

1 Minutes of the regular monthly meeting of the Planning Commission of the County of Henrico,
2 Virginia, held in the Board Room of the County Administration Building in the Government Center
3 at Parham and Hungary Springs Roads, Beginning at 9:00 a.m. Wednesday, March 22, 2006.

4

5 Members Present:

Mr. C. W. Archer, C.P.C., Chairperson (Fairfield)

6

Mr. Tommy Branin, Vice Chairperson (Three Chopt)

7

Mrs. Bonnie-Leigh Jones (Tuckahoe)

8

Mr. E. Ray Jernigan, C.P.C. (Varina)

9

Mr. Ernest B. Vanarsdall, C.P.C., (Brookland)

10

Mrs. Patricia O'Bannon (Tuckahoe) Board of Supervisors

11

Representative

12

Mr. Randall R. Silber, Director of Planning, Secretary

13

14 Others Present:

Mr. David D. O'Kelly, Jr., Assistant Director of Planning

15

Ms. Leslie A. News, CLA, Principal Planner

16

Mr. James P. Strauss, CLA, County Planner

17

Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner

18

Mr. E. J. (Ted) McGarry, III, County Planner

19

Mr. Michael F. Kennedy, County Planner

20

Ms. Christina L. Goggin, AICP, County Planner

21

Mr. Tony Greulich, County Planner

22

Mr. Michael Jennings, Assistant Traffic Engineer

23

Ms. Diana B. Carver, Recording Secretary

24

25 **Mrs. Patricia S. O'Bannon, the Board of Supervisors Representative, abstains on all cases**
26 **unless otherwise noted.**

27

28 Mr. Archer -

The Planning Commission will come to order. Good morning everyone.

29 Welcome to the Wednesday, March 22, 2006, Planning Commission meeting. I see no one from

30 the press but if you are, I'm glad you are here. And with that, I will turn the meeting over to our

31 Secretary, Mr. Randall Silber.

32

33 Mr. Silber -

Thank you, Mr. Chairman. It appears that all of our Commission members

34 are here. The first item on the agenda for business would be the request for deferrals and

35 withdrawals. However, I'm not aware that we have any. Mr. Strauss, do we have any?

36

37 Mr. Strauss -

Staff is not aware of any requests for deferral or withdrawals at this time.

38

39 Mr. Silber -

Are there any requests for deferrals on behalf of the Planning Commission?

40 Hearing none, we will move on to the next item. That is somewhat unusual that we don't have any

41 deferrals. We do have many on the Expedited Agenda this morning. The Expedited Agenda are

42 those items or plans that are fairly minor in nature. Staff has reviewed these plans, and the

43 applicant is in agreement with the conditions and annotations on the plan. The Planning

44 Commissioner from the district has no issues with the request and it is placed on the Expedited

45 Agenda so we do not necessarily have to have a full presentation in consideration of those items.

46 We do have several items on the Expedited Agenda. If there is opposition to these items, from the
47 public, then they will be pulled off of the Expedited Agenda and heard in the order that it is listed
48 in the full agenda. The Commissioners should have a list of those on the Expedited Agenda with
49 your addendum. Mr. Strauss.

50

51 Mr. Strauss- Good morning. I hope you all enjoyed the snow as much as we did this
52 morning. The staff is aware of 10 cases on the Expedited Agenda. The first one is on page two.
53 A transfer of approval request for POD-14-05, Linden Pointe, in the Brookland District. There
54 is a revised caption on page one of your addendum for this item.

55

56 **TRANSFER OF APPROVAL**

57

58 59 <u>Mr. Archer</u> - 60 approval, POD-14-05, Linden Pointe, in the Brookland District? 61 62 <u>Mr. Vanarsdall</u> - 63 Linden Pointe (Formerly Villas at Springfield) and that's what's on the addendum, changing the 64 "Village Springfield" to the "Villas at Springfield." I recommend approval on the Expedited 65 Agenda. 66	Robert Babcock for HHHunt: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Eagle Construction of Virginia, Inc. to HHHunt Homes. The 10.36-acre site is located at the southwest corner of the intersection of Staples Mill Road (U.S. Route 33) and Springfield Road on parcel 761-769-6447. The zoning is R- 5AC, General Residence District (Conditional). County water and sewer. (Brookland)
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58

59 Mr. Archer - Is there anyone in the audience in opposition to this case, transfer of
60 approval, POD-14-05, Linden Pointe, in the Brookland District? No opposition. Mr. Vanarsdall.

61

62 Mr. Vanarsdall - Mr. Chairman, I move for approval of transfer of approval POD-14-05,
63 Linden Pointe (Formerly Villas at Springfield) and that's what's on the addendum, changing the
64 "Village Springfield" to the "Villas at Springfield." I recommend approval on the Expedited
65 Agenda.

66

67 Mr. Jernigan - Second.

68

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

71

72 The Planning Commission approved the transfer of approval request for POD-14-05, Linden
73 Pointe (Formerly the Villas at Springfield) from Eagle Construction of Virginia, Inc. to HHHunt
74 Homes, subject to the standard and added conditions previously approved.

75

76 Mr. Strauss The next case on your agenda would be on page 7 of your agenda and that
77 would be POD-11-06, Settlers Ridge, Section B, in the Varina District. On page 2 in your
78 addendum there is a revised condition No. 24 and an added condition No. 34.

79 **PLAN OF DEVELOPMENT**

80

POD-11-06
Settlers Ridge, Section B

Balzer & Associates for Settlers Ridge LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 49 detached dwellings for sale with zero lot lines. The 15.165-acre site is located at the southwest intersection of Burning Tree Road and S. Laburnum Avenue, adjacent to Pocahontas Parkway (State Route 895) on parcels 806-692-0994 and part of 805-692-4564. The zoning is R-5AC, General Residence District (Conditional). County water and sewer. **(Varina)**

81

82 Mr. Archer - Is there anyone in the audience in opposition to this case, POD-11-06,
83 Settlers Ridge, Section B, in the Varina District? No opposition. Mr. Jernigan.

84

85 Mr. Jernigan - Mr. Chairman, with that, I will move for approval of POD-11-06 Settlers
86 Ridge, Section B, subject to the annotations on the plans, the standard conditions for
87 developments of this type and the following additional conditions Nos. 9 and 11 amended, No.
88 24 revised, Nos. 25 through 33 and No. 34 added, on the Expedited Agenda.

89

90 Mr. Vanarsdall - Second.

91

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

94

95 The Planning Commission approved POD-11-06, Settlers Ridge, Section B, subject to the
96 standard conditions attached to these minutes for developments of this type, the annotations on
97 the plans and the following additional conditions:

98

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

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

106 24. The subdivision plat for Settlers Ridge, Section B shall be recorded before any (building
107 permits/occupancy permits) are issued.

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

110 26. Windows on the zero lot line side of the dwelling can only be approved with an exception
111 granted by the Building Official and the Director of Planning during the building permit
112 application process.

113 27. The proffers approved as a part of zoning case C-74C-03 shall be incorporated in this
114 approval.

152 Mr. Archer - Is there anyone in the audience in opposition to the lighting plan for
153 LP/POD-47-04, Retail Building at the Town Center at Twin Hickory, in the Three Chopt
154 District? No opposition. Mr. Branin.

155

156 Mr. Branin - Mr. Chairman, I would like to move that LP/POD-47-04, Retail Building
157 at the Town Center at Twin Hickory be approved on the Expedited Agenda subject to the
158 annotations on the plans and the standard conditions for lighting plans.

159

160 Mr. Vanarsdall - Second.

161

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

164

165 The Planning Commission approved the lighting plan for LP/POD-47-04, Retail Building at the
166 Town Center at Twin Hickory, subject to the standard conditions attached to these minutes for
167 lighting plans.

168

169 Mr. Strauss - The next case on your Expedited Agenda is on page 11, Cedar Grove
170 (June 1998 Plan). This is a reconsideration of a previously approved subdivision. It's in the
171 Fairfield District. On page 3 of your addendum, there is a staff recommendation to delete
172 condition No. 18 regarding a stub road and there is a revised plan.

173

174 **SUBDIVISION RECONSIDERATION**

175

Cedar Grove
(June 1998 Plan)

Reconsideration as Cedar
Grove (March 2006 Plan)

Timothy L. Rohmoser and QMT for Gregory Windsor: An undeveloped section was granted conditional approval in 1998. The 6.87-acre section proposed for a subdivision of 22 single-family homes is located at the northwest corner of Hungary Road and Cedar Grove Way on parcel 777-760-8255. The zoning is R-3AC, One-Family Residence District (Conditional). County water and sewer. **(Fairfield) 22 Lots**

176

177 Mr. Archer- Is there anyone here in opposition to subdivision Cedar Grove (June 1998
178 Plan) in the Fairfield District? No opposition. With that I will move for approval of Cedar
179 Grove Reconsideration, deleting condition No. 18 per the addendum this morning.

180

181 Mr. Silber - And there is a revised plan.

182

183 Mr. Archer- I'm sorry, and the revised plan. Thank you, Mr. Secretary.

184

185 Mrs. Jones - Second.

186

187 Mr. Archer- The motion was made by Mr. Archer and seconded by Mrs. Jones. All in
188 favor say aye...all opposed say nay. The motion passes.

189

190 The Planning Commission granted conditional approved to subdivision Cedar Grove (June 1998
191 Plan) Reconsideration subject to the standard conditions attached to these minutes, the additional
192 conditions previously approved, and deleting additional condition No. 18.

193

194 Mr. Strauss - The next case requesting Expedited approval is on page 12 of your
195 agenda, subdivision Glasswyck (March 2006 Plan) in the Brookland District. On page 4 of your
196 addendum there is a deleted condition No. 15.

197

198 **SUBDIVISION**

199

Glasswyck
(March 2006 Plan)

**Hulcher & Associates for Clarendon Associates, LLC and
Nora Investments, L.C.:** The 5.70-acre site proposed for a
subdivision of 9 single-family homes is located on the south side
of Mountain Road, approximately 0.3 mile west of Courtney
Road on parcel 765-769-5497. The zoning is R-2AC, One-
Family Residence District (Conditional). County water and
sewer. **(Brookland) 9 Lots**

200

201 Mr. Archer - Is there anyone in the audience in opposition to subdivision Glasswyck
202 (March 2006 Plan)? No opposition. Mr. Vanarsdall.

203

204 Mr. Vanarsdall - Mr. Chairman, before I make a motion I would like to ask a question.
205 When this comes back for final plans or construction plans, I would like to be notified so that I
206 can look at them. I just want to make sure of something. I just want to make sure that
207 everything is okay.

208

209 Mr. McGarry - Absolutely.

210

211 Mr. Silber - We will be glad to contact you. We will put a note in the file.

212

213 Mr. Vanarsdall- I meant to tell Ted yesterday but I forgot it. Thank you. With that, Mr.
214 Chairman, I recommend approval of Glasswyck (March 2006 Plan) under the standard
215 conditions for subdivisions served by public utilities and the following additional conditions,
216 Nos. 12 through 14, delete condition No. 15 and the annotations on the plans.

217

218 Mr. Jernigan - Second.

219

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

222

223 The Planning Commission granted conditional approval to subdivision Glasswyck (March 2006
224 Plan) subject to the standard conditions attached to these minutes for subdivisions served by
225 public utilities, the annotations on the plans and the following additional conditions:

226 12. The proffers approved as part of zoning case C-64C-05 shall be incorporated in this
227 approval.

228 13. The detailed plant list and specifications for the landscaping to be provided within the 25-
229 foot-wide planting strip easement along Mountain Road on Lot 1 shall be submitted to the
230 Department of Planning for review and approval prior to recordation of the plat.

231 14. Prior to construction plan approval, the owner shall provide proof that a quit claim deed has
232 been recorded which would relinquish his rights, if any, to Good Oak Lane (private).

233

234 Mr. Strauss - The next case requesting Expedited approval is on page 19 of your
235 agenda, subdivision Mason Park (March 2006 Plan) in the Three Chopt District. Staff is
236 recommending approval.

237

238 **SUBDIVISION**

239

Mason Park
(March 2006 Plan)

AES Consulting Engineers for Centex Homes: The 29.32-acre site proposed for a subdivision of 39 single-family homes is located on the north side of Shady Grove Road, approximately 1,100 feet east of the intersection of Shady Grove Road and Pouncey Tract Road on parcel 740-770-5728 and part of parcel 740-770-0883. The zoning is R-2A, One-Family Residence District. County water and sewer. **(Three Chopt) 39 Lots**

240

241 Mr. Archer - Is there anyone in the audience in opposition to subdivision Mason Park
242 (March 2006 Plan) in the Three Chopt District? No opposition. Mr. Branin.

243

244 Mr. Branin- Mr. Chairman, I would like to move for approval of subdivision Mason
245 Park (March 2006 Plan) subject to the standard conditions for subdivisions served by public
246 utilities, the annotations on the plans and the additional conditions Nos. 12 through 20.

247

248 Mr. Jernigan - Second.

249

250 Mr. Archer - The motion was made by Mr. Branin and seconded by Mr. Jernigan. All
251 in favor say aye...all opposed say nay. The motion carries.

252

253 The Planning Commission granted conditional approval for subdivision Mason Park (March
254 2006 Plan) subject to the standard conditions attached to these minutes for subdivisions served
255 by public utilities, the annotations on the plans and the following additional conditions:

256

257 12. Each lot shall contain at least 13,500 square feet.

258 13. The detailed plant list and specifications for the landscaping to be provided within the 25-
259 foot-wide planting strip easement along Shady Grove Road shall be submitted to the
260 Department of Planning for review and approval prior to recordation of the plat.

261 14. The detailed plant list and specifications for the landscaping to be provided within the
262 variable width planting strip easement between proposed lot 36 and the Davis property as
263 shown on the conceptual plan provided with C-13C-05 shall be submitted to the

- 264 Department of Planning for review and approval prior to recordation of the plat.
265 15. A County standard sidewalk shall be constructed along the north side of Shady Grove and
266 along one side of all interior roads.
267 16. Any necessary offsite drainage easements must be obtained prior to approval of the
268 construction plan by the Department of Public Works.
269 17. The proffers approved as part of zoning case C-13C-05, shall be incorporated in this
270 approval.
271 18. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the
272 maintenance of the common area by a homeowners association shall be submitted to the
273 Department of Planning for review. Such covenants and restrictions shall be in form and
274 substance satisfactory to the County Attorney and shall be recorded prior to recordation of
275 the subdivision plat.
276 19. Any future building lot containing a BMP, sediment basin or trap and located within the
277 buildable area for a principal structure or accessory structure, may be developed with
278 engineered fill. All material shall be deposited and compacted in accordance with the
279 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
280 professional engineer. A detailed engineering report shall be submitted for the review and
281 approval by the Building Official prior to the issuance of a building permit on the affected
282 lot. A copy of the report and recommendations shall be furnished to the Directors of
283 Planning and Public Works.
284 20. Prior to the recordation of the plat, the applicant must provide evidence that the 20-foot
285 ingress/egress easement referred to by DB 1502, PG 367 has been abandoned by all parties
286 who retain rights to it.
287

288 Mr. Strauss - The next case is on page 21 of your agenda, subdivision Purcell Manor
289 (March 2006 Plan) in the Brookland District. Staff recommends approval.

290
291 **SUBDIVISION**

292
Purcell Manor
(March 2006 Plan)

Koontz-Bryant, P.C. for David C. & Susan G. Landin and Peter Cole: The 1.73-acre site proposed for a subdivision of 5 single-family homes is located on the west side of Purcell Road, north of the Laurel Square subdivision and between Chariot Street and Maurice Walk Court, approximately 4,200 feet south of the intersection of Mountain Road and Purcell Road on parcel 770-763-7835. The zoning is R-3, One-Family Residence District. County water and sewer. **(Brookland) 5 Lots**

293
294 Mr. Archer - Is there anyone in the audience in opposition to subdivision Purcell Manor
295 (March 2006 Plan) in the Brookland District? No opposition. Mr. Vanarsdall.

296
297 Mr. Vanarsdall - I move that Purcell Manor be approved with the annotations on the plans,
298 the standard conditions for subdivision served by public utilities and the additional conditions
299 Nos. 12 through 15.

300

301 Mr. Jernigan - Second.

302

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

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

305

306 The Planning Commission granted conditional approval to subdivision Purcell Manor (March
307 2006 Plan) subject to the standard conditions attached to these minutes for subdivisions served
308 by public utilities, the annotations on the plan and the following additional conditions:

309

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

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

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

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

324

325 Mr. Strauss - The next case is on page 22 of your agenda, subdivision Townsend
326 (March 2006 Plan) in the Brookland District. Staff recommends approval.

327

328 **SUBDIVISION**

329

Townsend
(March 2006 Plan)

Foster & Miller, P.C. for Dominion Land & Development Partnership and The County of Henrico School Board: The 12.03-acre site proposed for a subdivision of 14 single-family homes on zero lot lines is located on the west line of Francistown Road to the rear of 5180 Francistown Road abutting the south side of Echo Lake Elementary School on parcels 759-768-2312, 759-767-5161 (part) and 2638 and 758-767-8413. The zoning is R-5AC, General Residence District (Conditional). County water and sewer. **(Brookland) 14 Lots**

330

331 Mr. Archer - Is there anyone in the audience in opposition to subdivision Townsend
332 (March 2006 Plan) in the Brookland District? No opposition. Mr. Vanarsdall.

333

334 Mr. Vanarsdall - Mr. Chairman, I recommend that subdivision Townsend (March 2006
335 Plan) be approved with the annotations on the plans, the standard conditions for subdivision
336 served by public utilities and the additional conditions Nos. 12 through 15.

337 Mr. Branin - Second.

338

339 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Branin.

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

341

342 The Planning Commission granted conditional approval to subdivision Townsend (March 2006
343 Plan) subject to the standard conditions attached to these minutes for subdivisions served by
344 public utilities, the annotations on the plan and the following additional conditions:

345

346 12. A County standard sidewalk shall be constructed on one side of the interior streets, with the
347 exception of cul-de-sac streets, and along the west side of Francistown Road.

348 13. The proffers approved as part of zoning case C-82C-05 shall be incorporated in this
349 approval.

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

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

358

359 Mr. Strauss - The next case is on page 23 of your agenda, POD-13-06 Mayland Court
360 (POD-42-03 Revised) in the Three Chopt District. Staff recommends approval.

361

362 **PLAN OF DEVELOPMENT**

363

POD-13-06
Mayland Court
(POD-42-03 Revised)

Foster & Miller, P.C. for Little General Store, Inc. and The Standard Group, LLC: Request for approval of a revised plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 3,352 square foot restaurant and retail building. The 0.763-acre site is located on the northwest corner of Mayland Road and Gaskins Road on parcel 751-758-8938. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Three Chopt)**

364

365 Mr. Archer - Is there anyone in the audience in opposition to POD-13-06, Mayland
366 Court in the Three Chopt District? No opposition. Mr. Branin.

367

368 Mr. Branin - Mr. Chairman, I move for approval on the Expedited Agenda, POD-13-06,
369 Mayland Court subject to the annotations on the plans, the standard conditions for developments
370 of this type and the following additional conditions Nos. 24 through 38.

371

372 Mr. Vanarsdall - Second.

373

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

376

377 The Planning Commission approved POD-13-06, Mayland Court (POD-42-03 Revised) subject
378 to the standard conditions attached to these minutes for developments of this type, the
379 annotations on the plans, and the following additional conditions:

380

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

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

388 26. A standard concrete sidewalk shall be provided along the east side of Gaskins Road.

389 27. Employees shall be required to use the parking spaces provided at the rear of the
390 building(s) as shown on the approved plans.

391 28. Outside storage shall not be permitted.

392 29. The proffers approved as a part of zoning case C-7C-81 shall be incorporated in this
393 approval.

394 30. The developer shall install an adequate restaurant ventilating and exhaust system to
395 minimize smoke, odors, and grease vapors. The plans and specifications shall be
396 included with the building permit application for review and approval. If, in the opinion
397 of the County, the type system provided is not effective, the Commission retains the
398 rights to review and direct the type of system to be used.

399 31. The certification of building permits, occupancy permits and change of occupancy
400 permits for individual units shall be based on the number of parking spaces required for
401 the proposed uses and the amount of parking available according to approved plans.

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

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

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

410 35. Storm water retention, based on the 50-10 concept, shall be incorporated into the
411 drainage plans.

412 36. Insurance Services Office (ISO) calculations must be included with the plans and
413 contracts and must be approved by the Department of Public Utilities prior to the
414 issuance of a building permit.

415 37. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
416 Department of Planning and approved prior to issuance of a certificate of occupancy for
417 this development.

418 38. The location of all existing and proposed utility and mechanical equipment (including
419 HVAC units, electric meters, junction and accessory boxes, transformers, and generators)
420 shall be identified on the landscape plans. All equipment shall be screened by such
421 measures as determined appropriate by the Director of Planning or the Planning
422 Commission at the time of plan approval.

423

424 Mr. Strauss - The next case on your agenda is on page 25, subdivision Tree of Life,
425 Section 3 (March 2006 Plan) in the Three Chopt District. Staff recommends approval.

426

427 **SUBDIVISION**

428

Tree of Life, Section 3 **Kevin L. Floyed and M. S. Zasler for Tree of Life, LLC:** The
Gayton Road & Favero Road one-acre site proposed for a subdivision of 3 single-family
(March 2006 Plan) homes is located at the northwest corner of N. Gayton Road and
Favero Road on parcels 732-760-3368, 1550 and 0240. The
zoning is A-1, Agricultural District. County water and sewer.
(Three Chopt) 3 Lots

429

430 Mr. Archer - Is there anyone in the audience in opposition to subdivision Tree of Life,
431 Section 3 (March 2006 Plan), in the Three Chopt District? No opposition. Mr. Branin.

432

433 Mr. Branin - Mr. Chairman, I move for approval of subdivision Tree of Life, Section 3,
434 subject to the annotations on the plans, the standard conditions for subdivisions served by public
435 utilities and additional conditions Nos. 12, 13 and 14, on the Expedited Agenda.

436

437 Mrs. Jones - Second.

438

439 Mr. Archer - The motion was made by Mr. Branin and seconded by Mrs. Jones. All in
440 favor say aye...all opposed say nay. The motion carries.

441

442 The Planning Commission granted conditional approval subject to the annotations on the plans,
443 the standard conditions attached to these minutes for subdivisions served by public utilities and
444 the following additional conditions:

445

446 12. Each lot shall contain at least 43,560 square feet.

447 13. The plan must be redesigned to provide at least the 150-foot minimum lot width required
448 and as regulated by Chapter 24, of the Henrico County Code.

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

451

452 Mr. Archer - I would like to compliment the staff and the developers for doing a fine
453 job in having all of these items on the Expedited Agenda.

454 Mr. Vanarsdall - Mr. Chairman, I have a deferment, but I would like to talk to Mike
 455 Kennedy first. Mike, do you want to handle this when it comes up on the agenda, I believe it is
 456 next? Is John Hodgson here?

457

458 Mr. Kennedy - Yes, I'll handle it and Mr. Hodgson isn't here.

459

460 Mr. Vanarsdall - That's all I need.

461

462 Mr. Archer - Thank you, Mr. Vanarsdall. All right, Mr. Secretary, we can move on.

463

464 Mr. Silber - Next on the agenda would be consideration of Extension of Conditional
 465 Subdivision Approvals. We have two this morning. One requires Planning Commission
 466 approval and the other one doesn't and it's just simply for informational purposes only. The one
 467 requiring Planning Commission approval is Effinger Drive. It is a dedication of a portion of
 468 Effinger Drive (June 1998 Plan) in the Fairfield District. Mr. McGarry, is there any information
 469 that the Commission needs to be aware of on either of these?

470

471 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**

472

473 **PLANNING COMMISSION APPROVAL**

474

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended Recommended
Effinger Drive (A Ded. of a Port. of Effinger Drive) (June 1998 Plan)	Fairfield	0	0	6	1 Year 3/28/07

475

476

477 **FOR INFORMATIONAL PURPOSES ONLY**

478

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended Recommended
Wilton Parkway (December 2004 Plan)	Varina	0	0	0	1 Year 3/28/07

479

480

481 Mr. Archer - For those of you who have been on the Commission since 1998, you are
 482 probably familiar with this case, and we have been moving it right along and I talked with Mr.
 483 McGarry about it and we are okay with extending it for another year.

484

485 Mr. Silber - This does not involve any lots, it's for a road dedication.

486 Mr. McGarry - Correct.
487

488 Mr. Archer - I move for approval of extension for one year for Effinger Drive (1998
489 Plan).

490

491 Mr. Branin - Second.
492

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

495

496 The Planning Commission voted to approve subdivision extension of conditional approval for 12
497 months, March 28, 2007, for Effinger Drive (A dedication of a portion of Effinger Drive)(June
498 1998 Plan).

499

500 Mr. Silber - The other item, subdivision, is for informational purposes only. This is
501 Wilton Parkway (December 2004 Plan) and it will be serving the Wilton Development and
502 Wilton on the James in the east end. It's for your information only. Okay, moving on to page 3
503 of your agenda this is a transfer of approval, POD-56-74, Commonwealth Tents.

504

505 **TRANSFER OF APPROVAL (Deferred from the February 22, 2006, Meeting)**

506

POD-56-74
Commonwealth Tents
(Formerly Bertozzi
Warehouse)
5603 Greendale Road

John Hodgson for W&H, LLC: Request for transfer of
approval as required by Chapter 24, Section 24-106 of the
Henrico County Code from A. Bertozzi, Inc. to W&H, LLC.
The 3.076-acre site is located on the east line of Greendale Road
between Irisdale Avenue and Greenway Avenue at 5603
Greendale Road on parcel 775-745-7650. The zoning is M-1,
Light Industrial District. County water and sewer. **(Brookland)**

507

508 Mr. Archer - Is there anyone in the audience in opposition to this case, transfer of
509 approval, POD-56-74, Commonwealth Tents (Formerly Bertozzi Warehouse) in the Brookland
510 District? No opposition? Mr. Vanarsdall.

511

512 Mr. Kennedy - I have a presentation on it. The applicant just recently purchased the
513 building and is occupying it. He's got storage containers outside of the building that need to be
514 removed and some pavement repairs and some wall repairs are required. He's doing renovation
515 of the building in conjunction with the Community Revitalization Program. He has gotten some
516 funds from the County to do some façade improvements. He is working on the building. He has
517 asked for a six-month deferral so that he can finish occupying the building and getting rid of his
518 trailers, the storage containers. He spoke with Mr. Vanarsdall about it and the owner has been
519 working diligently to remove the trailers within six months. He has requested a deferral to the
520 September 28 (sic) meeting and at which time he will have to post a bond for any remaining
521 repairs to be done and have them completed before the end of the year.

522 Mr. Archer - All right. Thank you. Mr. Vanarsdall, would you like to hear from the
523 applicant?

524

525 Mr. Vanarsdall - He's not here. Thank you, Mr. Kennedy. And, I believe that is September
526 27 instead of the 28. The reason we did this the way we did it, is because a couple of months
527 ago Mr. Hodgson was very upset about the fact that he had to have deficiencies over and above
528 what he thought was needed. I haven't had a chance to meet or see him. I've talked with him
529 over the phone a couple of times. Mr. Kennedy has worked...he has gone the extra mile to try to
530 keep it from being denied and trying to work something out and had has done a good job at it.
531 And yesterday he sent me an email, I'm not going to read the whole thing, but I want to
532 acknowledge it so that it will be in the record. Mike sent an email to John Hodgson, the
533 applicant, Dave O'Kelly and then sent a copy to me. And what he is outlining is the site
534 deficiencies, which are five, and then he has a bond estimate and he has done a good job with
535 that and I want to make sure that this gets into the record and put a copy of it in the file. So what
536 we are trying to do is help him get over his hard time. So with that, I recommend that POD-56-
537 74, Commonwealth Tents at 5603 Greendale Road be deferred for six months, September 27,
538 2006, at the Commission's request.

539

540 Mr. Branin- Second.

541

542 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Branin.
543 All in favor say aye...all opposed say nay. The motion Carries.

544

545 The Planning Commission deferred the transfer of approval request for POD-56-74,
546 Commonwealth Tents (Formerly Bertozzi Warehouse) 5603 Greendale Road, to its September
547 27, 2006 meeting.

548

549 **TRANSFER OF APPROVAL (Deferred from the February 22, 2006, Meeting)**

550

POD-14-02

Long & Foster Office

Building -

3991 Williamsburg Road

Hirschler Fleischer for Wilton Development Corporation:
Request for transfer of approval of a portion of a plan of
development as required by Chapter 24, Section 24-106 of the
Henrico County Code from Wilton Development Company to
Wilton Family Investments II, L.C. The 3.15-acre site is located
at 3991 Williamsburg Road on parcel 847-711-9746. The zoning
is B-3, Business District. County water and sewer. (**Varina**)

551

552 Mr. Archer - Is there anyone in the audience in opposition to this transfer of approval
553 request for POD-14-02, Long & Foster Office Building, in the Varina District? No opposition.
554 Mr. McGarry.

555

556 Mr. McGarry - Good morning, Mr. Chairman and members of the Commission. The site
557 inspection for compliance with the approved conditions is complete and only minor landscaping
558 discrepancies were found. Yesterday at the follow-up inspection, we found that all of the
559 landscaping materials had been planted. The new owners Wilton Family Investments, II, L.C.,

560 accepts and agrees to be responsible for the continued compliance for the conditions of the
561 original approval. Staff recommends that the transfer of approval be granted. I'll be happy to
562 answer any questions.

563

564 Mr. Archer - Are there any questions for Mr. McGarry? All right. Mr. Jernigan.

565

566 Mr. Jernigan - Mr. Chairman, with that, I will move for approval of POD-14-02, Long &
567 Foster Office Building, on 3991 Williamsburg Road.

568

569 Mr. Vanarsdall - Second.

570

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

573

574 The Planning Commission approved the request for a transfer of approval for POD-14-02, Long
575 & Foster Office Building, 3991 Williamsburg Road, from Wilton Development Company to
576 Wilton Family Investments II, L.C., subject to the standard and additional conditions approved
577 previously approved and accepted by the new owner Wilton Family Investments, II, L.C.

578

579 **LANDSCAPE & LIGHTING PLAN**

580

LP/POD-14-04 Gaskins Professional Offices	Balzer & Associates for Katherman & Company, 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 6.81-acre site is located at the southwest corner of Gaskins Road and Three Chopt Road on parcel 749- 754-5736. The zoning is O-2C, Office District (Conditional). (Three Chopt) (Tuckahoe)
--	---

581

582 Mr. Archer - Is there anyone in the audience in opposition to the landscape and lighting
583 plan for LP/POD-14-04, Gaskins Professional Offices? No opposition. Mr. Kennedy.

584

585 Mr. Kennedy - The applicant has submitted a revised plan that provides for additional
586 screening around the mechanical equipment. The freestanding mechanical equipment will be
587 screened with evergreen shrubs on the three sides. The meters that are on the side of the
588 building, especially those that are very visible from the street, will be screened by PVC lattice
589 with vines growing on them. We were concerned about this. It is a nice landscaping plan but we
590 were concerned about those meters on the face of the building. And what they have tried to do is
591 come up with something that would be a permanent solution that would screen it from the street
592 so that it wouldn't be too visible.

593

594 Mrs. O'Bannon - Is that because they are office condo's and they have to be individually
595 metered?

596

597 Mr. Kennedy - Yes, that's right.

598 Mrs. O'Bannon - I've got a comment about that.
599

600 Mr. Kennedy - That's why they are individually metered so each person has their own
601 utilities. As far as the landscaping, landscaping is extensive on this site, there are two dry ponds
602 and they do not require fountains. And all the landscaping on this site will be irrigated. If you
603 have any questions, I'll be happy to answer them for you.
604

605 Mr. Archer - Are there any questions of Mr. Kennedy by the Commission?
606

607 Mrs. Jones - I have a question, and this may be best answered by the applicant, the
608 landscape plan is certainly extensive and well done and I'm very happy with it, but I have a
609 question about one aspect of the plan. It has to do with the road through the development and
610 my concerns about some traffic issues. I don't know if the applicant can answer that or if you
611 would like to take a stab at it, Mr. Kennedy.
612

613 Mr. Kennedy - I don't see anyone from Balzer here.
614

615 Mrs. Jones - There's no one here?
616

617 Mr. Kennedy - No.
618

619 Mrs. Jones - My concern is whether there is a way to discourage cut-through traffic. I
620 have had concerns with this with a number of corner properties and people at this particular
621 intersection will be faced with some significant traffic at that light at certain times of day. It
622 encourages cut-through, and as we were just discussing earlier, although I didn't see this plan
623 when it first came through, looking at it now, do you think it would be possible to do any kind of
624 speed bump or any kind of a slowing mitigating device on the road through there?
625

626 Mr. Silber - Mrs. Jones, maybe instead of having Mr. Kennedy answer that we might
627 want to have Mr. Jennings to attempt to answer that. Mr. Kennedy, the applicant is not here
628 today?
629

630 Mr. Kennedy - I don't see them here.
631

632 Mr. Silber - Are you representing the applicant?
633

634 Mr. Palmore - I'm Cameron Palmore from Balzer & Associates, Inc. Our office in the
635 south side is doing this plan and I'm not familiar with it exactly, but I did want to, as a
636 representative of Balzer speak to it. Being unfamiliar with the plan I think Mr. Kennedy could
637 get some input to your concerns.
638

639 Mrs. Jones - Thank you.
640

641 Mr. Archer - Good morning, Mr. Jennings.
642

643 Mr. Jennings - Good morning. I'm Mike Jennings, Assistant Traffic Engineer with
644 Henrico County. We had reviewed this plan, and I guess it came in a couple of years ago, and
645 we do not have any concerns with the cut-through traffic. Because of the nature of this site, the
646 winding through here, the low speeds and with the improvements they are planning for Three
647 Chopt Road.... In regards, to speed bumps, those probably wouldn't be allowed by the
648 Department of Fire. They have regulations against them but at the time we reviewed this we
649 didn't see perceive any cut-through traffic avoiding the light because of improvements on Three
650 Chopt Road.

651

652 Mrs. Jones - Well, thank you. That is a pretty clear-cut answer. I guess my concern
653 might not be very valid except that I see this... I will give you an example, Parham and
654 Mayland. The cut-through traffic right through the offices right there on that corner almost
655 makes it impossible to get onto I-64 west, if you are coming north on Parham. It's just a fact of
656 life. People will do that. But if you are saying that some calming device such as speed bumps
657 would not be acceptable because of the repercussion for emergency vehicles.

658

659 Mr. Jennings - They are normally not allowed by fire. Maybe a speed hump or
660 something may be allowed. They would have to work with the Division of Fire. But, at this
661 point, because of the way it slows, speeds and winds through that development and parking all
662 along all the roads, I don't foresee a lot of cut-through traffic. There may be some traffic but I
663 don't think it would be encouraged on a site like this.

664

665 Mrs. Jones - Thank you. The landscape plan I realize doesn't normally take into these
666 kinds of considerations but this is my only shot at this so that is why I thought I would raise it
667 now. I will defer to traffic's expertise and assume that this will be just fine.

668

669 Mrs. O'Bannon - I have a question. We have been encouraged to try and trying to do more
670 office/condominium projects when we get to office rather than just rental property and having to
671 purchase them eventually. And so the idea of each one of them having one of those big green
672 boxes out front, is that the point? Did Dominion Virginia Power require them to do that because
673 they are individually metered or something?

674

675 Mr. Kennedy - Unfortunately, Dominion Virginia Power has a single size requirement for
676 the switch boxes for the building and even though these are very small units, you've got this big
677 switch box and a meter, the meter box, which is next to it and so it does visually distracts from
678 the building. What we are trying to do is come up with more innovative ways to screen these
679 things opposed to just painting them and trying to blend them into the building. So we are
680 looking to the developers to come up with wing walls and other things that are more appropriate.

681

682 Mrs. O'Bannon - Like along the sides of the building or maybe a back entry or a way to get
683 in with the power trucks or something?

684

685 Mr. Kennedy - Yes. And a part of the problem with this building, in fact, is the fact that
686 some of the buildings along Gaskins Road face Gaskins Road but they also face into the parking
687 lot. So, you don't want them on the parking lot side of the front of the building where their

688 customers enter and because they are multiunit buildings you can't put it on the sides because of
689 the tenants in the middle. So, it is difficult sometimes in locating these things and they are not as
690 visible, so what we need is, like this lattice work, try to find an attractive way to make it fit into
691 the landscape.

692

693 Mr. Branin - Isn't there a rule on how close you can put screening to it because a
694 workman will have to be able to get into it within a certain amount of feet?

695

696 Mr. Kennedy - Yes, and that is the reason, when they do have the box mounted to the
697 ground, they can only landscape it on three sides. There has to be some separation but they also
698 have to have access from one side. In this case the lattice work is between the buildings and the
699 sides are open. But, the object is to maintain access so that they can work on the switchbox. We
700 do try to provide the maximum amount of screening that we can given the parameters. A part of
701 the difficulties is that Virginia Dominion Power actually does their metering diagrams after we
702 have approved everything. They don't submit plans to us and they are subject to The State
703 Corporation Commission and not us. They feel they don't have to answer to us. And sometimes
704 they pick very inappropriate locations that affect sight distance and other things and safety issues
705 as well. That's much more of a concern for Mr. Jennings. I know he has dealt with several of
706 them where there have actually been sight issues where the box was so big that they blocked the
707 sight distance.

708

709 Mrs. O'Bannon - Or cars will pull in and hit them and then they would have to reconfigure
710 the parking.

711

712 Mr. Vanarsdall - Mrs. O'Bannon, back in.... What year was it, Mr. Archer?

713

714 Mr. Archer - I think it was 1997.

715

716 Mr. Vanarsdall - It was in 1997 and Mr. Archer wrote the County Manager a long memo
717 about these green boxes.

718

719 Mrs. O'Bannon - Oh, yes. The Board of Supervisors had a separate session on this.

720

721 Mr. Vanarsdall - We had several meetings and invited Dominion Virginia and they never
722 came. We put the plans out on the front desk for Virginia Power and I said who picks them up
723 and they said, "We don't know." So, we didn't get anything from them.

724

725 Mr. Archer - Well, I think what came out of that meeting was we will put these boxes
726 wherever we want too and you can't do anything about it.

727

728 Mrs. O'Bannon - In our discussions, in that case, was with residential property, and there
729 were some of the green boxes that were smack-dap in front of the front porch. People would
730 come out into their front yards and would have to build a sidewalk around the big green box in
731 the middle of the front yard. We did try to talk to them about grouping the boxes, you know,
732 four or five houses at a time and group them in one spot so that at least they weren't right in

733 front of someone's front yard. And you are right, we got nowhere, but somehow it didn't click
734 that when we talked about office condominiums, I know the problem with residential properties,
735 we've got that everywhere. But with office condominiums, we are encouraging them because
736 people will purchase them rather than renting them. But, somehow I didn't think about it, the
737 fact that these boxes would crop up then because it's an ownership of property. How do they do
738 it with townhouse condominiums? Where do they put them there? Do they stick them right out
739 in front of them because they are kind of narrow too?

740

741 Mr. Kennedy - They tend to put them in the rear yards and sometimes they occupy
742 someone's entire rear yard. What is unfortunate also is that... Often staff works on doing very
743 nice entrance features with developers and developers like doing those things. The developers
744 spend a lot of money on doing entrance features. In general, what you will find is a green box in
745 front of it as opposed to behind it. And we say, "Why did you do it that way" and they say, "We
746 wanted it to be visible so that we can find it" and we say, "You could have a map."

747

748 Mr. Archer - Well, not to prolong this, but when we did meet, we met with everybody
749 that had access to running any kind of cable. And, Mr. Vanarsdall, if you can recall, we had the
750 telephone people here, we had folks from the cable company there and they all seem to follow
751 suit. And wherever Virginia Power put their boxes, we will put ours. We have some yards that
752 have a green box, a telephone box and a cable box all sitting in the same front yard. And I can
753 recall up until the mid 1980s, all of the boxes were in the rear yards. There were no boxes in
754 front yards but all of a sudden they said they can't do it anymore. And, Mr. O'Kelly got
755 involved with quite a bit. We just didn't get anywhere. I remember the last time they said we
756 will get together again in a few months and we will talk about this, and, I said I'm not talking
757 about it anymore and we just left it at that.

758

759 Mrs. O'Bannon - Well, with residential property for a future solution...we talked about this
760 in great length, is to put alleyways in and of course we are not going to get developers to give us
761 that much land but in something that is a business development, is there any way to put like...
762 you know we have access many times to dumpsters and things like that at the back of the
763 buildings. Would there be a way to put the green boxes along the back of them? And I know
764 that probably with businesses it's not as much of a problem with them. As you said you are just
765 trying to landscape them rather than trying to move them or change where Dominion Virginia
766 Power puts them but is that a thought?

767

768 Mr. Silber - Well, I think, Mrs. O'Bannon, that is a thought. I think the challenge is
769 that as many designs issues go into laying out a site and so often these utility boxes and utility
770 fixtures are sort of after the fact, and it is very difficult to have those built into the design and
771 layout of a particular development. I think it is best, probably, to deal with these in some later
772 fashion to screen them with a technique that has been recommended by staff and agreeable to
773 this developer. It is hard to figure out where to place these in certain instances. I know with the
774 UMU development we have seen some designs where they are incorporating these into their
775 buildings themselves with enclosed structures. So I think we can begin to improve on these
776 situations but office condos and residential properties are a challenge, but we will keep on
777 working on it.

778 Mrs. O'Bannon - Okay.
779

780 Mr. Vanarsdall - In the residential area, during the meeting, we got a surprise, Mr. Archer
781 may remember, but no one knew what day, what year, what month that Virginia Power all of a
782 sudden started putting everything out front, or when the developers started out. The ordinance
783 has never been changed, for real, anywhere but real. So, we had so many surprises and hurdles
784 to jump over and like Mr. Archer said, we just stopped it.

785

786 Mr. Archer - All right, I guess we are ready for a motion, Mrs. Jones.

787

788 Mrs. Jones - Well, we can't solve it all this morning, but I think the applicant made a
789 good faith effort to screen this and make this as attractive as possible under the circumstances
790 and I appreciate that. I think it is a good plan. I will move for approval of the revised plan for
791 LP/POD-14-04, Gaskins Professional Offices, subject to the standard conditions for landscape
792 and lighting plans.

793

794 Mr. Vanarsdall - Second.

795

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

798

799 The Planning Commission approved the landscape and lighting plan for LP/POD-14-04, Gaskins
800 Professional Offices, subject to the standard conditions for landscape and lighting plans and the
801 annotations on the plans.

802

803 **SUBDIVISION (Deferred from the February 22, 2006, Meeting)**

804

North James Estates (February 2006 Plan) Midview and New Markets Roads	Balzer & Associates, P.C. for Margaret Moore c/o Carl L. Moore, Anirav Swim Club and Hamlin Homes: The 22.42-acre site proposed for a subdivision of 52 single-family homes is located on the northeast corner of New Market Road (State Route 5) and Midview Road on parcel 803-702-3640 and part of 804-702-0772. The zoning is R-3, One-Family Residence District. County water and sewer. (Varina) 52 50-51 Lots
---	--

805

806 Mr. Silber - There is an amendment on the addendum to change the lots from 52 to 50.

807

808 Mr. Archer - Is there anyone in the audience in opposition to North James Estates
809 (February 2006 Plan) in the Varina District? No opposition. Ms. Goggin.

810

811 Ms. Goggin - A revised staff plan was just handed out to you. This subdivision was
812 deferred from last's month Planning Commission meeting to allow the applicant time to address
813 some outstanding issues, but there are some items that still remain. But, since our last discussion
814 I think they have been resolved but I will go over them again. Staff requested, and the applicant
815 has agreed, to provide a modified boulevard entrance into the subdivision and modified enough

816 to allow the person in Lot 1 to make a left turn into their lot without having to do a U-turn to get
817 to it.

818

819 The Planning staff also requested a stub road across from Road C, but Public Works Traffic is
820 concerned about the stub and possible cut through traffic into New Market Farm subdivision.
821 The property is mixed zoning and parcels 48 and 49 at the end of Road B are zoned B-1 and staff
822 recommends that they are held for future development while the developer pursues rezoning his
823 parcels for this business and residential zoning.

824

825 The applicant proposes creating common areas for the preservation of wetlands. Staff encourages
826 the applicant to provide amenities such as benches or gazebos with adequate landscaping to
827 create what could be called a “Pocket Park” for the neighborhood residents.

828

829 The applicant has agreed to provide a sidewalk along New Market Road, and Planning just
830 learned that Public Works will not require curb and gutter along Midview Road but Planning
831 staff did require that the sidewalk continue along Midview Road. Cameron Palmore is here from
832 Balzer to answer any questions that you may have for him, and I’m here to answer any questions
833 you may have as well. Should the Commission choose to approve this plan, staff recommends
834 the standard conditions for conditional subdivisions served by public utilities, the annotations on
835 the revised plans and additional conditions Nos. 12 through 17 in the agenda. The number of
836 lots may increase back to 51 after our discussion this morning and I will like to leave that up to
837 Mr. Jernigan.

838

839 Mr. Archer - All right. Thank you, Ms. Goggin. Are there any questions from the
840 Commission for Ms. Goggin?

841

842 Mr. Silber - I have a question, Ms. Goggin, on 52 or 51, or maybe Mr. Jernigan can
843 help me. As the Commission may be aware, or explained to you this morning, there is some B-1
844 Zoning that comes up into this proposed subdivision, so obviously any property that’s zoned B-1
845 is not allowed in residential development. You can’t approve residential lots or property that is
846 zoned B-1, or partially zoned B-1. So, I guess I need some clarification of where the B-1
847 property is and whether it crosses one or two lots?

848

849 Ms. Goggin - Staff is working on that. The B-1 was a part of the Comprehensive
850 Rezoning in 1963 and when you scale it out it is different on those maps than it is on today’s
851 maps. Today’s maps, GIS maps, were made without benefits of surveys so the parcels are kind
852 of floating, but we have got it nailed down a little bit more now and we are going to work with
853 the engineer on making sure exactly where that is, but, as previously mentioned, the applicant is
854 intending to come back to take that portion of B-1 that is in the neighborhood to “R.” He hopes
855 to expand his B-1 a little bit along New Market Road.

856

857 Mr. Silber - Maybe we need to hear from the applicant, their intent. I think we rather
858 error to be on the safe side and not approve on lots zoned B-1 but perhaps the applicant can
859 address that.

860 Mr. Jernigan - They are okay with that. They are just pulling those two lots out, after this
861 case, and then bring it back later after the B-1 is pulled out of it.

862

863 Mr. Silber- Okay.

864

865 Mr. Jernigan - They are okay with that because they have got the rest of them to work
866 with. The reason Christina said... actually said they went to 50 lots, we have got 51 and it is
867 going to come back again anyway so rather than changing the caption, and just leave it at 51
868 because it will probably adjust to 52 later.

869

870 Ms. Goggin - I thought in our discussions you were concerned about the stub road.

871

872 Mr. Jernigan - Well, I was just discussing the lots at that point because the stub road
873 could make a difference also.

874

875 Mrs. Jones - Mr. Jernigan, I'm a little confused. Are we going to... there are certain
876 things we can not approve.

877

878 Mr. Jernigan - We are not going to approve the two lots, 48 and 49.

879

880 Mrs. Jones - And so where is that noted as a condition? Where is that officially in the
881 reference, here?

882

883 Ms. Goggin - That is an annotation on the plan. It is the third annotation down and staff
884 has also annotated the plan on top of those lots that says, "Reserved for future development."

885

886 Mrs. Jones - Okay. I'm sorry, it was hard to read.

887

888 Mr. Jernigan - There is a little bit of B-1 and they can't determine if it is on one lot or
889 two lots but I told them let's just knock out both lots for safety, and then we will come back and
890 adjust them after the B-1 is deleted.

891

892 Mrs. Jones - I see them. Thank you.

893

894 Mr. Silber - So, what would be considered by the Commission is 50 lots. We are
895 going from 52 to 50 lots.

896

897 Ms. Goggin - Mr. Jernigan, I'm sorry but I would like clarification about the future stub
898 road across from lot B, whether the Commission would like to see that stub road or not.

899

900 Mr. Jernigan - Well, I haven't gotten to that, yet, Christina. I was going to talk to Mr.
901 Jennings. I do want to get Mike up here so that we can address that.

902

903 Mr. Vanarsdall - You said Lots 38 and what was the other lot?

904

905 Mr. Jernigan- It was 48 and 49.
906

907 Mr. Jennings- Good morning, again.
908

909 Mr. Jernigan - As we were discussing earlier, and this is pretty good, I told them usually
910 I'm suppose to get things straight between the developer and staff and here we have Planning
911 wanting a stub road and Public Works don't, and would you explain why on the stub road.
912

913 Mr. Jennings - We like to see stub roads when a property is either landlocked or
914 interconnectivity would work but in this situation we feel that this would create a cut through
915 directly over to Oakland Road and encourage traffic from this development to go through an
916 existing neighborhood over to Oakland Road and vice versa, that neighborhood to come through
917 this neighborhood to get over to New Market Road. So, we are worried about cut through traffic
918 through the neighborhoods.
919

920 Mr. Jernigan - It would make it a whole lot intense through the neighborhoods.
921

922 Mr. Jennings - Correct.
923

924 Mr. Jernigan - While you are up here, I want to ask you something, and I didn't ask it
925 when Mrs. Jones brought it up, but tell me... Fire don't want speed bumps?
926

927 Mr. Jennings - Technically, no. They do not approve them because it affects their
928 reaction time to a fire or a situation. They have to come to an almost complete stop and it really
929 rattles and twist the truck. They don't allow speed bumps.
930

931 Mr. Jernigan- Okay. Well, I've learned something today because we have been
932 discussing that before even on one of the cases we had in Varina over there on Miller Road.
933

934 Mrs. O'Bannon - But, they are okay with speed, I think they call them speed tables, or
935 something like that.
936

937 Mr. Jennings - Speed tables or speed humps you can continue to slow speed but you can
938 gradually go over them. They do allow them, they still don't like those, but they have allowed
939 those.
940

941 Mrs. O'Bannon - That's what you did on Bremono Road, well it isn't Bremono Road, it's more
942 of a speed hump but it is a very flat one, though. They call it a speed table.
943

944 Mr. Jennings - Right, which is a little bit wider than a speed hump.
945

946 Mr. Vanarsdall - You will have people tell you that we have speed bumps but they are on
947 private property.
948

949 Mr. Jennings - There are some existing speed bumps on private property, yes, sir.

950 Mr. Vanarsdall - Particularly in parking lots.
951

952 Mr. Jernigan - Thank you, Mike.
953

954 Mr. Archer - Are there any more questions by Commission members?
955

956 Mr. Jernigan - Christina, let's go ahead and straighten this out. On the stub road, I agree
957 with Mr. Jennings on that. So, I would like to delete the stub road, annotated on the plan.
958

959 Mr. Archer - Are you going to annotate the plan to that, Mr. Jernigan, or put a condition
960 or what?
961

962 Ms. Goggin - I can annotate the plan.
963

964 Mr. Jernigan - Okay, so that takes care of the stub. We deleted lots 48 and 49 from the
965 case to be developed later. All right, now we are going to have a sidewalk on Route 5, New
966 Market Road. On Midview, being that there is no curb and gutter there, and that road is
967 scheduled to be widen, and the determination of where that is going to be, so I want to delete the
968 sidewalk on Midview Road. And on the lot, because you come in at the intersection of Road A
969 and B, that is to be a common area. We haven't decided what we want to put in there so let's
970 annotate the plan that before this goes to final construction that we will have a decision as to
971 what will be there. I know we don't want a tot lot, not at an intersection like that, but I'll work
972 with the developer to see if we can get a gazebo or a few benches or whatever out there, for
973 common area.
974

975 Mrs. Jones- Mr. Jernigan, are you eliminating the sidewalk on Midview Road
976 permanently or until the construction is finished?
977

978 Mr. Jernigan - The property down from that has been developed and it is R zoning now
979 with no sidewalks, but we do want it on Route 5 though, on New Market Road.
980

981 Mrs. Jones - Okay.
982

983 Mr. Archer- Okay. Is there any further discussion?
984

985 Mr. Jernigan - Plus the boulevard entrance has been annotated on the modified plan.
986 With that, Mr. Chairman, I will move for approval of North James Estates (February 2006 Plan)
987 with... Do we have to change the caption to say 50, or can we leave it at 51?
988

989 Mr. Vanarsdall - Go on and leave it at 51, if that's what you want to do. We have done that
990 before. It doesn't exceed it that much.
991

992 Mr. Jernigan - Well, it's going to change later that's the reason I would say to leave it at
993 51.
994

995 Mr. Vanarsdall- That's a policy anyway, it's not in the ordinance.
996

997 Mr. Silber - Just leave it at 51, I think the notation to remove the two lots, 48 and 49,
998 addresses that issue. So, 51 lots is fine.
999

1000 Mr. Jernigan - Okay. So approval of subdivision North James Estates (February 2006
1001 Plan) with the annotations on the plan, which was removal of the stub street, Lots 48 and 49
1002 deleted in this case to be developed later, the sidewalk deleted from Midview Road and
1003 annotations for the common area at the intersection of Roads A and B and also with the caption
1004 of 51 lots as shown on the revised caption in the addendum.
1005

1006 Mr. Vanarsdall - Second.
1007

1008 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mr. Vanarsdall.
1009 All in favor say aye...all opposed say nay. The motion passes.
1010

1011 The Planning Commission granted conditional approval to subdivision North James Estates
1012 (February 2006 Plan) subject to the standard conditions attached to these minutes for subdivision
1013 served by public utilities, the annotations on the plans and the following additional conditions:
1014

1015 12. Prior to requesting recordation, the developer shall furnish a letter from Dominion Virginia
1016 Power stating that this proposed development does not conflict with its facilities.

1017 13. Each lot shall contain at least 11,000 square feet.

1018 14. The detailed plant list and specifications for the landscaping to be provided within the 25-
1019 foot-wide planting strip easement along New Market Road and Midview Road shall be
1020 submitted to the Department of Planning for review and approval prior to recordation of the
1021 plat.

1022 15. A County standard sidewalk shall be constructed along the east side of New Market Road.

1023 16. Any necessary offsite drainage easements must be obtained prior to approval of the
1024 construction plan by the Department of Public Works.

1025 17. Any future building lot containing a BMP, sediment basin or trap and located within the
1026 buildable area for a principal structure or accessory structure, may be developed with
1027 engineered fill. All material shall be deposited and compacted in accordance with the
1028 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
1029 professional engineer. A detailed engineering report shall be submitted for the review and
1030 approval by the Building Official prior to the issuance of a building permit on the affected
1031 lot. A copy of the report and recommendations shall be furnished to the Directors of
1032 Planning and Public Works.

1033 **LANDSCAPE & LIGHTING PLAN**

1034

LP/POD-61-04 **Tommy Cullather:** 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 .757-acre site is located at the northwest corner of Briar Lane and Greendale Road on parcel 775-746-2420. The zoning is M-1, Light Industrial District. **(Brookland)**

1035

1036 Mr. Archer - Is there anyone in the audience in opposition to this landscape and lighting plan, LP/POD-61-04 Greendale Road Warehouse, in the Brookland District? No opposition.

1038 Mr. Kennedy.

1039

1040 Mr. Kennedy - The applicant has agreed to staff's annotations on the plans in particularly 1041 in enhancing the natural buffers on the northern and eastern sides of the property. Parts of those 1042 buffers were disturbed during the construction of this site and the BMP on the site, so basically 1043 what we have to do is turn it back into a 50-foot transitional buffer requirements. There will be a 1044 substantial amount evergreens planted in both of those buffers and we want to make sure that 1045 there is adequate separation between this development and the adjoining residential properties. 1046 The property will be occupied by Mr. Bertozzi's race team.

1047

1048 Mr. Archer - Are there any questions for Mr. Kennedy, by the Commission members?

1049

1050 Mr. Vanarsdall - I don't have a question for him but I've got a question for the applicant.

1051

1052 Mr. Archer- All right, will the applicant come forward, please. Good morning.

1053

1054 Mr. Bertozzi - Good morning.

1055

1056 Mr. Vanarsdall- Are you Sonny's son?

1057

1058 Mr. Bertozzi - Yes, sir.

1059

1060 Mr. Vanarsdall - That's what I thought. Which one are you?

1061

1062 Mr. Bertozzi - I'm Anthony.

1063

1064 Mr. Vanarsdall- Hey, Anthony. I just wanted to know if you were in agreement with all of 1065 this?

1066

1067 Mr. Bertozzi - Yes, sir, y'all know best.

1068

1069 Mr. Vanarsdall - Thank you. Somebody else might have a question.

1070

1071 Mr. Archer - Are there any more questions? All right, Mr. Vanarsdall.

1072 Mr. Vanarsdall - I move LP/POD-61-04, Greendale Road Warehouse, be approved with the
1073 annotations on the plans and the standard conditions for landscape and lighting plans and the
1074 staff recommendation for approval on the addendum.

1075

1076 Mr. Jernigan - Second.

1077

1078 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Jernigan.

1079 All in favor say aye...all opposed say nay. The motion passes.

1080

1081 The Planning Commission approved the landscape and lighting plan for LP/POD-61-04,
1082 Greendale Road Warehouse, subject to the standard conditions attached to these minutes for
1083 landscape and lighting plans and the annotations on the plans.

1084

1085 **PLAN OF DEVELOPMENT, MASTER PLAN & TRANSITIONAL BUFFER DEVIATION**

1086

POD-14-06

Faith Community Baptist
Church

(POD-74-02 Revised)

1903 Cool Lane

Hulcher & Associates for Faith Community Baptist Church:

Request for approval of a revised plan of development, master plan and transitional buffer deviation as required by Chapter 24, Sections 24-106 and 24-106.2(e)(3) of the Henrico County Code, to construct a one-story, 10,000 square foot multipurpose building for church use. The 3.10-acre site is located approximately 400 feet east of Mechanicsville Turnpike (U.S. Route 360) on parcel 798-726-9359. The zoning is B-3, Business District. County water and sewer. **(Fairfield)**

1087

1088 Mr. Archer - Is there anyone in the audience in opposition to POD-14-06, Faith
1089 Community Baptist Church, in the Fairfield District? No opposition. Ms. Goggin.

1090

1091 Ms. Goggin - This project was submitted and previously approved by the Planning
1092 Commission in November 2002. The church was unable to proceed with the project at that time
1093 but has now decided to move forward. The project is requesting the first phase of a multi-phase
1094 church on an existing B-3 zoned site in an already developed area of town. And as you can
1095 imagine, they faced problems trying to accumulate land and build a building when they have
1096 definite constraints on their boundaries. Therefore, as you can tell from their master plan, which
1097 is the first 14 X 17 sheet and the phase I plan which is the second sheet. They only have six feet
1098 for landscaping on their southern and eastern property lines, and that is adjacent to residential
1099 zoning. Across the street is an active nursing home but that is zoned Agricultural and that will
1100 also require a 35-foot transitional buffer. I would like to note that if this property was zoned
1101 residential the church could still go there and not have any transitional buffer at all, per Code.

1102

1103 The church has agreed to provide a, what we would call a mark iron or a wrought iron fence, on
1104 the residential side of the church and that is a request by Police to help stop cut-through traffic
1105 and people walking back and forth through the neighborhood and the businesses. They have also
1106 agreed to install landscaping such as a hedgerow and a mix of evergreen and deciduous trees to
1107 help screen the headlights from adjacent property owners while at the same time, maintaining

1108 sight distance for the church and the residences to help keep an eye on what's going on there.

1109

1110 Currently, the lot is a complete asphalt lot, so anything they do to add greenery is an
1111 improvement over what's there. The applicant has also agreed to work with staff on providing
1112 the proper landscaping to have the reduced buffer on Cool Lane but still provide something that
1113 is attractive and inviting to the neighborhood and the nursing home across the street. Staff has
1114 suggested that the landscape and lighting is returned to the Planning Commission for review and
1115 approval. This way staff can work with the applicant and the neighbors to make sure that an
1116 appropriate amount of landscaping is provided to ease the church into the area while at the same
1117 time providing opportunities for neighbors to keep an eye on the street and for Police to be able
1118 to patrol the area versus an opaque fence that could be provided but would not allow visibility.

1119

1120 This will require a motion for both the transitional buffer deviations as well as the POD and the
1121 master plan, if the Commission chooses to approve all of the transitional buffers or only one or
1122 two of them or as they see fit. Should the Commission choose to approve this plan, staff
1123 recommends approval subject to the annotations on the plans, conditions Nos. 9 and 11 amended
1124 and conditions Nos. 24 through 37 in your agenda. The church's pastor Dr. Patricia Gould-
1125 Champ is here and Charlie Hankins the site engineer is here if you have any questions, and I'll
1126 be happy to answer any questions as well that the Commission may have.

1127

1128 Mr. Archer - Ms. Goggin, you and I were talking about some connections to be made,
1129 the sewer connections, has that been worked out?

1130

1131 Ms. Goggin - They have received a verbal okay from the City for their stormwater.
1132 They are still having to pursue that. Hopefully, that will work out and there won't be any site
1133 changes.

1134

1135 Mr. Archer - Do we have any assurance that we can go forward with this if the City
1136 defaults or....

1137

1138 Ms. Goggin - I would like to leave that to the engineer, since they know what they have
1139 to do.

1140

1141 Mr. Archer - Okay. Are there any more questions for Ms. Goggin by the Commission?
1142 All right, will the applicant please come forward? Good morning, sir.

1143

1144 Mr. Hankins - Good morning, I'm Charlie Hankins with Hulcher & Associates.

1145

1146 Mr. Archer - The situation with the sewer connection I think is one that could be a
1147 problem if we are not unable to get it done. Can you give us any reasonable assurance that we
1148 can work through that?

1149 Mr. Hankins - Only in as much that... I've spoken by phone and with email messages
1150 with the City's Department of Public Utilities and have explained and shown them calculations
1151 that were not increasing but, in fact, slightly under the existing flow to the City with our plan of
1152 development.

1153

1154 Mr. Archer - I guess what troubles me is if they bulk at it, where do we go from there?

1155

1156 Mr. Hankins - We would have to pursue drainage toward s the Henrico side if we can not
1157 connect to the City.

1158

1159 Mr. Archer - Mr. Secretary, can you help me out on this one?

1160

1161 Mr. Silber - Well, Mr. Archer, I don't know if I really can. I think much of this need
1162 to be resolved at some later point. It involves City aspects.

1163

1164 Mr. Archer- I don't want to go forward with this if we are going to reach a stumbling
1165 block that we can't overcome.

1166

1167 Mr. Hankins - We had the same concerns and we went through a lot of discussions with
1168 the City and I sent them a drainage map showing them pre versus post situations and they are
1169 convinced that we are meeting the requirement to stay under the existing flow to the City.

1170

1171 Mr. Archer - I guess what I am driving at is if we approve the plan and you move
1172 forward with it, and then you get to a point that this can't be resolved and then you would have
1173 to go in some other direction, would that be a significant alteration to how you plan to do this?

1174

1175 Mr. Hankins - Potentially, it could alter the layout.

1176

1177 Mr. Archer - Okay, would you rather defer this and have that resolved before we go
1178 forward? Do you think you can piecemeal it until you get to that point?

1179

1180 Mr. Hankins - (Unintelligible) to make that judgment. Certainly, there's that potential
1181 that we might run into some situations that might prevent us to go that way, but those are details
1182 that have not been work out as of yet.

1183

1184 Mr. Silber - When do you think you might have information on that?

1185

1186 Mr. Hankins - Perhaps in the next month.

1187

1188 Mr. Silber - I do agree with Mr. Archer in that if this plan of development is approved
1189 and then require site changes then you have to come back to the Commission. If there is
1190 something that you could resolve in a month or two maybe it would be best to defer this for a
1191 month or two and have those questions addressed. If not, you would be subjected to come back
1192 to this Commission to get the site changes.

1193

1194 Mr. Archer - Good morning, Dr. Gould.
1195

1196 Dr. Gould-Champ - Good morning. I think the thing that is not being made clear is....
1197

1198 Mr. Vanarsdall - Excuse me, could you give us your name?
1199

1200 Dr. Gould-Champ- Yes. Patricia Gould-Champ, pastor of Faith Community Baptist Church.
1201 Thank you for hearing this again. Mr. Hankins has been in discussions with the Director of
1202 Utilities from the City of Richmond. The tentative agreement is that they will be doing
1203 everything they can to work it out so that we will be able to go with the existing plan. It has been
1204 a verbal type of agreement, they did a three-way on yesterday, and I think it is just a matter of
1205 the technicalities of working it out. One of the issues for them was the amount of water, and
1206 when Mr. Hankins showed them that what they were proposing, and asking us to do, in fact,
1207 would make for a lesser amount. So, I think that is what satisfied them that, as the original plan,
1208 the way it was drawn up, was really more than what they were asking for. I'm fairly confident
1209 because we have the Director's agreement that he will work with the other persons there to work
1210 the details of it out. In other words, the deal is go and we just need to work the details out. And,
1211 that is why we chose really to go with the meeting today because we are just that confident that
1212 the details will be worked out, probably within the next week or so, or at the latest the next
1213 month.
1214

1215 Mr. Archer - Okay. I'm not hesitant with the plan that's presented because we did
1216 approve this before, a few years ago but you were unable to go forward. But, I am more concern
1217 about you having to bare some extra expense that may come about because of having to change
1218 the plan if they should not do it, but if you feel confident about it then I can defer to your wishes.
1219 All right. Nice seeing you ma'am.
1220

1221 Mr. Vanarsdall - Thank you.
1222

1223 Mr. Archer - All right, are there any other questions from the Commission? Mr.
1224 Secretary, this will require two motions, will it not?
1225

1226 Mr. Silber - Yes, two motions, sir.
1227

1228 Mr. Archer - Well, first I will move for approval of the transitional buffer deviation.
1229

1230 Mr. Vanarsdall - Second.
1231

1232 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr. Vanarsdall.
1233 All in favor say aye...all opposed say nay. The motion carries.
1234

1235 The Planning Commission approved the transitional buffer deviation for POD-14-06, Faith
1236 Community Baptist Church (POD-74-02 Revised).

1237 Mr. Archer - Then second, I will move for approval of the plan of development and the
1238 master plan, subject to the annotations on the plans, the standard conditions for developments of
1239 this type, Nos. 9 and 11 amended and Nos. 24 through 37.

1240

1241 Mr. Branin - Second.

1242

1243 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr. Branin. All in
1244 favor say aye...all opposed say nay. The motion carries.

1245

1246 The Planning Commission approved POD-14-06, Faith Community Baptist Church (POD-74-02
1247 Revised) subject to the standard conditions attached to these minutes for developments of this
1248 type, the annotations on the plans and the following additional conditions:

1249

1250 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
1251 Planning for review and Planning Commission approval prior to the issuance of any
1252 occupancy permits.

1253 11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including
1254 depictions of light spread and intensity diagrams, and fixture and specifications and
1255 mounting height details shall be submitted for Department of Planning review and
1256 Planning Commission approval.

1257 24. The right-of-way for widening of Cool Lane as shown on approved plans shall be
1258 dedicated to the County prior to any occupancy permits being issued. The right-of-way
1259 dedication plat and any other required information shall be submitted to the County Real
1260 Property Agent at least sixty (60) days prior to requesting occupancy permits.

1261 25. The easements for drainage and utilities as shown on approved plans shall be granted to
1262 the County in a form acceptable to the County Attorney prior to any occupancy permits
1263 being issued. The easement plats and any other required information shall be submitted
1264 to the County Real Property Agent at least sixty (60) days prior to requesting occupancy
1265 permits.

1266 26. The drainage facilities on Mechanicsville Turnpike (State Route 360) shall be approved
1267 by the Virginia Department of Transportation and the County.

1268 27. The developer shall provide fire hydrants as required by the Department of Public
1269 Utilities and Division of Fire.

1270 28. A standard concrete sidewalk shall be provided along the south side of Cool Lane.

1271 29. Outside storage shall not be permitted.

1272 30. Any necessary off-site drainage and/or water and sewer easements must be obtained in a
1273 form acceptable to the County Attorney prior to final approval of the construction plans.

1274 31. Deviations from County standards for pavement, curb or curb and gutter design shall be
1275 approved by the County Engineer prior to final approval of the construction plans by the
1276 Department of Public Works.

1277 32. Storm water retention, based on the 50-10 concept, shall be incorporated into the
1278 drainage plans.

1279 33. Insurance Services Office (ISO) calculations must be included with the plans and
1280 contracts and must be approved by the Department of Public Utilities prior to the
1281 issuance of a building permit.

- 1282 34. Approval of the construction plans by the Department of Public Works does not establish
 1283 the curb and gutter elevations along the Henrico County maintained right-of-way. The
 1284 elevations will be set by Henrico County.
- 1285 35. The conceptual master plan, as submitted with this application, is for planning and
 1286 information purposes only. All subsequent detailed plans of development and
 1287 construction plans needed to implement this conceptual plan may be administratively
 1288 reviewed and approved and shall be subject to all regulations in effect at the time such
 1289 subsequent plans are submitted for review/approval.
- 1290 36. The location of all existing and proposed utility and mechanical equipment (including
 1291 HVAC units, electric meters, junction and accessory boxes, transformers, and generators)
 1292 shall be identified on the landscape plans. All equipment shall be screened by such
 1293 measures as determined appropriate by the Director of Planning or the Planning
 1294 Commission at the time of plan approval.
- 1295 37. A note in bold lettering shall be provided on the erosion control plan indicating that
 1296 sediment basins or traps located within buildable areas or building pads shall be
 1297 reclaimed with engineered fill. All materials shall be deposited and compacted in
 1298 accordance with the applicable sections of the state building code and geotechnical
 1299 guidelines established by the engineer. An engineer's report certifying the suitability of
 1300 the fill materials and its compaction shall be submitted for review and approval by the
 1301 Director of Planning and Director of Public Works and the Building Official prior to the
 1302 issuance of any building permit(s) on the affected sites.

1303

1304 **SUBDIVISION**

1305

Mansfield Woods
 (March 2006 Plan)

**Bay Design Group, P.C. for Virgil and Evelyn D. Mansfield;
 O. Woodland Hogg, Jr. and Pam M. Hogg:** The 224.29-acre
 site proposed for a subdivision of 98 single-family homes is
 located at the southwestern intersection of Darbytown and
 Carters Mill Roads, approximately 2,000 feet westward along
 Darbytown Road and 2,600 feet southward along Carters Mill
 Road on parcel 842-686-7289. The zoning is A-1, Agricultural
 District. Individual well and septic tank/drainfield. **(Varina) 98
 105 Lots**

1306

1307 Mr. Silber - There is an addendum item on this case, adding an additional condition,
 1308 No. 16.

1309

1310 Mr. Archer - Is there anyone in the audience in opposition to this subdivision,
 1311 Mansfield Woods (March 2006 Plan) in the Varina District? No opposition. Mr. Greulich.

1312

1313

1314 Mr. Greulich - Good Morning Mr. Chairman, Good Morning Planning Commission
 1315 members, the applicant is proposing a subdivision of approximately 224 acres of A-1 zoned
 1316 property into 105 lots. The site is at the southwest corner of Darbytown Road and Carter's Mill
 1317 Road in Varina. After reviewing the initial layout, County staff had several comments and

1318 suggestions that impacted the layout of the plan. Some of the more prominent comments
1319 revolved around such issues as stub roads, boulevard entrances, no ingress/egress easements,
1320 wetland impact delineation and a Phase II archeological study. As requested, a revised layout
1321 that has addressed all of the concerns and suggestions of the County has been received. This
1322 revised plan can be found in your addendum packet, along with a revised caption, a revised
1323 recommendation and an additional condition, numbered sixteen. This condition states that the
1324 applicant shall undergo a Phase II Archeological Study of the site and will provide the County
1325 with any required documentation of artifacts and other historically significant items that are
1326 found on the site. As the applicant is in agreement with all County comments, the plan, as
1327 submitted before you meets all County Code requirements for a subdivision of this type.

1328

1329 Staff can recommend approval of the submitted, revised plan. It is subject to the annotations on
1330 the plan, the standard conditions for conditional subdivisions not served by public utilities,
1331 additional conditions eleven through fifteen and addendum condition sixteen found in the
1332 addendum packet. Finally, as this revised plan was received on Monday, if the Planning
1333 Commission chooses to approve the plan, they will also need to approve the waiving of the time
1334 limits to accept this plan.

1335

1336 Staff and representatives of the applicant are available to answer any questions you may have.
1337 Thank you.

1338

1339 Mr. Archer Thank you, Mr. Greulich. Are there any questions for Mr. Greulich from
1340 the Commission?

1341

1342 Mr. Jernigan - I haven't seen too many cases where we went to a phase two
1343 archeological.

1344

1345 Mr. Greulich - This is the first one that I've run into, but the applicant is willing to
1346 undergo the study.

1347

1348 Mr. Jernigan - Okay.

1349

1350 Mr. Archer - Do you need to hear from the applicant, Mr. Jernigan?

1351

1352 Mr. Jernigan - Yes.

1353

1354 Mr. Hogg - Good morning. I'm Woody Hogg. Regarding the staff's scenario of
1355 significance for the Battleground... We met with Chuck Peple, with Parks & Recreation, and we
1356 walked the property last Friday and we hope it is going to be a sort of a limited phase two study
1357 based on Chuck's comments and what we found out there and what we didn't find out there. So,
1358 Phase II on the whole acreage is a pretty significant cost factor. But, we are willing to cooperate,
1359 we felt it was better to cooperate with the County rather than go forward and impact areas... We
1360 could do a certain number of lots without going through some of the Phase II but we felt it was
1361 better to cooperate and try to.... If we do need to preserve some of the area we will do it but at
1362 the same time, I don't know what this is going to mean to the Commission, but we are going to

1363 cooperate with staff to do that.

1364

1365 Mr. Jernigan - Okay.

1366

1367 Mr. Archer - Are there any questions for Mr. Hogg from the Commission?

1368

1369 Mr. Jernigan - I'm all right. Mr. Chairman, first I'll make a motion to waive the time
1370 limit.

1371

1372 Mr. Vanarsdall - Second.

1373

1374 Mr. Archer- The motion was made by Mr. Jernigan to waive the time limit and
1375 seconded by Mr. Vanarsdall. All in favor say aye...all opposed say nay. The motion carries.

1376

1377 The Planning Commission approved to waive the time limit for Mansfield Woods (March 2006
1378 Plan).

1379

1380 Mr. Jernigan - With that, I will move for approval of subdivision Mansfield Woods
1381 (March 2006 Plan) with the standard conditions for subdivisions not served by public utilities
1382 and the following additional conditions Nos. 11 through 15 and No. 16 on the addendum and the
1383 change in the number of lots from 98 to 105.

1384

1385 Mr. Vanarsdall - Second.

1386

1387 Mr. Archer- The motion was made by Mr. Jernigan and seconded by Mr. Vanarsdall.
1388 All in favor say aye...all opposed say nay. The motion carries.

1389

1390 The Planning Commission granted conditional approval to subdivision Mansfield Woods (March
1391 2006 Plan) subject to the standard conditions attached to these minutes for subdivisions not
1392 served by public utilities, the annotations on the plans and the following additional conditions:

1393

1394 11. Prior to requesting recordation, the developer shall furnish a letter from Dominion Virginia
1395 Power stating that this proposed development does not conflict with its facilities.

1396 12. Each lot shall contain at least 43,560 square feet.

1397 13. The detailed plant list and specifications for the landscaping to be provided within the 25-
1398 foot-wide planting strip easement along Darbytown Road and Carters Mill Road shall be
1399 submitted to the Department of Planning for review and approval prior to recordation of
1400 the plat.

1401 14. Any necessary offsite drainage easements must be obtained prior to approval of the
1402 construction plan by the Department of Public Works.

1403 15. Any future building lot containing a BMP, sediment basin or trap and located within the
1404 buildable area for a principal structure or accessory structure, may be developed with
1405 engineered fill. All material shall be deposited and compacted in accordance with the
1406 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
1407 professional engineer. A detailed engineering report shall be submitted for the review and

1408 approval by the Building Official prior to the issuance of a building permit on the affected
1409 lot. A copy of the report and recommendations shall be furnished to the Directors of
1410 Planning and Public Works.
1411 16. The applicant shall undergo a Phase II Archeological Study of the site and will provide the
1412 County with any required documentation of artifacts and other historically significant items
1413 that are found on the site.

1414

1415 **PLAN OF DEVELOPMENT & SPECIAL EXCEPTION**

1416

POD-16-06
Avington Townhouses

Bay Design Group, P.C. for Pouncey Tract Development, LLC: Request for approval of a plan of development and special exception, as required by Chapter 24, Sections, 24-2, 24-94(b) and 24-106 of the Henrico County Code, to construct 52, three and four story townhouse units. The special exception would authorize buildings exceeding 2 ½ stories in height. The 11.7575-acre site is located at 4501 Pouncey Tract Road (State Route 271) on parcel 740-764-5065. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt)**

1417

1418 Mr. Archer - Is there anyone in the audience in opposition to POD-16-06, Avington
1419 Townhouses, in the Three Chopt District? No opposition. Mr. Kennedy.

1420

1421 Mr. Kennedy - The developer has submitted a revised plan that will provide additional
1422 open-space around the proposed water feature. That was a part of the discussion at the
1423 conditional subdivision stage. That would be included with the fountain and gazebo. The water
1424 feature will be redesigned within its current limits to satisfy Public Works safety design
1425 standards. They would have to have four to one slopes and it will have a safety ledge going into
1426 the pond. A stormwater filter system will be installed under existing pavement to satisfy the
1427 stormwater quality requirements in lieu of the pond being larger or deeper, actually. The
1428 developer requested that the perimeter fence around the property not be considered as a part of
1429 this approval as shown on the plans and they are going to come back with something else more
1430 appropriate for that area. The revised fence details will be submitted to the Planning
1431 Commission approval at the time of landscape plan approval. Staff recommended Nos. 9 and 11
1432 amended so that plan will come back to the Commission and at that time an alternative fence
1433 height will be considered for the fence in the front yard along Pouncey Tract Road.

1434

1435 Avington Townhouses is a residential townhouse community along the east side of Pouncey
1436 Tract Road just right of I-64 and it occupies the space formerly occupied by Target Golf, the
1437 driving range there. The current property is zoned RTHC. It was rezoned in December of last
1438 year. The proposed development has 4.52 units per acre. The RTH development would permit
1439 up to 90 units per acre not as dense as it would be permitted.

1440

1441 Pouncey Tract Road is a major collector on the Thoroughfare Plan. That section of Pouncey
1442 Tract Road is currently scheduled to be improved in conjunction with the construction of I-288

1443 connection to I-295. So, that bridge will be improved at that time and actually Pouncey Tract
1444 Road will be improved. And at that time when the road is done, sidewalks will be provided
1445 along Pouncey Tract Road the developer is not really required to do it but if the project does not
1446 provide those sidewalks then the developer construct them at that time.

1447

1448 The plans satisfies the applicable zoning requirements and meet the design standards applicable
1449 proffers which includes unit size, density, buffers, architectural designs, amenities, sidewalks
1450 and height. It also satisfies a propose 25-foot landscape buffer we have provided adjacent to
1451 Twin Hickory subdivision which is already existing. The facades of the building will be 100%
1452 brick exclusive of windows and openings. Due to the grade difference at the rear of the
1453 property, several of the buildings are proposed to be four stories in the front and three stories in
1454 the back. All of the remaining buildings are proposed to be three stories.

1455

1456 A special exception is required to permit buildings exceeding two and a half stories, so all of the
1457 buildings will require a special exception. The third floor will be occupied by a bonus room in
1458 all of the units. Should the Commission approve this special exception, there are two conditions
1459 that have been attached to this POD, conditions Nos. 40 and 41 are recommended. Condition
1460 No. 40 requires the buildings to have fire sprinkler systems. Anything more than two stories
1461 require fire sprinkler systems in accordance to the Fire Marshall. And condition No. 41 requires
1462 high-quality roofing materials. So, it will require 50-year shingle roofs with 100-MPH warranty
1463 so that the shingles won't blow off. When the roofs are that high they are difficult to maintain
1464 and we want to make sure that this will be a quality development for a long time. With that, staff
1465 recommends approval with the annotations on the plans, standard conditions for developments of
1466 this type, and the conditions on the agenda.

1467

1468 Mr. Archer - Thank you, Mr. Kennedy. Are there any questions for Mr. Kennedy by
1469 Commission members?

1470

1471 Mrs. Jones - Mr. Kennedy, what did you say is on the fourth level?

1472

1473 Mr. Kennedy - Anytime a residential building exceeds two stories, they have to provide
1474 fire sprinkler systems.

1475

1476 Mrs. Jones - I just didn't understand what you were saying, that's all.

1477

1478 Mr. Silber - Mr. Kennedy, is there a sidewalk provided along Pouncey Tract Road?

1479

1480 Mr. Kennedy - According to the proffers, if the sidewalk is not provided with the Pouncey
1481 Tract Road widening plan, the developer will have to provide it.

1482

1483 Mr. Branin - We covered that in the initial stages, Randy. We told them that there will
1484 have to be sidewalks, and VDOT still hasn't told us whether or not they are going to be
1485 providing sidewalks or not. If VDOT do not provide sidewalks along Pouncey Tract, then the
1486 developer will pick it up.

1487

1488 Mr. Silber - I am assuming that VDOT would have sidewalks along Pouncey Tract.
1489

1490 Mr. Branin - We were assuming as well, but we wanted to cover it just in case they
1491 didn't.
1492

1493 Mr. Kennedy - Those proffers require the developer to....
1494

1495 Mr. Silber - It's not shown on the plan.
1496

1497 Mr. Kennedy - Right. At this, the improvements are being provided by VDOT.
1498

1499 Mr. Branin - But, it is proffered.
1500

1501 Mr. Kennedy - Yes, it is proffered.
1502

1503 Mr. Silber - Okay.
1504

1505 Mr. Branin - That was my fall back. The proffer was my safety line if for some reason
1506 VDOT doesn't do it.
1507

1508 Mr. Silber - I think that is a good fall back and I think that it is good that it was
1509 proffered that way. I just wasn't sure if there should be a note on the plan that says the
1510 developer will construct a sidewalk if not handled by VDOT.
1511

1512 Mr. Kennedy - There is a condition that requires them to follow the proffers.
1513

1514 Mr. Archer - All right is everybody satisfied?
1515

1516 Mr. Kennedy - The applicant is here if there are any questions.
1517

1518 Mr. Archer - Are there any other questions? Mr. Branin, do you need to hear from the
1519 applicant.
1520

1521 Mr. Branin - I don't need to hear from the applicant, does anyone else?
1522

1523 Mr. Archer - Okay then I guess we are ready for a motion. There should be two
1524 motions.
1525

1526 Mr. Branin - Mr. Chairman, I move for approval of special exception for POD-16-06,
1527 Avington Townhouses, to permit three and four-story townhouses buildings, subject to the
1528 conditions and annotations on the plans.
1529

1530 Mr. Vanarsdall - Second.

1531 Mr. Archer - The motion was made by Mr. Branin and seconded by Mr. Vanarsdall on
1532 the special exception. All in favor say aye...all opposed say nay. The motion carries.

1533

1534 The Planning Commission approved the special exception for three and-four story buildings for
1535 POD-16-06, Avington Townhouses.

1536

1537 Mr. Archer - Now we need a motion on the case.

1538

1539 Mr. Branin - With that, I move POD-16-06, Avington Townhouses, be approved
1540 subject to the annotations on the plans, the standard conditions for developments of this type,
1541 Nos. 9 and 11 amended and additional conditions Nos. 24 through 41.

1542

1543 Mr. Vanarsdall - Second.

1544

1545 Mr. Archer - The motion was made by Mr. Branin and seconded by Mr. Vanarsdall.
1546 All in favor say aye...all opposed say nay. The motion carries.

1547

1548 The Planning Commission approved POD-16-06, Avington Townhouses, subject to the standard
1549 conditions attached to these minutes for developments of this type, the annotations on the plans
1550 and the following additional conditions:

1551

1552 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
1553 Planning for review and Planning Commission approval prior to the issuance of any
1554 occupancy permits.

1555 11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including
1556 depictions of light spread and intensity diagrams, and fixture and specifications and
1557 mounting height details shall be submitted for Department of Planning review and
1558 Planning Commission approval.

1559 24. The right-of-way for widening of Pouncey Tract Road (State Route 271) as shown on
1560 approved plans shall be dedicated to the County prior to any occupancy permits being
1561 issued. The right-of-way dedication plat and any other required information shall be
1562 submitted to the County Real Property Agent at least sixty (60) days prior to requesting
1563 occupancy permits.

1564 25. The easements for drainage and utilities as shown on approved plans shall be granted to
1565 the County in a form acceptable to the County Attorney prior to any occupancy permits
1566 being issued. The easement plats and any other required information shall be submitted
1567 to the County Real Property Agent at least sixty (60) days prior to requesting occupancy
1568 permits.

1569 26. The entrances and drainage facilities on Pouncey Tract Road (State Route 271) shall be
1570 approved by the Virginia Department of Transportation and the County.

1571 27. A notice of completion form, certifying that the requirements of the Virginia Department
1572 of Transportation entrances permit have been completed, shall be submitted to the
1573 Department of Planning prior to any occupancy permits being issued.

1574 28. The developer shall provide fire hydrants as required by the Department of Public
1575 Utilities and Division of Fire.

- 1576 29. A standard concrete sidewalk shall be provided along the east side of Pouncey Tract
1577 Road.
- 1578 30. The proffers approved as a part of zoning case C-66C-05 shall be incorporated in this
1579 approval.
- 1580 31. Any necessary off-site drainage and/or water and sewer easements must be obtained in a
1581 form acceptable to the County Attorney prior to final approval of the construction plans.
- 1582 32. Deviations from County standards for pavement, curb or curb and gutter design shall be
1583 approved by the County Engineer prior to final approval of the construction plans by the
1584 Department of Public Works.
- 1585 33. The pavement shall be of an SM-2A type and shall be constructed in accordance with
1586 County standard and specifications. The developer shall post a defect bond for all
1587 pavement with the Department of Planning - the exact type, amount and implementation
1588 shall be determined by the Director of Planning, to protect the interest of the members of
1589 the Homeowners Association. The bond shall become effective as of the date that the
1590 Homeowners Association assumes responsibility for the common areas. Prior to the
1591 issuance of the last Certificate of Occupancy, a professional engineer must certify that the
1592 roads have been designed and constructed in accordance with County standards.
- 1593 34. Insurance Services Office (ISO) calculations must be included with the plans and
1594 contracts and must be approved by the Department of Public Utilities prior to the
1595 issuance of a building permit.
- 1596 35. Approval of the construction plans by the Department of Public Works does not establish
1597 the curb and gutter elevations along the Virginia Department of Transportation
1598 maintained right-of-way. The elevations will be set by the contractor and approved by
1599 the Virginia Department of Transportation.
- 1600 36. The location of all existing and proposed utility and mechanical equipment (including
1601 HVAC units, electric meters, junction and accessory boxes, transformers, and generators)
1602 shall be identified on the landscape plans. All equipment shall be screened by such
1603 measures as determined appropriate by the Director of Planning or the Planning
1604 Commission at the time of plan approval.
- 1605 37. A note in bold lettering shall be provided on the erosion control plan indicating that
1606 sediment basins or traps located within buildable areas or building pads shall be
1607 reclaimed with engineered fill. All materials shall be deposited and compacted in
1608 accordance with the applicable sections of the state building code and geotechnical
1609 guidelines established by the engineer. An engineer's report certifying the suitability of
1610 the fill materials and its compaction shall be submitted for review and approval by the
1611 Director of Planning and Director of Public Works and the Building Official prior to the
1612 issuance of any building permit(s) on the affected sites.
- 1613 38. The unit house numbers shall be visible from the parking areas and drives.
- 1614 39. The names of streets, drives, courts and parking areas shall be approved by the Richmond
1615 Regional Planning District Commission and such names shall be included on the
1616 construction plans prior to their approval. The standard street name signs shall be ordered
1617 from the County and installed prior to any occupancy permit approval.
- 1618 40. All residential buildings shall have fire sprinkler systems in accordance with the
1619 requirements of the Fire Marshall.

1620 41. All residential building roofs shall be finished with shingles having a 50-year and 110-MPH
1621 warranty.

1622

1623 **PLAN OF DEVELOPMENT**

1624

POD-15-06

South River Compounding
Pharmacy @ Gaskins Place
(POD-20-04 Revised)

**McKinney & Company for Commonwealth Foundation for
Cancer Research and RBRMOB LLC:** Request for approval
of a plan of development, as required by Chapter 24, Section 24-
106 of the Henrico County Code, to construct a one-story,
13,369 square foot, pharmacy and retail building. The 1.64-acre
site is located at the southeast corner of Gaskins Road and
Mayland Drive on part of parcel 752-757-0556. The zoning is
M-1C, Light Industrial District (Conditional). County water and
sewer. **(Three Chopt)**

1625

1626 Mr. Archer - Is there anyone in the audience in opposition to POD-15-06, South River
1627 Compounding Pharmacy, in the Three Chopt District? No opposition. Mr. Wilhite.

1628

1629 Mr. Wilhite - Good morning, everyone. We did receive a revised site plan, last week
1630 and that was just handed out to you, with staff's annotations. By flipping the buildings footprint
1631 and the parking area so the building is now facing Gaskins Road, the applicant did satisfy most
1632 of staff's concerns. There is an enhanced façade now along Gaskins instead of it facing the rear
1633 of the site. The service area has been moved away from Gaskins Road towards the interior of the
1634 site and the parallel parking spaces were eliminated along the west side of the building.

1635

1636 Staff did have some minor comments and those appear as annotations on your plan. The one
1637 issue that was still unresolved was staff's request for a sidewalk along Mayland Drive. Mayland
1638 in this section is a major collector roadway. The portion that the County constructed just east of
1639 Permberton Road has sidewalks on both sides of the street. There are also some properties
1640 nearby on this side of Mayland Drive that will probably develop shortly in the future, including
1641 the adjacent parcel in the Gaskins Place development. The staff is recommending a sidewalk
1642 along this side of Mayland Drive as well.

1643

1644 On page 5 of your addendum, there is a staff recommendation for approval and a revised plan
1645 with the additional annotations. I'll be happy to answer any questions you may have.

1646

1647 Mr. Archer - Thank you, Mr. Wilhite. Are there any questions for Mr. Wilhite from the
1648 Commission?

1649

1650 Mr. Branin - I have one, and I'll take that up with Mr. Burcin.

1651

1652 Mr. Archer - Good morning, Mr. Burcin.

1653 Mr. Burcin - Good morning. My name is Stacey Burcin with McKinney & Company
1654 here representing Mr. Baylor Rice who is the owner and operator of South River Pharmacy, and
1655 he also has interest in the ownership in this property, for development purposes.

1656

1657 Mr. Branin - Mr. Burcin, we really appreciate what you've done. The staff has made
1658 you jump through hoops in changing buildings around and repositioning and I appreciate that.
1659 The one thing that I know you are in contention with, and I want to floor this so that the other
1660 Commissioners can hear my concerns as well as yours, are the sidewalks. It's your opinion or
1661 the owner's opinion that sidewalks should not be provided?

1662

1663 Mr. Burcin - That is correct. There's a question on whether or not the section of
1664 sidewalk on this particular section of Mayland, since most of this road is currently developed
1665 that what portion of sidewalk is there, is going to be an orphan sidewalk. Now Mr. Wilhite is
1666 correct, there is a property that will probably be coming before you in the near months next door,
1667 but even then it doesn't take you anywhere. The cost is a factor but that is a fairly minor factor
1668 in the overall concern of the owner it's more of, he doesn't want to be on record as
1669 recommending or providing something to sending people up to the ramp of I-64 and Gaskins
1670 Road. It is limited highway access there, and when we talked to VDOT we tried to see if there
1671 were any plans to do any pedestrian modifications.

1672

1673 That's a dangerous weaving area that happens where the ramps intersects the turn lane and we
1674 don't think necessarily that it is a good ideal to send people across that road unless there are
1675 improvements planned to do that. I understand you have got to have your infrastructure in place
1676 before you can get your signal improvements, but at this point the owners acknowledges your
1677 request and requirement to provide sidewalk, and should he elect to build here, he will in fact
1678 provide it, he's not debating that, he would just like to go on record to state that he does not feel
1679 that it is appropriate in this case for him to bare that cost or from a design standpoint
1680 questioning.

1681

1682 Mr. Branin - Okay. The reason I asked him to give his opinion is I know I've had
1683 several cases recently where the people come back and say we never had sidewalks and we want
1684 sidewalks, why doesn't the County put in sidewalks? So, I'm on a huge campaign for sidewalks.
1685 And, of course, Stacey is at the butt in of that because in this case he feels we really don't need
1686 it. I'm asking my fellow Commissioners for input. I would like your feelings on having or not
1687 having sidewalks.

1688

1689 Mrs. Jones - I would like to express an opinion that we have an obligation to try to do
1690 things that makes sense for now as well as way into the future. Although I realize that sidewalks
1691 need to start somewhere, with redevelopment of property, with changes that come down the line,
1692 I tend to think we would do our citizens a far greater service by providing sidewalks than by not
1693 and trying to redo later. This always seems to me to be a better option.

1694

1695 Mr. Archer - Well, if I can express my opinion, I agree.

1696

1697 Mr. Branin - I'm asking for it.

1698

1699 Mr. Archer - I think we have a need for sidewalks but also in this case I think Mr.
1700 Burcin makes a decent point about where the sidewalk would lead. And this particular one is
1701 tough for me to make a decision on, to be honest with you. While I'm pondering over this, I'll
1702 let someone else speak on it.

1703

1704 Mr. Vanarsdall - In my opinion, Mr. Branin, I agree with Ms. Jones we do need sidewalks,
1705 sidewalks move people and streets move vehicles. But, I've always taken the position that if the
1706 sidewalk, like Mr. Archer said, if the sidewalk leads no where and it will be years before
1707 anything else will be there, I wouldn't be in favor of it.

1708

1709 Mrs. O'Bannon - What's across the street from this property?

1710

1711 Mr. Silber - Across Mayland Drive is an office building. Across Gaskins you have a
1712 restaurants and hotel. You do have a number of people that work in this area, you have office
1713 buildings nearby, you have commercial development nearby and people might be able to walk to
1714 the restaurant or walk to certain services if they had sidewalks. Staff believes you need to start
1715 somewhere and Mayland Drive, as it was indicated, by Mr. Wilhite, east of here when the
1716 County built Mayland Drive in, the County put sidewalks in on both sides of the roads. The
1717 County wouldn't have gone through that expense if we didn't think those sidewalks weren't
1718 going to be used. When the development community comes in to develop we believe they
1719 should bear the responsibility of constructing sidewalks. What you don't have is a consistent
1720 system of sidewalks on this portion of Mayland Drive but I think we need to begin to work
1721 towards that.

1722

1723 Mrs. O'Bannon - And people who work in this area could walk to that restaurant across the
1724 street to eat lunch or something, rather than get in their cars.

1725

1726 Mr. Silber - Yes, ma'am.

1727

1728 Mr. Archer - So, there you go. That is a good argument for sidewalks.

1729

1730 Mr. Branin - Right. And that's why I've been stuck in between. In, Mr. Burcin, staff
1731 will be the first to jump up and tell you that I won't always side for their side when it doesn't
1732 make sense to me, but in this case I do agree with them because they are at the other end of
1733 Mayland, apartments and condominiums hopefully, eventually, will have sidewalks that go all
1734 the way down. So, I'm still going to push for the sidewalks and I'm going to approve it.

1735

1736 Mr. Archer - Okay, is there any further discussion? All right, then we are ready for a
1737 motion.

1738

1739 Mrs. Jones - Are the sidewalks included or not included?

1740

1741 Mr. Branin - They are included as it stands now.

1742

1743 Mrs. Jones - I just wanted to make sure.
1744

1745 Mr. Branin - There will be a piece of concrete... if there is nothing else there, there will
1746 be a slab of concrete sitting there until, you know, until God knows when. Anyhow, Mr.
1747 Chairman, I would like to move that POD-15-06, South River Compounding Pharmacy, be
1748 approved, per staff's recommendation, subject to the annotations on the plans, the standard
1749 conditions for developments of this type and the additional conditions listed in the agenda.

1750

1751 Mr. Jernigan - Second.

1752

1753 Mr. Archer - The motion was made by Mr. Branin and seconded by Mr. Jernigan. All
1754 in favor say aye...all opposed say nay. The motion carries.

1755

1756 The Planning Commission approved POD-15-06, South River Compounding Pharmacy @
1757 Gaskins Place (POD-20-04 Revised) subject to the standard conditions attached to these minutes
1758 for developments of this type, the annotations on the plan and the following additional
1759 conditions:

1760

1761 24. The right-of-way for widening of Mayland Drive as shown on approved plans shall be
1762 dedicated to the County prior to any occupancy permits being issued. The right-of-way
1763 dedication plat and any other required information shall be submitted to the County Real
1764 Property Agent at least sixty (60) days prior to requesting occupancy permits.

1765 25. The easements for drainage and utilities as shown on approved plans shall be granted to
1766 the County in a form acceptable to the County Attorney prior to any occupancy permits
1767 being issued. The easement plats and any other required information shall be submitted
1768 to the County Real Property Agent at least sixty (60) days prior to requesting occupancy
1769 permits.

1770 26. The developer shall provide fire hydrants as required by the Department of Public
1771 Utilities and Division of Fire.

1772 27. A standard concrete sidewalk shall be provided along the south side of Mayland Drive.

1773 28. Outside storage shall not be permitted.

1774 29. The proffers approved as a part of zoning case C-7C-81 shall be incorporated in this
1775 approval.

1776 30. The certification of building permits, occupancy permits and change of occupancy
1777 permits for individual units shall be based on the number of parking spaces required for
1778 the proposed uses and the amount of parking available according to approved plans.

1779 31. Any necessary off-site drainage and/or water and sewer easements must be obtained in a
1780 form acceptable to the County Attorney prior to final approval of the construction plans.

1781 32. Deviations from County standards for pavement, curb or curb and gutter design shall be
1782 approved by the County Engineer prior to final approval of the construction plans by the
1783 Department of Public Works.

1784 33. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
1785 Department of Planning and approved prior to issuance of a certificate of occupancy for
1786 this development.

1787 34. The location of all existing and proposed utility and mechanical equipment (including

1788 HVAC units, electric meters, junction and accessory boxes, transformers, and generators)
1789 shall be identified on the landscape plans. All equipment shall be screened by such
1790 measures as determined appropriate by the Director of Planning or the Planning
1791 Commission at the time of plan approval.

1792

1793 Mr. Archer - I believe that completes our agenda.

1794

1795 Mr. Silber - This completes the agenda with the exception of approval of the February 22,
1796 2006 minutes.

1797

1798 **APPROVAL OF MINUTES: February 22, 2006 Minutes**

1799

1800 Mr. Archer - You are right. I have two notations on page 53, line 2330, I think in line
1801 2330, following the word "general" that should be "rules" and not "road." And on line 2332, I think
1802 we were talking about "PODs" and it came out "cars," but it should be PODs. That's all I have. Is
1803 there anybody else?

1804

1805 Mrs. Jones I've already submitted my changes to Ms. Carver, some typographical errors.

1806

1807 Mr. Archer - You've done quite well, ma'am, we appreciate it.

1808

1809 Mrs. Jones - Well, you know, it's fun.

1810

1811 Mr. Archer - All right. Do we have a motion for approval of the minutes?

1812

1813 Mr. Jernigan - So moved.

1814

1815 Mr. Vanarsdall - Second.

1816

1817 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mr. Vanarsdall to
1818 approve the February 22, 2006 minutes. All in favor say aye...all opposed say nay.
1819 The minutes stand approved without further discussion.

1820

1821 The Planning Commission approved the February 22, 2006, minutes with the corrections.

1822

1823 Mr. Archer - Is there anything else to come before the Commission.

1824

1825 Mr. Vanarsdall - Yes, I would like to make special notation that Leslie is back with us.

1826

1827 Mr. Archer - It's nice to see you Ms. News.

1828

1829 Ms. News - It's good to be back.

1830

1831 Mr. Archer - Okay. If there is no further business to bring to the Commission, this
1832 meeting is adjourned at, 10:36 a.m.

1833

1834 Mrs. Jones - So moved.

1835

1836 Mr. Jernigan - Second.

1837

1838 On a motion by Mrs. Jones and seconded by Mr. Jernigan, the Planning Commission adjourned its

1839 March 22, 2006, meeting at 10:36 a.m.

1840

1841

1842

1843

1844

C. W. Archer, C.P.C., Chairman

1845

1846

1847

1848

1849

Randall R. Silber, Secretary

1850