

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County
2 held in the County Administration Building in the Government Center at Parham and
3 Hungary Springs Roads beginning at 9:00 a.m. Wednesday, March 25, 2015.
4

Members Present: Mr. C. W. Archer, C.P.C., Acting Chairman (Fairfield)
Mr. Tommy Branin, (Three Chopt)
Mrs. Bonnie-Leigh Jones, C.P.C. (Tuckahoe)
Mr. Eric Leabough, C.P.C., (Varina)
Mr. R. Joseph Emerson, Jr., AICP,
Director of Planning, Secretary
Mrs. Patricia S. O'Bannon,
Board of Supervisors' Representative

Member Absent: Mr. Robert H. Witte, Jr., Chairman (Brookland)

Others Present: Ms, Jean Moore, Assistant Director of Planning
Ms. Leslie A. News, PLA, Principal Planner
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner
Mr. Michael F. Kennedy, County Planner
Ms. Christina L. Goggin, AICP, County Planner
Mr. Tony Greulich, C.P.C., County Planner
Mr. Matt Ward, County Planner
Mr. Gregory Garrison, AICP, County Planner
Mr. Lee Pambid, C.P.C., County Planner
Ms. Aimee B. Crady, AICP, County Planner
Ms. Sharon Smidler, Traffic Engineer
Ms. Kim Vann, Division of Police
Ms. Logan Hamilton, Office Assistant/Recording Secretary

5
6 **Mrs. Patricia S. O'Bannon, the Board of Supervisors' representative, abstains on**
7 **all cases unless otherwise noted.**
8

9 Mr. Archer - Good morning, the Planning Commission will come to order.
10 This is the March 25, 2015, meeting for subdivisions and plans of development. I would
11 ask that everyone please silence your telephone. And with that, let us stand and pledge
12 allegiance to the flag.
13

14 I'd like to welcome and acknowledge Mrs. Patricia S. O'Bannon from the Board of
15 Supervisors who participates because she's a member of the Planning Commission, but
16 typically does not vote.
17

18 And with that, I'll turn it over to our secretary, planning director Mr. Joseph Emerson.
19

20 Mr. Emerson - Thank you, Mr. Chairman. First on the agenda this morning are
21 the expedited items, and those will be presented by Ms. Leslie News.
22

23 Mr. Archer - Good morning, Ms. News.

24
25 Ms. News - Good morning, members of the Commission. We have two
26 items on our expedited agenda this morning. The first item is on page 9 of the agenda and
27 located in the Varina District. This is POD2015-00023, Bill Talley Ford Addition. Staff
28 recommends approval.

29
30 **PLAN OF DEVELOPMENT**

31
POD2015-00023 **Balzer and Associates, Inc. for William H. Talley, III:**
Bill Talley Ford Addition – Request for approval of a plan of development, as required
5250 S. Laburnum Avenue by Chapter 24, Section 24-106 of the Henrico County Code,
to construct a one-story **8,517 8,054** square foot, 14-bay,
auto repair shop addition, to an existing 16,800 square foot
auto body shop. The 2.13-acre site is located along the
western line of S. Laburnum Avenue, approximately 1100
feet south of Williamsburg Road (U.S. Route 60), on parcel
816-712-3768 and part of parcel 816-713-3624. The zoning
is M-1, Light Industrial District and ASO, Airport Safety
Overlay District. County water and sewer. **(Varina)**

32
33 Mr. Leabough - We're not doing deferrals?

34
35 Mr. Emerson - I'm sorry, did I skip over deferrals?

36
37 Mr. Archer - We did, but we can come back to them.

38
39 Mr. Emerson - I'm sorry. I skipped right over that.

40
41 Mr. Archer - Okay. Is there anyone present who is in opposition to
42 POD2015-00023, Bill Talley Ford Addition? There is no opposition. Mr. Leabough.

43
44 Mr. Leabough - Okay. With that, being that there is no opposition, I move that
45 POD2015-00023, Bill Tally Ford Addition, be approved subject to annotations on the plans
46 and standard conditions for developments of this type in addition to conditions 29 through
47 36 as noted on the agenda.

48
49 Mrs. Jones - Second.

50
51 Mr. Archer - Motion by Mr. Leabough, and second by Mrs. Jones. All in
52 favor say aye. All opposed say no. The ayes have it; the motion passes.

53
54 The Planning Commission approved POD2015-00023, Bill Talley Ford Addition, subject
55 to the annotations on the plans, the standard conditions attached to these minutes for
56 developments of this type, and the following additional conditions:

57

- 58 29. The right-of-way for widening of S. Laburnum Avenue as shown on approved plans
59 shall be dedicated to the County prior to any occupancy permits being issued. The
60 right-of-way dedication plat and any other required information shall be submitted
61 to the County Real Property Agent at least sixty (60) days prior to requesting
62 occupancy permits.
63 30. A concrete sidewalk meeting County standards shall be provided along the west
64 side of S. Laburnum Avenue.
65 31. All repair work shall be conducted entirely within the enclosed building.
66 32. Outside storage shall not be permitted except as shown on the approved plan.
67 33. The existing utility easement in conflict with the proposed building footprint shall be
68 vacated prior to approval of the building permit for the said building.
69 34. Approval of the construction plans by the Department of Public Works does not
70 establish the curb and gutter elevations along the Henrico County maintained right-
71 of-way. The elevations will be set by Henrico County.
72 35. Evidence of a joint ingress/egress and maintenance agreement must be submitted
73 to the Department of Planning and approved prior to issuance of a certificate of
74 occupancy for this development.
75 36. The location of all existing and proposed utility and mechanical equipment
76 (including HVAC units, electric meters, junctions and accessory boxes,
77 transformers, and generators) shall be identified on the landscape plan. All building
78 mounted equipment shall be painted to match the building, and all equipment shall
79 be screened by such measures as determined appropriate by the Director of
80 Planning or the Planning Commission at the time of plan approval.

81
82 Ms. News - The next item is found on page 13 of your agenda and is
83 located in the Three Chopt District. This is POD2015-00055, which is a landscape plan,
84 and POD2015-00060, a lighting plan for Marshall Springs at Gayton West – Tract E. Staff
85 recommends approval.
86

87 LANDSCAPE AND LIGHTING PLAN

88
POD2015-00055 and
POD2015-00060
Marshall Springs at
Gayton West – Tract E –
4600 Pear Grove Court

Timmons Group for Bacova Road Apartments, LLC:
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 7.47-acre site is located on
the east line of N. Gayton Road, approximately 700 feet
north of Bacova Drive, on parcel 735-767-8435. The zoning
is R-6C, General Residence District (Conditional) and C-1,
Conservation District. County water and sewer. **(Three
Chopt)**

89
90 Mr. Archer - Thank you. Is there anyone in opposition to POD2015-00055
91 and POD2015-00060, Marshall Springs at Gayton West – Tract E? No opposition. Mr.
92 Branin.
93

94 Mr. Branin - Mr. Chairman, I would like to move that POD2015-00055 and
95 POD2015-00060, Marshall Springs at Gayton West – Tract E, be approved on the
96 expedited agenda.

97
98 Mrs. Jones - Second.

99
100 Mr. Archer - Motion by Mr. Branin, seconded by Mrs. Jones. All in favor say
101 aye. All opposed say no. The ayes have it; the motion passes.

102
103 The Planning Commission approved the landscape and lighting plan for POD2015-00055
104 and POD2015-00060, Marshall Springs at Gayton West – Tract E, subject to the standard
105 conditions attached to these minutes for landscape and lighting plans.

106
107 Mr. Emerson - Mr. Chairman, we have confirmed everybody up here is awake
108 except for me this morning. We'll go back to the first item on the agenda, which are the
109 requests for deferrals and withdrawals. These will also be presented by Ms. Leslie News.

110
111 Ms. News - We have one request for a deferral, and that is found on page
112 3 of your agenda and is located in the Varina District. This is POD2013-00428, Family
113 Dollar at 60 East Williamsburg Road. The applicant has requested a deferral to the April
114 22, 2015 meeting.

115
116 *(Deferred from the January 28, 2015 Meeting)*

117 **PLAN OF DEVELOPMENT**

118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

POD2013-00428 Family Dollar at 60 E. Williamsburg Road - 60 E. Williamsburg Road (U.S. Route 60)	Balzer and Associates, Inc. for Brick House Manner, LLC and Twin Rivers Capital, 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, 8,320 square-foot retail store. The 1.09-acre site is located at the northwest corner of the intersection of E. Williamsburg Road (U.S. Route 60) and Garland Avenue, on parcels 827-716-7805, 827-716-7107, and 827-716-8603. The zoning is B-1, Business District, and ASO, Airport Safety Overlay District. County water and sewer. (Varina)
--	--

119
120 Mr. Archer - All right. Is there anyone present who is opposed to the
121 deferment of POD2013-00428, Family Dollar at 60 East Williamsburg Road? No
122 opposition. Mr. Leabough.

123
124 Mr. Leabough - Mr. Chair, being that there's no opposition, I move that
125 POD2013-00428, Family Dollar at 60 East Williamsburg Road, be deferred to the April
126 22nd meeting at the applicant's request.

127
128 Mr. Branin - I'd like to second that.

129

130
131 Mr. Archer - Well you may. Moved by Mr. Leabough and seconded by Mr.
132 Branin. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

133
134 At the request of the applicant, the Planning Commission deferred POD2013-00428,
135 Family Dollar at 60 East Williamsburg Road, to its April 22, 2015 meeting.

136
137 Mr. Emerson - Mr. Chairman, we now move Subdivision Extensions of
138 Conditional Approval, and there are none to present to you this morning. So therefore, we
139 move to the first item on your regular agenda, which is on page 5, which also appears on
140 your amended agenda. The staff report will be presented by Mr. Kevin Wilhite.

141
142 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

143
POD2015-00050 **Willmark Engineering, PLC for 11934 W Broad, LLC:**
Towne Center West Request for approval of a plan of development and lighting
Medical Office Building – plan, as required by Chapter 24, Section 24-106 of the
11934 West Broad Street Henrico County Code, to construct a 2-story, 28,866 square
(U.S. Route 250) (POD- foot medical office building in an existing shopping center.
62-05 Revised) The 1.72-acre site is located along the north line of West
Broad Street (U.S. Route 250), approximately 630 feet east
of its intersection with Towne Center West Boulevard
(private), on parcel 735-763-9381. The zoning is B-2C,
Business District (Conditional) and WBSO, West Broad
Street Overlay District. County water and sewer. **(Three
Chopt)**

144
145 Mr. Archer - Is there anyone here opposed to POD2015-00050, Towne
146 Center West Medical Office Building? We do have opposition. Thank you, sir. Mr. Wilhite.

147
148 Mr. Wilhite - Mr. Chairman. This site is located at the southeast corner of
149 Towne Center West Shopping Center, adjacent to Short Pump Town Center and it fronts
150 on West Broad Street. The developer for this project is the same as the Short Pump
151 Medical Office Center directly behind it, which was approved under a plan of development
152 before you last year.

153
154 In your packet, you've received a revised site plan. The original site plan showed a
155 retaining wall being constructed on the adjacent property, which is the Car Pool carwash
156 site. We had requested that the owner of Car Pool provide their signature approval in order
157 for us to recommend approval. Instead, the developer has relocated the retaining wall off
158 his site. In doing so, he had to adjust the parking lot; he ended up losing about five parking
159 spaces in the redesign, but they do meet required parking under shopping center
160 requirements.

161
162 In addition, the lighting plan has been revised; that's also in your packet. They were
163 showing the use of 25-foot-tall light poles in the parking lot. Their proffered condition limits

164 their light poles to 20 feet in height within 300 feet of West Broad Street. So they revised
165 the plan to meet that requirement. In order to do so, they had to add two pole fixtures and
166 four fixtures on the wall, directly mounted on the wall of the building as well. But the revised
167 plan they submitted meets our requirements as well.

168
169 On the revised site plan is shown an access off of West Broad Street. This is a limited
170 access. There is an existing Virginia Power access drive that leads from West Broad
171 Street. It has existed prior to the development of Towne Center West. We had a POD
172 approved in 2007 for a Holiday Inn back here, which was never constructed, and two pad
173 sites, one of which became Car Pool. In the 2007 plan, there was access approved by the
174 Planning Commission with this access drive. There are actually two gates, one along West
175 Broad Street and one at the parking lot next to the parking spaces. So there is no potential
176 for automobiles to get within that access connection and get stuck.

177
178 Virginia Power, who typically reviews our plans, did not provide any comments originally.
179 But in talking to their representative yesterday, they had overlooked the fact that this was
180 their access point. So the actual design has to be approved by Dominion Virginia Power,
181 and that's covered by the conditions in the plan of development. We will require a letter
182 from them prior to our signing construction plans in order to move forward.

183
184 As noted, there is somebody from Car Pool, a representative here that would like to speak
185 to the plan. But as you can see on page 1 of your addendum, staff can now recommend
186 approval with the revised plans that have been submitted.

187
188 If you have any questions, I'll be happy to try to answer them.

189
190 Mr. Archer - Thank you, Mr. Wilhite. Are there questions for Mr. Wilhite from
191 the Commission?

192
193 Mr. Branin - I have one. We're not going to have any issues whatsoever
194 with the loss of five spots, right?

195
196 Mr. Wilhite - No. They are over-parked as far as shopping center
197 requirements. And they are the developer of the larger office building behind it, which has
198 many excess parking spaces under our requirements. And it's shared parking within the
199 shopping center.

200
201 Mr. Branin - Okay. Also, I actually like this layout a little bit more than the
202 initial one. Public Works has reviewed?

203
204 Mr. Wilhite - Yes.

205
206 Mr. Branin - Public Works has signed off.

207
208 Mr. Wilhite - Yes. They saw the revised plan, and they can recommend
209 approval to the Planning Commission.

210
211 Mr. Branin - Okay. Thank you.
212
213 Mr. Archer - Anyone else?
214
215 Mr. Branin - I would like to hear from the opposition first.
216
217 Mr. Archer - All right. Sir, would you please come forward and state your
218 name for the records, please. Mr. Emerson, would you review the rules for opposition?
219
220 Mr. Emerson - Yes sir, Mr. Chairman. As you noted, the Commission does
221 have guidelines for public hearings, and they are as follows: The applicant is allowed ten
222 minutes to present the request, and time may be reserved for responses to testimony.
223 Opposition is allowed ten minutes to present its concerns. Commission questions do not
224 count into the time limits. The Commission may waive the time limits for either party at its
225 discretion. And comments must be directly related to the case under consideration. The
226 ten minutes are cumulative for the opposition.
227
228 Mr. Archer - All right. Thank you, Mr. Emerson. Good morning, sir.
229
230 Mr. Harrison - Good morning. Thank you very much. My name's Mark
231 Harrison. I'm the CFO of Car Pool. Car Pool has recently come under new management,
232 not new ownership. We were first made aware that—new management was first made
233 aware of this project and potential issues that it may cause for us last week. We're not
234 materially opposed to the project; we simply request a thirty-day deferral so that we may
235 better understand how this project will impact us.
236
237 I spoke with Mr. Stanley, the developer, a couple of times in the last week, approximately
238 ten minutes. I first saw the plans, both the old and new, today. We're just simply asking for
239 time so that we can get together with Mr. Stanley, walk through the actual site, and ensure
240 that our business is not going to be negatively impacted by this project.
241
242 Thank you very much for your time.
243
244 Mr. Archer - Thank you, sir. Are there questions for the opposition?
245
246 Mr. Branin - I'm glad you're here.
247
248 Mr. Harrison - Thank you very much.
249
250 Mr. Branin - There was a roof issue that was brought up, a canopy roof on
251 your property that was in disrepair that you guys had to repair. Has that been done yet?
252
253 Mr. Harrison - I am not sure, but I will look into that today.
254
255 Mr. Branin - Okay. Mr. Wilhite, would you also check on that for me.

256
257 Mr. Wilhite - Yes sir.
258
259 Mr. Branin - Thank you. Okay. Thank you.
260
261 Mr. Harrison - Sure.
262
263 Mr. Branin - Can I hear from the applicant?
264
265 Mr. Archer - Yes. Will the applicant come forward, please?
266
267 Mr. Branin - Sir, state your name for the record.
268
269 Mr. Stanley - I'm Jimmy Stanley. I'm the developer of the project.
270
271 Mr. Branin - Mr. Stanley, I'm quite aware of the change that you made to
272 the plan, which I actually think is a better layout than before. Have you had contact with
273 Car Pool?
274
275 Mr. Stanley - Yes sir.
276
277 Mr. Branin - Okay. When was the first time you contacted them?
278
279 Mr. Stanley - I had spoken with Paul Carr, who is the CEO, maybe about a
280 year ago. And we've had several conversations over the past year about—the original
281 conversation related to the Short Pump medical project, and then subsequent
282 conversations related to this project.
283
284 Mr. Branin - Okay. All right. Your project, as you know, has been signed off
285 by all the different departments, it meets all criteria, it meets your zoning, so it is in a great
286 position, and I can't see a reason to not proceed forward. But with that being said, I would
287 ask you to get with your neighbor, be a good neighbor. If you would like me to attend, I'll
288 be happy to set up a meeting, walk through the plans, walk through the case, walk through
289 the project. They're concerned about impact. And also prior to starting, they were
290 concerned about the elevation. The County is not concerned about the elevation. And we
291 have signed off on the plans that you've provided. So, being a good neighbor, I would ask
292 you to immediately after this meeting, after this case, get with Car Pool and review the
293 project, set up a meeting. And if you two feel it necessary for me to be there, feel free to
294 call and allow that.
295
296 Mr. Stanley - I can do that. That's not a problem.
297
298 Mr. Branin - Pending schedule, we'll figure out when would be the best time
299 to meet. Preferably not in the rain if we're walking around in the mud. Let me bring an
300 umbrella and boots if we are.
301

302 Mr. Stanley - Fair enough.
303
304 Mr. Branin - All right. Thank you. I have no further questions.
305
306 Mr. Archer - Okay. Are you wishing to defer or would you rather proceed
307 with the case?
308
309 Mr. Branin - I'm going to proceed.
310
311 Mr. Archer - Okay.
312
313 Mr. Branin - Mr. Chairman, I'd like to move POD2015-00050, Towne Center
314 West Medical Office Building, be approved with standard conditions for developments of
315 this type, the following additional conditions 11B, 29 through 38.
316
317 Mr. Leabough - Second.
318
319 Mr. Archer - Okay. Motion by Mr. Branin, second by Mr. Leabough. All in
320 favor say aye. All opposed say no. The ayes have it; the motion passes.
321
322 The Planning Commission approved POD2015-00050, Towne Center West Medical Office
323 Building, subject to the annotations on the plans, the standard conditions attached to these
324 minutes for developments of this type, and the following additional conditions:
325
326 11B. Prior to the approval of an electrical permit application and installation of the site
327 lighting equipment, a plan including light spread and intensity diagrams, and fixture
328 specifications and mounting heights details shall be revised as annotated on the
329 staff plan and included with the construction plans for final signature.
330 29. The ground area covered by all the buildings shall not exceed in the aggregate 25
331 percent of the total site area.
332 30. No merchandise shall be displayed or stored outside of the building(s) or on
333 sidewalk(s).
334 31. The entrances and drainage facilities on West Broad Street (State Route 250) shall
335 be approved by the Virginia Department of Transportation and the County.
336 32. A notice of completion form, certifying that the requirements of the Virginia
337 Department of Transportation entrances permit have been completed, shall be
338 submitted to the Department of Planning prior to any occupancy permits being
339 issued.
340 33. Details for the gate and locking device at the West Broad Street and Dominion
341 Power access shall be submitted for review by the Traffic Engineer, Police and
342 approved by the County Fire Marshall. The owner or owner's contractor shall
343 contact the County Fire Marshall prior to completion of the fence installation to test
344 and inspect the operations of the gates. Evidence of the Fire Marshall's approval
345 shall be provided to the Department of Planning by the owner prior to issuance of
346 occupancy permits.
347 34. Outside storage shall not be permitted.

- 348 35. The proffers approved as a part of zoning cases C-49C-04, C-43C-05, and C-44C-
 349 06 shall be incorporated in this approval.
 350 36. Prior to construction plan approval, the developer must furnish a letter from
 351 Dominion Virginia Power stating that this proposed development does not conflict
 352 with their facilities.
 353 37. The location of all existing and proposed utility and mechanical equipment
 354 (including HVAC units, electric meters, junction and accessory boxes, transformers,
 355 and generators) shall be identified on the landscape plans. All equipment shall be
 356 screened by such measures as determined appropriate by the Director of Planning
 357 or the Planning Commission at the time of plan approval.
 358 38. Except for junction boxes, meters, and existing overhead utility lines, and for
 359 technical or environmental reasons, all utility lines shall be underground.
 360

361 Mr. Emerson - Mr. Chairman, we now move to page 7 of your agenda for
 362 POD2015-00054, Timmons Group for Marketplace Holdings LLC and CWC Food
 363 Properties, LLC. The staff report will be presented by Ms. Christina Goggin.
 364

365 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**
 366

367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382	POD2015-00054 Zaxby's Restaurant – Staples Mill Marketplace – 9100 Staples Mill Road (U.S. Route 33)	Timmons Group for Marketplace Holdings, LLC and CWC Food Properties, LLC: Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story 3,847 square foot restaurant with drive-through facilities. The 1.08-acre site is located on an outparcel in an existing shopping center on the west line of Staples Mill Road (U.S. Route 33), approximately 500 feet south of its intersection with Hungary Spring Road, on part of parcel 767-757-9294. The zoning is B-2C, Business District (Conditional). County water and sewer. (Brookland)
--	--	---

367
 368 Mr. Archer - Thank you, Mr. Secretary. Is there anyone here who is
 369 opposed to POD2015-00054, Zaxby's Restaurant, Staples Mill Marketplace? No
 370 opposition. Ms. Goggin, how are you?
 371

372 Ms. Goggin - I'm good, thank you. Good morning.
 373

374 The applicant proposes a fast casual restaurant with a drive-thru on an outparcel in an
 375 existing shopping center. The tenant for this building is Zaxby's, and as mentioned in my
 376 report, their primary menu item is chicken.
 377

378 The proposed development is on the second outparcel in the Staples Mill Marketplace
 379 Shopping Center, leaving two more outparcels that can be developed. I would like to state
 380 that the brick looks more brick-like in the elevations as compared to the screen here. Staff
 381 asked the developer to provide additional brick on the building when the elevations were
 382 submitted. In response to staff's request, the applicant has now proposed an all-brick

383 building, the same color as the Kroger grocery store, with dark tan cornice and black
384 standing seam metal accents. The elevations provide architectural detailing such a soldier
385 courses, awnings, canopies, and decorative goose-neck style lighting fixtures to break up
386 the wall mass. Proffers require the HVAC equipment to be screened from public view, and
387 the architect has verified that the parapet is designed to accommodate the equipment.
388

389 A lighting plan has also been submitted for review and approval. The freestanding lights
390 are limited to 25 feet tall per proffers, and the proposed fixtures match the existing lights
391 within the shopping center.
392

393 The staff recommends approval subject to the annotations on the plan, the standard
394 conditions for developments of this type, the additional conditions 11B and 29 through 36
395 in your agenda. I would be happy to answer any questions the Commission may have of
396 me. Tim Seldon from Timmons is here for any engineering questions, as well as Ryan
397 Converse, the owner and operator of this store who is moving here from Georgia for this
398 project.
399

400 Mr. Archer - Thank you, Ms. Goggin. Are there questions from the
401 Commission for Ms. Goggin? All right. I have no questions, but I can call the applicant if
402 any of you do. All right. Then we shall proceed.
403

404 Okay. With that, I will move for approval of POD2015-00054, Zaxby's Restaurant, Staples
405 Mill Marketplace, subject to the annotations on the plan, the standard conditions for
406 developments of this type, and the following additional conditions 11B and 29 through 36.
407

408 Mr. Branin - Second.
409

410 Mr. Archer - Thank you, Mr. Branin. Motion by Mr. Archer, seconded by Mr.
411 Branin. All in favor say aye. All opposed say no. The ayes have it; the motion passes.
412

413 The Planning Commission approved POD2015-00054, Zaxby's Restaurant, Staples Mill
414 Marketplace, subject to the annotations on the plans, the standard conditions attached to
415 these minutes for developments of this type, and the following additional conditions:
416

417 11B. Prior to the approval of an electrical permit application and installation of the site
418 lighting equipment, a plan including light spread and intensity diagrams, and fixture
419 specifications and mounting heights details shall be revised as annotated on the
420 staff plan and included with the construction plans for final signature.

421 29. Only retail business establishments permitted in a B-2 zone may be located in this
422 center.

423 30. The ground area covered by all the buildings shall not exceed in the aggregate 25
424 percent of the total site area.

425 31. No merchandise shall be displayed or stored outside of the building(s) or on
426 sidewalk(s).

427 32. The proffers approved as a part of zoning case C-3C-09 shall be incorporated in
428 this approval.

- 429 33. The developer shall install an adequate restaurant ventilating and exhaust system
 430 to minimize smoke, odors, and grease vapors. The plans and specifications shall
 431 be included with the building permit application for review and approval. If, in the
 432 opinion of the County, the type system provided is not effective, the Commission
 433 retains the rights to review and direct the type of system to be used.
- 434 34. Evidence of a joint ingress/egress and maintenance agreement must be submitted
 435 to the Department of Planning and approved prior to issuance of a certificate of
 436 occupancy for this development.
- 437 35. In the event of any traffic backup which blocks the public right-of-way as a result of
 438 congestion caused by the drive-up facilities, the owner/occupant shall close the
 439 drive-up facilities until a solution can be designed to prevent traffic backup.
- 440 36. The location of all existing and proposed utility and mechanical equipment
 441 (including HVAC units, electric meters, junction and accessory boxes, transformers,
 442 and generators) shall be identified on the landscape plans. All equipment shall be
 443 screened by such measures as determined appropriate by the Director of Planning
 444 or the Planning Commission at the time of plan approval.

445
 446 Mr. Emerson - Mr. Chairman, we now move to page 11 of your regular agenda
 447 and page 2 of your amended agenda for POD2015-00056, Balzer and Associates
 448 Incorporated for Park N Go of Virginia LLC and .89 Acre, LLC.

449
 450
 451 **PLAN OF DEVELOPMENT, LIGHTING PLAN, AND TRANSITIONAL BUFFER**
 452 **DEVIATION**

453
 POD2015-00056
 Park N Go Phase IV
 Revised and Phase V
 Parking Expansion – 5701
 Audubon Drive

Balzer and Associates, Inc. for Park N Go of Virginia, LLC and .89 Acre, LLC: Request for approval of a plan of development, lighting plan, and transitional buffer deviation, as required by Chapter 24, Section 24-106 and 24-106.2 of the Henrico County Code, to construct 174 parking space expansion to the existing commercial parking lot. The total number of spaces would increase from 1,129 to 1,304 spaces. The transitional buffer deviation would shift a required transitional buffer to the perimeter of the property. The 1.85-acre site is located at the southern end of the existing facility, on the south side of Audubon Drive approximately 800 feet west of the intersection of Audubon Drive and Airport Drive (State Route 156), and approximately 60 feet north of Williamsburg Road (U.S. Route 60), on parcel 821-715-8124 and part of parcel 821-716-8025. The zoning is B-3, Business District, M-1, Light Industrial District, A-1, Agricultural District, and ASO, Airport Safety Overlay District. County water and sewer. **(Varina)**

454

455 Mr. Archer - Good morning, Mr. Greulich. Is there anyone here who is
456 opposed to POD2015-00056, Park N Go Phase IV Revised and Phase V Parking
457 Expansion? No opposition. Go ahead, sir. I'm sorry, ma'am, are you opposed?
458

459 Ms. King - [Off microphone.] I am. I live in that neighborhood. This is the
460 first time I've been to a Planning Commission meeting.
461

462 Mr. Archer - That's all right. Are you opposed?
463

464 Ms. King - [Off microphone.] Yes sir.
465

466 Mr. Archer - Okay. We have opposition. Thank you, ma'am. We'll get to
467 you. Mr. Greulich?
468

469 Mr. Greulich - Good morning, Mr. Chairman, members of the Planning
470 Commission. The proposal is only for the expansion of an existing commercial parking lot.
471 No additional buildings are proposed. The revised plan addressing County comments was
472 received last Wednesday. The revised plans are in your addendum handout and in the
473 slide presentation.
474

475 Notes were added to the revised layout specifically clarifying access to the site from the
476 gas station property to the south, including one-way only, and "do not enter" signage, and
477 traffic flow arrows.
478

479 There is a transitional buffer requirement between the B-3 and M-1 zoning line that bisects
480 the proposed parking lot expansion. The applicant has requested a transitional buffer
481 deviation to relocate the required plantings to the perimeter. With the revised conceptual
482 landscape plan, staff has no objections to the proposed deviation. The applicant will
483 present this deviation request.
484

485 This revised lighting plan depicts the adjusted light pole locations, the orientation of the
486 fixture heads, and the use of house-side shields.
487

488 With these revised plans, staff recommends approval subject to the annotations on the
489 plan, the annotations on the revised plan, the standard conditions for developments of this
490 type, and additional conditions 11B and 29 through 31 as stated in your agenda.
491

492 The engineer for the developer, Justin Fournier with Balzer, is present this morning to
493 answer any questions you may have. And I am also available to answer any questions you
494 may have of me.
495

496 Mr. Archer - All right. Thank you, sir. Mr. Leabough, how would you like to
497 proceed?
498

499 Mr. Leabough - I have a question for Mr. Greulich first before—excuse me. Mr.
500 Greulich, so essentially, this parking lot expansion was already—part of it was already
501 planned to take place.
502
503 Mr. Greulich - Yes sir.
504
505 Mr. Leabough - Okay. And the B-3 and the transitional buffer deviation
506 requirement, the B-3 is owned actually by the applicant, correct?
507
508 Mr. Greulich - Yes sir.
509
510 Mr. Leabough - So they're just proposing instead of buffering their property
511 internally, they would just buffer the perimeter of it. Correct?
512
513 Mr. Greulich - Absolutely.
514
515 Mr. Leabough - Okay. So all the staff's concerns that were noted in the agenda
516 have been addressed?
517
518 Mr. Greulich - Yes.
519
520 Mr. Leabough - Okay. All right, thank you.
521
522 Mr. Archer - Anyone else?
523
524 Mr. Leabough - If there are no questions, I would like to hear from the
525 opposition first.
526
527 Mr. Archer - All right. Ma'am, would you please come forward and state
528 your name for the record. While you're coming, I'm assuming you heard the secretary's
529 definition of the ten-minute rule? Yes, okay, we won't go over it again.
530
531 Ms. King - Good morning. My name is Jessica King. I live at 5724 Linda
532 Road, which is right there on the corner—it's on the turn. Yes, that one right there. When
533 they started the construction earlier, they had put in an entrance, which they were only
534 supposed to be entering, but vehicles are coming in and out of the entrance off of
535 Williamsburg Road. And the only concern my neighbors and I have is what's going to
536 happen with this new property, how much of a buffer are we going to have? We do get the
537 lights through the trees right now. There are car alarms going off at all times for the
538 evening. Yes, we are near a Motel 6, which we have those issues also. But if I plan to sell
539 my house within the next five years, where am I going to be as far as resell? And as you
540 know with this area here, because of the Park N Go, because of the hotels, the resells
541 aren't that well.
542

543 So we were just wondering if it's not 50 feet, if we could get 75 feet or a little bit larger area
544 of a buffer. Plus, there's a vacant lot right across from the Wawa. Why can't they move
545 there?

546
547 Mr. Archer - So ma'am, you did mention a concern about traffic was
548 supposed to be *in* only. Is that what you said?

549
550 Ms. King - Correct. They put an entrance over here beside the gas station
551 and the storage facility. And they're only to go in that area, but they're coming in and out
552 going across Williamsburg Road and doing U-turns to go back to Airport Drive. And that's
553 all times of the day.

554
555 Mr. Archer - Okay. I just wanted to clarify that. Okay. Thank you.

556
557 Mr. Leabough - Are you pulling that up, Tony? That's kind of hard to see. I'm
558 not sure if it's just me or what. Do you have a better site plan or something? So this is
559 Williamsburg Road here, correct? It's hard to orient yourself looking at that. Do you have
560 a better plan to show us or is that best you have?

561
562 Mr. Greulich - I could zoom out a little bit.

563
564 Mr. Branin - Why don't you do aerial or site?

565
566 Mr. Greulich - Well, what I wanted to show with this is the arrows that were
567 added.

568
569 Mr. Leabough - Okay.

570
571 Mr. Greulich- All right. Williamsburg Road is along here. This is the gas
572 station property. So for vehicles leaving the gas station property, they are allowed to exit
573 from this point. As she correctly stated, the access to the Park N Go is ingress only, which
574 is why we had these arrows shown on the plan to show ingress only. We also had them
575 add the "one way, do not enter" signs. We've also added a condition that specifically states
576 that it is for ingress only at this time. So the fact that they are leaving the site as well is
577 something that we could certainly look into.

578
579 Mr. Leabough - Okay. And then there was another question related to the
580 buffer. Could you speak to that just in terms of what is required by code?

581
582 Mr. Greulich - I'm going to zoom in. So, the majority of the Park N Go property
583 is M-1. The portion below is B-3. The residences are here. And so the required buffer
584 between M-1 and the residences, which I believe is R-3, is a 50-foot transitional buffer. As
585 they're met elsewhere on site, and are also continuing to meet on this portion of it, they
586 will keep at least fifty feet of a natural buffer. The applicant has also agreed that once the
587 final clearing is done, that staff and the applicant will meet on site to walk this buffer to
588 make sure that if any additional plantings are needed that they will be installed.

589
590 Mr. Leabough - Okay. All right. Thank you, sir. Could the applicant please
591 come forward? You can sit right there if you'd like. Just don't harm anybody.
592
593 Mr. Fournier - Good morning. My name is Justin Fournier with Balzer and
594 Associates. I'm here to represent the applicant.
595
596 Mr. Leabough - You've heard the questions that Ms. King has asked. Could
597 you please address those, one being the cars leaving, exiting from the Williamsburg Road?
598
599 Mr. Fournier - Right. The previously approved plans showed ingress only.
600 The existing gate is further up close to their main existing parking lot. We're relocating that
601 gate. We're putting the signs in. The owner has told me that they will use that only as
602 ingress and not egress. I was personally unaware that people were leaving that site at this
603 time using that gate. But it has been clear, and it will be part of our POD plans noted that
604 way.
605
606 Mr. Leabough - Can you show us where they're leaving currently, where you're
607 proposing on the site plan, please?
608
609 Mr. Fournier - The existing gate is right here. And so we're just moving that
610 gate further down to here.
611
612 Mr. Leabough - So they're not able to access on the Audubon side.
613
614 Mr. Fournier - They can get to the property from Audubon.
615
616 Mr. Leabough - As well, correct?
617
618 Mr. Fournier - Yes. That's where the main gate is, and that's where the public
619 ingress and egress is, where you pay as you're leaving.
620
621 Mr. Leabough - So then what vehicles are entering from this, the Williamsburg
622 Road side?
623
624 Mr. Fournier - My understanding is it's primarily shuttle buses from the airport
625 coming back to bring people to their cars.
626
627 Mr. Leabough - Okay. So it's not customer traffic leaving onto Williamsburg
628 Road. It's just the shuttles that you're talking about. Okay. So that's something that they
629 could control, hopefully, operationally.
630
631 Mr. Fournier - They should certainly be able to, yes.
632

633 Mr. Leabough - Okay. What about the buffer? Can you speak to that? I mean,
634 we know what the code requires, but do you agree that that will be maintained along the
635 property side where the homes are?
636

637 Mr. Fournier - Yes, absolutely. Along with the transitional buffer deviation, our
638 plan is the required plantings—in addition to the buffer requirements. From the transitional
639 buffer deviation, the evergreen trees and evergreen shrubs would be placed adjacent to
640 those properties, and more of the shade trees would probably go along the drive aisle near
641 the BMP that we're placing there. The thought being it serves better to screen the
642 neighborhood than to screen themselves from—you know, a parking lot from a parking lot.
643 We'd rather use that material—
644

645 Mr. Leabough - That's why you have the additional planting, along the property
646 on the side?
647

648 Mr. Fournier - Correct. Through here and then this up through here.
649

650 Mr. Leabough - So you'd have the 50-foot buffer with the existing vegetation in
651 addition to what you supplement.
652

653 Mr. Fournier - Correct.
654

655 Mr. Leabough - Okay. All right. Were you—so Ms. King—are there other
656 questions?
657

658 Mrs. Jones - I just wanted to make sure the—I don't doubt that there's a lot
659 of light incursion from all of the activities in this area into the neighborhood. All the lights
660 are shielded so that the neighborhood receives no spillover from there?
661

662 Mr. Fournier - Correct. And they're all facing away from the neighborhood,
663 the actual light head fixtures.
664

665 Mrs. Jones - And what is the extent of the supplemental landscaping that
666 you're willing to do?
667

668 Mr. Fournier - Well, at the minimum, it's certainly going to be what was
669 required for the 10-foot transitional buffer once—and we don't have it calculated right now,
670 but whatever that requirement would have been for that between the two districts will be
671 placed through there.
672

673 Mrs. Jones - Will it be done with some input on the strategic placing from
674 the neighbors or who will make that determination as to where things are placed for
675 purposes of screening and shielding and that kind of thing?
676

677 Mr. Fournier - I don't think they would object to working with the
neighborhoods. From their standpoint, they don't necessarily care what it is as long as it's

679 not internal to the site that might block the view for security reasons and things like that.
680 But if it's along that perimeter, the applicant I'm sure would be willing to work with the
681 adjacent owners and with the Planning staff as well to determine those locations.

682
683 Mrs. Jones - Well that would be good.

684
685 Mr. Leabough - Okay. All right. Thank you, sir.

686
687 Mr. Fournier - Thank you.

688
689 Mr. Archer - All right, any further questions?

690
691 Mr. Leabough - No further questions.

692
693 Mr. Archer - Okay.

694
695 Mr. Leabough - So with that, being that there are no questions, I move that
696 POD2015-00056, Park N Go Phase IV Revised and Phase V Parking Expansion, be
697 approved subject to standard conditions for developments of this type, any annotations on
698 the plans, and the additional conditions 11B and 29 through 31 as noted in the agenda.

699
700 Mr. Branin - Second.

701
702 Mr. Leabough - Motion by Mr. Leabough, seconded by Mr. Branin. All in favor
703 say aye. All opposed say no. The ayes have it; the motion passes.

704
705 The Planning Commission approved POD2015-00056, Park N Go Phase IV Revised and
706 Phase V Parking Expansion, subject to the annotations on the plans, the standard
707 conditions attached to these minutes for developments of this type, and the following
708 additional conditions:

709
710 11B. Prior to the approval of an electrical permit application and installation of the site
711 lighting equipment, a plan including light spread and intensity diagrams, and fixture
712 specifications and mounting heights details shall be revised as annotated on the
713 staff plan and included with the construction plans for final signature.

714 29. The driveway connection to Williamsburg Road (U.S. Route 60) shall not be used
715 for egress from this site. Ingress only is permitted.

716 30. The owners shall not begin clearing of the site until the following conditions have
717 been met:

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

723 (b) After the Erosion and Sediment Control Plan has been approved but prior to
724 any clearing or grading operations of the site, the owner shall have the limits

725 of clearing delineated with approved methods such as flagging, silt fencing
726 or temporary fencing.

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

731 (d) The owner shall be responsible for the protection of the buffer areas and for
732 replanting and/or supplemental planting and other necessary improvements
733 to the buffer as may be appropriate or required to correct problems. The
734 details shall be included on the landscape plans for approval.

735 31. Evidence of a joint ingress/egress and maintenance agreement must be submitted
736 to the Department of Planning and approved prior to construction plan approval for
737 this development.

738
739 Mr. Leabough - Mr. Fournier, do you mind stepping outside and taking Ms.
740 King's contact information so that she can contact you to set up that meeting that we just
741 talked about? Thank you.

742
743 Ms. King - [Off microphone.] Thank you.

744
745 Mr. Archer - You're welcome, Ms. King. All right, Mr. Secretary.

746
747 Mr. Emerson - Mr. Chairman, we now move on to the final item on your
748 agenda, which is the consideration of the approval of your minutes for February 25, 2015.
749 I do not believe there is an errata sheet.

750
751 APPROVAL OF MINUTES: February 25, 2015

752
753 Mr. Archer - All right, may we have a motion on the minutes?

754
755 Mrs. Jones - I move the minutes be approved.

756
757 Mr. Archer - I second. Motion by Mrs. Jones, seconded by Mr. Archer that
758 the minutes be approved. All in favor say aye. All opposed say no. The ayes have it; the
759 motion passes.

760
761 The Planning Commission approved the February 25, 2015 minutes as submitted.

762
763 Mr. Emerson - Mr. Chairman, I have one last item to discuss with the
764 Commission this morning. I just wanted to let you know that we have a new permanent
765 member of the Planning staff. Ms. Hamilton, if you want to stand up for a second. I had
766 the pleasure of introducing Ms. Hamilton to you a little over a year ago, I believe, as an
767 intern in our department. And I'm pleased to say that we have found a permanent location
768 for her and are happy to have her here. She will be moving into the OA IV position in the
769 DRD section of the office, so you will be having contact with her as she goes about her
770 daily duties in regards to support of the staff and the Commission. She will be graduating

771 soon from VCU with a degree in Urban and Regional Studies. And we're very happy to
772 have her as a permanent employee. She did a great job as an intern, and we look forward
773 to more great things.

774
775 Mr. Archer - Thank you, Mr. Secretary. Glad to have you, Ms. Hamilton. You
776 are required to make at least a thirty-second speech.

777
778 Ms. Hamilton - Thank you for giving me this opportunity, and I look forward to
779 working with all of you.

780
781 Mr. Archer - And we look forward to working with you.

782
783 Mrs. Jones - Welcome.

784
785 Mr. Branin - Ms. Hamilton, you know they were back and forth on whether
786 they wanted you to stay on board or not. And Mr. Leabough and I came to your defense,
787 and we wrote glowing letters on how you should come aboard. So I just wanted you to
788 know that going forward.

789
790 Ms. Hamilton - Thank you, I appreciate that.

791
792 Mrs. O'Bannon - Mr. Emerson, I was just thinking in looking at this nice young
793 lady, and this is my age showing, but I recall a headline—I think it was in 1971 in the
794 Times-Dispatch that said that 'Henrico Planning Department Hires Their First Girl'. And it
795 was Angela Harper.

796
797 Mr. Emerson - How about that. This speaks volumes. We've had good
798 success with our internship program, and I'm happy that it's working out. I'm happy we've
799 been able to move Logan into a full-time position. And I hope she stays with the County
800 and has a nice long career with us.

801
802 Ms. Hamilton - Thank you.

803
804 Mr. Archer - Okay, Ms. Hamilton, welcome. That's your one and only
805 applause.

806
807 All right, is there anything further to bring before the Commission?

808
809 Mr. Emerson - No sir, I have nothing further.

810
811 Mrs. Jones - Do we have another work session coming up?

812
813 Mr. Emerson - We do, but I haven't settled on a date yet.

814
815 Mrs. Jones - Okay.

816

817 Mr. Emerson -
818
819 Mrs. Jones -
820
821 Mr. Archer -
822 adjournment.
823
824 Mr. Leabough -
825
826 Mr. Branin -
827
828 Mr. Archer -

It's out. Probably June, I'm thinking.

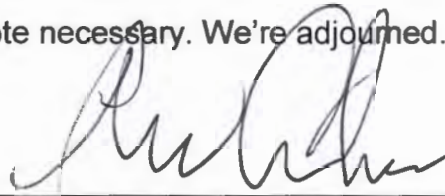
Okay.

All right, there being nothing further, I'll entertain a motion for

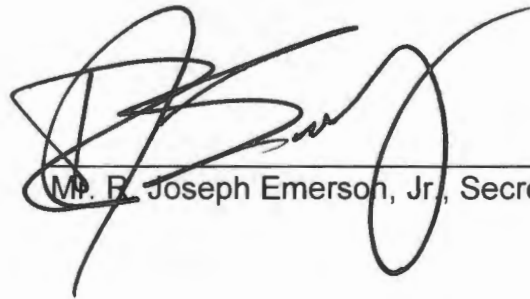
So moved.

Second.

All right. No vote necessary. We're adjourned.



Mr. C. W. Archer, C.P.C., Acting Chairman



Mr. B. Joseph Emerson, Jr., Secretary