, Mr. Chairman.

493

494 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mr. Jernigan. All
495 in favor say aye. All opposed say no. The motion passes.

496

497 The Planning Commission granted conditional approval to subdivision Three Fountains North,
498 Section 6, (June 2005 Plan), subject to the standard conditions attached to these minutes for
499 subdivisions served by public utilities and the following additional conditions:

500

501 12. Each lot shall contain at least 13,5000 square feet exclusive of the flood plain areas.

502 13. The limits and elevation of the 100-year frequency flood shall be conspicuously noted
503 on the plat and construction plans and labeled "Limits of 100-year floodplain."
504 Dedicate floodplain as a "Variable Width Drainage & Utilities Easement."

505 14. Any necessary offsite drainage easements must be obtained prior to approval of the
506 construction plan by the Department of Public Works.

507 15. A dam break analysis shall be submitted to the Department of Public Works for review
508 and approval prior to final approval.

509

510 Ms. News - The final item is on page 30 of the agenda and located in the Varina
511 District, subdivision Darbyhouse (July 2005 Plan) An Extension of Edgelawn Street and
512 Shirleydale Avenue.

513

514 **SUBDIVISION**

515

Darbyhouse
(July 2005 Plan)
An Extension of Edgelawn
Street and Shirleydale
Avenue

Balzer & Associates, Inc. for Interfaith Housing Corporation: The 7.92-acre site proposed to be subdivided to extend two existing streets is located at the southern terminus of Shirleydale Avenue south of Darbytown Road on parcel 804-711-4444 (Terminal cul-de-sacs would be dedicated for Edgelawn Street and Shirleydale Avenue). The zoning is R-5, General Residence District. County water and sewer.
(Varina) 0 Lot

516

517 Mr. Vanarsdall - Is there anyone in the audience in opposition to Darbyhouse (July 2005
518 Plan) in the Varina District? No opposition. Mr. Jernigan.

519

520 Mr. Jernigan - Mr. Chairman, I move for approval of Subdivision Darbyhouse (July 2005
521 Plan), An Extension of Edgelawn Street and Shirleydale Avenue, subject to the annotations on
522 the plans and the standard conditions for subdivisions served by Public Utilities.

523

524 Mr. Archer - Second.

525

526 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Archer. All
527 in favor say aye. All opposed say no. The ayes have it. The motion passes.

528

529 The Planning Commission granted conditional approval to subdivision Darbyhouse (July 2005
530 Plan), An Extension of Edgelawn Street and Shirleydale Avenue, subject to the annotations on
531 the plans and the standard conditions for subdivisions served by Public Utilities.

532

533 Mr. Vanarsdall - I believe that is it, isn't it?

534

535 Ms. News - Yes, sir.

536

537 Mr. Vanarsdall - Thank you, Ms. News.

538

539 Mr. Silber - Next on the agenda would be consideration of Extension of Conditional
540 Subdivision approval. There are four items for consideration. Only one, however, requires
541 Planning Commission approval. The other three will be handled administratively, and they are

542 listed on the agenda for your information only. The one for Planning Commission approval
 543 would be Newstead Landing (September 2002 Plan).

544

545 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**

546

547 **FOR PLANNING COMMISSION APPROVAL**

548

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended Recommended
Newstead Landing (September 2002 Plan)	Varina	30	17	1	2 Months 9/28/06

549

550 **FOR INFORMATIONAL PURPOSES ONLY**

551

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended Recommended
Mayland Townes (July 2003 Plan)	Tuckahoe	42	42	1	1 Year 7/26/06
Sandy Grove (July 2004 Plan)	Three Chopt Fairfield	13	13	0	1 Year 7/26/06
Trivett Woods (May 2002 Plan)	Fairfield	8	8	2	1 Year 7/26/06
Turner Forest	Varina	62	62	0	1 Year 7/26/06

552

553 Mr. Vanarsdall - I believe Mr. Jernigan has some input into that, didn't you, Mr. Jernigan?

554

555 Mr. Jernigan - Yes, sir.

556

557

558 Mr. Silber - Ms. Goggin, do you have anything to tell us about Newstead Landing?

559

560 Ms. Goggin - Basically, that 30 lots were originally approved conditional, 17 lots are
 561 remaining that need to be extended and this is for Planning Commission consideration due to an
 562 adjacent property owner's request of the Planning Commission.

563

564 Mr. Vanarsdall - I don't think that they can hear you in the back.

565

566 Ms. Goggin - I apologize. It's on the agenda due to an adjacent property owner's
 567 request of the Planning Commission.

568

569 Mr. Vanarsdall - Okay. Are there any questions for Ms. Goggin? Do any of the
570 Commissioners have any questions?

571

572 Mr. Archer - No.

573

574 Mr. Vanarsdall - Mr. Jernigan?

575

576 Mr. Jernigan - What I'm going to do on this because of concern that we have on a stub
577 road at this point, I'm going to extend it for two months and then after that two-month period we
578 should have the problem worked out that we have right now. But, there is nothing wrong with
579 the subdivision but before we go for the final plans I want us to give it two months to work this
580 out. At that point, we will come back and I will give a year approval on that.

581

582 So with that, I will move for extension of Newstead Landing (September 2002 Plan) for a period
583 of two months.

584

585 Mr. Archer - Second, Mr. Chairman.

586

587 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Archer. All
588 in favor say aye...all opposed say nay. The motion passes.

589

590 The Planning Commission granted subdivision conditional extension for Newstead Landing
591 (September 2002 Plan) for two months, September 28, 2005.

592

593 Mr. Silber - Ms. Goggin, is there anything in particular you need to inform the
594 Planning Commission of on the remaining three?

595

596 Ms. Goggin - No, sir. Other than, Sandy Grove (July 2003 Plan) is located in the
597 Fairfield District and not Three Chopt as indicated in the agenda. That correction is on the
598 addendum.

599

600 Mr. Silber - Okay. Thank you.

601

602 Mr. Vanarsdall - Thank you, Ms. Goggin.

603

604 Mr. Silber - Next on the agenda is page 3. This would be the Ashley Terrace
605 Apartments requesting approval of an alternative fence height plan to permit a five-foot aluminum
606 fence with columns in the front yard.

607 **APARTMENT ALTERNATIVE FENCE HEIGHT PLAN**

608

Ashley Terrace Apartments - **Ashley Terrace Associates, LLC:** Request for approval of an alternative fence height plan to permit a five-foot aluminum fence with columns in the front yard, as required by Chapter 24, Sections 24-106 and 24-95(L)6 of the Henrico County Code. The 11.7-acre site is located on the north line of Brook Hill Road at its intersection with Crenshaw Road, approximately 700 feet east of Chamberlayne Road (U.S. Route 301) on parcel 788-746-4881. The zoning is R-5, General Residence District. **(Fairfield)**

609

610 Mr. Vanarsdall - Is there anyone in the audience in opposition to this case in the Fairfield
611 District, Ashley Terrace Apartments, fence height? No opposition. Mr. Archer.

612

613 Mr. Archer - All right. I don't know that we need a presentation. Do you all need to
614 hear anything?

615

616 Mr. Jernigan - Do you have it all straight?

617

618 Mr. Archer - Mr. Greulich, do you just want to say something so that we know that you
619 are there?

620

621 Mr. Greulich - Sure. Good morning, everybody. Mr. Chairman, Planning Commission
622 members, the applicant, Ashley Terrace Associates, LLC, has requested to replace their
623 existing, 3-foot, split rail wooden fence with a 5-foot aluminum rail fence with dryvit columns.
624 County Code limits the maximum fence height in a residential zoned front yard to three feet,
625 six inches, but the Planning Commission may approve an alternative fence height. The site is
626 currently well landscaped with berms and numerous large, mature trees especially in the front
627 yard. The proposed fence will generally be in the same location as the existing fence and
628 should improve the overall appearance of the already attractive apartment complex. The
629 applicant is also going to upgrade the current landscaping around their stone sign with some
630 additional plantings.

631

632 Staff can recommend approval of the submitted plan. It is subject to the annotations on the
633 plan, the standard conditions for landscape plans and additional conditions five (5) and six (6).
634 Staff and representatives of the applicant are available to answer any questions you may have.
635 Thank you.

636

637 Mr. Vanarsdall - Are there any question of Mr. Greulich? No questions.

638

639 Mr. Archer - All right, Mr. Chairman, there being none and no objection, then I will
640 move for approval of the alternative fence height plan for Ashley Terrace Apartments subject
641 to the standard conditions for landscape plans and the additional conditions Nos. 5 and 6.

642

643 Mr. Jernigan - Second, Mr. Chairman.

644

645 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mr. Jernigan.

646 All in favor say aye...all opposed say nay. The motion passes.

647

648 The Planning Commission approved the alternative fence height plan for Ashley Terrace
649 Apartments, subject to the annotations on the plans, the standard conditions attached to these
650 minutes for landscape plans and the following additional conditions:

651

652 5. All fences on site shall be continuously and properly maintained in good repair by the
653 property owner.

654 6. Trash and debris will not be allowed to accumulate along the fence.

655

656 Mr. Archer - That was the most peaceful alternative fence height plan I have ever had.

657

658 **PLAN OF DEVELOPMENT (Deferred from the June 22, 2005, Meeting)**

659

POD-11-05

Walgreens – S. Laburnum

Avenue – 4845 - 4851 S.

Laburnum Avenue

VHB for Laburnum Avenue Realty, LLC and Mid-Atlantic Commercial 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, 14,460 square foot drug store. The 2.11-acre site is located on the east line of S. Laburnum Avenue, approximately 300 feet north of Williamsburg Road (U.S. Route 60) and on the north line of Williamsburg Road, approximately 170 feet east of S. Laburnum Avenue on parcels 816-714-4637 and 5217. The zoning is B-2C, Business District (Conditional) and ASO (Airport Safety Overlay) District. County water and sewer. **(Varina)**

660

661 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-11-05, Walgreens,
662 in the Varina District? No opposition. Ms. Goggin.

663

664 Ms. Goggin - Since last month's Commission meeting, the applicant has provided staff
665 with revised floor plans and elevations that match the building footprint on the POD. Staff was
666 also provided material sample, board and color elevations. That might help, since what came
667 in the packet was a little off in color. The proposed Walgreens will replace two vacant
668 buildings and will accommodate an existing 60-inch sewer force main. The applicant worked
669 with Public Utilities concerning the installation of a proffered eight-foot masonry panel wall
670 along the eastern property line within the force main easement and relocating the existing water
671 lines as necessary. Staff believes that both the landscaping and lighting should return to the
672 Planning Commission for approval due to the proposed 24-hour use of the site and the close
673 proximity to existing residences that participated during both the Rezoning and the Provisional
674 Use Permits hearings. Staff can recommend approval of POD-11-05 subject to the annotations
675 on the plan, the standard conditions for developments of this type, conditions Nos. 9 and 11

676 amended and Nos. 23 through 39 in the agenda. I'll be happy to answer any questions the
677 Commission may have and the applicant is here if you have any questions of them.

678

679 Mr. Vanarsdall - Are there any questions of Ms. Goggin by the Commission members?

680 No questions.

681

682 Mr. Jernigan - I don't need to hear from the applicant. We have all of this worked out.
683 We actually, last month, there were just some problems with the plans that didn't match up and
684 that's the reason we had to defer it. So with that, I'm ready to make a motion, Mr. Chairman.

685

686 Mr. Vanarsdall - That's fine.

687

688 Mr. Jernigan - I'll move for approval of POD-11-05, Walgreens on S. Laburnum
689 Avenue subject to the annotations on the plans, the standard conditions for developments of
690 this type and the following additional conditions Nos. 9 and 11 amended and conditions Nos.
691 23 through 39.

692

693 Mrs. Jones - Second.

694

695 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mrs. Jones. All
696 in favor say aye...all opposed say nay. The motion passes.

697

698 The Planning Commission approved POD-11-05, Walgreens - S. Laburnum Avenue, subject
699 to the annotations on the plans, the standard conditions attached to these minutes for
700 developments of this type, and the following additional conditions:

701

702 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
703 Planning for review and Planning Commission approval prior to the issuance of any
704 occupancy permits.

705 11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including
706 depictions of light spread and intensity diagrams, and fixture and specifications and
707 mounting height details shall be submitted for Department of Planning review and
708 Planning Commission approval.

709 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
710 screens, walls, fences, lighting and other site improvements shall be properly
711 maintained in good condition at all times. Any necessary repairs shall be made in a
712 timely manner.

713 24. The easements for drainage and utilities as shown on approved plans shall be granted to
714 the County in a form acceptable to the County Attorney prior to any occupancy permits
715 being issued. The easement plats and any other required information shall be submitted
716 to the County Real Property Agent at least sixty (60) days prior to requesting
717 occupancy permits.

718 25. The entrances and drainage facilities on Williamsburg Road (U.S. Route 60) shall be
719 approved by the Virginia Department of Transportation and the County.

720 26. A notice of completion form, certifying that the requirements of the Virginia

721 Department of Transportation entrances permit have been completed, shall be submitted
722 to the Department of Planning prior to any occupancy permits being issued.

723 27. The developer shall provide fire hydrants as required by the Department of Public
724 Utilities and Division of Fire.

725 28. A standard concrete sidewalk shall be provided along the east side of S. Laburnum
726 Avenue.

727 29. Employees shall be required to use the parking spaces provided at the rear of the
728 building(s) as shown on the approved plans.

729 30. Outside storage shall not be permitted.

730 31. The proffers approved as a part of zoning case C-1C-05 shall be incorporated in this
731 approval.

732 32. Any necessary off-site drainage and/or water and sewer easements must be obtained in
733 a form acceptable to the County Attorney prior to final approval of the construction
734 plans.

735 33. Deviations from County standards for pavement, curb or curb and gutter design shall be
736 approved by the County Engineer prior to final approval of the construction plans by
737 the Department of Public Works.

738 34. In the event of any traffic backup which blocks the public right-of-way as a result of
739 congestion caused by the drive-up delivery facilities, the owner/occupant shall close the
740 drive-up delivery facilities until a solution can be designed to prevent traffic backup.

741 35. Insurance Services Office (ISO) calculations must be included with the plans and
742 contracts and must be approved by the Department of Public Utilities prior to the
743 issuance of a building permit.

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

747 37. Approval of the construction plans by the Department of Public Works does not
748 establish the curb and gutter elevations along the Virginia Department of Transportation
749 maintained right-of-way. The elevations will be set by the contractor and approved by
750 the Virginia Department of Transportation.

751 38. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
752 Department of Planning and approved prior to issuance of a certificate of occupancy for
753 this development.

754 39. The location of all existing and proposed utility and mechanical equipment (including
755 HVAC units, electric meters, junction and accessory boxes, transformers, and
756 generators) shall be identified on the landscape plans. All equipment shall be screened
757 by such measures as determined appropriate by the Director of Planning or the
758 Planning Commission at the time of plan approval.

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

760

POD-41-05 **Timmons Group for TETRA Associates, L.L.C.:** Request for approval of a revised plan of development and transitional buffer deviation as required by Chapter 24, Sections 24-106 and 24-106.2(e)(3) of the Henrico County Code, to construct two (2), one-story retail buildings totaling 14,960 square feet in an existing shopping center. The 1.84-acre site is located at the corner of Brook Road (U. S. Route 1) and Brook Run Boulevard (north corner) on parcel 783-748-5077. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Fairfield)**

761

762 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-41-05, Brook Run
763 Shopping Center, Phase 6, in the Fairfield District? No opposition. Good morning, Mr.
764 Kennedy.

765

766 Mr. Kennedy - This is Phase 6 of the Master Plan. This master plan was approved
767 previously by the Planning Commission and it's consistent with the previously approved master
768 plan. They are just continuing with outparcel development along Brook Road, along the front
769 of Brook Road Shopping Center. The buildings match the same architecture. They are, again,
770 asking for the same transitional buffer deviation, which is a 35-foot transitional buffer required
771 along Brook Road. They have reduced that to 25 feet. There is a 10-foot landscape strip
772 within Brook Road and in that 10-foot landscape strip they will provide street trees and the
773 additional 10 feet. So, the 35-foot transitional buffer would in fact be provided but 10 foot of
774 it would be provided within the right-of-way of Brook Road.

775

776 In addition, they are asking for a second transitional buffer deviation along the western
777 property line. When this plan was originally approved, the property to the west was going to a
778 part of the shopping center. It was going to be future office/development. It was subsequently
779 rezoned to permit restricted senior housing apartments. And that requires a transitional buffer
780 as well. The property lines runs down the middle of the access road so obviously you can't put
781 the buffer on the property line. So, what they have agreed with the property owner to the west
782 is to put it on their property, within an easement. So, they will provide the same landscaping
783 but it will be provided on the western side of the road, screening that property. With that we
784 can recommend approval. This is consistent with the master plan, as I said staff is satisfied it
785 meets all proffer requirements.

786

787 Mr. Vanarsdall - Are there any questions for Mr. Kennedy from Commission members?

788

789 Mr. Archer - I don't have any, Mr. Chairman. Does this requires to separate motions,
790 Mr. Secretary?

791

792 Mr. Silber - It could either be two separate motions or at least noted in your motion
793 that you are approving the deviation as well.

794 Mr. Archer - Okay. I can do it that way.

795

796 Mr. Silber - Either way would be fine.

797

798 Mr. Archer - All right. Well, Mr. Chairman, with that I will move approval of the
799 transitional buffer deviation and also the plan of development for POD-41-05, Brook Run
800 Shopping Center, Phase 6, subject to the annotations on the plans, the standard conditions for
801 developments of this type, and the added conditions Nos. 23 through 45.

802

803 Mr. Jernigan - Second.

804

805 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mr. Jernigan.

806 All in favor say aye...all opposed say nay. The motion passes.

807

808 The Planning Commission approved the transitional buffer deviation and plan of development
809 for POD-41-05, Brook Run Shopping Center, Phase 6 (POD-72-04 Revised) subject to the
810 annotations on the plans, the standard conditions attached to these minutes for developments of
811 this type, and the following additional conditions:

812

813 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
814 screens, walls, fences, lighting and other site improvements shall be properly
815 maintained in good condition at all times. Any necessary repairs shall be made in a
816 timely manner.

817 24. The right-of-way for widening of Brook Road (U.S. Route 1) as shown on approved
818 plans shall be dedicated to the County prior to any occupancy permits being issued.

819 The right-of-way dedication plat and any other required information shall be submitted
820 to the County Real Property Agent at least sixty (60) days prior to requesting
821 occupancy permits.

822 25. The easements for drainage and utilities as shown on approved plans shall be granted to
823 the County in a form acceptable to the County Attorney prior to any occupancy permits
824 being issued. The easement plats and any other required information shall be submitted
825 to the County Real Property Agent at least sixty (60) days prior to requesting
826 occupancy permits.

827 26. The entrances and drainage facilities on Brook Road (U.S. Route 1) shall be approved
828 by the Virginia Department of Transportation and the County.

829 27. A notice of completion form, certifying that the requirements of the Virginia
830 Department of Transportation entrances permit have been completed, shall be submitted
831 to the Department of Planning prior to any occupancy permits being issued.

832 28. The required building setback shall be measured from the proposed right-of-way line
833 and the parking shall be located behind the proposed right-of-way line.

834 29. The developer shall provide fire hydrants as required by the Department of Public
835 Utilities and Division of Fire.

836 30. A standard concrete sidewalk shall be provided along the west side of Brook Road
837 (U.S. Route 1).

838 31. Any necessary off-site drainage and/or water and sewer easements must be obtained in

- 839 a form acceptable to the County Attorney prior to final approval of the construction
840 plans.
- 841 32. Deviations from County standards for pavement, curb or curb and gutter design shall be
842 approved by the County Engineer prior to final approval of the construction plans by
843 the Department of Public Works.
- 844 33. Insurance Services Office (ISO) calculations must be included with the plans and
845 contracts and must be approved by the Department of Public Utilities prior to the
846 issuance of a building permit.
- 847 34. Approval of the construction plans by the Department of Public Works does not
848 establish the curb and gutter elevations along the Virginia Department of Transportation
849 maintained right-of-way. The elevations will be set by the contractor and approved by
850 the Virginia Department of Transportation,
- 851 35. The location of all existing and proposed utility and mechanical equipment (including
852 HVAC units, electric meters, junction and accessory boxes, transformers, and
853 generators) shall be identified on the landscape plans. All equipment shall be screened
854 by such measures as determined appropriate by the Director of Planning or the
855 Planning Commission at the time of plan approval.
- 856 36. The proffers approved as part of zoning case C-30C-88 shall be incorporated into this
857 approval.
- 858 37. The conceptual master plan, as submitted with this application, is for planning and
859 information purposes only.
- 860 38. The building shall be constructed of red brick and the brick shall not be painted at any
861 time.
- 862 39. The location of all existing and proposed utility and mechanical equipment (including
863 HVAC units, electric meters, junction and accessory boxes, transformers, and
864 generators) shall be identified on the landscape plans. All equipment shall be screened
865 by such measures as determined appropriate by the Director of Planning or the
866 Planning Commission at the time of plan approval.
- 867 40. Landscaping along Brook Road and site and street lighting shall comply with the Brook
868 Road Design Guidelines or standards approved by the Director of Planning at the time
869 of landscape and lighting plan review.
- 870 41. A coordinated design scheme shall be adopted for all parcels being developed within the
871 shopping center consistent with both the quality of the existing developed portion of
872 shopping center and with the "Brook Road Enhancement Study." The buildings shall
873 be constructed with brick coordinated to match the existing Ukrop's building.
- 874 42. A coordinated lighting, landscape and signage scheme shall be maintained for all
875 parcels within the Brook Run shopping Center.
- 876 43. The required 35-foot transitional buffer along Brook Road may be reduced to no less
877 than 25-feet. Planting within the transitional buffer along Brook Road shall conform to
878 the planting standards of the 25-foot transitional buffer or as otherwise approved by the
879 Planning Commission.
- 880 44. As a condition of the transitional buffer deviation, a public sidewalk and streetscape
881 improvements conforming to the Brook Road enhancement study and such guidelines as
882 may be adopted by the Director of Planning shall be provided prior to the issuance of
883 any occupancy permits.

884 45. No additional freestanding signs shall be permitted within the shopping center.

885

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

887

POD-45-05

Wendy's @ Airport Drive
Shops Shopping Center - 45
S. Airport Drive
(POD-50-89 Revised)

Timmons Group for Schwartz & Tyson Associates and Old Dominion Restaurants: Request for approval of a revised plan of development and transitional buffer deviation as required by Chapter 24, Sections 24-106, 24.106.2 and 24-106(3)a of the Henrico County Code, to construct a one-story, 3,700 square foot restaurant with a drive thru in an existing shopping center. The 1.79-acre site is located along the east line of S. Airport Drive (State Route 156), approximately 250 feet south of Nine Mile Road (State Route 33) at 45 Airport Drive on parcel 824-720-8799. The zoning is B-2C, Business District (Conditional), B-3C, Business District (Conditional), B-3, Business District and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

888

889 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-45-05, Wendy's @
890 Airport Drive Shops Shopping Center, in the Varina District? No opposition. I would like to
891 say that we have a distinguish member of the community this morning, Mr. John Schwartz.
892 I'm glad to have you, John. Good morning, Ted.

893

894 Mr. McGarry - Good morning, Mr. Chairman, members of the Commission. The
895 Commission will need to include the transitional buffer deviation in their motion on this case.
896 A revised plan is included in your packet and the applicant is in agreement with staff's
897 annotations, comments, conditions, including the Traffic Engineer's request for angle parking,
898 and Planning's request for a brick enclosure, a brick wall, if you will, to surround the walk-in
899 freezer, and the brick will match the existing building.

900

901 The transitional buffer deviation is for approximately 30 feet to allow a driveway connection
902 along the site rear to the abutting service station and improve circulation. Staff can
903 recommend approval subject to the annotations on the plan, the standard conditions for
904 developments of this type and additional conditions Nos. 23 through 36. I'll be happy to
905 answer any questions.

906

907 Mr. Vanarsdall - Are there any questions for Mr. McGarry. No questions. All right, Mr.
908 Jernigan.

909

910 Mr. Jernigan - Mr. Chairman, I will move for approval... I don't need to speak to the
911 applicant. We've got everything straight. The road issue was the only thing that we had and
912 we cleared that up with VDOT.

913

914 Mr. Vanarsdall - That's up to you. That's fine.

915

916 Mr. Jernigan - So, I'll move for approval of POD, well first of all, on POD-45-05,
917 Wendy's @ Airport Drive Shops Shopping Center, I move for the approval of the transitional
918 buffer deviation, and also for approval of the Wendy's @ Airport Shops Shopping Center,
919 subject to the standard conditions for developments of this type, and the following additional
920 conditions Nos. 23 through 36.

921

922 Mr. Archer - Second, Mr. Chairman.

923

924 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Archer.
925 All in favor say aye...all opposed say nay. The motion passes.

926

927 The Planning Commission approved POD-45-05, Wendy's @ Airport Drive Shops Shopping
928 Center (POD-50-89 Revised) subject to the annotations on the plan, the standard conditions
929 attached to these minutes for developments of this type, and the following additional
930 conditions:

931

932 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
933 screens, walls, fences, lighting and other site improvements shall be properly
934 maintained in good condition at all times. Any necessary repairs shall be made in a
935 timely manner.

936 24. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent
937 of the total site area.

938 25. The proffers approved as a part of zoning case C-47C-89 shall be incorporated in this
939 approval.

940 26. The developer shall install an adequate restaurant ventilating and exhaust system to
941 minimize smoke, odors, and grease vapors. The plans and specifications shall be
942 included with the building permit application for review and approval. If, in the
943 opinion of the County, the type system provided is not effective, the Commission
944 retains the rights to review and direct the type of system to be used.

945 27. The developer shall provide fire hydrants as required by the Department of Public
946 Utilities and Division of Fire.

947 28. Any necessary off-site drainage and/or water and sewer easements must be obtained in
948 a form acceptable to the County Attorney prior to final approval of the construction
949 plans.

950 29. Deviations from County standards for pavement, curb or curb and gutter design shall be
951 approved by the County Engineer prior to final approval of the construction plans by
952 the Department of Public Works.

953 30. In the event of any traffic backup which blocks the public right-of-way as a result of
954 congestion caused by the drive-up delivery facilities, the owner/occupant shall close the
955 drive-up delivery facilities until a solution can be designed to prevent traffic backup.

956 31. Approval of the construction plans by the Department of Public Works does not
957 establish the curb and gutter elevations along the Virginia Department of Transportation
958 maintained right-of-way. The elevations will be set by the contractor and approved by
959 the Virginia Department of Transportation.

960 32. The entrances and drainage facilities on Airport Drive (State Route 56) shall be

- 961 approved by the Virginia Department of Transportation and the County.
- 962 33. A notice of completion form, certifying that the requirements of the Virginia
 963 Department of Transportation entrances permit have been completed, shall be submitted
 964 to the Department of Planning prior to any occupancy permits being issued.
- 965 34. Insurance Services Office (ISO) calculations must be included with the plans and
 966 contracts and must be approved by the Department of Public Utilities prior to the
 967 issuance of a building permit.
- 968 35. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
 969 Department of Planning and approved prior to issuance of a certificate of occupancy for
 970 this development.
- 971 36. The location of all existing and proposed utility and mechanical equipment (including
 972 HVAC units, electric meters, junction and accessory boxes, transformers, and
 973 generators) shall be identified on the landscape plans. All equipment shall be screened
 974 by such measures as determined appropriate by the Director of Planning or the
 975 Planning Commission at the time of plan approval.

976
 977 **PLAN OF DEVELOPMENT & SPECIAL EXCEPTION**

978

979 980 POD-42-05 981 Wingate Inn – Broad Street 982 and N. Gayton Road	Bay Design Group, P.C. for Gayton Road Partners, LLC: Request for approval of a plan of development and special exception, as required by Chapter 24, Sections 24-2, 24-94b and 24-106 of the Henrico County Code, to construct a five four-story, 52-foot-high, 73 66-room hotel. The special exception would authorize a building over three stories and 45 feet in height. The 1.547-acre site is located east of N. Gayton Road and north of W. Broad Street (U.S. Route 250) on parcel 734-765-4705. The zoning is B-3C, Business District (Conditional). County water and sewer. (Three Chopt)
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979

980 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-42-05, Wingate
 981 Inn, in the Three Chopt District? No opposition. Mr. Kennedy.

982

983 Mr. Kennedy - In the packet before you there is a revised plan. The building itself has
 984 been revised to reduce it to four stories and 66 rooms. It's a tight site and we want to make it
 985 fit. And to address staff's concerns, the building was reduced. The revised plan addresses the
 986 Traffic Engineers concerns regarding adequate sight distance along the loop road. By reducing
 987 the building, you are reducing encroachment of the building along the road so that you can
 988 have greater sight distance from the exit. It also provides additional dedication required for N.
 989 Gayton Road. As you know, N. Gayton Road is a part of the bond issue. It's one of the
 990 significant County projects to provide access to the North/West quadrant. And it's planned to
 991 be a six-lane divided road. So, they had to provide an additional dedication for that. That was
 992 accommodated by the plan as well. And then the last thing that is accommodated by the plan is
 993 that the Fire Marshall asked for a fire lane at the back of the building because it is a four-story
 994 building and they wanted to make sure that they had access to all the sleeping rooms. And on
 995 the back of the building there is a BMP of a fountain pond serving the apartments to the north.

996 So, the Fire Marshall wanted to make sure that they had access because he couldn't get access
997 with a ladder across the BMP. So, they provided a fire lane and that fire lane will be open-cut
998 pavers, grass pavers, and they will be using that as a patio to serve this hotel. The hotel itself
999 is an Executive Suite Hotel. It's geared to serving executives actually in the West Creek Office
1000 Park, Goochland. It is a high-quality hotel, it's got an in-door pool, and it's got all of the
1001 amenities that an executive would want if they are away from home. That's the type of quality
1002 development. As far as parking, they have 71 parking spaces on this site. There has been
1003 some concern expressed by Mr. Ted Linhart, the Chevy dealer, about parking. They have 66
1004 rooms and 71 parking spaces and should they need or require additional parking, they could
1005 actually valet park under the building. A part of the parking is located in the level under the
1006 building and they can actually park six additional cars. Staff is confident that there is adequate
1007 parking on the site. And with that, we can recommend approval of the POD. Of course, we
1008 express no opposition to the special exception. The conditions for the special exception are
1009 met.

1010

1011 Mr. Vanarsdall - All right. Are there any questions for Mr. Kennedy from Commission
1012 members? Mr. Branin, do you have any questions?

1013

1014 Mr. Branin - Mr. Kennedy, this won't affect the future expansion of N. Gayton Road?

1015

1016 Mr. Kennedy - No. They had to do additional right-of-way dedication to accommodate
1017 that. That was one of staff's concerns and they have accommodated that with their dedication.

1018

1019 Mr. Branin - Okay. I have no further questions. I'm done, Mr. Chairman. Do you
1020 want me to make a motion?

1021

1022 Mr. Vanarsdall - Sure, go ahead, entertain a motion.

1023

1024 Mr. Branin - Mr. Chairman, I move for approval of POD-42-05, Wingate Inn, with
1025 the special exception for height as well as the standard conditions for developments of this
1026 type, and the following additional conditions Nos. 23 through 33.

1027

1028 Mr. Jernigan - Second.

1029

1030 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mr. Jernigan. All
1031 in favor say aye...all opposed say nay. The motion passes.

1032

1033 The Planning Commission approved POD-42-05, Wingate Inn, subject to the annotations on
1034 the plans, the standard conditions attached to these minutes for developments of this type, and
1035 the following additional conditions:

1036

1037 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
1038 screens, walls, fences, lighting and other site improvements shall be properly
1039 maintained in good condition at all times. Any necessary repairs shall be made in a
1040 timely manner.

- 1041 24. The right-of-way for widening of N. Gayton Road as shown on approved plans shall be
1042 dedicated to the County prior to any occupancy permits being issued. The right-of-way
1043 dedication plat and any other required information shall be submitted to the County
1044 Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
- 1045 25. The easements for drainage and utilities as shown on approved plans shall be granted to
1046 the County in a form acceptable to the County Attorney prior to any occupancy permits
1047 being issued. The easement plats and any other required information shall be submitted
1048 to the County Real Property Agent at least sixty (60) days prior to requesting
1049 occupancy permits.
- 1050 26. The required building setback shall be measured from the proposed right-of-way line
1051 and the parking shall be located behind the proposed right-of-way line.
- 1052 27. The developer shall provide fire hydrants as required by the Department of Public
1053 Utilities and Division of Fire.
- 1054 28. The proffers approved as a part of zoning case C-62C-98 shall be incorporated in this
1055 approval.
- 1056 29. Any necessary off-site drainage and/or water and sewer easements must be obtained in
1057 a form acceptable to the County Attorney prior to final approval of the construction
1058 plans.
- 1059 30. Deviations from County standards for pavement, curb or curb and gutter design shall be
1060 approved by the County Engineer prior to final approval of the construction plans by
1061 the Department of Public Works.
- 1062 31. Insurance Services Office (ISO) calculations must be included with the plans and
1063 contracts and must be approved by the Department of Public Utilities prior to the
1064 issuance of a building permit.
- 1065 32. Approval of the construction plans by the Department of Public Works does not
1066 establish the curb and gutter elevations along the Henrico County maintained right-of-
1067 way. The elevations will be set by Henrico County.
- 1068 33. The location of all existing and proposed utility and mechanical equipment (including
1069 HVAC units, electric meters, junction and accessory boxes, transformers, and
1070 generators) shall be identified on the landscape plans. All equipment shall be screened
1071 by such measures as determined appropriate by the Director of Planning or the
1072 Planning Commission at the time of plan approval.

1073
1074 Mr. Silber - The next case is the case we pulled from the Expedited Agenda, POD-
1075 46-05, Preston Square. Mr. Kennedy, have they finished discussing this?

1076
1077 Mr. Kennedy - Yes we have.

1078
1079 Mr. Silber - So we can hear this case?

1080
1081 Mr. Kennedy - Yes.

1082
1083 **MR. SILBER LEAVES DURING THIS CASE AND MR. O'KELLY TAKES OVER.**

1084 **PLAN OF DEVELOPMENT**

1085

POD-46-05
Preston Square –
Twin Hickory Road

E. D. Lewis & Associates, P.C. for Preston Square, L.L.C.:
Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 28, two-story, 2,100 square foot townhouse for sale units. The 5.00-acre site is located on the west side of Twin Hickory Road, approximately 1,500 feet east of Nuckols Road on parcels 747-774-6515 and 5839. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt)**

1086

1087 Mr. Vanarsdall - Mr. Kennedy, are you going to present the case?

1088

1089 Mr. Kennedy - I'll present the case. The opposition has actually left.

1090

1091 Mr. Vanarsdall - Let me ask. Is there any opposition? Okay.

1092

1093 Mr. Kennedy - The opposition has left. They met with the engineer and myself. They
1094 were satisfied that the layout plan is consistent with the proffered layout plan. That the
1095 elevation is brick as proffered in the proffer plan, and they have requested, and the engineer
1096 has agreed, to have Nos. 9 and 11 amended. And with that, we can recommend approval.

1097

1098 Mr. Branin - Mr. Kennedy, is the applicant here?

1099

1100 Mr. Kennedy - Yes.

1101

1102 Mr. Scott - I'm Gary Scott representing the developer. I'm with E. D. Lewis &
1103 Associates.

1104

1105 Mr. Branin - Gary, did the person that was questioning....

1106

1107 Mr. Scott - Yes. We had a discussion outside and the condition that he requested is
1108 that he wants to make sure that the landscaping plan meets his satisfaction. So, what we
1109 recommended is that we will come back and submit our landscaping plan back to the
1110 Commission for approval.

1111

1112 Mr. Branin - Okay.

1113

1114 Mr. Scott - Any other questions?

1115

1116 Mr. Branin - You just disappeared and I just wasn't sure if it was rectified or if he was
1117 just fed up. I just wanted to check. Okay.

1118

1119 Mr. Scott - Are there any other questions? Thank you very much.

1120 Mr. Branin - I'm going to make a motion now.
1121
1122 Mr. Vanarsdall - All right.
1123
1124 Mr. Branin - Mr. Chairman, I move for the approval of POD-46-05, Preston Square –
1125 Twin Hickory Road, subject to the annotations on the plans and the standard conditions for this
1126 type of development and the additional conditions Nos. 23 through 36 and conditions Nos. 9
1127 and 11 amended.
1128
1129 Mr. Archer - Second.
1130
1131 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mr. Archer. All
1132 in favor say aye...all opposed say nay. The motion passes.
1133
1134 The Planning Commission approved POD-46-05, Preston Square, subject to the annotations on
1135 the plans, the standard conditions attached to these minutes for developments of this type, and
1136 the following additional conditions:
1137
1138 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
1139 Planning for review and Planning Commission approval prior to the issuance of any
1140 occupancy permits.
1141 11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including
1142 depictions of light spread and intensity diagrams, and fixture and specifications and
1143 mounting height details shall be submitted for Department of Planning review and
1144 Planning Commission approval.
1145 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
1146 screens, walls, fences, lighting and other site improvements shall be properly
1147 maintained in good condition at all times.
1148 24. Any necessary repairs shall be made in a timely manner.
1149 25. The unit house numbers shall be visible from the parking areas and drives.
1150 26. The names of streets, drives, courts and parking areas shall be approved by the
1151 Richmond Regional Planning District Commission and such names shall be included on
1152 the construction plans prior to their approval. The standard street name signs shall be
1153 ordered from the County and installed prior to any occupancy permit approval.
1154 27. The subdivision plat for Preston Square shall be recorded before any building permits
1155 are issued.
1156 28. The developer shall provide fire hydrants as required by the Department of Public
1157 Utilities and Division of Fire.
1158 29. A standard concrete sidewalk shall be provided along the west side of Twin Hickory
1159 Road.
1160 30. The proffers approved as a part of zoning case C-50C-04 shall be incorporated in this
1161 approval.
1162 31. Any necessary off-site drainage and/or water and sewer easements must be obtained in
1163 a form acceptable to the County Attorney prior to final approval of the construction
1164 plans.

- 1165 32. Deviations from County standards for pavement, curb or curb and gutter design shall be
 1166 approved by the County Engineer prior to final approval of the construction plans by
 1167 the Department of Public Works.
- 1168 33. The pavement shall be of an SM-2A type and shall be constructed in accordance with
 1169 County standard and specifications. The developer shall post a defect bond for all
 1170 pavement with the Department of Planning - the exact type, amount and implementation
 1171 shall be determined by the Director of Planning, to protect the interest of the members
 1172 of the Homeowners Association. The bond shall become effective as of the date that
 1173 the Homeowners Association assumes responsibility for the common areas. Prior to the
 1174 issuance of the last Certificate of Occupancy, a professional engineer must certify that
 1175 the roads have been designed and constructed in accordance with County standards.
- 1176 34. Insurance Services Office (ISO) calculations must be included with the plans and
 1177 contracts and must be approved by the Department of Public Utilities prior to the
 1178 issuance of a building permit.
- 1179 35. Approval of the construction plans by the Department of Public Works does not
 1180 establish the curb and gutter elevations along the Henrico County maintained right-of-
 1181 way. The elevations will be set by Henrico County.
- 1182 36. The location of all existing and proposed utility and mechanical equipment (including
 1183 HVAC units, electric meters, junction and accessory boxes, transformers, and
 1184 generators) shall be identified on the landscape plans. All equipment shall be screened
 1185 by such measures as determined appropriate by the Director of Planning or the
 1186 Planning Commission at the time of plan approval.

1187
 1188 Mr. Vanarsdall - Mr. Silber had to step away and now Mr. O’Kelly is here to continue
 1189 with the meeting. Before we start the next case, if anybody in here is interested in a
 1190 Chevrolet, a GMC or a Pontiac, we have a gentleman in the back from the Pau, Pau patch and
 1191 just taught you might be interested. He’s got a good discount, I understand. I heard that he
 1192 will sell them for a song and he will turn around and sing it to you. All right, Mr. O’Kelly.

1193
 1194 **SUBDIVISION**
 1195

Mayland Court Extension **Michael Baker, Jr., Inc. for Commonwealth Foundation
 (July 2005 Plan) for Cancer Research:** The 1.64-acre site proposed for a
 public road is located south of the intersection of Stillman
 Parkway and Mayland Drive on parcels 752-757-8824 and
 753-757-1656. The zoning is M-1C, Light Industrial District
 (Conditional). County water and sewer. **(Three Chopt) 0 Lot**

1196
 1197 Mr. Vanarsdall - Is there anyone in the audience in opposition to subdivision Mayland
 1198 Court Extension (July 2005 Plan) in the Three Chopt District? No opposition. When I first
 1199 saw this, I thought it was another Court we were building. Good morning, Mr. Wilhite.

1200
 1201 Mr. Wilhite - Good morning. We just handed out a revised plan we received on
 1202 Friday. There was no change to the proposed alignment. However, the original plan was
 1203 missing a lot of basic information that we have now received. They did change the location of

1204 the proposed BMP. Where it was shown on the original plan was located in what was required
1205 to be a transitional buffer adjacent to Pemberton Green Townhouses. That has been moved out
1206 of the buffer. There is no need for a transitional buffer deviation. The staff has annotated the
1207 plan to make sure that the BMP would meet the 25-foot required setback under the County
1208 Design Manuel. There will also be a berm placed in front of the BMP along the roadway. We
1209 have also received the signatures from the adjacent property owners that were needed. There
1210 were some proposed modifications to some existing entrances. With that, staff can recommend
1211 approval of the revised plan.

1212

1213 Mr. Vanarsdall - Are there any questions by Commission members for Mr. Wilhite? No
1214 questions. All right, Mr. Branin.

1215

1216 Mr. Branin - Mr. Chairman, I move for approval of Mayland Court Extension subject
1217 to the changes on the new plans.

1218

1219 Mr. Vanarsdall - Is that it?

1220

1221 Mr. Branin - I think that's it.

1222

1223 Mr. Jernigan - You forgot added conditions Nos. 12, 13 and 14.

1224

1225 Mr. Branin - I'm sorry. And conditions Nos. 12 through 14.

1226

1227 Mr. Jernigan - Second.

1228

1229 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mr. Jernigan. All
1230 in favor say aye...all opposed say nay. The motion passes.

1231

1232 The Planning Commission granted conditional approval to subdivision plan Mayland Court
1233 Extension (July 2005 Plan) subject to the standard conditions attached to these minutes for
1234 subdivisions served by public utilities, the annotations on the plans and the following additional
1235 conditions:

1236

1237 12. Any necessary offsite drainage easements must be obtained prior to approval of the
1238 construction plan by the Department of Public Works.

1239 13. The applicant shall submit a request for vacation of the excess right-of-way in the
1240 existing Mayland Court cul-de-sac to the Real Property Office prior to the recordation
1241 of the subdivision plat.

1242 14. The applicant shall use his best efforts to transfer any excess property to the west of the
1243 proposed right-of-way line to the adjacent property owners.

1244

1245 Mr. Vanarsdall - All right. Next case, Mr. O'Kelly.

1246 **SUBDIVISION**

1247

Fisher's Woods
(July 2005 Plan)
Hughes Road

Engineering Design Associates for Bernice F. Selph, Rex Sullivan and Stuart W. Fowler: The acre site proposed for a subdivision of 15 single-family homes is located on the north line of Hughes Road, approximately 2,550 feet east of Elko Road (State Route 156) on parcel 860-696-7961 and part of 2468 and 3323. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield. **(Varina) 15 Lots**

1248

1249 Mr. Vanarsdall - Is there anyone in the audience in opposition to Fisher's Woods (July
1250 2005 Plan) in the Varina District? No opposition. Mr. Jernigan.

1251

1252 Mr. Jernigan - Tony.

1253

1254 Mr. Greulich - Good morning, everyone. Mr. Chairman, Planning Commission
1255 members, the applicant, Rex Sullivan is proposing a subdivision of approximately 63 acres into
1256 15 lots fronting onto a proposed road. At the time of preparation of this packet, there were a
1257 couple outstanding issues regarding the layout, existing structures and the possible acquisition
1258 of some adjacent property from Mr. Cheek. The applicant has since adequately resolved these
1259 issues and provided staff with a revised plan - that is being handed to you now - showing the
1260 approximate location of the existing structures on lot 15. Staff has been able to confirm that
1261 the applicant has had unfruitful conversations with Mr. Cheek and was not able to obtain any
1262 of his property for additional road frontage.

1263

1264 As a result, staff can recommend approval of the latest, submitted plan. It is subject to the
1265 annotations on the plan, the standard conditions for conditional subdivisions not served by
1266 public utilities and additional conditions 11 through 17. Staff and representatives of the
1267 applicant are available to answer any questions you may have. Thank you.

1268

1269 Mr. Vanarsdall - Are there any questions for Mr. Greulich?

1270

1271 Mr. Jernigan - No I don't have any questions, Mr. Chairman. I don't need to hear from
1272 the applicant on this because it's a pretty cut and dry case. It's a subdivision case and it meets
1273 Code. So, with that, I will move for approval of subdivision Fisher's Wood (July 2005 Plan)
1274 subject to the standard conditions for subdivisions not served by public utilities and the
1275 following additional conditions Nos. 11 through 17.

1276

1277 Mrs. Jones - Second.

1278

1279 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mrs. Jones. All
1280 in favor say aye...all opposed say nay. The motion passes.

1281

1282 The Planning Commission granted conditional approval to subdivision Fisher's Wood (July
1283 2005 Plan) subject to the standard conditions attached to these minutes for subdivisions not
1284 served by public utilities, the annotations on the plan, and the following additional conditions:

1285

1286 11. Prior to requesting recordation, the developer shall furnish a letter from Dominion
1287 Virginia Power stating that this proposed development does not conflict with its facilities.

1288 12. Each lot shall contain at least 43,560, exclusive of the flood plain areas.

1289 13. The detailed plant list and specifications for the landscaping to be provided within the 25-
1290 foot-wide planting strip easement along Hughes Road shall be submitted to the
1291 Department of Planning for review and approval prior to recordation of the plat.

1292 14. Any necessary offsite drainage easements must be obtained prior to approval of the
1293 construction plan by the Department of Public Works.

1294 15. Any future building lot containing a BMP, sediment basin or trap and located within the
1295 buildable area for a principal structure or accessory structure, may be developed with
1296 engineered fill. All material shall be deposited and compacted in accordance with the
1297 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
1298 professional engineer. A detailed engineering report shall be submitted for the review
1299 and approval by the Building Official prior to the issuance of a building permit on the
1300 affected lot. A copy of the report and recommendations shall be furnished to the
1301 Directors of Planning and Public Works.

1302 16. Prior to requesting final approval, the engineer shall furnish the Department of
1303 Planning Staff a plan showing a dwelling situated on Lot 15 to determine if the lot
1304 design is adequate to meet the requirements of Chapter 24, of the Henrico County
1305 Code.

1306 17. The limits and elevation of the 100-year frequency flood shall be conspicuously noted
1307 on the plat and construction plans and labeled "Limits of 100-year floodplain." Dedicate
1308 floodplain as a "Variable Width Drainage & Utilities Easement."

1309

1310 SUBDIVISION

1311

Darbytown Townhouses
(July 2005 Plan)

Balzer & Associates, Inc. for Interfaith Housing Corporation: The 1.71-acre site proposed for a subdivision of 17 townhouses for sale is located at the northwest corner of Darbytown Road and Shirleydale Avenue on parcel 804-711-4444. The zoning is R-5, General Residence District. County water and sewer. **(Varina) 17 Lots**

1312

1313 Mr. Vanarsdall - Is there anyone in the audience in opposition to this case, Darbytown
1314 Townhouses (July 2005 Plan) in the Varina District? No opposition. Mr. McGarry.

1315

1316 Mr. McGarry - Mr. Chairman, members of the Commission. The review of the revised
1317 plan, which has been included in your packet, is now complete. The development meets only
1318 the minimum Code requirements including setbacks, yards and so forth. The staff can
1319 recommend approval subject to the annotations on the plans, the standard conditions for
1320 developments of this type, which is townhouses, a new condition No. 13 to replace the one in

1321 the agenda, the new one is on your addendum, and then added condition No. 14 in the agenda.
1322 Staff will be happy to answer any questions you may have.

1323

1324 Mr. Vanarsdall - Are there any questions for Mr. McGarry? No questions. Mr. Jernigan.
1325

1326 Mr. Jernigan - Mr. Chairman, with that I'll move for approval of subdivision
1327 Darbytown Townhouses (July 2005 Plan) subject to the annotations on the plan and standard
1328 conditions for residential townhouses for sale. Condition No. 13 was deleted and replaced
1329 with No. 13 on the addendum and condition No. 14.

1330

1331 Mr. Archer - Second.

1332

1333 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Archer.
1334 All in favor say aye...all opposed say nay. The motion passes.

1335

1336 The Planning Commission granted conditional approval to subdivision Darbytown Townhouses
1337 (July 2005 Plan) subject to the standard conditions attached to these minutes for subdivisions
1338 served by public utilities, the annotations on the plan and the following additional conditions:

1339

1340 13. Provide a standard three-foot concrete sidewalk behind the curb, located on each lot in
1341 an easement to the Homeowners Association. The covenants shall require maintenance
1342 of the sidewalk by the Homeowners Association.

1343 14. Prior to requesting the final approval, a draft of the covenants and deed restrictions for
1344 the maintenance of the common area by a homeowners association shall be submitted to
1345 the Department of Planning for review. Such covenants and restrictions shall be in
1346 form and substance satisfactory to the County Attorney and shall be recorded prior to
1347 recordation of the subdivision plat.

1348

1349 **MR. SILBER RETURNS DURING THIS CASE**

1350

1351 **PLAN OF DEVELOPMENT, SPECIAL EXCEPTION & LIGHTING PLAN**

1352

POD-47-05
Springhill Suites Hotel - **McKinney & Company for Commonwealth Foundation for
Gaskins Place Cancer Research and McKibbin Hotel Group:** Request for
approval of a plan of development, special exception, and
lighting plan for a building exceeding three stories and 45 feet
in height as required by Chapter 24, Sections 24-106, 24-2 and
24-94 of the Henrico County Code, to construct a four-story,
59,303 square foot, 103 room, hotel. The 2.90-acre site is
located on the east line of Gaskins Road, approximately 575
feet south of Maryland Drive, on part of parcel 752-757-0556.
The zoning is M-1C, Light Industrial District (Conditional).
County water and sewer. **(Three Chopt)**

1353

1354 Mr. Vanarsdall - Is there anyone in the audience in opposition to this case, POD-47-05,

1355 Springhill Suites Hotel, in the Three Chopt District? No opposition. In the audience this
1356 morning, we have a former staff member, not old but ole, Stacey Burcin. Mr. Wilhite.

1357

1358 Mr. Wilhite - This is the first proposed development within the Gaskins Place project.
1359 The applicant is requesting a special exception for a building exceeding three stories in height.
1360 I would like to point out that there is a Holiday Inn Express directly across Gaskins Road from
1361 this site approved under a 1998 POD. It was approved as a four-story building as well. I
1362 would like to make one clarification. The material on the first story of the hotel originally
1363 showed stone and they have switched that to brick at the request of the Deep Run Business
1364 Association. Staff can recommend approval of the site plan. The applicant is here to make his
1365 request and case for the special exception.

1366

1367 Mr. Vanarsdall - Are there any questions for Mr. Wilhite by Commission members? No
1368 questions. Mr. Branin.

1369

1370 Mr. Branin - Okay, Mr. Chairman. I move that POD-47-05, Springhill Suites Hotel,
1371 be approved with the special exception for height, as well as approval subject to the
1372 annotations on plans, the standard conditions for developments of this type and the following
1373 additional conditions Nos. 23 through 32.

1374

1375 Mr. Archer - Second.

1376

1377 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mr. Archer. All
1378 in favor say aye...all opposed say nay. The motion passes.

1379

1380 The Planning Commission approved POD-47-05, Springhill Suites Hotel, subject to the
1381 standard conditions attached to these minutes for developments of this type, the annotations on
1382 the plan and the following additional conditions:

1383

1384 11B. Prior to the approval of an electrical permit application and installation of the site
1385 lighting equipment, a plan including light spread and intensity diagrams, and fixture
1386 specifications and mounting height details, shall be revised as annotated on the staff
1387 plan and included with the construction plans for final signature.

1388 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
1389 screens, walls, fences, lighting and other site improvements shall be properly
1390 maintained in good condition at all times. Any necessary repairs shall be made in a
1391 timely manner.

1392 24. The easements for drainage and utilities as shown on approved plans shall be granted to
1393 the County in a form acceptable to the County Attorney prior to any occupancy permits
1394 being issued. The easement plats and any other required information shall be submitted
1395 to the County Real Property Agent at least sixty (60) days prior to requesting
1396 occupancy permits.

1397 25. The developer shall provide fire hydrants as required by the Department of Public
1398 Utilities and Division of Fire.

1399 26. Outside storage shall not be permitted.

- 1400 27. The proffers approved as a part of zoning case C-7C-81 shall be incorporated in this approval.
1401
- 1402 28. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans.
1403
1404
- 1405 29. Deviations from County standards for pavement, curb or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
1406
1407
- 1408 30. Insurance Services Office (ISO) calculations must be included with the plans and contracts and must be approved by the Department of Public Utilities prior to the issuance of a building permit.
1409
1410
- 1411 31. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
1412
1413
- 1414 32. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
1415
1416
1417
1418
1419

1420 Mr. O’Kelly - This is the last case on your agenda, page 34, subdivision Turnberry
1421 (July 2005 Plan)

1422
1423 **SUBDIVISION**

1424
Turnberry
(July 2005 Plan)
Shady Grove Road

AES Consulting Engineers for Wesley J. Smart, Jr. and Centex Homes: The 13.79-acre site proposed for a subdivision of 25 single-family homes is located on the south line of Shady Grove Road, approximately 1,100 feet east of the intersection of Pouncey Tract Road and Shady Grove Road on parcel 740-770-0883. The zoning is R-3C, One-Family Residence District (Conditional). County water and sewer.
(Three Chopt) 24 Lots

1425
1426 Mr. Vanarsdall - Is there anyone in the audience in opposition to Turnberry, in the Three
1427 Chopt District? No opposition. Good morning, Mike.

1428
1429 Mr. Cooper - Good morning, Mr. Chairman and members of the Planning
1430 Commission. Actually this plan is for 24 lots. The original plan that was submitted to staff
1431 did indicate 25 lots, however, this subdivision plan was submitted while the rezoning case was
1432 still pending Board approval. Subsequently, the Board did approve the rezoning case, C-14C-
1433 05 earlier this month and with that there was a revised layout that was exhibited with that
1434 rezoning case and proffered. That layout does call for 24 lots and we received a revised plan
1435 which was handed out to you this morning that reflects the changes to the design of the
1436 subdivision and does match what was ultimately approved as a proffered exhibit.

1437

1438 The property is adjacent to Striker Park and there is actually a companion case across the street
1439 from on Shady Grove which was rezoning case C-13C-05. One red-lined annotation that you
1440 will note on the plan handed to you this morning indicates a need for additional right-of-way
1441 along a small portion of Shady Grove Road to accommodate a required right-turn lane into this
1442 subdivision. The applicant has agreed to that and when you review the plan, they will still be
1443 able to meet all of their lot requirements for the adjacent lot. Therefore, we have annotated the
1444 plan and the applicant is in agreement.

1445

1446 Another issue that staff had was in regards to the common area. The applicant has proffered
1447 pedestrian trails through the common area. The original plan, even on the revised plan, did
1448 not show the pedestrian trails traveling to the west to the open space in the common area. Staff
1449 has asked that the applicant to look into providing additional pedestrian trails through the
1450 common area and they have agreed to do so. There are wetlands within portions of the
1451 common area and those pedestrian trails will require approval from the U.S. Army Corps of
1452 Engineers and DEQ. So, they will attempt to obtain that permission and provide additional
1453 pedestrian trails. With that, staff can recommend approval of the revised plan handed to you
1454 this morning. And if you have any questions, the applicant is here today and I'll be happy to
1455 answer any questions as well.

1456

1457 Mr. Vanarsdall - Are there any questions for Mr. Cooper by Commission members?

1458

1459 Mr. Silber - I have one question. Mr. Cooper, the annotation on the plan for the 12
1460 feet of right-of-way for the right-turn lane, would that be required across that entire lot 24?

1461

1462 Mr. Cooper - That's correct. Just that portion there or some portion thereof. We are
1463 just generally noting the vicinity of where that additional right-of-way will be needed. They
1464 actually faxed to us late yesterday afternoon a revision just for that area of the plan that shows
1465 the exact location of that. Public Works has reviewed it and is okay with that revision. We
1466 just felt annotating the plan would be sufficient at this time. But, we do have a fax that shows
1467 the specific location.

1468

1469 Mr. Silber - Okay, thank you.

1470

1471 Mr. Archer - Mr. Cooper, will there be any repercussion if the Corps did not approve
1472 the use of the pedestrian area? Will it have any effect on the approval?

1473

1474 Mr. Cooper - Not necessarily. I believe they will have a good case for obtaining those
1475 pedestrian trails. If you look at the plan there is one section of the common area that is not
1476 wetlands. It is an open space that's closest to Shady Grove Road, labeled as common area. I
1477 feel that that would probably be our most immediate concern is the ability to access that open
1478 space to sufficiently use it by the homeowners. So, hopefully they will be able to work
1479 something out with the Corps to obtain a pedestrian trail to at least access that open space to
1480 make it useable.

1481 Mr. Branin - Mr. Archer, these trails are very passive, so the Corps... I probably, I'm

1482 hoping will not have a problem with it. It won't affect the plans...it may affect the quality of
1483 life because I thought it was a good idea to have those trails in there.

1484

1485 Mr. Archer - Okay.

1486

1487 Mr. Vanarsdall - All right. Are there any more questions? No questions. Mr. Branin.

1488

1489 Mr. Branin - I would like to say one thing. I was worried that we wouldn't get the
1490 revised plan because one of the Centex people hasn't been sleeping much since he just had his
1491 second child, yesterday, Shawn?

1492

1493 Man from Aud. - Yes.

1494

1495 Mr. Branin - Yesterday. So, if he starts to fall asleep let him know that we are still in
1496 action here.

1497

1498 Mr. Archer - It's going to get better.

1499

1500 Mr. Branin - With that, Mr. Chairman, I would like to move for approval of
1501 Turnberry (July 2005 Plan) with the annotations on the plans, in addition to the standard
1502 conditions of subdivisions served by public utilities and the following additional conditions
1503 Nos. 12 through 19.

1504

1505 Mr. Jernigan - Second.

1506

1507 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mr. Jernigan. All
1508 in favor say aye...all opposed say nay. The motion passes.

1509

1510 The Planning Commission granted conditional approval to subdivision Turnberry (July 2005
1511 Plan) subject to the standard conditions attached to these minutes for subdivisions served by
1512 public utilities, the annotations on the plans and the following additional conditions:

1513

1514 12. Each lot shall contain at least 11,000 square feet.

1515 13. A County standard sidewalk shall be constructed along the south side of Shady Grove
1516 Road.

1517 14. A County standard sidewalk shall be constructed along one side of all internal roads.

1518 15. Any necessary offsite drainage easements must be obtained prior to approval of the
1519 construction plan by the Department of Public Works.

1520 16. The proffers approved as part of zoning case C-14C-05 shall be incorporated in this
1521 approval.

1522 17. Any future building lot containing a BMP, sediment basin or trap and located within the
1523 buildable area for a principal structure or accessory structure, may be developed with
1524 engineered fill. All material shall be deposited and compacted in accordance with the
1525 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
1526 professional engineer. A detailed engineering report shall be submitted for the review

1527 and approval by the Building Official prior to the issuance of a building permit on the
1528 affected lot. A copy of the report and recommendations shall be furnished to the
1529 Directors of Planning and Public Works.

1530 18. The detailed plant list and specifications for the landscaping to be provided within the 25-
1531 foot-wide buffer along Shady Grove Road shall be submitted to the Department of
1532 Planning for review and approval prior to recordation of the plat.

1533 19. The detailed plant list and specifications for the landscaping to be provided within the 25-
1534 foot-wide buffer adjacent to parcel 740-769-2091 shall be submitted to the Department of
1535 Planning for review and approval prior to recordation of the plat.

1536

1537 Mr. Silber - Next on the agenda would be the approval of the minutes, the June 22,
1538 2005 minutes.

1539

1540 **APPROVAL OF MINUTES: June 22, 2005 Minutes**

1541

1542 Mr. Vanarsdall - I had a couple but I didn't mark it so it doesn't amount to anything.

1543

1544 Mr. Branin - I thought I was asleep during this meeting because I think I only said two
1545 things during the whole meeting.

1546

1547 Mr. Vanarsdall - On page 9, line 287, Mr. Branin said: Yes, sir, Mr. Chairman, I motion
1548 that we approve all of the extensions. It should be "move" and not "motion." Nothing earth
1549 shaking.

1550

1551 Mr. Silber - So, change "motion" to "move?"

1552

1553 Mr. Vanarsdall - Yes.

1554

1555 Mr. Archer - Mr. Chairman, I move approval of the minutes as corrected.

1556

1557 Mrs. Jones - Second.

1558

1559 Mr. Jernigan - Second.

1560

1561 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mrs. Jones and Mr.
1562 Jernigan. All in favor say aye...all opposed say nay. The motion passes.

1563

1564 The Planning Commission approved the corrected minutes for the June 22, 2005, meeting.

1565

1566 Mr. Vanarsdall - Now we have the calendar.

1567

1568 **APPROVAL OF CALENDAR: 2006 Planning Commission Meeting Calendar – Subdivisions**
1569 **and Plans of Development**

1570

1571 Mr. Silber - Yes, sir. Next is the approval of the calendar for the year 2006. This

1572 would be the Planning Commission's calendar for both Rezoning meetings as well as the Plans of
1573 Development meetings. We have provided you a revision that's in the addendum. We have
1574 corrected an error under the Rezoning schedule showing the meeting on June 15 instead of June 8
1575 and that impacts the filing deadline. So, the addendum that we provided has the revised schedule
1576 and if you will, refer to that. This does take into consideration the APA Conference that will be in
1577 San Antonio, Texas during the period of April 22 through April 26. So, we have worked around
1578 that as well.

1579

1580 Mr. Vanarsdall - I do have my usual change. Anyone else have any questions or changes? I
1581 have my usual ones I like to change. Since December and Christmas comes but once, I would like
1582 to have it early, if this is possible and it won't throw a wrench in the work. I would like to see,
1583 under Rezoning, December 14, be moved to the 7th of December. And, December 20, under
1584 POD, be moved to December 13. We did this in 2004, we had it on the 9th and 2005 on the 8th
1585 and for the other we had the 14th and 15th. So, I would like to make a motion to do that if it is
1586 alright with you, Mr. Secretary.

1587

1588 Mr. Silber - I think that would be easier than moving Christmas.

1589

1590 Mr. Jernigan - Well, we have never tried it, Randy.

1591

1592 Mr. Archer - We've never tried it.

1593

1594 Mr. Vanarsdall - Mr. Jernigan called me about seeing if we could move Christmas and I told
1595 him that the Chairman... I'm very proud to be Chairman, but I don't have that kind of authority
1596 and I told him who to see, if he ever got there he could talk to the man.

1597

1598 Mr. Silber - I'm not aware, Mr. Chairman, of any problems with doing that. We
1599 haven't checked the calendar to see if that has any conflict but we certainly can accept it, and if
1600 there is an issue we will bring it back to you, but I'm not aware that there is an issue with either of
1601 these dates. Does the staff know of any problems moving those two?

1602

1603 Mr. Archer - It was the 7th and the... What was the other one?

1604

1605 Mr. Silber - December 13. We would have to move the respective filing deadlines for
1606 both of those meetings.

1607

1608 Mr. Vanarsdall - Right.

1609

1610 Mr. Silber - Another thing worth pointing out, and staff may have to refresh my
1611 memory, is to which week this is, but by adjusting the POD hearing around the APA Conference,
1612 we do place it onto the week of Spring Break, Easter and Spring Break. So often some
1613 Commission members have conflicts. Sometimes staff is taking time off to be with their families
1614 because the kids are out of school. So, I just want to point that out. I believe it is the week of
1615 April 19 that often falls on Spring Break week. So, if you all know of your schedule, and you
1616 might be gone at that period of time, we need to have a quorum. So, please let us know.

1617
1618 Mrs. Jones - I'll raise a problem here, just for myself. The 13th of December is the
1619 second testing day for the CPC exam that I'll be involved in. I don't know if Tommy is or not.
1620
1621 Mr. Vanarsdall - That's all right, we will take care of your cases for you.
1622
1623 Mrs. Jones - If everyone else is here, I'm sure that will be fine.
1624
1625 Mr. Jernigan - We'll miss you.
1626
1627 Mr. Vanarsdall - We will miss you and we hope that you will do well on your test. Mrs.
1628 Jones, were you just telling us so that we would know that you do this kind of thing or is that
1629 relevant to this?
1630
1631 Mrs. Jones - It's relevant to the calendar, sir.
1632
1633 Mr. Archer - Did you say CPCU?
1634
1635 Mrs. Jones - Yes, no, the Certified Planning Commission...
1636
1637 Mr. Archer - Oh, Certified Planner. I thought you said CPCU.
1638
1639 Mr. Vanarsdall - Where will it be, in Charlottesville?
1640
1641 Mrs. Jones - Yes, I think so.
1642
1643 Mr. Vanarsdall - Well, if nobody else wants to do it, I'll make a motion that we adopt this
1644 2006 meeting schedule and it's been noted that June 15 on the Rezoning Calendar instead of June
1645 8 and April 20 instead of 13. And we move Rezoning to December 7 and POD to December 13
1646 and I'll leave it up to staff for when the filing deadlines are. And that's the end of the motion.
1647
1648 Mr. Jernigan - Second, Mr. Chairman.
1649
1650 Mr. Vanarsdall - The motion was made by Mr. Vanarsdall and seconded by Mr. Jernigan.
1651 All in favor say aye...all opposed say nay. Thank you. The ayes have it.
1652
1653 Mr. Silber - Thank you.
1654
1655 Mr. Vanarsdall - And, Mrs. Jones we will take care of your cases for you.
1656
1657 Mr. Silber - Mr. Branin has also indicated that he is likely to be taking the same class
1658 and the same exam.
1659
1660 Mrs. Jones - You know what, I'm sitting here looking at the 2006 calendar with my
1661 2005 obligations. I'm sorry.

1662
1663 Mr. Silber - Good, so maybe there won't be a conflict.
1664
1665 Mr. Archer - Well, if we don't have a quorum, we will come and get you.
1666
1667 Mrs. Jones - I'll be here, I think.
1668
1669 Mr. Vanarsdall - And Chris will take your test for you if you want too, if you can't make it
1670 yourself.
1671
1672 Mrs. Jones - Okay, it's time to leave.
1673
1674 The Planning Commission approved the 2006 Calendar with the changes for the Rezoning and
1675 POD Planning Commission meetings.
1676
1677 Mr. Silber - I have one item, if I could.
1678
1679 Mr. Vanarsdall - All right, Mr. Secretary.
1680
1681 Mr. Silber - We have something to pass out to you. The Commission may be aware
1682 that the rules and regulations indicate that when it comes to rezoning requests and provisional use
1683 permits, that there is a limit of 12 new cases in any given month. We have just had a filing
1684 deadline last Thursday for your September rezoning cases and provisional use cases. We had 14
1685 that were filed and again the limit is 12. I have provided you a handout that shows the cases that
1686 have been filed. One of the applications however was incomplete and we intend to inform the
1687 applicant that his application was not complete, so he will be removed from the agenda. So that
1688 puts us down to 13 cases. We also intend to talk to the applicant that filed C-55C-05. This item
1689 may possibly be tabled but we have to get with the applicant to see if that is the issue or not. If
1690 that is not tabled, then we have 13 cases and your limit is 12.
1691
1692 My recommendation to you is that you only accept 12. We have a large number of rezoning cases
1693 in the pipeline, more than usual. We have staff that are working on and attempting to move
1694 through the Land Use Plan Update by doing extensive mapping and working on the
1695 Comprehensive Plan Update, but by taking a larger number of rezoning cases it is delaying our
1696 progress on other projects, including the Comprehensive Plan Updates. So, my recommendation
1697 to you is that the Planning Commission not waive their policy but in fact limit this to only 12
1698 cases. Again, we may only have 12 because one of these may be tabled, but in case it is not, we
1699 would have 13 and I would recommend that the 13th case be held back until October.
1700
1701 Mr. Vanarsdall - Randy, let me ask you a question. Where do you mark this, 60C and you
1702 recommend that to be bumped because it is incomplete?
1703
1704 Mr. Silber - Yes, sir.
1705
1706 Mr. Vanarsdall - And so what district is that?

1707
1708 Mr. Silber - That's in the Tuckahoe District.
1709
1710 Mr. Vanarsdall - Okay. And the other two on Springfield Land Development, what district
1711 is that?
1712
1713 Mr. Silber - Is that C-55C?
1714
1715 Mrs. Jones - Yes.
1716
1717 Mr. Silber - That's in the Three Chopt District. You can see the districts in the 5th
1718 column over, Mr. Chairman.
1719
1720 Mr. Vanarsdall - The reason I asked that is because I think the Commission should have
1721 some input in that also.
1722
1723 Mr. Silber - I understand. What we typically do is we, the last one in would be the first
1724 one bumped. So these are in order of receipt, so these came in, from top to bottom order, the last
1725 one, the last two, actually, were filed by Mr. Conclin at the same time. They were taken in on the
1726 filing deadline at four o'clock. So, one of those two could be bumped if the Commission decides
1727 to accept 12.
1728
1729 Mr. Vanarsdall - Does anybody have any opposition to doing this? Mrs. Jones, you have
1730 one and Tommy the other one is yours.
1731
1732 Mrs. Jones - No.
1733
1734 Mr. Vanarsdall - I don't. Does anybody else? So, you are recommending that we just go
1735 with 12?
1736
1737 Mr. Silber - Yes, sir. It will not require you to take any action. We will just stick with
1738 your policy of accepting 12.
1739
1740 Mr. Vanarsdall - That's good. Does anybody want to make a motion?
1741
1742 Mr. Kaechele - Well, we are going to drop the last two then? They are related anyway,
1743 aren't they?
1744
1745 Mr. Silber - Yes, Mr. Kaechele. If we only have to drop one, I think I will get with
1746 Mr. Conclin and see which one of those two....
1747
1748 Mr. Vanarsdall - That's a good idea.
1749
1750 Mr. Kaechele - They could be heard together, anyway.
1751

1752 Mr. Silber - Except, they are two separate cases. One is a rezoning request to R-2A and
1753 one is a request to downzone to A-1 for the Community Recreation Center on Pouncey Tract
1754 Road.

1755

1756 Mr. Kaechele - They are different?

1757

1758 Mr. Silber - They are two different cases, yes, sir. And, again, if C-55C is tabled, if
1759 the applicant decides to hold that off, then we don't have an issue we would be right at 12 and we
1760 will be fine. But, I just wanted to let you know that we did have more than 12 filed and if we
1761 can't work through this, then one would have to come off. Okay.

1762

1763 Mr. Vanarsdall - All right, we need a motion to do this.

1764

1765 Mr. Silber - Actually, we don't need a motion. You would just be adhering to your
1766 policy. You would need a motion if you were going to deviate from your policy so with your
1767 understanding, we will just move forward per your policy.

1768

1769 Mr. Vanarsdall - All right. There are no objections. Thank you.

1770

1771 Mr. Archer - We understand.

1772

1773 Mr. Silber - Okay. Thank you. I have nothing else to add.

1774

1775 Mr. Archer - Mr. Chairman, I move for adjournment.

1776

1777 Mr. Jernigan - Second.

1778

1779 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mr. Jernigan. All
1780 in favor say aye...all opposed say nay. The motion passes. This meeting is adjourned.

1781

1782 On a motion by Mr. Archer and seconded by Mr. Jernigan, the Planning Commission adjourned
1783 its July 27, 2005, meeting at 10:09 a.m.

1784

1785

1786

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1788

Ernest B. Vanarsdall, C.P.C., Chairman

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1791

1792

1793

Randall R. Silber, Secretary

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1795