

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County,  
2 held in the Board Room of the County Administration Building in the Government Center  
3 at Parham and Hungary Spring Roads, beginning at 9:00 a.m. Wednesday, July 25,  
4 2007.

5  
6

Members Present: Mr. Tommy Branin, Chairperson (Three Chopt)  
Mr. E. Ray Jernigan, C.P.C., Vice Chairperson (Varina)  
Mr. Ernest B. Vanarsdall, C.P.C. (Brookland)  
Mrs. Bonnie-Leigh Jones (Tuckahoe)  
Mr. Frank Thornton (Fairfield)  
Board of Supervisors Representative  
Mr. Randall R. Silber, Director of Planning, Secretary

Members Absent: Mr. C. W. Archer, C.P.C. (Fairfield)

Others Present: Mr. David D. O'Kelly, Assistant Director of Planning  
Ms. Leslie A. News, CLA, Principal Planner  
Mr. James P. Strauss, CLA, County Planner  
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner  
Mr. Michael F. Kennedy, County Planner  
Ms. Christina L. Goggin, AICP, County Planner  
Mr. Tony Greulich, C.P.C., County Planner  
Mr. Matt Ward, County Planner  
Mr. Gregory Garrison, County Planner  
Lee Pambid, C.P.C., County Planner  
Aimee Berndt, County Planner  
Jonathan W. Steele, G.I.S. Manager  
Mr. Michael Jennings, Traffic Engineer  
Ms. Diana B. Carver, Recording Secretary  
Ann B. Cleary, Office Assistant

7

8 **Mr. Frank J. Thornton, the Board of Supervisors representative, abstains from**  
9 **voting on all cases unless otherwise noted.**

10

11 Mr. Branin - Good morning and welcome to the July 25, 2007 Planning  
12 Commission meeting for Subdivisions and Plans of Development for Henrico County.

13

14 Mr. Archer - Good morning, Mr. Chairman.

15

16 Mr. Branin - We are all here this morning. We have no press in the room.

17

18 Mr. Jernigan - Mr. Archer's not here.

19

20 Mr. Branin - Right. We are missing one Commissioner, Mr. Archer, who  
21 has been called away out of town. We would like to welcome, as we always do, Mr.  
22 Thornton, who's our Supervisor on the Commission.

23  
24 Mr. Thornton - Thank you, Mr. Chairman.

25  
26 Mr. Branin - With that, Mr. Silber, do you want to get us started?

27  
28 Mr. Silber - Yes sir, Mr. Chairman. Thank you and good morning to the  
29 Planning Commission. First on the agenda would be consideration of deferrals. We  
30 have our list of the four deferrals that I'm aware of. Ms. News, if you could tell us about  
31 those, please.

32  
33 Ms. News - Good morning Members of the Commission.

34  
35 Mr. Vanarsdall - Good morning, Ms. News.

36  
37 Ms. News - The first item that we have is found on page 3 of your  
38 agenda and is located in the Fairfield District. This is Transfer of Approval POD-52-03,  
39 Virginia Center Station, the Kim Property. The applicant is requesting a deferral to the  
40 September 26, 2007 meeting.

41  
42 **TRANSFER OF APPROVAL**

43  
44 **POD-52-03 Jeffrey Meyer for Kim Won Kim and Boo Ok Kim (The**  
45 **Kim's):** Request for transfer of approval as required by  
46 Virginia Center Station – Kim Property – Brook Road Chapter 24, Section 24-106 of the Henrico County Code  
47 from Virginia Center Inc. and VC Silver, LLC to Kim Wan  
48 Kim and Boo Ok Kim. The 2.439-acre site contains  
49 building B and is a portion of the overall 7.324 acre site. It  
50 is located at the northeast corner of Brook Road (U.S.  
51 Route 1) and Virginia Center Parkway on parcel 784-768-  
52 2228. The zoning is M-1, Light Industrial District. County  
53 water and sewer. **(Fairfield)**

54  
55 Mr. Branin - Is anyone in opposition to deferral of TOA POD-52-03,  
Virginia Center Station, Kim Property? No one?

56  
57 Mr. Vanarsdall - I move TOA POD-52-03, Virginia Center Station, Kim  
58 Property, be deferred until September 26, 2007, at the applicant's request.

59  
60 Mr. Jernigan - Second.

61  
62 Mr. Branin - Motion made by Mr. Vanarsdall, seconded by Mr. Jernigan.  
63 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

64

56 At the request of the applicant, the Planning Commission deferred TOA POD-52-03,  
57 Virginia Center Station, Kim Property, to its September 26, 2007 meeting.

58  
59 Ms. News - Next on page 5 of your agenda, and located in the Three  
60 Chopt District, is Transfer of Approval POD-54-93, Outback Steakhouse. The applicant  
61 is requesting a deferral to the September 26, 2007 meeting.

62  
63 **TRANSFER OF APPROVAL**

64  
65  
66 **POD-54-93 Jamie Butler for Private Restaurant Properties, LLC:**  
67 **Outback Steakhouse – Request for transfer of approval as required by Chapter**  
68 **7919 W. Broad Street 24, Section 24-106 of the Henrico County Code from**  
69 **Young Walter H. III and Etal and Outback Steakhouse of**  
70 **Florida to Private Restaurant Properties, LLC. The 2.09-**  
71 **acre site is located on the south side of W. Broad Street**  
72 **(U.S. Route 250), approximately 640 feet west of Hungary**  
73 **Spring Road, on parcel 764-751-1479. The zoning is B-3,**  
74 **Business District. County water and sewer. (Three Chopt)**

75  
76 Mr. Branin - Is anyone in opposition to the deferral of TOA POD-54-93,  
77 Outback Steakhouse? No one? Then I'd like to move that Transfer of Approval POD-  
78 54-93, Outback Steakhouse, be deferred, per the applicant's request, to September 26,  
79 2007.

80  
81 Mrs. Jones - Second.

82  
83 Mr. Branin - Motion made by Mr. Branin, seconded by Mrs. Jones. All in  
84 favor say aye. All opposed say no. The ayes have it; the motion carries.

85  
86 At the request of the applicant, the Planning Commission deferred TOA POD-55-93,  
87 Outback Steakhouse, to its September 26, 2007 meeting.

88  
89 Ms. News - Next on page 14 of your agenda, and located in the Three  
90 Chopt District, is POD-41-07, which is POD-57-86, Revised, Pouncey Place Shopping  
91 Center, Phase 1. The applicant is requesting a deferral to the September 26, 2007  
92 meeting.

93  
94 **PLAN OF DEVELOPMENT**

95  
96 **POD-41-07 Bay Design Group, P.C. for Pouncey Place, LLC:**  
97 **Pouncey Place Shopping Request for approval of a plan of development as required**  
98 **Center, Phase 1 – by Chapter 24, Section 24-106 of the Henrico County**  
99 **Twin Hickory Lake Drive Code to construct a shopping center with two one-story**  
100 **and Pouncey Tract Road buildings for a total of 27,630 square feet. The 5.25-acre**  
101 **(POD-57-86 Revised) site is part of a 10.10 acre parcel and is located on the**  
102 **southeast corner of Pouncey Tract Road (State Route**

271) and Twin Hickory Lake Drive on part of parcel 740-765-2150. The zoning is B-2C, Business District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

86  
87 Mr. Branin - Is anyone in opposition to the deferral of POD-41-07, (POD-  
88 57-86, Revised), Pouncey Place Shopping Center, Phase 1? No one? Then I would like  
89 to move that POD-41-07, (POD-57-86, Revised), Pouncey Place Shopping Center,  
90 Phase 1, be deferred, per the applicant's request, to the September 26, 2007 meeting.

91  
92 Mr. Vanarsdall - Second.

93  
94 Mr. Branin - Motion made by Mr. Branin, seconded by Mr. Vanarsdall. All  
95 in favor say aye. All opposed say no. The ayes have it; the motion carries.

96  
97 At the request of the applicant, the Planning Commission deferred POD-41-07, (POD-  
98 57-86, Revised), Pouncey Place Shopping Center, Phase 1, to its September 26, 2007  
99 meeting.

100  
101 Ms. News - The next item is on page 34 of your agenda and located in  
102 the Varina District. This is SUB-25-07, Carters Green (April 2007 Plan). The applicant  
103 is requesting a deferral to the September 26, 2007 meeting. There is an addendum  
104 item on page 8 of your addendum, which just includes a revised date for the deferral  
105 request to the 26<sup>th</sup>.

106  
107 **SUBDIVISION (Deferred from the April 25, 2007 Meeting)**

108  
SUB-25-07 **Austin Brockenbrough & Associates, L.L.P. for Rusty**  
Carters Green **Acres:** The 23.8-acre site proposed for a subdivision of 41  
(April 2007 Plan) – single-family zero lot line homes is located on the south  
Meadow Road line of Meadow Road, approximately 0.70 mile east of  
Hanover Road (Route 156), on parcels 832-719-2212 and  
832-718-1235. The zoning is R-5AC, General Residence  
District (Conditional) and ASO, Airport Safety Overlay  
District. County water and sewer. **(Varina)**  
**41 Lots**

109  
110 Mr. Branin - Is anyone in opposition to the deferral of SUB-25-07, Carters  
111 Green (April 2007 Plan)? No one?

112  
113 Mr. Jernigan - Mr. Chairman, with that, I will move for deferral of SUB-25-  
114 07, Carters Green (April 2007 Plan) to September 26, 2007, by request of the applicant.

115  
116 Mr. Vanarsdall - Second.

117

118 Mr. Branin - Motion made by Mr. Jernigan, seconded by Mr. Vanarsdall.  
119 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

120  
121 At the request of the applicant, the Planning Commission deferred SUB-25-07, Carters  
122 Green (April 2007 Plan), to its September 26, 2007 meeting.

123  
124 Ms. News - Those are all of the requests that staff has.

125  
126 Mr. Branin - Are there any other deferrals by any Commissioners?

127  
128 Mr. Jernigan - Yes sir, I have one.

129  
130 Mr. Branin - That's on page?

131  
132 Mr. Jernigan - That is on page 37, SUB-47-07, Prosperity Estates.

133  
134 **SUBDIVISION**

135  
SUB-47-07 **Engineering Design Associates for Robert T &**  
Prosperity Estates **Armendia M. Royster:** The 28.54-acre site proposed for a  
(July 2007 Plan) subdivision of 20 single-family homes is located on the  
4951 Darbytown Road south line of Darbytown Road, approximately 200 feet east  
of Gill Dale Road on parcel 839-688-6677. The zoning is  
A-1, Agricultural District. Individual well and septic  
tank/drainfield. **(Varina) 20 Lots**

136  
137 Mr. Branin - Is anyone in opposition to the deferral of SUB-47-07,  
138 Prosperity Estates (July 2007 Plan)? No one?

139  
140 Mr. Jernigan - With that, Mr. Chairman, I would like to move for deferral of  
141 SUB-47-07, Prosperity Estates (July 2007 Plan) to the Zoning meeting on August the  
142 9<sup>th</sup>, by request of the Commission.

143  
144 Mr. Vanarsdall - Second.

145  
146 Mr. Branin - Okay. By request of the Commission.

147  
148 Mr. Jernigan - Yes sir.

149  
150 Mr. Vanarsdall - August 9.

151  
152 Mr. Branin - Okay. Motion made by Mr. Jernigan, seconded by Mr.  
153 Vanarsdall. All in favor say aye. All opposed say no. The ayes have it; the motion  
154 carries.

155

156 At the request of the Commission, the Planning Commission deferred SUB-47-07,  
157 Prosperity Estates (July 2007 Plan), to the Zoning meeting on August 9, 2007.

158  
159 Mr. Silber - Any other deferrals by the Planning Commission? Is my  
160 microphone on? Can you hear me in the back? Okay, thank you. Next on the agenda  
161 would be consideration of the expedited items. These are plans, subdivisions, and  
162 POD's that are somewhat minor in nature. These have been reviewed by staff and staff  
163 is recommending approval. The Planning Commissioner of the District is comfortable  
164 with the request and there is no known opposition. The applicant is in agreement with  
165 the annotations and the conditions placed on the plan. We place these on the  
166 expedited agenda so we do not have to have a full presentation of those plans. If there  
167 is any opposition, they would be pulled off the expedited agenda and heard in the order  
168 in which they're found on the full agenda. We have a long list this morning of items that  
169 are being considered under the expedited agenda.

170  
171 Ms. News - There are 13 items on the expedited agenda this morning.  
172 The first item is on page 4 of your agenda, and located in the Three Chopt District. This  
173 is a Transfer of Approval, POD-72-85 for The Park @ Innsbrook, Phase IV. Staff  
174 recommends approval.

175  
176 **TRANSFER OF APPROVAL**

177  
178  
179 **POD-72-85 Hirschler Fleischer for Clarendon Associates, L.L.C.:**  
180 The Park @ Innsbrook, Request for transfer of approval as required by Chapter  
181 Phase IV – 4112 and 24, Section 24-106 of the Henrico County Code from  
182 4120-4130 Innslake Drive CUNA Mutual Life Insurance Company to Clarendon  
183 Associates, L.L.C. The 2.83-acre site is located along the  
184 east line of Innslake Drive, approximately 1,480 feet  
185 northeast of Cox Road, on parcel 749-761-9443. The  
186 zoning is O-3C, Office District (Conditional). County water  
187 and sewer. **(Three Chopt)**

178  
179 Mr. Branin - Is anyone in opposition to Transfer of Approval POD-72-85,  
180 The Park @ Innsbrook, Phase IV? No one? Then I'd like to move that Transfer of  
181 Approval POD-72-85, The Park @ Innsbrook, Phase IV, be placed on the expedited  
182 agenda and move forward to the Board of Supervisors (sic).

183  
184 Mr. Silber - Actually, this wouldn't go on to the Board of Supervisors.  
185 You'd be approving this on the expedited agenda.

186  
187 Mr. Branin - Then I move for approval.

188  
189 Mr. Jernigan - Second.

190  
191 Mr. Branin - Motion made by Mr. Branin, seconded by Mr. Jernigan. All in  
192 favor say aye. All opposed say no. The ayes have it; the motion carries.

193  
194 The Planning Commission approved the Transfer of Approval request for POD-72-85,  
195 The Park @ Innsbrook, Phase IV, subject to the standard and added conditions  
196 previously approved for developments of this type from CUNA Mutual Life Insurance  
197 Company to Clarendon Associates, L.L.C.

198  
199 Ms. News - Next on page 6 of your agenda, and located in the Fairfield  
200 District, is a Transfer of Approval POD-10-00, Creative Office Environments. There is  
201 an addendum item on page 1 of the addendum, which includes a revised  
202 recommendation indicating that staff has completed its review of the existing  
203 agreements. There are no outstanding issues and staff can recommend approval.

204  
205 **TRANSFER OF APPROVAL**

206  
207  
208 **POD-10-00 Wilfred E. Smith for Smith-Thompson:** Request for  
209 Creative Office transfer of approval as required by Chapter 24, Section 24-  
210 Environments – 1101 E. 106 of the Henrico County Code from Virginia DEQ LLC to  
211 Laburnum Avenue Sovereign Holdings, LLC. The 4.257-acre site is located  
212 at the intersection of Vawter and E. Laburnum Avenues on  
213 parcel 798-737-6288. The zoning is M-1, Light Industrial  
214 District. County water and sewer. **(Fairfield)**

215  
216  
217 Mr. Branin - Is anyone in opposition to Transfer of Approval POD-10-00,  
218 Creative Office Environments? No one. Mr. Vanarsdall?

219  
220 Mr. Vanarsdall - I move that TOA POD-10-00, Creative Office Environments,  
221 be approved at the recommendation of staff on the expedited agenda. On the  
222 addendum, it says that staff recommends approval.

223  
224 Mr. Jernigan - Second.

225  
226 Mr. Branin - Motion made by Mr. Vanarsdall, seconded by Mr. Jernigan.  
227 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

228  
229  
230 The Planning Commission approved the Transfer of Approval request for POD-10-00,  
231 Creative Office Environments, subject to the standard and added conditions previously  
232 approved for developments of this type from Virginia DEQ, LLC to Sovereign Holdings,  
233 LLC.

234  
235 Ms. News - The next item is on page 9 of your agenda and located in the  
236 Tuckahoe District. This is Landscape and Lighting Plan, LP/POD-24-06, The Shops @  
237 John Rolfe Retail Center.

238

229 **LANDSCAPE & LIGHTING PLAN**

230

LP/POD-24-06                                    **The Wilton Companies for Beverly Hills, Inc.:** Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 3.80-acre site is located at the northeast corner of Ridgefield Parkway and John Rolfe Parkway on parcels 737-750-3281 and 3695. The zoning is B-2C, Business District (Conditional). **(Tuckahoe)**

231

232 Mr. Branin -                                    Is anyone in opposition to LP/POD-24-06, The Shops @  
233 John Rolfe Retail Center? No one.

234

235 Mrs. Jones -                                    I recommend approval on the expedited agenda of LP/POD-  
236 24-06, The Shops @ John Rolfe Retail Center, with the annotations on the plans,  
237 standard conditions for landscape and lighting plans, and the additional condition #6  
238 listed on page 9 of the agenda.

239

240 Mr. Vanarsdall -                                    Second.

241

242 Mr. Branin -                                    Motion made by Mrs. Jones, seconded by Mr. Vanarsdall.  
243 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

244

245 The Planning Commission approved the landscape and lighting plan for LP/POD-24-06,  
246 The Shops @ John Rolfe Retail Center, subject to the standard conditions for  
247 landscape and lighting plans and the following additional condition:

248

249 6.        Dead plant material in the tree save area shall be removed and replaced no later  
250 than the next planting season.

251

252 Ms. News -                                    Next on page 10 of your agenda, and located in the  
253 Brookland District, is POD-3-07. It's a reconsideration of Country Inn & Suites. There's  
254 an addendum item on page 3 of your addendum with the revised recommendation  
255 indicating that Public Works has no significant concerns or comments on the revised  
256 access. Staff can recommend approval. There is a deletion of Condition #38 from the  
257 original approval.

258



259 **PLAN OF DEVELOPMENT RECONSIDERATION**

260

POD-3-07  
Country Inn & Suites  
(POD-110-83 Revised)  
8007 W. Broad Street

**Dean E. Haskins, ASLA for YSJ, LLC and Monument Hospitality, LLC:** Request for approval of a reconsideration of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a three-story, 43,854 square foot, 71-room hotel. The 1.33-acre site is a portion of the total 2.871 acre site and located in the rear of 8007 W. Broad Street (U.S. Route 250) adjacent to Schrader Road, approximately 900 feet northwest of the intersection of Schrader and Hungary Spring Roads, on part of parcel 764-752-4572. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Brookland)**

261

262 Mr. Branin - Is anyone in opposition to POD-3-07, Country Inn & Suites  
263 (POD-110-83 Revised)? No one? Mr. Vanarsdall?

264

265 Mr. Vanarsdall - All right. I recommend POD-3-07, Country Inn & Suites  
266 (POD-110-83 Revised), be approved on the expedited agenda. This is a  
267 reconsideration. On the addendum, we need to delete Condition #38.

268

269 Mr. Jernigan - Second.

270

271 Mr. Branin - Motion made by Mr. Vanarsdall, seconded by Mr. Jernigan.  
272 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

273

274 The Planning Commission approved the Plan of Development Reconsideration POD-3-  
275 07, Country Inn & Suites (POD-110-83 Revised), subject to annotations on the plans,  
276 the standard and added conditions previously approved for developments of this type,  
277 and the deletion of Condition #38 from the original approval:

278

279 ~~38. **DELETE** If the ingress and egress to the site is not in conformance with the plan~~  
280 ~~approved by the Planning Commission, then the POD will be required to go back before~~  
281 ~~the Planning Commission for approval before construction plan approval.~~

282

283 Ms News - Next on page 11 of your agenda, and located in the Varina  
284 District, is POD-39-07, Cranemasters – Phase III.

285

286 **PLAN OF DEVELOPMENT**

287

POD-39-07 **Youngblood, Tyler & Associates, P.C. for B&B Properties, LC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 8,000 square foot office and maintenance building with a fueling area for an existing heavy vehicle maintenance facility. The 9.588-acre site is located on the south side of Williamsburg Road (U. S. Route 60), approximately 1,000 feet east of Charles City Road, at 3001 Williamsburg Road on parcel 809-713-6877. The zoning is M-2C, General Industrial District (Conditional) and ASO (Airport Safety Overlay) District. County water and sewer. **(Varina)**

288

289 Mr. Branin - Is anyone in opposition to POD-39-07, Cranemasters –  
290 Phase III? No one? Mr. Jernigan?

291

292 Mr. Jernigan - With that, Mr. Chairman, I will move for approval on the  
293 expedited agenda of POD-39-07, Cranemasters – Phase III, subject to the annotations  
294 on the plans, the standard conditions for developments of this type, and the following  
295 additional conditions #9 amended, and 24 through 28

296

297 Mr. Vanarsdall - Second.

298

299 Mr. Branin - Motion made by Mr. Jernigan, seconded by Mr. Vanarsdall.  
300 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

301

302 The Planning Commission approved POD-39-07, Cranemasters – Phase III, subject to  
303 the annotations on the plans, the standard conditions attached to these minutes for  
304 developments of this type, and the following additional conditions:

305

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

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

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

316 26. The proffers approved as a part of zoning case C-26C-07 shall be incorporated in  
317 this approval.

- 318 27. Deviations from County standards for pavement, curb or curb and gutter design  
 319 shall be approved by the County Engineer prior to final approval of the  
 320 construction plans by the Department of Public Works.  
 321 28. Insurance Services Office (ISO) calculations must be included with the plans and  
 322 contracts and must be approved by the Department of Public Utilities prior to the  
 323 issuance of a building permit.

324  
 325 Ms. News - The next item we have is on page 19 of your agenda, and  
 326 located in the Three Chopt District. This is Westport Health Care Center Addition. There  
 327 is an addendum item on page 5 of the addendum with a revised recommendation  
 328 indicating that it has been determined by the Department of Public Works that there is  
 329 sufficient right-of-way on Forest Avenue to permit construction of the sidewalk. Staff  
 330 can now recommend approval.

331  
 332 **PLAN OF DEVELOPMENT**  
 333

334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352	POD-45-07 Westport Health Care Center Addition – Forest Avenue and Bayberry Court  <b>Timmons Group for Westport Operations, LLC:</b> 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, 7,939 square foot addition to an existing convalescent home, with additional parking. The 6.85-acre site is located on the north side of Forest Avenue, approximately 1,200 feet east of Skipwith Road, on parcel 763-745-0565. The zoning is R-6C, General Residence District (Conditional). County water and sewer. <b>(Three Chopt)</b>
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334  
 335 Mr. Branin - Is anyone in opposition to POD-45-07, Westport Health Care  
 336 Center Addition? No one? Then I would like to move for approval of POD-45-07,  
 337 Westport Health Care Center Addition, with the added addendum, additional standards  
 338 and conditions for this type of development, and the following additional conditions  
 339 recommended, 24 through 32.

340  
 341 Mrs. Jones - Second.

342  
 343 Mr. Branin - Motion made by Mr. Branin, seconded by Mrs. Jones. All in  
 344 favor say aye. All opposed say no. The ayes have it; the motion carries.

345  
 346 The Planning Commission approved POD-45-07, Westport Health Care Center  
 347 Addition, subject to annotations on the plans, the standard conditions attached to these  
 348 minutes for developments of this type, and the following additional conditions:

- 349  
 350 24. The easements for drainage and utilities as shown on approved plans shall be  
 351 granted to the County in a form acceptable to the County Attorney prior to any  
 352 occupancy permits being issued. The easement plats and any other required

- 353 information shall be submitted to the County Real Property Agent at least sixty  
 354 (60) days prior to requesting occupancy permits.
- 355 25. The developer shall provide fire hydrants as required by the Department of Public  
 356 Utilities and Division of Fire.
  - 357 26. A concrete sidewalk meeting County standards shall be provided along the north  
 358 line of Forest Avenue.
  - 359 27. Outside storage shall not be permitted.
  - 360 28. The proffers approved as a part of zoning case C-19C-91 shall be incorporated in  
 361 this approval.
  - 362 29. Deviations from County standards for pavement, curb or curb and gutter design  
 363 shall be approved by the County Engineer prior to final approval of the  
 364 construction plans by the Department of Public Works.
  - 365 30. Insurance Services Office (ISO) calculations must be included with the plans and  
 366 contracts and must be approved by the Department of Public Utilities prior to the  
 367 issuance of a building permit.
  - 368 31. Approval of the construction plans by the Department of Public Works does not  
 369 establish the curb and gutter elevations along the Henrico County maintained  
 370 right-of-way. The elevations will be set by Henrico County.
  - 371 32. The location of all existing and proposed utility and mechanical equipment  
 372 (including HVAC units, electric meters, junction and accessory boxes,  
 373 transformers, and generators) shall be identified on the landscape plans. All  
 374 equipment shall be screened by such measures as determined appropriate by  
 375 the Director of Planning or the Planning Commission at the time of plan approval.  
 376

377 Ms. News - On page 21 of your agenda, and located in the Three Chopt  
 378 District, is POD-46-07, Mac Chevron.  
 379

380 **PLAN OF DEVELOPMENT**  
 381

382 383 384 385 386 387	POD-46-07 Mac Chevron – Eastridge Road	<p><b>Mozingo &amp; Associates for PMIG 1014, LLC and Pritipal S. Mac:</b> Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story building for a 1,620 square foot convenience store with a 1,620 square foot dwelling above, on a site containing existing fuel pumps. The 0.468-acre site is located on the north side of Eastridge Road, 350 feet east of Parham Road at 1504 Eastridge Road on parcel 754-744-5118. The zoning is B-1, Business District. County water and sewer. <b>(Three Chopt)</b></p>
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382 383 384 385 386 387	Mr. Branin - Mrs. Jones - representational conflict. Mr. Branin -	<p>Is anyone in opposition to POD-46-07, Mac Chevron?</p> <p>Mr. Chairman, I will not be voting on this due to a</p> <p>Okay. We can still do it with two votes, three votes?</p>
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Mr. Silber - Three votes. Not a problem.

Mr. Branin - Okay. All right. Then I would like to move that POD-46-07, Mac Chevron, be approved on the expedited agenda with annotations on the plans, standard conditions for developments of this type, and the following conditions 24 through 31.

Mr. Jernigan - Second.

Mr. Branin - Motion made by Mr. Branin, seconded by Mr. Jernigan. All in favor say aye. All opposed say no. The ayes have it; the motion carries.

The Planning Commission approved POD-46-07, Mac Chevron, subject to annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

24. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
25. Outside storage shall not be permitted.
26. 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.
27. 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.
28. 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.
29. The building shall be constructed of red brick and the brick shall not be painted at any time.
30. 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.
31. Except for junction boxes, meters, and existing overhead utility lines, and for technical or environmental reasons, all utility lines shall be underground.

Ms. News - The next item is on page 22 of your agenda, and located in the Three Chopt District. This is POD-47-07, Touchfree Carwash.

430 **PLAN OF DEVELOPMENT**

431

POD-47-07 **Mozingo & Associates and Stewart Partners, LLC:**  
Touchfree Carwash – Request for approval of a plan of development as required  
10015 W. Broad Street by Chapter 24, Section 24-106 of the Henrico County  
(POD-60-81 Revised) Code, to construct a one-story, 2,200 square foot two-bay  
automatic carwash on a site with an existing office  
building. The 1.12-acre site is located on the south line of  
W. Broad Street (U.S. Route 250), approximately 300 feet  
west of Gaskins Road, on parcel 752-759-1538. The  
zoning is M-1C, Light Industrial District (Conditional).  
County water and sewer. **(Three Chopt)**

432

433 Mr. Branin - Is anyone in opposition to POD-47-07, Touchfree Carwash?  
434 No one? Then I would like to move that POD-47-07, Touchfree Carwash, be approved  
435 on the expedited agenda with the annotations on the plans, standard conditions for  
436 developments of this type, and the following additional conditions 24 through 38.

437

438 Mr. Vanarsdall - Second.

439

440 Mr. Branin - Motion made by Mr. Branin, seconded by Mr. Vanarsdall. All  
441 in favor say aye. All opposed say no. The ayes have it; the motion carries.

442

443 The Planning Commission approved POD-47-07, Touchfree Carwash, subject to  
444 annotations on the plans, the standard conditions attached to these minutes for  
445 developments of this type, and the following additional conditions:

446

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

452 25. The limits and elevations of the 100-year frequency flood shall be conspicuously  
453 noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated  
454 100-year floodplain must be labeled "Variable Width Drainage and Utility  
455 Easement." The easement shall be granted to the County prior to the issuance of  
456 any occupancy permits.

457 26. The entrances and drainage facilities on W. Broad Street (U.S. Route 250) shall  
458 be approved by the Virginia Department of Transportation and the County.

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

463 28. The developer shall provide fire hydrants as required by the Department of Public  
464 Utilities and Division of Fire.

- 465 29. A concrete sidewalk meeting County standards shall be provided along south of  
466 W. Broad Street (U.S. Route 250).  
467 30. Outside storage shall not be permitted.  
468 31. The proffers approved as a part of zoning case C-7C-81 shall be incorporated in  
469 this approval.  
470 32. Any necessary off-site drainage and/or water and sewer easements must be  
471 obtained in a form acceptable to the County Attorney prior to final approval of the  
472 construction plans.  
473 33. Deviation from County standards for pavement, curb or curb and gutter design  
474 shall be approved by the County Engineer prior to final approval of the  
475 construction plans by the Department of Public Works.  
476 34. Storm water retention, based on the 50-10 concept, shall be incorporated into the  
477 drainage plans.  
478 35. Insurance Services Office (ISO) calculations must be included with the plans and  
479 contracts and must be approved by the Department of Public Utilities prior to the  
480 issuance of a building permit.  
481 36. The owner or manager on duty shall be responsible for temporarily closing the  
482 car facility when the on-site stacking space is inadequate to serve customer  
483 demand to prevent a backup of vehicles onto the public right-of-way. The owner  
484 shall arrange with the Traffic Engineer to provide standard traffic control signs to  
485 notify customers that stopping or standing on the public right-of-way shall not be  
486 permitted near the entrances to the car wash facility.  
487 37. The location of all existing and proposed utility and mechanical equipment  
488 (including HVAC units, electric meters, junction and accessory boxes,  
489 transformers, and generators) shall be identified on the landscape plans. All  
490 equipment shall be screened by such measures as determined appropriate by  
491 the Director of Planning or the Planning Commission at the time of plan approval.  
492 38. Except for junction boxes, meters, and existing overhead utility lines, and for  
493 technical or environmental reasons, all utility lines shall be underground.  
494

495 Ms. News - The next item is on page 24 of your agenda, and is located  
496 in the Three Chopt District. This is POD-48-07, which is a revision to POD-8-07, which  
497 was recently approved for Henrico Doctors Hospital Medical Office Building.  
498

499 **PLAN OF DEVELOPMENT**

500

POD-48-07  
Henrico Doctors Hospital  
MOB – 1528 Honeygrove  
Drive (POD-8-07 Revised)

**Foster & Miller, P.C. for Henrico Doctor’s Hospital-Forest Campus Property, LLC and Trammel Crow Company:** Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a four-story, 95,040 square foot medical/office building. The 8.85-acre site is located on the south line of Forest Avenue, approximately 1,300 feet west of Skipwith Road, on parcel 760-744-1480. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

501

502 Mr. Branin - Is anyone in opposition to POD-48-07, Henrico Doctors  
503 Hospital MOB (POD-8-07 Revised)? No one? Then I would like to move that POD-48-  
504 07, Henrico Doctors Hospital MOB (POD-8-07 Revised), be approved on the expedited  
505 agenda with annotations on the plans and standard conditions 24 through 36.

506

507 Mr. Jernigan - Second.

508

509 Mr. Branin - Motion made by Mr. Branin, seconded by Mr. Jernigan. All in  
510 favor say aye. All opposed say no. The ayes have it; the motion carries.

511

512 The Planning Commission approved POD-48-07, Henrico Doctors Hospital MOB (POD-  
513 8-07 Revised), subject to annotations on the plans, the standard conditions attached to  
514 these minutes for developments of this type, and the following additional conditions:

515

516 24. The right-of-way for widening of Forest Avenue as shown on approved plans  
517 shall be dedicated to the County prior to any occupancy permits being issued.  
518 The right-of-way dedication plat and any other required information shall be  
519 submitted to the County Real Property Agent at least sixty (60) days prior to  
520 requesting occupancy permits.

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

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

528 27. Outside storage shall not be permitted.

529 28. The proffers approved as a part of zoning case C-48C-08 shall be incorporated in  
530 this approval.

531 29. Any necessary off-site drainage and/or water and sewer easements must be  
532 obtained in a form acceptable to the County Attorney prior to final approval of the  
533 construction plans.



- 534 30. Deviations from County standards for pavement, curb or curb and gutter design
- 535 shall be approved by the County Engineer prior to final approval of the
- 536 construction plans by the Department of Public Works.
- 537 31. Storm water retention, based on the 50-10 concept, shall be incorporated into the
- 538 drainage plans.
- 539 32. Insurance Services Office (ISO) calculations must be included with the plans and
- 540 contracts and must be approved by the Department of Public Utilities prior to the
- 541 issuance of a building permit.
- 542 33. Approval of the construction plans by the Department of Public Works does not
- 543 establish the curb and gutter elevations along the Henrico County maintained
- 544 right-of-way. The elevations will be set by Henrico County.
- 545 34. Evidence of a joint ingress/egress and maintenance agreement must be
- 546 submitted to the Department of Planning and approved prior to issuance of a
- 547 certificate of occupancy for this development.
- 548 35. The location of all existing and proposed utility and mechanical equipment
- 549 (including HVAC units, electric meters, junction and accessory boxes,
- 550 transformers, and generators) shall be identified on the landscape plans. All
- 551 equipment shall be screened by such measures as determined appropriate by
- 552 the Director of Planning or the Planning Commission at the time of plan approval.
- 553 36. Except for junction boxes, meters, and existing overhead utility lines, and for
- 554 technical or environmental reasons, all utility lines shall be underground.

555 Ms. News - The next item is on page 26 of your agenda, and located in  
 556 the Three Chopt District. This is POD-49-07, Pouncey Tract Daycare. There is an  
 557 addendum item on page 5 of your addendum that indicates that revised architectural  
 558 are included in your addendum, and there is a revised recommendation that indicates  
 559 the developer has agreed to the requested addition of brick columns and gables on the  
 560 building. Staff can now recommend approval.

561 **PLAN OF DEVELOPMENT**

562  
 563 **POD-49-07 Balzer & Associates, Inc. for BTR TLEI, LLC and CSG**  
 564 **Pouncey Tract Daycare – Commercial Builders:** Request for approval of a plan of  
 4683 Pouncey Tract Road development as required by Chapter 24, Section 24-106 of  
 the Henrico County Code, to construct a one-story, 14,961  
 square foot daycare facility and a one-story, 9,000 square  
 foot office building. The 3.21-acre site is located on the  
 east line of Pouncey Tract Road (State Route 271),  
 approximately 1,000 feet north of Twin Hickory Lake Drive,  
 on parcel 739-766-7487. The zoning is O-1C, Office  
 District (Conditional) and WBSO, West Broad Street  
 Overlay District. (County water and sewer). **(Three Chopt)**

565

566 Mr. Branin - Is anyone in opposition to POD-49-07, Pouncey Tract  
567 Daycare? No one? Then I would like to move that POD-49-07, Pouncey Tract  
568 Daycare, be approved on the expedited agenda with the annotations on the plans, the  
569 revised architectural, standard conditions, and the following conditions 24 through 38.

570  
571 Mr. Jernigan - Second.

572  
573 Mr. Branin - Motion made by Mr. Branin, seconded by Mr. Jernigan. All in  
574 favor say aye. All opposed say no. The ayes have it; the motion carries.

575  
576 The Planning Commission approved POD-49-07, Pouncey Tract Daycare, subject to  
577 annotations on the plans, the revised architectural, the standard conditions attached to  
578 these minutes for developments of this type, and the following additional conditions:

- 579  
580 24. The right-of-way for widening of Pouncey Tract Road (State Route 271) as  
581 shown on approved plans shall be dedicated to the County prior to any  
582 occupancy permits being issued. The right-of-way dedication plat and any other  
583 required information shall be submitted to the County Real Property Agent at  
584 least sixty (60) days prior to requesting occupancy permits.
- 585 25. The easements for drainage and utilities as shown on approved plans shall be  
586 granted to the County in a form acceptable to the County Attorney prior to any  
587 occupancy permits being issued. The easement plats and any other required  
588 information shall be submitted to the County Real Property Agent at least sixty  
589 (60) days prior to requesting occupancy permits.
- 590 26. The entrances and drainage facilities on Pouncey Tract Road (State Route 271)  
591 shall be approved by the Virginia Department of Transportation and the County.
- 592 27. A notice of completion form, certifying that the requirements of the Virginia  
593 Department of Transportation entrances permit have been completed, shall be  
594 submitted to the Department of Planning prior to any occupancy permits being  
595 issued.
- 596 28. The developer shall provide fire hydrants as required by the Department of Public  
597 Utilities and Division of Fire.
- 598 29. A concrete sidewalk meeting County standards shall be provided along east line  
599 of Pouncey Tract Road (State Route 271).
- 600 30. Outside storage shall not be permitted.
- 601 31. The proffers approved as a part of zoning case C-48C-98 shall be incorporated  
602 in this approval.
- 603 32. The certification of building permits, occupancy permits and change of  
604 occupancy permits for individual units shall be based on the number of parking  
605 spaces required for the proposed uses and the amount of parking available  
606 according to approved plans.
- 607 33. Any necessary off-site drainage and/or water and sewer easements must be  
608 obtained in a form acceptable to the County Attorney prior to final approval of the  
609 construction plans.



648 conditions 12 and 13 in the agenda, and then the additional condition #14 that was  
649 added on the addendum.

650  
651 Mr. Vanarsdall - Second.

652  
653 Mr. Branin - Motion made by Mrs. Jones, seconded by Mr. Vanarsdall. All  
654 in favor say aye. All opposed say no. The ayes have it; the motion carries.

655  
656 The Planning Commission granted conditional approval of SUB-44-07, John Rolfe  
657 Square (July 2007 Plan), subject to the standard conditions attached to these minutes  
658 for subdivisions served by public utilities, the annotations on the plans and the following  
659 additional conditions:

660  
661 12. The proffers approved as a part of zoning case C-50C-06 shall be incorporated in  
662 this approval.

663 13. Prior to requesting the final approval, a draft of the covenants and deed  
664 restrictions for the maintenance of the common area by a homeowners  
665 association shall be submitted to the Department of Planning for review. Such  
666 covenants and restrictions shall be in a form and substance satisfactory to the  
667 County Attorney and shall be recorded prior to recordation of the subdivision plat.

668 14. The Department of Public Works must receive verification that the proposed  
669 rights-of-way improvements and easements along Pump and Church Roads are  
670 in accordance with the County's John Rolfe Parkway construction plan approval  
671 prior to final subdivision approval.

672  
673 Ms. News - The next item is on page 31 of your agenda, and is located  
674 in the Varina District. This is POD-52-07, (POD-40-92 revised), Poplar Springs Baptist  
675 Church Sanctuary Addition.

676  
677 **PLAN OF DEVELOPMENT**

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681  

POD-52-07 Poplar Springs Baptist Church Sanctuary Addition 5270 Charles City Road (POD-40-92 Revised)	<b>Carter Design for Poplar Springs Baptist Church:</b> Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story, 15,412 square foot, 400- seat sanctuary on an existing church site. The 28.72-acre site is located on the east line of Charles City Road, approximately 1,370 feet south of Fisher Crest Lane, on parcels 842-696-7185, 843-696-3185, 842-697-3510, 842- 697-1720, 842-696-5086. The zoning is A-1, Agricultural District and ASO (Airport Safety Overlay) District. Individual well and septic tank/drainfield ( <b>Varina</b> )
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679  
680 Mr. Branin - Is anyone in opposition to POD-52-07, Poplar Springs  
681 Baptist Church Sanctuary Addition (POD-40-92 Revised)? No one?

682 Mr. Jernigan - Mr. Chairman, I'd like to move for approval on the expedited  
683 agenda of POD-52-07, Poplar Springs Baptist Church Sanctuary Addition (POD-40-92  
684 Revised), with the standard conditions for developments of this type, and the following  
685 additional conditions #24 through 32.

686  
687 Mrs. Jones - Second.  
688  
689 Mr. Branin - Motion made by Mr. Jernigan, seconded by Mrs. Jones. All  
690 in favor say aye. All opposed say no. The ayes have it; the motion carries.  
691

692 The Planning Commission approved POD-52-07, Poplar Springs Baptist Church  
693 Sanctuary Addition (POD-40-92 Revised), subject to annotations on the plans, the  
694 standard conditions attached to these minutes for developments of this type, and the  
695 following additional conditions:  
696

- 697 24. The right-of-way for widening of Charles City Road as shown on approved plans  
698 shall be dedicated to the County prior to any occupancy permits being issued.  
699 The right-of-way dedication plat and any other required information shall be  
700 submitted to the County Real Property Agent at least sixty (60) days prior to  
701 requesting occupancy permits.
- 702 25. The easements for drainage and utilities as shown on approved plans shall be  
703 granted to the County in a form acceptable to the County Attorney prior to any  
704 occupancy permits being issued. The easement plats and any other required  
705 information shall be submitted to the County Real Property Agent at least sixty  
706 (60) days prior to requesting occupancy permits.
- 707 26. The limits and elevations of the 100-year frequency flood shall be conspicuously  
708 noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated  
709 100-year floodplain must be labeled "Variable Width Drainage and Utility  
710 Easement." The easement shall be granted to the County prior to the issuance of  
711 any occupancy permits.
- 712 27. The developer shall provide fire hydrants as required by the Department of Public  
713 Utilities and Division of Fire once public water is available.
- 714 28. Outside storage shall not be permitted.
- 715 29. Deviations from County standards for pavement, curb or curb and gutter design  
716 shall be approved by the County Engineer prior to final approval of the  
717 construction plans by the Department of Public Works.
- 718 30. The applicant shall furnish proof to the Department of Planning that conditions  
719 satisfactory to the Health Department have been met that insure the proposed  
720 septic tank drainfield system is suitable for this project prior to the issuance of a  
721 building permit.
- 722 31. Approval of the construction plans by the Department of Public Works does not  
723 establish the curb and gutter elevations along the Henrico County maintained  
724 right-of-way. The elevations will be set by Henrico County.
- 725 32. The location of all existing and proposed utility and mechanical equipment  
726 (including HVAC units, electric meters, junction and accessory boxes,  
727 transformers, and generators) shall be identified on the landscape plans. All

728 equipment shall be screened by such measures as determined appropriate by  
729 the Director of Planning or the Planning Commission at the time of plan approval.  
730

731 Ms. News - The final item is located on page 35 of your agenda and is  
732 located in the Varina District. This is SUB-39-07, Hanover Meadows (June 2007 Plan).  
733 There is an addendum item on page 9 of your addendum, which includes a revised  
734 recommendation indicating that the applicant has agreed to move forward with the plan  
735 in the agenda which provides stub streets to the adjacent properties. Staff can  
736 recommend approval.  
737

738 **SUBDIVISION (Deferred from the June 27, 2007 Meeting)**  
739

SUB-39-07 **Parker Design Group, Inc. for Raj Prasad and Randy**  
Hanover Meadows **Powers:** The 15.93-acre site proposed for a subdivision of  
(June 2007 Plan) – 11 single-family homes is located on the east line of  
Hanover Road approximately 65 feet northeast of Midage  
Road, on parcels 830-721-1453, 5808 and part of 830-  
720-7285. The zoning is A-1, Agricultural District and ASO  
(Airport Safety Overlay) District. County water and sewer.  
**(Varina) 11 Lots**

740  
741 Mr. Branin - Is anyone in opposition to SUB-39-07, Hanover Meadows  
742 (June 2007 Plan)? No one?  
743

744 Mr. Jernigan - Mr. Chairman, with that I will move for approval on the  
745 expedited agenda of SUB-39-07, Hanover Meadows (June 2007 Plan), with standard  
746 conditions for subdivisions served by public utilities and the following additional  
747 conditions #12, 13, 14, and staff's recommendation on the addendum.  
748

749 Mr. Vanarsdall - Second.  
750

751 Mr. Branin - Motion made by Mr. Jernigan, seconded by Mr. Vanarsdall.  
752 All in favor say aye. All opposed say no. The ayes have it; the motion carries.  
753

754 The Planning Commission granted conditional approval to SUB-39-07, Hanover  
755 Meadows (June 2007 Plan), subject to the standard conditions attached to these  
756 minutes for subdivisions served by public utilities, the annotations on the plans and the  
757 following additional condition(s):  
758

- 759 12. Any necessary offsite drainage easements must be obtained prior to approval of  
760 the construction plan by the Department of Public Works.  
761 13. The detailed plant list and specifications for the landscaping to be provided within  
762 the 25-foot-wide planting strip easement along Hanover Road shall be submitted to  
763 the Department of Planning for review and approval prior to recordation of the plat.  
764 14. Any future building lot containing a BMP, sediment basin or trap and located within  
765 the buildable area for a principal structure or accessory structure, may be

766 developed with engineered fill. All material shall be deposited and compacted in  
 767 accordance with the Virginia Uniform Statewide Building Code and geotechnical  
 768 guidelines established by a professional engineer. A detailed engineering report  
 769 shall be submitted for the review and approval by the Building Official prior to the  
 770 issuance of a building permit on the affected lot. A copy of the report and  
 771 recommendations shall be furnished to the Directors of Planning and Public Works.

772  
 773 Ms. News - That concludes our expedited agenda.

774  
 775 Mr. Branin - Thank you for doing such a great job, Ms. News.

776  
 777 Mr. Vanarsdall - Thank you, Ms. News.

778  
 779 Mr. Silber - Moving back to the top of your agenda, page 2, we have  
 780 consideration of Extension of Conditional Subdivision approvals. As you can see from  
 781 your agenda, there are four subdivisions that can be handled administratively. Actually,  
 782 three that can be handled administratively and do not require Planning Commission  
 783 action. The one that does require Planning Commission approval is Trivett Woods (May  
 784 2002 Plan). There is an addendum that deals with the staff's recommendation for  
 785 extension of 60 days instead of one year. Ms. Goggin, can you tell us about Trivett  
 786 Woods, please.

787  
 788 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**

789  
 790 **FOR PLANNING COMMISSION APPROVAL**

791

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Year(s) Extended Recommended
Trivett Woods (May 2002 Plan)	8	8	4	Fairfield	1-Year 7/23/08 60 Days 9/26/07

792  
 793  
 794

795  
796

**FOR INFORMATIONAL PURPOSES ONLY**

<b>Subdivision</b>	<b>Original No. of Lots</b>	<b>Remaining Lots</b>	<b>Previous Extensions</b>	<b>Magisterial District</b>	<b>Year(s) Extended Recommended</b>
<b>Boundary @ Edgehill (July 2006 Plan) (Formerly Ivy Hills Estates)</b>	<b>14</b>	<b>14</b>	<b>0</b>	<b>Varina</b>	<b>1 Year 7/23/08</b>
<b>Morgan Run (July 2006 Plan)</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>Three Chopt</b>	<b>1 Year 7/23/08</b>
<b>Prosperity Estates July 2006 Plan)</b>	<b>19</b>	<b>19</b>	<b>0</b>	<b>Varina</b>	<b>1 Year 7/23/08</b>

797

798 Ms. Goggin - Good morning. Staff is recommending a 60-day extension  
799 be granted to Trivett Woods Subdivision. This shorter period of extension has been  
800 recommended by staff based on the absence of Commissioner Archer so that the  
801 applicant may come in and have a chance to express his reasoning for the extension  
802 request to the entire Planning Commission at the next meeting in September.

803

804 Mr. Vanarsdall - Ms. Goggin, is anyone here representing Trivett Woods?

805

806 Ms. Goggin - No sir.

807

808 Mr. Vanarsdall - Okay, thank you. No more questions.

809

810 Mr. Branin - Do we need to take any action?

811

812 Mr. Silber - You do need to take action on Trivett Woods.

813

814 Mr. Branin - So, it's being deferred?

815

816 Mr. Silber - We're actually asking that it be extended for 60 days. The  
817 Planning Commission should take action on that staff recommendation to extend for 60  
818 days.

819

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

821

822 Mr. Silber - Can I get a motion from somebody, please?

823

824 Mrs. Jones - I move that we consider Trivett Woods at the September  
825 POD meeting.

826

827 Mr. Vanarsdall - September 26, 2007.



828 Mrs. Jones - Okay.

829

830 Mr. Vanarsdall - Go ahead. I second it.

831

832 Mr. Branin - Motion made by Mrs. Jones, seconded by Mr. Vanarsdall.  
833 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

834

835 The Planning Commission approved the 60-day extension of conditional approval of  
836 Trivett Woods.

837

838 Mr. Silber - Thank you. Moving on to page 7 of your agenda is POD-50-  
839 07.

840

#### 841 **PLAN OF DEVELOPMENT & SPECIAL EXCEPTION**

842

POD-50-07 **Balzer & Associates, Inc. JLW Associates LLC and**  
Hampton Inn @ Glenside **Innkeepers USA:** Request for approval of a plan of  
Commons development and special exception as required by Chapter  
(POD-1-04 Revised) 24, Sections 24-106 and 24-2 of the Henrico County Code,  
- Glenside Drive to construct a four-story, ~~124~~ 118 room hotel. The special  
exception would authorize a building exceeding 45 feet in  
height. The 3.02-acre site is located along the north line of  
Glenside Drive, approximately 325 feet west of Bethlehem  
Road, on parcel 767-747-9244. The zoning is B-2C,  
Business District (Conditional). County water and sewer.  
**(Brookland)**

843

844 Mr. Branin - Is anyone in opposition POD-50-07, Hampton Inn &  
845 Glenside Commons (POD-1-04 Revised)? No one? Mr. Wilhite, good morning to you.

846

847 Mr. Wilhite - Good morning, Mr. Chairman and Commission members.  
848 We have a revised site plan and architectural plans. The revised site plan has been  
849 changed. The property line at the northwest corner of the site has been adjusted so that  
850 the existing office building at Glenside Commons will meet the required setbacks. In  
851 addition, nine parking spaces have been removed at this location so that adequate  
852 room is allowed for required landscaping. The architectural plans that were handed out  
853 have just been revised to add the height information. The applicant is requesting a  
854 special exception to allow the parapet walls at the top of the building to be 54 feet in  
855 height. The limitation on that by code is 49 feet.

856

857 On page 2 of the addendum, there is a revised staff report. The number of rooms in the  
858 hotel has been changed to 118 rooms, where 121 were listed. Also, Condition #33 has  
859 been revised. This is the condition that deals with the limitation on construction traffic to  
860 and from the site, and that they would be required to use Glenside Drive for ingress and  
861 egress, not Bethlehem Road as shown on the original agenda.

862

863 If the Commission does approve the special exception, staff is in a position to  
864 recommend approval of the revised site plan. I'll be happy to answer any questions that  
865 you have.

866  
867 Mr. Branin - Does anyone have any questions for Mr. Wilhite?

868  
869 Mr. Silber - Mr. Wilhite, at some point, there was a question about the  
870 minimum parking requirements. That has been resolved?

871  
872 Mr. Wilhite - Yes. We had gotten revised parking calculations and staff  
873 finds them acceptable.

874  
875 Mr. Silber - Okay.

876  
877 Mr. Branin - Mr. Vanarsdall, do you need to hear from the applicant?

878  
879 Mr. Vanarsdall - I do not need to hear from the applicant.

880  
881 Mrs. Jones - I'd like to know about the height request, the reasoning  
882 behind that. It is his case to make.

883  
884 Mr. Vanarsdall - Five feet.

885  
886 Mr. Wilhite - Yes. The limiting height of the building in this zoning district  
887 is 45 feet to the roofline. Parapet walls are allowed to extend four feet above the limiting  
888 height, which would be 49 feet. In this particular case, the applicant's requesting 54  
889 feet. This is in keeping with the proffered exhibit approved with the zoning case.

890  
891 Mr. Branin - Does anyone else have any other questions for Mr. Wilhite?  
892 None? Mr. Vanarsdall, it's all up to you.

893  
894 Mr. Vanarsdall - All right. I recommend POD-50-07, Hampton Inn @  
895 Glenside Commons (POD-1-04 Revised), be approved. I'm going to take the special  
896 exception first. I recommend approval of the special exception for the parapet wall to be  
897 54 feet.

898  
899 Mr. Jernigan - Second.

900  
901 Mr. Branin - Motion made by Mr. Vanarsdall, seconded by Mr. Jernigan.  
902 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

903  
904 The Planning Commission approved the special exception.

905  
906 Mr. Vanarsdall - Condition #33, instead of having construction traffic come  
907 out on Bethlehem Road, it will read, "Glenside Drive." If you'll notice, we don't have  
908 many of these. Condition #34 requires a truck wash. That'll take care of the mud that

909 would go onto the streets and anywhere else. This is a portable truck wash that  
910 construction companies have.

911  
912 Mrs. Jones - Okay.

913  
914 Mr. Vanarsdall - I think that's it right there. I recommend approval of POD-  
915 50-07, Hampton Inn @ Glenside Commons (POD-1-04 Revised), with standard  
916 conditions for developments of this type, and conditions listed in the agenda, which  
917 would be 33 revised, and 24 through 34. That's it.

918  
919 Mr. Jernigan - Second.

920  
921 Mr. Branin - Motion made by Mr. Vanarsdall, seconded by Mr. Jernigan.  
922 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

923  
924 The Planning Commission approved POD-50-07, Hampton Inn @ Glenside Commons  
925 (POD-1-04 Revised), subject to the annotations on the plans, the standard conditions  
926 attached to these minutes for developments of this type, and the following additional  
927 conditions:

- 928
- 929 24. The easements for drainage and utilities as shown on approved plans shall be  
930 granted to the County in a form acceptable to the County Attorney prior to any  
931 occupancy permits being issued. The easement plats and any other required  
932 information shall be submitted to the County Real Property Agent at least sixty  
933 (60) days prior to requesting occupancy permits.
  - 934 25. The developer shall provide fire hydrants as required by the Department of Public  
935 Utilities and Division of Fire.
  - 936 26. Outside storage shall not be permitted.
  - 937 27. The proffers approved as a part of zoning case C-11C-07 shall be incorporated in  
938 this approval.
  - 939 28. Any necessary off-site drainage and/or water and sewer easements must be  
940 obtained in a form acceptable to the County Attorney prior to final approval of the  
941 construction plans.
  - 942 29. Deviations from County standards for pavement, curb or curb and gutter design  
943 shall be approved by the County Engineer prior to final approval of the  
944 construction plans by the Department of Public Works.
  - 945 30. Evidence of a joint ingress/egress and maintenance agreement must be  
946 submitted to the Department of Planning and approved prior to issuance of a  
947 certificate of occupancy for this development.
  - 948 31. The location of all existing and proposed utility and mechanical equipment  
949 (including HVAC units, electric meters, junction and accessory boxes,  
950 transformers, and generators) shall be identified on the landscape plans. All  
951 equipment shall be screened by such measures as determined appropriate by  
952 the Director of Planning or the Planning Commission at the time of plan approval.
  - 953 32. Except for junction boxes, meters, and existing overhead utility lines, and for  
954 technical or environmental reasons, all utility lines shall be underground.

955 33. REVISED – Ingress and egress of construction traffic on the site shall be by way  
956 of ~~Bethlehem Road~~ Glenside Drive.

957 34. A truck wash shall be utilized to reduce the tracking of mud onto the adjacent  
958 public streets.

959  
960 Mr. Vanarsdall - Gloria, I hated not to have you come down, because I know  
961 you want Rick there to know that you know what you're doing.

962  
963 Mr. Branin - Mr. Vanarsdall, I really didn't mind her not coming down, but  
964 thank you for your sentiment.

965 **PLAN OF DEVELOPMENT & SPECIAL EXCEPTION**

966  
967

POD-44-07  
Mt. Vernon Baptist Church  
Phase 3A and 3B –  
Nuckols Road and Twin  
Hickory Road (POD-33-01  
and POD-24-95 Revised)

**Youngblood, Tyler & Associates, P.C. for Trustees of  
Mount Vernon Baptist Church:** Request for approval of a  
plan of development and special exception as required by  
Chapter 24, Sections 24-106, 24-2 and 24-95(a)(1) of the  
Henrico County Code, to construct a two-story, 95,729  
square foot addition to an existing church for a 1500-seat  
church sanctuary, offices, classrooms and a spire  
exceeding 100 feet in height. The special exception would  
authorize a spire to be placed on top of the sanctuary with  
a height of 180 feet. The 46.52-acre site is located on  
Nuckols Road, 390 feet south of Twin Hickory Road, on  
parcels 748-773-0602 and 748-772-1536. The zoning is A-  
1, Agricultural District. County water and sewer. **(Three  
Chopt)**

968  
969 Mr. Branin - Good morning, how are you?

970  
971 Mr. Ward - Great. If you refer to the addendum, you'll see that staff has  
972 deferred consideration of the special exception of the 180-foot steeple until the  
973 September 26<sup>th</sup> meeting. Also upon further review, staff has discovered that one of the  
974 steeples that was mentioned in the report is 99.55 feet tall instead of 190.

975  
976 Mrs. Jones - That is very close to my home and when I read the report, I  
977 thought, now gosh, I never had any idea. I'm so glad someone re-measured.

978  
979 Mr. Branin - Thank you, Matt, for saying that we are going to break it up.  
980 Now I will ask is anyone in opposition to POD-39-07, Mt. Vernon Baptist Church, Phase  
981 3A and 3B, (POD-33-01 and POD-24-95 Revised)? No one? Okay. It's all you, now.

982  
983 Mr. Ward - The BMP location has been approved with a provision that a  
984 guardrail and landscaping be placed along Opaca Lane. In addition, staff has the  
985 authority to require more guardrails around other BMP's on site if necessary. The  
986 applicant has agreed to remove the five modular units and the existing brick home 60

987 days after issuance of CO for the proposed buildings. Also, staff has requested all  
988 gravel parking lots be paved.

989  
990 The request for the special exception pertaining to the proposed steeple height will be  
991 heard once a neighborhood meeting has been held. However, the applicant would like  
992 to go forward with the architectural and the site plan that's before you now.

993  
994 Staff can recommend approval subject to the standard conditions for developments of  
995 this type, the annotations on the plan, and conditions 24 through 32, as well as any  
996 additional information found in the addendum on page 4.

997  
998 I'm happy to answer any questions you may have.

999  
1000 Mr. Branin - Does anybody have any questions? Anyone? None? All  
1001 right. I don't feel it necessary to hear from the applicant. Randy, how do you want me to  
1002 make this motion?

1003  
1004 Mr. Silber - I think it would be appropriate to make one motion. I think  
1005 you can make it as one motion, basically, just to approve the plan of development, but  
1006 you're deferring consideration of the spire. I think we can handle that in one motion.

1007  
1008 Mr. Branin - We're moving the spire to—

1009  
1010 Mr. Silber - It's being deferred, I believe, until September 26<sup>th</sup>, Mr.  
1011 Ward?

1012  
1013 Mr. Ward - Correct.

1014  
1015 Mr. Branin - Okay. I would like to move that POD-39-07, Mt. Vernon  
1016 Baptist Church, Phase 3A and 3B, (POD-33-01 and POD-24-95 Revised), with  
1017 annotations on the plans, special conditions 24 through 32, with the deletion of the  
1018 spire, which will be deferred until September 26, 2007.

1019  
1020 Mrs. Jones - Second.

1021  
1022 Mr. Branin - Motion made by Mr. Branin, seconded by Mrs. Jones. All in  
1023 favor say aye. All opposed say no. The ayes have it; the motion carries.

1024  
1025 The Planning Commission approved POD-39-07, Mt. Vernon Baptist Church, Phase 3A  
1026 and 3B, (POD-33-01 and POD-24-95 Revised), with deletion of the spire (which is  
1027 deferred until its September 26, 2007 meeting), subject to the annotations on the plans,  
1028 the standard conditions attached to these minutes for developments of this type, and  
1029 the following additional conditions:

1030  
1031 24. The easements for drainage and utilities as shown on approved plans shall be  
1032 granted to the County in a form acceptable to the County Attorney prior to any

- 1033 occupancy permits being issued. The easement plats and any other required  
 1034 information shall be submitted to the County Real Property Agent at least sixty  
 1035 (60) days prior to requesting occupancy permits.
- 1036 25. The developer shall provide fire hydrants as required by the Department of Public  
 1037 Utilities and Division of Fire.
- 1038 26. A concrete sidewalk meeting County standards shall be provided along the east  
 1039 side of Nuckols Road.
- 1040 27. All modular units and the existing brick house must be removed 60 days after  
 1041 any certificate of occupancy permits are issued.
- 1042 28. Insurance Services Office (ISO) calculations must be included with the plans and  
 1043 contracts and must be approved by the Department of Public Utilities prior to the  
 1044 issuance of a building permit.
- 1045 29. Approval of the construction plans by the Department of Public Works does not  
 1046 establish the curb and gutter elevations along the Henrico County maintained  
 1047 right-of-way. The elevations will be set by Henrico County.
- 1048 30. The conceptual master plan, as submitted with this application, is for planning  
 1049 and information purposes only.
- 1050 31. The location of all existing and proposed utility and mechanical equipment  
 1051 (including HVAC units, electric meters, junction and accessory boxes,  
 1052 transformers, and generators) shall be identified on the landscape plans. All  
 1053 equipment shall be screened by such measures as determined appropriate by  
 1054 the Director of Planning or the Planning Commission at the time of plan approval.
- 1055 32. Outside storage shall not be permitted.

1056  
 1057 **SUBDIVISION RECONSIDERATION**  
 1058

SUB-26-05 Kingsland Pointe (January 2005 Plan) – Varina Road	<b>Bay Design Group, P.C. for Ralph and Judith Allen and          Williams Realty &amp; Development Corporation:</b> The 88.24-acre site proposed for a subdivision of 48 single- family homes is located on the east line of Varina Road, opposite its intersection with Patricia Road, and along the west line of Interstate I-295, on parcels 816-674-7144 and 817-674-9022. The zoning is A-1, Agricultural District. County water and sewer. <b>(Varina) 48 Lots</b>
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1059  
 1060 Mr. Branin - Is anyone in opposition to SUB-26-05, Kingsland Pointe  
 1061 (January 2005 Plan)? No one? Mr. Kennedy?

1062  
 1063 Mr. Kennedy - Good morning, members of the Commission.

1064  
 1065 Mr. Branin - Good morning.

1066  
 1067 Mr. Vanarsdall - Good morning, Mike.

1068 Mr. Kennedy - Kingsland Pointe was originally approved under the name  
 1069 Roundabout Estates, a 61-lot subdivision. Since that time, significant wetlands have  
 1070 been identified on the site, so the subdivision had to be significantly redesigned. At the

1071 same time, they got a new engineer. I guess that determination kind of affected the  
1072 engineers as well. The number of lots was reduced from 61 to 48. An exception to the  
1073 subdivision standards has been requested for a block exceeding 1,320 feet, actually,  
1074 Code requirements for lengths of blocks. One of the blocks, Barrett Place, extends  
1075 1500 feet. It's a little bit larger than the 1320 permitted. These are A-1 lots, so staff has  
1076 no opposition to that exception request. The previous version of this subdivision  
1077 actually had that in two blocks, two cul-de-sac blocks that exceeded that 1320. Again,  
1078 since they're A-1, we didn't have any opposition at that time, either. In this case, we're  
1079 recommending approval with the exception for the block length.

1080  
1081 If there are any further questions, I'll be happy to answer them.

1082  
1083 Mr. Branin - Does anyone have any more questions for Mr. Kennedy?

1084  
1085 Mr. Jernigan - Do we have to approve separately?

1086  
1087 Mr. Kennedy - No. That can be part of the—

1088  
1089 Mr. Jernigan - Okay. So, we just include exceeding the 1320 in the regular  
1090 motion.

1091  
1092 Mr. Kennedy – In the regular motion.

1093  
1094 Mr. Jernigan - Okay. Mr. Chairman, I don't have any other questions. This  
1095 is one of the cases that it is an A-1 subdivision. The road length is longer, but there's  
1096 not much you can do on redesigning this one. I'm okay with it.

1097  
1098 Mr. Branin - If you're okay with it, Mr. Jernigan, I'm definitely okay with it.

1099  
1100 Mr. Jernigan - With that, I will move for approval of Subdivision  
1101 Reconsideration SUB-26-05, Kingsland Pointe (January 2005 Plan), subject to the  
1102 annotations on the plans, the standard conditions for subdivisions served by public  
1103 utilities, and the following additional conditions #12 and #13.

1104  
1105 Mrs. Jones - Second.

1106  
1107 Mr. Branin - Motion by Mr. Jernigan, seconded by Mrs. Jones. All in favor  
1108 say aye. All opposed say no. The ayes have it; the motion carries.

1109  
1110 The Planning Commission granted conditional approval to SUB-26-05, Kingsland Pointe  
1111 (January 2005 Plan), subject to the standard conditions attached to these minutes for  
1112 subdivisions served by public utilities, the annotations on the plans, and the following  
1113 additional conditions:

1114 12. The detailed plant list and specifications for the landscaping to be provided within  
1115 the 25-foot-wide planting strip easement along Varina Road shall be submitted to  
1116 the Department of Planning for review and approval prior to recordation of the plat.

1117 13. Any future building lot containing a BMP, sediment basin or trap and located within  
1118 the buildable area for a principal structure or accessory structure, may be  
1119 developed with engineered fill. All material shall be deposited and compacted in  
1120 accordance with the Virginia Uniform Statewide Building Code and geotechnical  
1121 guidelines established by a professional engineer. A detailed engineering report  
1122 shall be submitted for the review and approval by the Building Official prior to the  
1123 issuance of a building permit on the affected lot. A copy of the report and  
1124 recommendations shall be furnished to the Directors of Planning and Public Works.  
1125

## 1126 PLAN OF DEVELOPMENT

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POD-43-07 Broad Street Retail @ Reynolds Crossings – W. Broad Street and Forest Avenue	<b>Rummel, Klepper &amp; Kahl, LLP for Reynolds Holdings, LLC:</b> 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, 10,625 square foot daycare facility with 11 classrooms, a one-story, 5,985 square foot restaurant “A,” and a one-story, 6,683 square foot restaurant “B.” The 6.50-acre site is located on the northwest corner of the intersection of W. Broad Street (U.S. Route 250) and Forest Avenue on parcel 767-744-9052. The zoning is B-2C, Business District (Conditional). County water and sewer. <b>(Three Chopt)</b>
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1128  
1129 Mr. Branin - Is anyone in opposition to POD-43-07, Broad Street Retail @  
1130 Reynolds Crossing? No one? Good morning, Mr. Strauss.

1131  
1132 Mr. Strauss - Good morning and thank you, Mr. Chairman, members of  
1133 the Commission. This is probably the fourth plan of development we've seen for the  
1134 Reynolds' tract. It is a project I'm sure you're all familiar with by now. The Commission  
1135 may recall seeing plans of development for the Westin Hotel (which is located back  
1136 here), the new medical office building at the western portion of the site at Glenside  
1137 Drive, and the new 7-story office building that is currently on an economic development  
1138 fast track. You may also recall the recent rezoning case last March to amend some  
1139 proffers from the original case to allow for a modification of the hours of construction  
1140 and to allow for two freestanding restaurant sites instead of the one that was originally  
1141 proposed.

1142  
1143 This is the plan of development for the two new restaurant sites, including a daycare  
1144 center. There is to be a Bookbinders located at the front of the site facing the Philip  
1145 Morris headquarters across the street; a Max and Erma's, to be located in the center  
1146 facing W. Broad Street; and a Goddard School Daycare Center at the rear of the parcel.  
1147 Much of the review of this application concerns the details for the site layout, and the  
1148 proposed architecture. I guess you could say I sent the architectural team on a mission,  
1149 after our last meeting, to harmonize the colors and finishes of the buildings to match  
1150 some of the other approved buildings out there. This project does have proffers with  
1151 respect to architectural treatment, especially the exposed portions of the exterior wall



1152 surfaced which are to be of a similar quality of construction and shall have compatible  
1153 architectural treatment including compatible, but not necessarily the same, elements,  
1154 style, materials, and color. That doesn't mean the buildings have to be the same, but  
1155 staff was looking for materials and finishes that compliment each other and have similar  
1156 treatments.

1157  
1158 The Westin Hotel set the stage, so to speak, at the rear of the site—it has a lot of stone  
1159 on the first floor and at the entrance, and it has some earth tone EIFS panels—so we  
1160 were looking to see some of that in the new buildings. Also of concern was the  
1161 elevation of the rear of the restaurants that face the entry road to the Westin Hotel. The  
1162 Bookbinders will face Philip Morris. The porte cochere is located here. The front of the  
1163 Max and Erma's is facing toward W. Broad Street. The Goddard Daycare Center is  
1164 here. You can see as you drive in here, we didn't want to see a lot of utilitarian things  
1165 on the back of the building. What they've done with the recent site plan that's in your  
1166 addendum is they've relocated some dumpsters that were at the corner here into the  
1167 service alley. So, we have a service alley where the dumpsters are now located with  
1168 this latest site plan. In addition, we asked the designers of Max and Erma's to add  
1169 some detailing to the back of the building here, and they've done that.

1170  
1171 Mr. Malachi Mills is here with his architectural team. I do have some color renderings  
1172 that I'd like to hand out this morning. If you have any additional questions, I'll be happy  
1173 to answer those. You might note that you'll be seeing a provisional use permit for the  
1174 outdoor dining area. There are outdoor dining areas proposed for both restaurants.  
1175 They need a provisional use permit, so they are not included as part of this approval at  
1176 this time. With that, we are recommending approval of the plan of development and the  
1177 architectural plans as revised.

1178  
1179 Mr. Vanarsdall - Mr. Strauss, have they hinted what restaurants this will be?

1180  
1181 Mr. Strauss - Yes. There's a Bookbinders facing Philip Morris and there is  
1182 a Max and Erma's.

1183  
1184 Mr. Vanarsdall - When it first surfaced, it was going to be Ruth's Chris.

1185  
1186 Mr. Strauss - I don't know what happened to that deal. I've been to both  
1187 and they're both good restaurants.

1188  
1189 Mr. Vanarsdall - Can't get them across the river. Bookbinders is all right, isn't  
1190 it?

1191  
1192 Mrs. Jones - Oh yes.

1193  
1194 Mr. Branin - Mr. Strauss, this case, since its inception, has always been a  
1195 good case, but we've also been very aware of the neighbors being very close on the  
1196 one side. That area has a very active community and a neighborhood association. We

1197 are keeping up with them, because I don't see any of my friends in the audience, which  
1198 I think this is the first time they haven't been here.  
1199

1200 Mr. Strauss - Yes. The Charles Glen Association has been very active in  
1201 the past with plans of development. We had a discussion at the staff developer meeting  
1202 to notify them. I did talk to Courtney Kuester last week via e-mail.  
1203

1204 Mr. Branin - Okay. That's one of the things that we've been pleading with  
1205 the developer to do and stay on top of, keeping them involved.  
1206

1207 Mr. Strauss - Yes.  
1208

1209 Mr. Branin - I will commend you, sir, on getting the architectural to  
1210 blend. I didn't know how they were going to mix up a Bookbinders and a Max and  
1211 Erma's. You pulled it off.  
1212

1213 Mr. Strauss - They pulled it off.  
1214

1215 Mr. Branin - Okay. Does anybody have any questions? Anyone? Have  
1216 you had enough time to go through the renderings?  
1217

1218 Mrs. Jones - The west elevation for Bookbinders is along the utility area  
1219 that you described?  
1220

1221 Mr. Strauss - There may have been an error in labeling it, the north  
1222 southwest. I found that in the packet with the handouts. This is west, by my  
1223 understanding.  
1224

1225 Mrs. Jones - Where are you?  
1226

1227 Mr. Strauss - On Bookbinders, this would be the west, western elevation.  
1228

1229 Mrs. Jones - That's what will be facing folks as they drive down the road  
1230 to the hotel?  
1231

1232 Mr. Strauss - Yes.  
1233

1234 Mr. Vanarsdall - What did you say?  
1235

1236 Mrs. Jones - I was wondering about the west elevation for Bookbinders,  
1237 whether that was the view that would be on the utility side or on the—Sorry. I just need  
1238 to make sure I'm looking at the right things.  
1239

1240 Mr. Jernigan - That should be on the utility.  
1241

1242 Mrs. Jones - The utility side?

1243

1244 Mr. Kirkland - Yes.

1245

1246 Mrs. Jones - Okay. Thank you. Right, because that would be south. The

1247 one that we were talking about would be south.

1248

1249 Mr. Branin - Mr. Strauss, is there anything else I need to know about this

1250 one?

1251

1252 Mr. Strauss - Not unless you would like to ask the architect for—

1253

1254 Mr. Branin - I want to commend them for doing a good job. I appreciate

1255 your hard work. Mr. Strauss, make sure you keep your eye on those things.

1256

1257 Mr. Strauss - Yes sir.

1258

1259 Mr. Branin - Anyone else have any other questions? Mrs. Jones?

1260

1261 Mrs. Jones - No sir.

1262

1263 Mr. Branin - What do you think?

1264

1265 Mrs. Jones - I think it looks amazingly nice, blended in with the hotel that

1266 we have seen before.

1267

1268 Mr. Branin - Me, too. All right. Then I'd like to move that POD-43-07,

1269 Broad Street Retail @ Reynolds Crossing be approved subject to the annotations on the

1270 plans, standard conditions for developments of this type, the following additional

1271 conditions 24 through 32, and the addendum.

1272

1273 Mr. Jernigan - Second.

1274

1275 Mr. Branin - Motion by Mr. Branin, seconded by Mr. Jernigan. All in favor

1276 say aye. All opposed say no. The ayes have it; the motion carries.

1277

1278 The Planning Commission approved POD-43-07, Broad Street Retail @ Reynolds

1279 Crossing, subject to the annotations on the plans, the standard conditions attached to

1280 these minutes for development of this type, and the following additional conditions:

1281

1282 24. The easements for drainage and utilities as shown on approved plans shall be

1283 granted to the County in a form acceptable to the County Attorney prior to any

1284 occupancy permits being issued. The easement plats and any other required

1285 information shall be submitted to the County Real Property Agent at least sixty

1286 (60) days prior to requesting occupancy permits.

1287 25. The developer shall provide fire hydrants as required by the Department of Public

1288 Utilities and Division of Fire.

- 1289 26. A concrete sidewalk meeting County standards shall be provided along the north  
 1290 side of Forest Avenue.
- 1291 27. The proffers approved as a part of zoning case C-13C-07 shall be incorporated in  
 1292 this approval.
- 1293 28. The developer shall install an adequate restaurant ventilating and exhaust  
 1294 system to minimize smoke, odors, and grease vapors. The plans and  
 1295 specifications shall be included with the building permit application for review and  
 1296 approval. If, in the opinion of the County, the type system provided is not  
 1297 effective, the Commission retains the rights to review and direct the type of  
 1298 system to be used.
- 1299 29. Storm water retention, based on the 50-10 concept, shall be incorporated into the  
 1300 drainage plans.
- 1301 30. Insurance Services Office (ISO) calculations must be included with the plans and  
 1302 contracts and must be approved by the Department of Public Utilities prior to the  
 1303 issuance of a building permit.
- 1304 31. Evidence of a joint ingress/egress and maintenance agreement must be  
 1305 submitted to the Department of Planning and approved prior to issuance of a  
 1306 certificate of occupancy for this development.
- 1307 32. The location of all existing and proposed utility and mechanical equipment  
 1308 (including HVAC units, electric meters, junction and accessory boxes,  
 1309 transformers, and generators) shall be identified on the landscape plans. All  
 1310 equipment shall be screened by such measures as determined appropriate by  
 1311 the Director of Planning or the Planning Commission at the time of plan approval.  
 1312

1313 **PLAN OF DEVELOPMENT & LIGHTING PLAN (Deferred from the June 27, 2007**  
 1314 **Meeting)**  
 1315

1316 1317 1318 1319 1320 1321 1322	POD-35-07 McDonalds @ Staples Mill Square – Staples Mill Road	<b>Carter Design for Staples Mill Square Associates, LLC          and McDonald's USA, LLC:</b> Request for approval of a plan of development and lighting plan as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 4,382 square foot restaurant with drive-thru facilities in an existing shopping center. The 1.321-acre site is located on the north line of Staples Mill Road (U.S. Route 33), approximately 1,100 feet east of Hungary Spring Road, on parcel 768-757-2542 and part of parcel 769-757-1082. The zoning is B-2C, Business District (Conditional). County water and sewer. <b>(Brookland)</b>
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1316  
 1317 Mr. Vanarsdall - Good morning.

1318  
 1319 Mr. Ward - McDonald's at Staples Mill Square was deferred from last  
 1320 month's meeting because the applicant requested to update the building elevations per  
 1321 the landlord's agreement. The new architectural plans do show a building that matches  
 1322 buildings currently being constructed in the shopping center. Landscaping will be

1323 placed along Staples Mill Road to improve existing landscaping at the front outparcel.  
1324 Staff can recommend approval subject to the revised plans, standard conditions for  
1325 developments of this type, any annotations on the plans, and conditions 24 through 38,  
1326 as well as any additional information found on page 6 of the addendum.  
1327

1328 Mr. Branin - Is anyone in opposition to POD-35-07, McDonald's at  
1329 Staples Mill Square? No one? Does anyone have any questions for Mr. Ward? None?  
1330 I would say this McDonald's looks almost good enough to be in my Reynolds' Crossing.  
1331 It's getting close.  
1332

1333 Mr. Vanarsdall - We do have Michelle Carter sitting there, if we need any  
1334 assistance.  
1335

1336 Mr. Branin - Would anybody like to hear from the applicant?  
1337

1338 Mr. Vanarsdall - First of all, this is a plan of development and lighting plan; it  
1339 is not landscaping. I see Kim Vann back there. Kim, do you have anything to add to  
1340 this? I understand the lighting's going to be really what you all like.  
1341

1342 Ms. Vann - [Off mike.] Do you want me to come down?  
1343

1344 Mr. Vanarsdall - You come on up.  
1345

1346 Mr. Branin - Not that you don't know this, but please state your name for  
1347 the record.  
1348

1349 Ms. Vann - Good morning. My name's Kim Vann with Henrico Police.  
1350 We have been able to work with the applicant and the McDonald's representative both  
1351 on the lighting plan and the interior layout. I think we have come to a satisfactory  
1352 agreement with what we were looking at.  
1353

1354 Mr. Vanarsdall - I just wanted to give you the opportunity.  
1355

1356 Ms. Vann - Thank you.  
1357

1358 Mr. Vanarsdall - Do you know where Ukrop's is on Staples Mill Road at  
1359 Dumbarton Square?  
1360

1361 Ms. Vann - Yes sir.  
1362

1363 Mr. Vanarsdall - It's going to look sort of like that.  
1364

1365 Ms. Vann - Okay, very good.  
1366

1367 Mr. Vanarsdall - Until that lighting was put in there, you couldn't hardly see  
1368 the front of Ukrop's. I understand this is going to look like that.

1369  
1370 Ms. Vann – Very good.  
1371  
1372 Mr. Vanarsdall - Thank you for your input.  
1373  
1374 Ms. Vann - Thank you.  
1375  
1376 Mr. Vanarsdall - Thank you for your help. If there are no more questions, I'm  
1377 ready for a motion, Mr. Chairman.  
1378  
1379 Mr. Branin - Okay, and I'll accept that motion.  
1380  
1381 Mr. Vanarsdall - All right. I move that the plan of development and lighting  
1382 plan for POD-35-07, McDonald's at Staples Mill Square, be approved with standard  
1383 conditions for developments of this type, annotations on the plans, and additional  
1384 conditions listed in the addendum. That would be 11B through 38. That's it.  
1385  
1386 Mr. Jernigan - Second.  
1387  
1388 Mr. Branin - Motion by Mr. Vanarsdall, seconded by Mr. Jernigan. All in  
1389 favor say aye. All opposed say no. The ayes have it; the motion carries.  
1390  
1391 The Planning Commission approved the Plan of Development and Lighting Plan for  
1392 POD-35-07, McDonald's at Staples Mill Square, subject to the annotations on the plans,  
1393 the standard conditions attached to these minutes for developments of this type, and  
1394 the following additional conditions:  
1395  
1396 11B. Prior to the approval of an electrical permit application and installation of the site  
1397 lighting equipment, a plan including light spread and intensity diagrams, and fixture  
1398 specifications and mounting heights details shall be revised as annotated on the  
1399 staff plan and included with the construction plans for final signature.  
1400 24. The easements for drainage and utilities as shown on approved plans shall be  
1401 granted to the County in a form acceptable to the County Attorney prior to any  
1402 occupancy permits being issued. The easement plats and any other required  
1403 information shall be submitted to the County Real Property Agent at least sixty  
1404 (60) days prior to requesting occupancy permits.  
1405 25. The entrances and drainage facilities on Staples Mill Road (U.S. Route 33) shall  
1406 be approved by the Virginia Department of Transportation and the County.  
1407 26. The developer shall provide fire hydrants as required by the Department of Public  
1408 Utilities and Division of Fire.  
1409 27. Outside storage shall not be permitted.  
1410 28. The developer shall install an adequate restaurant ventilating and exhaust  
1411 system to minimize smoke, odors, and grease vapors. The plans and  
1412 specifications shall be included with the building permit application for review and  
1413 approval. If, in the opinion of the County, the type system provided is not

- 1414 effective, the Commission retains the rights to review and direct the type of  
1415 system to be used.
- 1416 29. The proffers approved as a part of zoning cases C-77C-94 and C-35C-97 shall  
1417 be incorporated in this approval.
- 1418 30. Any necessary off-site drainage and/or water and sewer easements must be  
1419 obtained in a form acceptable to the County Attorney prior to final approval of the  
1420 construction plans.
- 1421 31. Deviations from County standards for pavement, curb or curb and gutter design  
1422 shall be approved by the County Engineer prior to final approval of the construction  
1423 plans by the Department of Public Works.
- 1424 32. The loading areas shall be subject to the requirements of Chapter 24, Section  
1425 24-97(b) of the Henrico County Code.
- 1426 33. In the event of any traffic backup which blocks the public right-of-way as a result  
1427 of congestion caused by the drive-up facilities, the owner/occupant shall close  
1428 the drive-up facilities until a solution can be designed to prevent traffic backup.
- 1429 34. Insurance Services Office (ISO) calculations must be included with the plans and  
1430 contracts and must be approved by the Department of Public Utilities prior to the  
1431 issuance of a building permit.
- 1432 35. Evidence of a joint ingress/egress and maintenance agreement must be  
1433 submitted to the Department of Planning and approved prior to issuance of a  
1434 certificate of occupancy for this development.
- 1435 36. The location of all existing and proposed utility and mechanical equipment  
1436 (including HVAC units, electric meters, junction and accessory boxes,  
1437 transformers, and generators) shall be identified on the landscape plans. All  
1438 equipment shall be painted to match the building and shall be screened by such  
1439 measures as determined appropriate by the Director of Planning or the Planning  
1440 Commission at the time of plan approval.
- 1441 37. The ground area covered by all the buildings shall not exceed in the aggregate 25  
1442 percent of the total site area.
- 1443 38. No merchandise shall be displayed or stored outside of the building(s) or on  
1444 sidewalk(s).

1445  
1446 Mr. Vanarsdall - For the benefit of those who remember this, in the proffers  
1447 on this case, one of the proffers is they won't paint the buildings. Randy remembers at  
1448 one time we all went to bed and McDonald's had beautiful brick buildings and we got up  
1449 and they were red, white, and blue. Remember that?

1450  
1451 Mr. Silber - Yes sir.

1452  
1453 Mr. Vanarsdall - So, this one won't turn out unless they come back.  
1454

1455 **PLAN OF DEVELOPMENT RECONSIDERATION**

1456

POD-58-06 **Vanasse Hagen Brustlin, Inc. for Forest City Commercial Group, Inc:** Request for approval of revised architectural plans for the proposed J. C. Penny Store in the Shops @ White Oak Village Shopping Center, as required by Chapter 24, Section 24-106 of the Henrico County Code. The 136.5-acre site is located in a shopping center at the southeast corner of the intersection of S. Laburnum Avenue and I-64, west of the intersection with Audubon Drive on part of parcel 815-718-5710. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Varina)**

1457

1458 Mr. Branin - Is anyone in opposition to POD-58-06, The Shops @ White  
1459 Oak Village – J.C. Penney? No one? Okay. You have to be careful when you raise  
1460 your hand like that. I’m gonna—And I said no, I think that’s actually the applicant and I  
1461 don’t know why he’s objecting to his own case. Please don’t do that to me.

1462

1463 Mr. Vanarsdall - By the way, this is where the ice cream social’s going to be  
1464 this afternoon at 3:00. I’m not invited because I’m inviting myself, so it would be tacky  
1465 of me to invite you. I just wanted you to know about it.

1466

1467 Mr. Jernigan - If it rains, we eat inside.

1468

1469 Mr. Strauss - Thank you Mr. Chairman, members of the Commission.  
1470 Since the time the agenda was prepared, the staff has had the opportunity to review a  
1471 revised architectural plan for the J.C. Penney store, which is to be located at the  
1472 northwestern portion of this shopping center. You may recall that the J.C. Penney was  
1473 approved by this Commission last May. There is, however, a new prototype in the works  
1474 that the applicant wishes to use at this site, which is why this is coming to you today as  
1475 a reconsideration for the architectural plans.

1476

1477 Staff had recommended that the building design include more detail in the finishes in  
1478 the material and the colors, and asked that they be compatible with the other buildings  
1479 on the site. To that end, the architect has done several things on the revised plan,  
1480 which staff is in agreement with. We started out, I believe, here. You’ll see that there is  
1481 a lot of green glass that was originally proposed. There is the use of a red metal trim,  
1482 red sign panel, and we had some questions about the EIFS and the colors of that. What  
1483 we have before you today are two options. We have one that uses more browns in the  
1484 EIFS finish treatment and the glass is bronze. The only difference between this one  
1485 and the next one I’m going to show you is basically the sign panel here. The one I’m  
1486 calling, “Option A,” has a white background with a red J.C. Penney lettering. The  
1487 second one retains the red background with white lettering. They’re basically both the  
1488 same. They have different signage treatments, which, of course, the Commission would  
1489 not be approving. They have to apply for a sign permit at a later time.



1490 Mr. Branin - I was hoping you were going to tell us we could pick.  
1491  
1492 Mr. Strauss - Well, you can. Staff is recommending the white background,  
1493 which is Option A. We thought less preponderance of red would be a better thing, less  
1494 trademark color on the building. I guess with that, I'll note that Mr. Richardson is here in  
1495 support of his case. Staff is recommending approval and I'll be happy to answer any  
1496 questions you may have.  
1497  
1498 Mr. Branin - Mr. Jernigan, do you have any questions?  
1499  
1500 Mr. Jernigan - No. I want to thank Jim and Jim for both working on this.  
1501 We had to sit down after they sent in the prototype. It kind of reminded me of the Whole  
1502 Foods case when that came in and had all the green glass. It looked great, but it didn't  
1503 fit in with the neighborhood. It was the same case on this. The building that they had  
1504 looked pretty good, but it didn't fit with the rest of the shopping center. That's the reason  
1505 we changed the green glass to a bronze glass, to set more with the tone of the building.  
1506 They did richen up the tone, the finish, the exterior finish on the building. Actually, where  
1507 it shows the white background, the "J.C. Penney" will be in the same red that you see  
1508 along the front of the building and not what looks like black there. When we discussed  
1509 this, they were going to send us in a sample of that red. The reason we didn't like the  
1510 red is it looked just a little too fire engine red. Actually, on the prototype—You didn't  
1511 bring down that. In the first prototype that they sent us in the coloration on the picture, it  
1512 looked like a maroon, which I thought would have set pretty well. But the red just looks a  
1513 little too red.  
1514  
1515 Mr. Strauss - I guess you could say this is a reasonable compromise  
1516 between the design statement that J. C. Penney's wants to make and our need for  
1517 some compatibility. There is less of this red in the revised design.  
1518  
1519 Mr. Jernigan - Anyway, I think this ends up looking pretty good. Like I said,  
1520 the "J.C. Penney" in the front of the building will be that red sample.  
1521  
1522 Mr. Vanarsdall - Mr. Jernigan, since this is a new store and it's in your area,  
1523 are you going to call it, "J. C. Penney," or "Jaques Pe Ne"?  
1524  
1525 Mr. Jernigan - Jaques Pe Ne.  
1526  
1527 Mr. Vanarsdall - Good. That has a better ring to it.  
1528  
1529 Mr. Jernigan - So, Mr. Chairman, I'm ready for a motion.  
1530  
1531 Mr. Branin - Okay, let's hear it.  
1532  
1533 Mr. Jernigan - With that, I will move for approval of POD-58-06, The Shops  
1534 @ White Oak Village – J.C. Penney, subject to standard conditions for developments of  
1535 this type and the addendum the shows the change in the coloration of the glass from

1536 green to bronze. Well, actually, the sign is separate, but it is in the addendum that staff  
1537 recommends a white background with red lettering.

1538  
1539 Mr. Vanarsdall - Second.

1540  
1541 Mr. Branin - Motion made by Mr. Jernigan, seconded by Mr. Vanarsdall.  
1542 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

1543  
1544 The Planning Commission approved POD-58-06, The Shops @ White Oak Village –  
1545 J.C. Penney, subject to the annotations on the plans, and the standard conditions  
1546 attached to these minutes for developments of this type.

1547  
1548 **SUBDIVISION**

1549  
SUB-42-07 **Ed Hofmann for Robert P. Bain, LLC:** The 1.19-acre site  
Brilland West proposed for a subdivision of 5 single-family homes is  
(July 2007 Plan) located on the north line of Brilland Court, approximately  
Mountain Road and 800 feet east of Mountain Road, on parcel 780-763-0449.  
Brilland Court The zoning is R-4, One-Family Residential District. County  
water and sewer. **(Fairfield) 5 Lots**

1550  
1551 Mr. Branin - Is anyone in opposition to SUB-42-07, Brilland West (July  
1552 2007 Plan)? No one? Okay, Ms. Berndt. Good morning to you.

1553  
1554 Ms. Berndt - Thank you. Good morning.

1555  
1556 Mr. Branin - Is this your first case?

1557  
1558 Ms. Berndt - This is my first one, yes.

1559  
1560 Mr. Vanarsdall - Are you nervous?

1561  
1562 Ms. Berndt - Very. It's actually just really cold in here.

1563  
1564 Mr. Vanarsdall - If we talk to you long enough, you'll get that nervousness out  
1565 of you, so. You'll be all right.

1566  
1567 Mr. Jernigan - You should have had the first case and not the last case.

1568  
1569 Mr. Branin - Ms. Berndt, did you have a nice breakfast this morning?

1570  
1571 Ms. Berndt - I did. I had one donut that you provided.

1572  
1573 Mr. Vanarsdall - We're going to grade you. You know that, don't you?

1574  
1575 Ms. Berndt - Okay.

1576 Mr. Branin - You ready?  
1577  
1578 Ms. Berndt - I'm ready.  
1579  
1580 Mr. Branin - Okay.  
1581  
1582 Mr. Vanarsdall - You got used to that in college.  
1583  
1584 Ms. Berndt - All right.  
1585  
1586 Mr. Branin - Ms. Berndt, before you start, I wanted to also bring to our  
1587 attention that Captain Alberta, who is getting up to leave and is in the back of room,  
1588 he—and we all are very aware and have worked with Kim in the past—they came in and  
1589 are going to be more frequent attendees to assist us when we need help with different  
1590 safety and security questions in our projects. Thank you for coming this morning. I  
1591 didn't want you to get out before I noticed you were there.  
1592  
1593 All right. Now are you ready?  
1594  
1595 Ms. Berndt - I'm ready.  
1596  
1597 Mr. Branin - It's about time; let's hear it.  
1598  
1599 Ms. Berndt - Okay. All right. Staff requested on behalf of an adjacent  
1600 property owner, and the developer agreed, to the provision of 15 feet of initial tree save  
1601 to the rear of the proposed lots 1 through 4. Staff has explained to the adjacent  
1602 property owners that initial tree save is applicable at the time of construction and  
1603 subsequent property owners will have the option to clear the trees on their own property  
1604 after the construction phase. Staff can now recommend approval subject to the  
1605 annotations on the plan, standard conditions for subdivisions served by public utilities,  
1606 as well as conditions 12 through 14 on the agenda. The engineer, Ed Hoffman, is here  
1607 to answer any questions you may have of him. I am happy to answer any questions the  
1608 Commission may have of me.  
1609  
1610 Mr. Branin - Does anybody have any questions?  
1611  
1612 Mr. Vanarsdall - The ladies that were interested in the yard—  
1613  
1614 Ms. Berndt - I have not seen them here today.  
1615  
1616 Mr. Vanarsdall - If you talked to Bob Bain, then I am satisfied. I don't have  
1617 any questions, Mr. Chairman. Since this was your first one, I appreciate the work you  
1618 did on it.  
1619  
1620 Ms. Berndt - Thank you.  
1621

1622 Mr. Vanarsdall - If you hadn't called Bob Bain, I would have had to call him,  
1623 so you saved me that.

1624  
1625 Mr. Branin - We just had someone walk into the room and I don't know if  
1626 it's in regards to this case. They weren't here before. Okay. Just wanted to make sure  
1627 because I asked the question is anyone in opposition, and I just wanted to make sure it  
1628 wasn't you. Okay. No other questions? Then I'll entertain a motion.

1629  
1630 Mr. Vanarsdall - With that, Mr. Chairman, I recommend SUB-42-07, Brilland  
1631 West (July 2007 Plan) be approved subject to the standard conditions for subdivisions  
1632 served by public utilities, annotations on the plans, and conditions 12, 13, and 14. I  
1633 would like to add, just so we can have it on record, that the applicant, Bob Bain, Robert  
1634 P. Bain, has agreed to take care of the first paragraph there. There are three homes  
1635 there and the neighbors asked that he put 15 feet of tree save behind each one of them.  
1636 He has agreed to do that. There is no condition on the case because he wouldn't have  
1637 to do that. Aimee talked to him. I've known Bob a long time and I never had known  
1638 him to go back on his word, so I don't think he'll go back on this one.

1639  
1640 Mr. Branin - Now it's part of public record.

1641  
1642 Mr. Vanarsdall - Okay. I believe that's it. I've finished.

1643  
1644 Mr. Jernigan - Second.

1645  
1646 Mr. Branin - Motion made by Mr. Vanarsdall, seconded by Mr. Jernigan.  
1647 All in favor say aye. All opposed say no. The ayes have it; the motion carries.

1648  
1649 The Planning Commission granted conditional approval to SUB-42-07, Brilland West  
1650 (July 2007 Plan), subject to the standard conditions attached to these minutes for  
1651 subdivisions served by public utilities, the annotations on the plans, and the following  
1652 additional conditions:

1653  
1654 12. Prior to requesting final approval, the engineer shall furnish the Department of  
1655 Planning Staff a plan showing a dwelling situated on Lot 1 to determine if the lot  
1656 design is adequate to meet the requirements of Chapter 24, of the Henrico  
1657 County Code.

1658 13. Any necessary offsite drainage easements must be obtained prior to approval of  
1659 the construction plan by the Department of Public Works.

1660 14. Any future building lot containing a BMP, sediment basin or trap and located  
1661 within the buildable area for a principal structure or accessory structure, may be  
1662 developed with engineered fill. All material shall be deposited and compacted in  
1663 accordance with the Virginia Uniform Statewide Building Code and geotechnical  
1664 guidelines established by a professional engineer. A detailed engineering report  
1665 shall be submitted for the review and approval by the Building Official prior to the  
1666 issuance of a building permit on the affected lot. A copy of the report and

1667 recommendations shall be furnished to the Directors of Planning and Public  
1668 Works.

1669  
1670 Mr. Branin - Ms. Berndt, you did fine on your first case, no matter what  
1671 Mr. Jernigan said.

1672  
1673 Ms. Berndt - Oh, thank you.

1674  
1675 Mr. Vanarsdall - You got an A.

1676  
1677 Mr. Branin - Now we have to go back to the Reynolds' case because Mr.  
1678 Reynolds' finally showed up for the meeting. Just kidding.

1679  
1680 Mr. Silber - Next on the agenda, on your final page, is consideration of  
1681 your June 27, 2007 minutes.

1682  
1683 **APPROVAL OF MINUTES: June 27, 2007**

1684  
1685 Mrs. Jones - Mr. Chairman, I will move approval of the minutes, but I had  
1686 one quick comment in that process. We did have a bit of a question about Robert's  
1687 Rules and we were going to try to define how exactly the Planning Commission would  
1688 proceed so that everyone was clear about motions and seconds as we go through. I'd  
1689 like to have us at least identify a time by which we will either meet to discuss this, or we  
1690 will have it as part of an agenda, or we will get a written analysis of it. I don't want that to  
1691 be forgotten. I think it's important.

1692  
1693 Mr. Branin - Absolutely. Mr. Secretary?

1694  
1695 Mr. Silber - Yes, Mrs. Jones. I appreciate you bringing that up. We are  
1696 prepared to bring something to you. In fact, we will be doing it at the next Planning  
1697 Commission meeting. I have looked into this and met with our County Attorney.  
1698 Basically, the bottom line is the Planning Commission does not need to follow the  
1699 Robert's Rules of Order. That's entirely up to you. In the past, when a motion was  
1700 made, it required a second, and if a second was not made then the motion died. That's  
1701 been the practice with the Planning Commission and it's my recommendation that we  
1702 continue that practice. I have drafted an amendment to the Planning Commission's  
1703 Rules and Regulations, and I'd like to have this placed in the Rules and Regulations so  
1704 when it comes up in the future, there's no confusion as to what the practice is and what  
1705 your procedures are.

1706  
1707 Mr. Branin - Mr. Secretary, when will we be receiving this?  
1708

1709 Mr. Silber - You'll be receiving that prior to your next meeting, probably  
1710 either in the next packet—Although I think the next packet goes out tomorrow. We  
1711 probably won't make that, but it should be in the packet when you receive your minutes.  
1712 It should be on the agenda for the August 9<sup>th</sup> meeting. I appreciate you bringing that up.  
1713 We are prepared to address that. That's how I would recommend that we address it.  
1714

1715 Mrs. Jones - Okay. Sounds great. Thank you. And I move approval of the  
1716 minutes as printed.  
1717

1718 Mr. Vanarsdall - Second.  
1719

1720 Mr. Branin - Okay. Mr. Secretary, anything else?  
1721

1722 Mr. Silber - The final item on the agenda would be consideration of your  
1723 2008 Planning Commission calendar. We have provided you with a copy of the  
1724 proposed calendar and we would ask that you give this consideration.  
1725

1726 Mrs. Jones - Mr. Chairman, I would like to introduce a motion. I think it's  
1727 important for us to be very careful when we craft the calendar because it does affect the  
1728 way in which County business is conducted. It affects staff, it affects us, and certainly  
1729 we want to make sure that we're doing the right thing.  
1730

1731 Mr. Vanarsdall - Before you make a motion, I was telling Randy I would be  
1732 back. I don't have any problem with December 17<sup>th</sup> this year, next year. I've always  
1733 asked it be moved every year. You and I discussed this and I don't have any problems  
1734 this year, and it doesn't interfere with the APA because that's from the 26<sup>th</sup> to May 1<sup>st</sup> in  
1735 Las Vegas.  
1736

1737 Mr. Silber - Thank you, Mr. Vanarsdall.  
1738

1739 Mr. Vanarsdall - Excuse me.  
1740

1741 Mrs. Jones - No, that's all right. I know Mr. Archer has some strong  
1742 feelings about the calendar and meeting dates, and I'd like to defer the consideration of  
1743 the calendar until our next meeting, which would be August 9<sup>th</sup>. Is my date correct on  
1744 that?  
1745

1746 Mr. Branin - The Zoning meeting.  
1747

1748 Mrs. Jones - Yes.  
1749

1750 Mr. Silber - August 9<sup>th</sup> is the next meeting.  
1751

1752 Mrs. Jones - Right.  
1753

1754 Mr. Jernigan - What particularly is—Just to let the rest of us know.

1755  
1756 Mrs. Jones - Well, I'm concerned about the fact that we have no POD  
1757 meeting in the month of August, and yet we do have 12 Rezoning meetings. I'm also  
1758 concerned that we are continuing a tradition without really exploring the rationale for  
1759 that decision and considering whether we might make a change in that.  
1760  
1761 Mr. Jernigan - Is this about what we discussed before the meeting?  
1762  
1763 Mrs. Jones - Yes. I feel that there needs to be consistency within the  
1764 County calendar, whether that is a consistency with full meetings every month, or  
1765 whether there should be a Rezoning meeting that is deleted to match the Plan of  
1766 Development schedule. I feel strongly that the County marches on whether the meeting  
1767 is being held or not. Cases are coming forward, the development pace is swift. I feel  
1768 that the County calendar needs to be a reflection of the fact that there is business to be  
1769 conducted every month. Unless there is a reason that is compelling to delete meetings,  
1770 I feel we should question whether that is the best course of action. If the answer to that  
1771 question is yes, then I think we should consider whether consistency between both the  
1772 Zoning side and the Plan of Development side is not preferable. Those are questions I  
1773 think perhaps the Commissioners need to discuss with various folks within the County  
1774 and think about themselves. And I would rather not vote on it with Mr. Archer not being  
1775 here.  
1776  
1777 Mr. Branin - I'm absolutely fine with that, Mrs. Jones. Mrs. Jones, would  
1778 you be looking for a sit-down meeting or would you like to conduct this business here on  
1779 August 9<sup>th</sup>? Meaning, would you rather it be discussed prior to coming in early on  
1780 August 9<sup>th</sup>, say 6 or 6:30 and meeting in the conference room, or would you be looking  
1781 for it to be discussed from the stand?  
1782  
1783 Mrs. Jones - I'd be perfectly happy with a few minutes prior to the  
1784 regularly scheduled time, which would be 6:30. That would be fine. If we meet here, I  
1785 think it needs to be part of the meeting agenda, does it not?  
1786  
1787 Mr. Silber - Yes, it would need to be placed on the agenda and we could  
1788 schedule it as a work session. I guess my comment would be that if that's your  
1789 preference, we certainly can schedule that, and you can hold that and discuss it. I  
1790 would suggest that you all might want to just talk among yourselves as to what some of  
1791 your preferences are prior to the 9<sup>th</sup>.  
1792  
1793 Mr. Vanarsdall - Just saying how we did it when we dropped the POD  
1794 meeting. Chris Archer was the architect and we talked with each other. John Marilles  
1795 was the director. It's not something that goes to anybody. It's not something that the  
1796 County Manager has to approve, or anyone else. Each one of us talked to our  
1797 supervisor and said, "Do you have any problem?" And none of them did. That's when  
1798 we put it in. I don't remember having a meeting with all of us to talk about it, but it's  
1799 nothing wrong with that. That's the way we did it then. Chris has said for a long time he  
1800 was going to see what he could do on the other side. We thought about December

1801 because the Board takes it. That's all I have to say about that. I'd be all in favor of it  
1802 myself.

1803  
1804 Mr. Branin - Okay. I would like to request that we meet and instead of all  
1805 of us trying to catch up with each other by phone, we meet. I'm open to 6 or 6:30,  
1806 whichever you all choose for August 9<sup>th</sup>. We can use the Planning Commission's  
1807 conference room or the Supervisor's, I'm sure, at that time. So, is everyone in favor of  
1808 that? Would someone make a motion in respect to that? For a work session at  
1809 whatever time.

1810  
1811 Mrs. Jones - Is that suitable?

1812  
1813 Mr. Silber - Yes, that's suitable, I think. If we're going to do it upstairs in  
1814 the conference room, I think 6:30 is cutting it short if we have a public hearing starting at  
1815 7. The agenda is somewhat lengthy on the 9<sup>th</sup>. I would suggest either 6 or 6:15.

1816  
1817 Mrs. Jones - Then I move that we conduct a work session on August 9<sup>th</sup>  
1818 at 6:15 upstairs in the conference room in order to discuss the 2008 Planning  
1819 Commission meeting schedule.

1820  
1821 Mr. Jernigan - Second.

1822  
1823 Mr. Branin - Motion by Mrs. Jones, seconded by Mr. Jernigan. All in favor  
1824 say aye. All opposed say no. The ayes have it; the motion carries.

1825  
1826 The Planning Commission approved a motion to have a work session at 6:15 p.m. on  
1827 August 9, 2007, to discuss the Planning Commission's 2008 meeting schedule.

1828  
1829 Mr. Vanarsdall - Do we have a motion on the minutes? I never did hear it.

1830  
1831 Mr. Branin - Yes, we already did that.

1832  
1833 Mr. Vanarsdall - Okay.

1834  
1835 Mr. Jernigan - Well, we had a motion, but we didn't vote on it.

1836  
1837 Mr. Vanarsdall - All right.

1838  
1839 Mr. Branin - Oh, I thought we did.

1840  
1841 Mr. Jernigan - We didn't.

1842  
1843 Mrs. Jones - I moved approval.

1844  
1845 Mr. Jernigan - And there was a second, but we didn't vote.



1846 Mr. Branin - Well, let's vote on it. Motion made by Mrs. Jones, seconded  
1847 by Mr. Vanarsdall. All in favor say aye. All opposed say no. The ayes have it; the  
1848 motion carries.

1849  
1850 The Planning Commission approved the June 27, 2007 minutes as printed.

1851  
1852 Mr. Branin - All right, anything else? I have just a quick note to the other  
1853 Commissioners. I'm going to be asking for a work session probably sometime around  
1854 September or October with Public Safety, just to sit down and refresh and get a feel for  
1855 their needs and concerns, as well as our needs and concerns of what we need from  
1856 them. Okay? Mr. Silber.

1857  
1858 Mr. Silber - I have no further business.

1859  
1860 Mr. Branin - Mr. Thornton? I hate it that you're that far away, Mr.  
1861 Thornton. You really need to move down. Then this meeting's adjourned.

1862  
1863 Mrs. Jones - Second.

1864  
1865 On a motion by Mr. Branin and seconded by Mrs. Jones, The Planning Commission  
1866 adjourned its meeting at 10:06 a.m.

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Tommy Branin, Chairman

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Randall R. Silber, Secretary  
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