

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico, Virginia, held  
2 in the Board Room of the County Administration Building, Parham and Hungary Spring Roads  
3 at 9:00 a.m. on November 28, 2001.  
4

5 Members Present: C. W. Archer, C.P.C., Chairperson, Fairfield  
6 Elizabeth G. Dwyer, C.P.C., Vice-Chairperson, Tuckahoe  
7 Ernest B. Vanarsdall, C.P.C., Brookland  
8 Eugene Jernigan, C.P.C., Varina  
9 Allen J. Taylor, C.P.C., Three Chopt  
10 David A. Kaechele, Board of Supervisors, Three Chopt  
11 Randall R. Silber, Acting Secretary,  
12 Assistant Director of Planning  
13

14 Member Absent: John R. Marlles, AICP, Director of Planning  
15

16 Others Present: David D. O'Kelly, Jr., Principal Planner  
17 Leslie A. News, CLA, County Planner  
18 James P. Straus, CLA, County Planner  
19 E. J. McGarry, III, County Planner  
20 Kevin D. Wilhite, C.P.C., AICP, County Planner  
21 Michael Kennedy, County Planner  
22 Christina Goggin, AICP, County Planner  
23 Diana B. Carver, Office Assistant  
24 Todd Eure, Assistant Traffic Engineer, Public Works  
25

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

29 Mr. Archer - The Planning Commission will come to order. Good morning, everyone.  
30 Is there anyone here from the press to be acknowledged? OK, I don't believe I see anyone. We  
31 have not too lengthy an agenda today, and Mr. Randy Silber, Assistant Director of Planning, will  
32 be acting as Secretary today, in Mr. Marlles' absence, and with that I will turn it over to Mr.  
33 Silber.  
34

35 Before you start, let me acknowledge something. I received a card from Mr. Winfree Wade. Let  
36 me acknowledge the card, if I may. "Dear Mr. Archer, Please let me convey our thanks to the  
37 Planning Commission for the beautiful flowers given in Mary's memory. The many friendships  
38 Mary established with members of the Commission as well as with those of the Planning staff  
39 made her work on the Commission all the more enjoyable and fulfilling for her. We appreciate  
40 so much your expression of affection and respect for her. Sincerely, Winfree Wade." That is  
41 from the family of the late Mrs. Mary Wade. OK, Mr. Silber.  
42

43 Mr. Silber - Thank you, Mr. Chairman and members of the Commission. Good  
44 morning. We do have a quorum this morning. All Commission members are present and the  
45 first item of business would be the request for deferrals and withdrawals. I believe that we have  
46 a few. Mr. Wilhite, can you explain these to us.

47  
48 Mr. Wilhite - Good morning, Mr. Chairman, and Commission members, ladies and  
49 gentlemen. Staff is aware of five requests for deferrals on this agenda. The first appears on Page  
50 2.

51  
52 **TRANSFER OF APPROVAL (Deferred from the October 24, 2001 Meeting)**  
53

POD-85-96 Patrick J. Lally for Real Estate Advisory: Request for approval of  
The Cameron at Virginia a transfer of approval, as required by Chapter 24, Section 24-106  
Center, Phase I of the Henrico County Code, from Virginia Center, Inc. and  
(Formerly The Chesapeake Security Capital Atlanta, Inc. to Real Estate Advisory. The 18.7-  
at Virginia Center, Phase I) acre site is located on the northwest corner of Brook Road (U.S.  
Route 1) and Virginia Center Parkway on parcels 32-A-102 and  
103. The zoning is R-5C, General Residence District  
(Conditional). County water and sewer. (Fairfield)

54  
55 Mr. Wilhite - The applicant requests a deferral to December 19, 2001.

56  
57 Mr. Archer - OK. This is our second deferral of this, isn't it? Is anyone here in  
58 opposition to deferral of Transfer of Approval? No opposition. Then, I move approval of the  
59 deferral to the December 19, 2001 meeting, at the applicant's request.

60  
61 Mr. Vanarsdall - Second.

62  
63 Mr. Archer - Motion by Archer and second by Mr. Vanarsdall. All in favor say aye. All  
64 opposed say no. The ayes have it. The deferral is granted.

65  
66 At the applicant's request, the Planning Commission deferred Transfer of Approval for POD-85-  
67 96, The Cameron at Virginia Center, Phase I, (Formerly The Chesapeake at Virginia Center,  
68 Phase I) to its meeting on December 19, 2001.

69  
70 Mr. Wilhite - On Page 3 we have a companion case.

71

71 **TRANSFER OF APPROVAL (Deferred from the October 24, 2001, Meeting)**  
72

POD-20-98                                    **Patrick J. Lally for Real Estate Advisory:** Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code, from Virginia Center, Inc. and Security Capital Atlanta, Inc. to Real Estate Advisory. The 6.3 acre site is located on the northwest corner of Brook Road (U.S. Route 1) and Virginia Center Parkway on part of parcels 33-A-9 and 8. The zoning is R-6C, General Residence District (Conditional). County water and sewer.  
(Formerly The Chesapeake at Virginia Center, Phase II)  
**(Fairfield)**

73  
74 Mr. Wilhite -                    This deferral is also to the December 19, 2001 meeting.  
75

76 Mr. Archer -                    Is there opposition to this deferral? I move deferment of Transfer of  
77 Approval for POD-20-98 to the December 19, 2001 meeting, at the applicant's request.  
78

79 Mr. Vanarsdall -                Second.  
80

81 Mr. Archer -                    Motion by Archer and second by Mr. Vanarsdall. All in favor of the  
82 motion say aye. All opposed say no. The ayes have it. The deferral is granted.  
83

84 At the request of the applicant, the Planning Commission deferred Transfer of Approval for  
85 POD-20-98, The Cameron at Virginia Center, Phase II (Formerly The Chesapeake at Virginia  
86 Center, Phase II), to its meeting on December 19, 2001.  
87

88 Mr. Wilhite -                    The next case is on Page 4.  
89

90 **TRANSFER OF APPROVAL (Deferred from the October 24, 2001, Meeting)**  
91

POD-61-90                                    **Blackwood Development Company for Richfield Associates, LLC:** Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code, from Richmond Glen Eagle Association and Paragon Group to Richfield Associates, LLC. The 12.42 acre site is located at the northeast intersection of Ridgefield Parkway and Glen Eagles Drive on parcel 66-A-11F. The zoning is B-2C, Business District (Conditional). County water and sewer.  
Glen Eagles Shopping                      **(Tuckahoe)**  
Center – Ridgefield  
Parkway

92  
93 Mr. Wilhite -                    The applicant requests deferral to December 19, 2001.  
94

95 Mr. Archer -                    Is there opposition to this deferment? None. Ms. Dwyer.  
96

97 Ms. Dwyer -                    I move that we defer the Transfer of Approval for POD-61-90, Glen  
98 Eagles Shopping Center – Ridgefield Parkway, to December 19, 2001, at the applicant's request.

99  
100 Mr. Vanarsdall - Second.

101  
102 Mr. Archer- Motion by Ms. Dwyer and seconded by Mr. Vanarsdall. All in favor of the  
103 motion say aye. All opposed say no. The ayes have it. The motion carries.

104  
105 At the applicant's request, the Planning Commission deferred Transfer of Approval, POD-61-90,  
106 Glen Eagles Shopping Center – Ridgefield Parkway, to its meeting on December 19, 2001.

107  
108 **TRANSFER OF APPROVAL (Deferred from the October 24, 2001, Meeting)**

109  
110  
111 **POD-113-78 John A. Wilson for Columbia Properties Virginia, Ltd.:**  
112 **POD-69-77 Request for approval of a transfer of approval, as required by**  
113 **POD-79-73 Chapter 24, Section 24-106 of the Henrico County Code, from**  
114 **Holiday Inn – W. Broad W. B. Johnson Properties to Columbia Properties Virginia Ltd.**  
115 **Street The 667 acre site is located along the west line of W. Broad**  
116 **Street (U. S. Route 250), approximately 1,600 feet north of**  
117 **Horsepen Road on parcel 92-A-28. The zoning is B-3, Business**  
118 **District, B-2, Business District and R-6, General Residence**  
119 **District. County water and sewer. (Three Chopt)**

110  
111 Mr. Wilhite - The applicant requests deferral to December 19, 2001.

112  
113 Mr. Archer - Is there any opposition to this deferment of Transfer of Approval? Mr.  
114 Taylor.

115  
116 Mr. Taylor- Mr. Chairman, I move Transfer of Approval, POD-113-78, POD-69-77,  
117 POD-79-73, Holiday Inn – West Broad Street, be deferred to December 19, 2001, at the  
118 applicant's request.

119  
120 Mr. Vanarsdall - Second.

121  
122 Mr. Archer - Motion by Mr. Taylor and second by Mr. Vanarsdall. All in favor of the  
123 motion say aye. All opposed say no. The motion passes.

124  
125 At the request of the applicant, the Planning Commission deferred Transfer of Approval, POD-  
126 113-7, POD-69-77, POD-79-73, Holiday Inn – West Broad Street, to its meeting on December  
127 19, 2001.

128

128 **PLAN OF DEVELOPMENT & LIGHTING PLAN**

129

POD-78-01 **QMT Corporation for Than Phan & Lan Thi Huynh:**  
Rigsby Road Retail Shops 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, 3,814 square foot retail building. The .41 acre site is located on the south line of Rigsby Road approximately 60 feet east of Pinehaven Road on parcels 92-9-B-8, 9 and part of 102-10-B-1. The zoning is B-2, Business District. County water and sewer. **(Three Chopt)**

130

131 The applicant has requested a deferral until the Planning Commission's meeting on December  
132 19, 2001, in order to submit revised site plans and architectural plans.

133

134 Mr. Wilhite - The applicant is requesting a deferral to December 19, 2001.

135

136 Mr. Archer - OK. Is there opposition to deferral of POD-78-01, Rigsby Road Retail  
137 Shops? No opposition. Mr. Taylor.

138

139 Mr. Taylor - Mr. Chairman, I move deferral of POD-78-01, Rigsby Road Retail Shops,  
140 to December 19, 2001, at the applicant's request.

141

142 Mr. Vanarsdall - Second.

143

144 Mr. Archer - Motion by Mr. Taylor and seconded by Mr. Vanarsdall. All in favor of the  
145 motion say aye. All opposed say no. The ayes have it. The motion carries.

146

147 At the request of the applicant, the Planning Commission deferred POD and Lighting Plan for  
148 POD-78-01, Rigsby Road Retail Shops, to its meeting on December 19, 2001.

149

150 Mr. Wilhite - Mr. Chairman, we have become aware of another request for deferral on  
151 Page 19. Mr. McGarry will handle that.

152

153 Mr. Archer - All right. Mr. McGarry.

154

155 **PLAN OF DEVELOPMENT**

156

POD-77-01 **Foster & Miller, P.C. for Staples Mill South Mini-Storage**  
Staples Mill South - Storage **Associates:** Request for approval of a plan of development, as  
Lot - School Avenue required by Chapter 24, Section 24-106 of the Henrico County  
(POD-112-88 Expired) Code to construct an automobile, truck, recreational vehicle, and  
boat storage facility. The 1.19 acre site is located on the northern  
terminus of School Avenue, approximately 105 feet north of  
Aspen Avenue on parcel 82-A-41. The zoning is M-1, Light  
Industrial District. County water and sewer. **(Brookland)**

157 Mr. McGarry - Good morning, Mr. Chairman. This is POD-77-01, Staples Mill South – Storage  
158 Lot – School Avenue. The applicant has requested deferral to the December 19, 2001 meeting.

159  
160 Mr. Archer - Is there opposition to this deferment, POD-77-01? No opposition. Mr.  
161 Vanarsdall.

162  
163 Mr. Vanarsdall - Mr. Chairman, I recommend deferment of POD-77-01, Staples Mill South  
164 – Storage Lot – School Avenue, to December 19, 2001, at the applicant’s request.

165  
166 Ms. Dwyer - Second.

167  
168 Mr. Archer - Motion by Mr. Vanarsdall and seconded by Ms. Dwyer. All in favor of  
169 the motion say aye. All opposed say no. The ayes have it and the motion is carried..

170  
171 At the applicant’s request, the Planning Commission deferred POD-77-01, Staples mill South –  
172 Storage Lot – School Avenue, to its meeting on December 19, 2001.

173  
174 Mr. Silber - The next items on the agenda would be the Expedited items, and again, we  
175 have a list of matters that can be expedited today, because all issues have been resolved on these  
176 cases and the applicant has requested that they be placed on the Expedited Agenda. If there is no  
177 opposition, they can be approved in the order listed on the screen.

178  
179 Mr. Archer - Mr. Wilhite.

180  
181 Mr. Wilhite - We have 10 requests for Expedited Approval on today’s agenda. The first  
182 appears on Page 6.

183  
184 **TRANSFER OF APPROVAL**

185  
186  
187  
188  
189  
190  
191  
192  
193

POD-5-98 Mountaineer Properties Retail Center – Homeview Drive	<b>The Boyd Group, LLC for the Homeview Condo Association:</b> Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code, from Homeview Associates and Mountaineer Properties to Homeview Condo Association. The 2.0 acre site is located along the east line of Homeview Drive, approximately 550 feet north of W. Broad Street (U.S. Route 250) on part of parcel 59-A-12C. The zoning is B-3C, Business District (Conditional). <b>(Brookland)</b>
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186  
187 Mr. Archer - Is there anyone here opposed to this case, POD-5-98, Mountaineer  
188 Properties Retail Center – Homeview Drive?

189  
190 Mr. Vanarsdall - I move that POD-5-98, Mountaineer Properties Retail Center – Homeview  
191 Drive, be approved under the Expedited Agenda and the annotations on the plan, and the  
192 conditions on this site.

194 Ms. Dwyer - Second.  
195  
196 Mr. Archer - Motion by Mr. Vanarsdall and seconded by Ms. Dwyer. All in favor of  
197 the motion say aye. All opposed say no. No opposition. The ayes have it. The motion is  
198 granted.  
199

200 **SUBDIVISION**

201  
Raintree East **Youngblood, Tyler & Associates for Ivystone Properties,**  
(November 2001 Plan) **Inc.:** The 3.20 acre site is located on the south line of Ridgefield  
Parkway approximately 600 feet west of Falconbridge Drive on  
parcel 67-A-19. The zoning is R-2A, One-Family Residence  
District. County water and sewer. **(Tuckahoe) 7 Lots**

202  
203 Mr. Wilhite - The next is on Page 9, Raintree East Subdivision (November 2001 Plan).  
204 There is an Addendum item on page 3. We have deleted Condition No. 12.  
205

206 Mr. Archer - OK. Is there anyone here who is opposed to Subdivision Raintree East  
207 (November 2001 Plan)? We have opposition. OK. I guess we will have to take it off of the  
208 Expedited Agenda.  
209

210 Mr. Silber - This item will be pulled off of the Expedited Agenda and will be heard in  
211 the order that is listed on the primary agenda. So, we will come back to this.  
212

213 Mr. Wilhite - The next item is on Page 10, Transfer of Approval.  
214

215 **TRANSFER OF APPROVAL**

216  
POD-29-00 **Hirschler Fleischer for HHHunt Corporation:** Request for  
The Gardens @ Twin approval of a transfer of approval, as required by Chapter 24,  
Hickory Section 24-106 of the Henrico County Code, from HHHunt  
Corporation to Twin Hickory Apartments Limited Partnership.  
The 40.77 acre site is located on the east side of Twin Hickory  
Lake Drive at intersection with Hickory Bend Drive on part of  
parcels 27-A-5A, 27-A-9A and 27-A-11. The zoning is R-5C,  
General Residence District (Conditional) and C-1, Conservation  
District. County water and sewer. **(Three Chopt)**

217  
218 Mr. Archer- OK, is there opposition to POD-29-00, The Gardens @ Twin Hickory?  
219 Yes, ma'am. Could you come down please and identify yourself.

220 Ms. Breta Wohl - My name is Breta Wohl and I am a resident of Twin Hickory. The  
221 question that we have, we were informed that this was going to be our one opportunity to make a  
222 concern that we have known about the road that goes by the The Gardens @ Twin Hickory. We  
223 just wanted to – please tell us if we need to make this statement at another time, if there is going  
224 to be another opportunity. We just want to make sure that you all know the residents of Twin

225 Hickory want to make sure that this road does not get punched through to Nuckols Road. It is as  
226 simple as that.

227

228 Mr. Archer - Mr. Secretary.

229

230 Mr. Vanarsdall - You don't want it extended to Nuckols Road?

231

232 Ms. Wohl - We don't want this road extended to Nuckols Road. We like it the way  
233 that it is.

234

235 Mr. Archer - Do you know about that, Mr. Taylor?

236

237 Mr. Taylor - No. I do not. Is Mr. Tyler in the audience today? Mr. Tyler is the master  
238 architect for that area and he may be able to help you.

239

240 Mr. Archer - Mr. Taylor, before we go any further, I think we need to move this off of  
241 here and put it back on later.

242

243 Mr. Tyler - May I suggest that you go ahead and approve this, on the Transfer of  
244 Approval, because it is simply a TOA, and the item on The Gardens @ Twin Hickory is a  
245 reconsideration of condition No.23, which deals with Hickory Bend Drive, which I think is the  
246 road that they are talking about, and their concern, and that one I would gladly be more than glad  
247 to talk with them outside. It will give me an opportunity – so you've got two shots at it today –  
248 and a Transfer of Approval is simply a legal matter, since it is actually legally transferred  
249 already, and that will give me an opportunity, rather than waste the Commission's time, I may be  
250 able to solve their issues outside.

251

252 Mr. Silber- That seems reasonable. They are both on the Expedited Agenda, so I  
253 think we can have the Commission act on this and discuss the second one.

254

255 Mr. Taylor - Thank you very much. Mr. Chairman, I move approval of Transfer of  
256 Approval for POD-29-00, The Gardens @ Twin Hickory, from HHHunt Corporation to Twin  
257 Hickory Apartments, LP.

258

259 Mr. Vanarsdall - Second.

260

261 Mr. Archer - Motion by Mr. Taylor and seconded by Mr. Vanarsdall. All in favor of  
262 the motion say aye. All those opposed say no. The ayes have it. The motion passes.

263

264 The Planning Commission approved Transfer of Approval for POD-29-00, The Gardens @ Twin  
265 Hickory from HHHunt Corporation to Twin Hickory Apartments Limited Partnership, subject to  
266 compliance the conditions of the original plan.

267

## 268 **PLAN OF DEVELOPMENT RECONSIDERATION**

269

POD-7-00

**Youngblood, Tyler & Associates, P.C. for YMCA of Greater**



Shady Grove YMCA,  
Phase II

**Richmond, Inc.:** Request for approval of its reconsideration of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to permit extended use of a temporary trailer. The 22.64 acre site is located at 11255 Nuckols Road, at the intersection of Nuckols Road and Twin Hickory Road. The zoning is A-1, Agricultural District. County water and sewer. **(Three Chopt)**

270

271 Mr. Wilhite - I would like to add that there is a revision to Condition No. 31. It appears  
272 on your agenda and that revision is to add the wording at the end of the sentence “prior to  
273 construction of Phase III improvements.” That is in addition to Condition No. 31 that appears on  
274 your agenda on Page 12. Staff can recommend approval.

275

276 Ms. Dwyer - Was that changed on the Addendum?

277

278 Mr. Wilhite - There is no Addendum item for this. This is on your regular agenda on  
279 Page 12.

280

281 Ms. Dwyer - Would you mind repeating that?

282

283 Mr. Wilhite - I will read the whole thing. Condition No. 31 has been changed to read:  
284 A pedestrian trail shall be extended along Twin Hickory Road from Nuckols Road to the  
285 northern end of the existing pedestrian trail and from the southern end of the existing pedestrian  
286 trail to the southern boundary of the site, prior to construction of Phase III improvements.

287

288 Mr. Archer - All right. Is there any opposition to this?

289

290 Mr. Vanarsdall - Is this what you were talking about?

291

292 Ms. Dwyer - No.

293

294 Mr. Archer - Ms. Dwyer, I think that we are ready.

295

296 Ms. Dwyer- It is his district.

297

298 Mr. Archer- I am sorry. Mr. Taylor, we are ready.

299

300 Mr. Taylor - All right. Thank you very much, Mr. Chairman. I recommend approval  
301 of POD-7-00, Shady Grove YMCA, Phase II, for reconsideration of Shady Grove YMCA, Stage  
302 II, subject to the annotations on the plans, and the original conditions, and revised conditions No.  
303 27 and additional to condition No. 31 as revised.

304

305 Mr. Vanarsdall - Second.

306

307 Mr. Archer - Motioned by Mr. Taylor and seconded by Mr. Vanarsdall. All in favor of  
308 the motion say aye. Those opposed say no. The ayes have it. The motion is carried.

309  
310 The Planning Commission approved Plan of Development Reconsideration for POD-7-00, Shady  
311 Grove YMCA, Phase II, subject to the annotations on the plans, the original conditions and the  
312 following revised condition No. 27 and additional condition No. 31 as revised:

- 313  
314 27. **REVISED** – The temporary modular unit and related improvements shall be removed  
315 from the site on or before June 30, 2004.  
316 31. **ADDED** - A pedestrian trail shall be extended along Twin Hickory Road from Nuckols  
317 Road to the northern end of the existing pedestrian trail and from the southern end of the  
318 existing pedestrian trail to the southern boundary of the site.

319  
320 Mr. Wilhite - Page 14, POD-80-01, Master Plan for Parsons Walk at Twin Hickory.

321  
322 **PLAN OF DEVELOPMENT & MASTER PLAN**

323  
POD-80-01 **Youngblood, Tyler & Associates, P.C. for HHHunt**  
Parsons Walk at Twin **Corporation:** Request for approval of a plan of development  
Hickory and a master plan, as required by Chapter 24, Section 24-106 of  
the Henrico County Code to construct Section A, zero lot line  
subdivision with 53 lots and future Sections B and C, zero lot  
line subdivision with 64 lots. The 28.66 acre site is located on  
the south line of Twin Hickory Lake Drive across from proposed  
Hickory Woods on part of parcel 37-A-1 and 2. The zoning is  
R-5AC, General Residence District (Conditional). County water  
and sewer. **(Three Chopt)**

324  
325 Mr. Archer - OK. Is there any opposition to this plan of development, POD-80-01?  
326 We have opposition. Ma'am, we will move it off and put it back on the regular agenda.

327  
328 **There was opposition so this case was removed from the Expedited Agenda and heard later**  
329 **during the meeting in the order it was listed on the regular agenda.**

330  
331

331 **SUBDIVISION**

332

Woodman Hills  
(November 2001 Plan)

**QMT Corporation for Gregory A. Windsor & Robert P. Bain and Bawin L.L.C.:** The 11.88 acre site is located on the west line of Woodman Road, approximately 0.4 mile south of the intersection of Woodman and Mountain Roads on parcels 41-A-8, 20A and part of 31-A-77. The zoning is R-3C, One-Family Residence District (Conditional). County water and sewer. **(Fairfield) 34 Lots**

333

334 Mr. Archer - All right. Is there anyone here opposed to Woodman Hills? No  
335 opposition. Then I move approval of Subdivision Woodman Hills (November 2001 Plan),  
336 subject to the annotations on the plans, the standard conditions for subdivisions served by Public  
337 Utilities and additional conditions Nos. 12, 13 and 14.

338

339 Mr. Taylor - Second.

340

341 Mr. Archer - Motioned by Archer and seconded by Mr. Taylor. All in favor of the  
342 motion say aye. Those opposed say no. The ayes have it. The motion is carried.

343

344 The Planning Commission approved Subdivision Woodman Hills (November 2001 Plan) subject  
345 to the annotations on the plans, the standard conditions served by Public Utilities and the  
346 following additional conditions:

347

348 12. The proffers approved as part of zoning case C-54C-01 shall be incorporated in this  
349 approval.

350 13. Landscaping in the entrance island located in "Road A" requires a maintenance agreement  
351 with the Department of Public Works prior to plat recordation.

352 14. Prior to final approval of lots 8, 30, 32, 33 and the reserved parcel, the applicant shall  
353 determine the legal status and ownership of the 25-foot road/easement/access strip to parcel  
354 31-A-77 and provide this information to the Director of Planning and the County Attorney.  
355 The road shall be abandoned, vacated or rights thereto quitclaimed if necessary prior to  
356 recordation of the plat.

357

358 **LANDSCAPE PLAN**

359

LP/POD-69-00  
Kings Crossing, Phase V  
Castile Road

**William H. Spell, LLC:** Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 11.6 acre site is located on the south line of Castile Road, approximately 630 feet east of Pump Road on parcels 99-A-7, 58C and part of 89-A-28B. The zoning is R-5, General Residence District. **(Tuckahoe)**

360

361 Mr. Archer - Is there any opposition to Kings Crossing, Phase V, Castile Road?

362

363 Mr. Wilhite - I would like to add there is a revised plan on your addendum that you  
364 received this morning.

365  
366 Ms. Dwyer- And Mr. Spell, just so that I am sure that I have that correct, we just added  
367 trees on the east, west and south sides of the property.

368  
369 Mr. Spell - That is correct.

370  
371 Mr. Archer - OK. There is no opposition. Ms. Dwyer.

372  
373 Ms. Dwyer- Mr. Chairman, I move approval of Landscape Plan, LP/POD-69-00, Kings  
374 Crossing, Phase V, Castile Road, subject to the annotations on the plans and the standard  
375 conditions for landscape plans.

376  
377 Mr. Taylor - Second.

378  
379 Mr. Archer - Motion by Ms. Dwyer and seconded by Mr. Taylor. All in favor of the  
380 motion say aye. All opposed say no. The ayes have it. The motion is carried.

381  
382 The Planning Commission approved Landscape Plan LP/POD-69-00, Kings Crossing, Phase V,  
383 Castile Road, subject to the annotations on the revised plan and the standard conditions for  
384 landscape plans.

385  
386 **LANDSCAPE PLAN**

387  
LP/POD-31-01 **Commonwealth Architects:** Request for approval of a  
Trigon – Blue Cross and landscape plan, as required by Chapter 24, Sections 24-106 and  
Blue Shield – Phase 1A 24-106.2 of the Henrico County Code. The 27.18 acre site is  
Landscape Plan – Staples located at 2015 Staples Mill Road on parcels 115-A-27, 28 and  
Mill Road and W. Broad 29 and N-2003-20 (City of Richmond). The zoning is B-3,  
Street Business District and B-3C, Business District (Conditional).  
**(Brookland)**

388  
389 Mr. Wilhite - On Page 3 of your Addendum there is a revised staff recommendation for  
390 approval.

391  
392 Mr. Archer - All right. Is there opposition to this, Trigon-Blue Cross and Blue Shield?

393  
394 Mr. Wilhite - The revised plan is included as well.

395  
396 Mr. Archer - I note no opposition, Mr. Vanarsdall.

397  
398 Mr. Vanarsdall - I move LP/POD-31-01, Trigon-Blue Cross and Blue Shield landscape  
399 plan, the first phase of IA, be approved with the annotations on the plan and the conditions for  
400 landscape plans, and also the revised, the approval on Page 3 of the Addendum.

401

402 Mr. Taylor - Second.

403

404 Mr. Archer - Motion by Mr. Vanarsdall and second by Mr. Taylor. All in favor of the  
405 motion say aye. Those opposed to the motion say no. The ayes have it. The motion is granted.

406

407 The Planning Commission approved Landscape Plan LP/POD-31-01, Trigon-Blue Cross and  
408 Blue Shield – Phase IA Landscape Plan – Staples Mill Road and W. Broad Street, subject to the  
409 annotations on the plans the standard conditions for landscape plan.

410

411 Mr. Wilhite - The last item for Expedited Approval appears on Page 23.

412

### 413 **PLAN OF DEVELOPMENT**

414

POD-81-01 **Balzer & Associates, Inc. for David C. and Evelyn M.**  
Lakeside Dental Office – **Circeo:** Request for approval of a plan of development, as  
Lakeside Avenue required by Chapter 24, Section 24-106 of the Henrico County  
Code to construct a one-story, 4,700 square foot medical office  
building. The 0.882 acre site is located at the southeast corner of  
Lakeside Avenue and Oak Street on parcel 83-23-C-37. The  
zoning is O-1C, Office District (Conditional). County water and  
sewer. **(Fairfield)**

415

416 Mr. Archer - Is there opposition to Lakeside Dental Office, POD-81-01? No  
417 opposition. Therefore, I move approval of POD-81-01, subject to the annotations on the plans,  
418 the standard conditions for developments of this type, and the additional conditions Nos. 23  
419 through 31.

420

421 Ms. Dwyer - Second.

422

423 Mr. Archer - Motion by Archer and seconded by Ms. Dwyer. All in favor of the motion  
424 say aye. Those opposed say no. The ayes have it. The motion is granted.

425

426 The Planning Commission approved POD-81-01, Lakeside Dental Office, subject to the  
427 annotations on the plans, the standard conditions for developments of this type, and the following  
428 additional conditions:

429

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

435 24. The entrances and drainage facilities on Lakeside Avenue (State Route 161) shall be  
436 approved by the Virginia Department of Transportation and the County.

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

- 440 26. The developer shall provide fire hydrants as required by the Department of Public  
 441 Utilities and Division of Fire.  
 442 27. Outside storage shall not be permitted.  
 443 28. The proffers approved as a part of zoning case C-57C-00 shall be incorporated in this  
 444 approval.  
 445 29. Deviations from County standards for pavement, curb or curb and gutter design shall be  
 446 approved by the County Engineer prior to final approval of the construction plans by the  
 447 Department of Public Works.  
 448 30. Insurance Services Office (ISO) calculations must be included with the plans and  
 449 approved by the Department of Public Utilities prior to the issuance of a building permit.  
 450 31. Approval of the construction plans by the Department of Public Works does not establish  
 451 the curb and gutter elevations along the Henrico County maintained right-of-way. The  
 452 elevations will be set by Henrico County.  
 453

454 **(FOR INFORMATIONAL PURPOSE ONLY)**  
 455

<b>Subdivision</b>	<b>Magisterial District</b>	<b>Original No. of Lots</b>	<b>Remaining Lots</b>	<b>Previous Extensions</b>	<b>Year(s) Extended</b>
<b>Clarendon Woods Controlled Density (October 2000 Plan)</b>	<b>Fairfield</b>	<b>210</b>	<b>142</b>	<b>0</b>	<b>1 Year 11/20/02</b>
<b>The Greens @ CrossRidge (Rev. Nov. 2000 Plan)</b>	<b>Brookland</b>	<b>167</b>	<b>167</b>	<b>0</b>	<b>1 Year 11/20/02</b>
<b>Wilton View (August 1997 Plan)</b>	<b>Varina</b>	<b>40</b>	<b>40</b>	<b>3</b>	<b>1 Year 11/20/02</b>
<b>Wyndham Forest (October 1999 Plan)</b>	<b>Three Chopt</b>	<b>119</b>	<b>39</b>	<b>1</b>	<b>3 Years 11/17/04</b>

456 **FOR PLANNING COMMISSION APPROVAL**  
 457  
 458

<b>Subdivision</b>	<b>Magisterial District</b>	<b>Original No. of Lots</b>	<b>Remaining Lots</b>	<b>Previous Extensions</b>	<b>Year(s) Extended</b>
<b>Fairlawn (October 1993 Plan)</b>	<b>Varina</b>	<b>69</b>	<b>10</b>	<b>7</b>	

459 Mr. Silber - We have the Subdivision Extensions of Conditional Approval and you  
 460 may note that there are four listed here that have been extended administratively and they are  
 461 provided here for the Commission's information. There is one conditional approval that needs to  
 462 be extended and Mr. Wilhite can provide us with the latest information on that.  
 463  
 464

465 Mr. Archer - Mr. Wilhite.  
 466

467 Mr. Wilhite - Mr. Chairman, the subdivisions that were extended administratively were  
468 Clarendon Woods in the Fairfield District, The Greens @ CrossRidge in Brookland, Wilton  
469 View in Varina, and Wyndham Forest in the Three Chopt District. There was one subdivision  
470 listed on the agenda for Planning Commission action, however, we did not receive a request for  
471 an extension from the applicant, therefore, there is no need for the Planning Commission to take  
472 any action. This subdivision will be allowed to expire.

473  
474 Mr. Archer - Do we need to take any further action, Mr. Secretary?

475  
476 Mr. Silber - No, sir.

477  
478 Mr. Archer - All right.

479  
480 **LANDSCAPE, LIGHTING & ALTERNATIVE FENCE HEIGHT PLAN**  
481 **(Deferred from the October 24, 2001, Meeting)**  
482

LP/POD-82-96 **Youngblood, Tyler & Associates, P.C. and Meeks Design**  
The Madison @ Spring Oak **Group for SHLP Madison Development L.L.C.:** Request for  
Phase II – Three Chopt Road approval of a landscape, lighting and alternative fence height  
plan, as required by Chapter 24, Sections 24-106, 24-106.2 and  
24-95(1)(6) b. and c. of the Henrico County Code. The 20.63-  
acre site is located on the north line of Three Chopt Road,  
approximately 1,000 feet west of Pump Road on parcel 36-A-  
50A. The zoning is R-5C, General Residence District  
(Conditional) and WBSO (West Broad Street Overlay) District.  
**(Three Chopt)**

483  
484 Mr. Silber - This was deferred from the October 24, 2001 meeting. There is an  
485 Addendum item on this, which is recommending additional conditions No. 6 and 7.

486  
487 Mr. Archer - Thank you, Mr. Secretary. Is there anyone present opposed to this  
488 Landscape, Lighting and Alternative Fence Height Plan?

489  
490 Mr. Silber - Actually what I did was skip one page. Let me clarify something. We do  
491 have Page 7, a companion case, which is Phase I and I apologize for that, so we have Phase I and  
492 Phase II, Madison @ Spring Oaks. Let me call this case, also.

493  
494 **LANDSCAPE, LIGHTING & ALTERNATIVE FENCE HEIGHT PLAN**  
495 **(Deferred from the October 24, 2001, Meeting)**  
496

LP/POD-40-96 **Youngblood, Tyler & Associates, P.C. and Meeks Design**  
The Madison @ Spring Oak **Group for SHLP Madison Development, L.L.C.:** Request for  
Phase I – Three Chopt Road approval of a landscape, lighting and alternative fence height  
plan, as required by Chapter 24, Sections 24-106, 24-106.2 AND  
24-95(1)(6)b. and c. of the Henrico County Code. The 16.73  
acre site is located on the north line of Three Chopt Road,

approximately 500 feet west of Pump Road on parcel 46-A-1W. The zoning is R-5C, General Residence District (Conditional) and WBSO (West Broad Street Overlay) District. **(Three Chopt)**

497  
498 Mr. Silber - Again, Youngblood, Tyler and Associates requests approval of the plan.  
499 This also has an Addendum, which has a couple of additional conditions. So, we have The  
500 Madison @ Spring Oak, Phase I on Page 7 and Phase II on Page 8. I am calling both of these  
501 because they are companion cases, but they will require separate action.

502 Mr. Archer - All right. Thank you, Mr. Secretary. Is there opposition to LP/POD-40-  
503 96, The Madison at Spring Oak, Phase I? No opposition. Good morning, Ms. News.

504  
505 Ms. News - Good morning, Mr. Chairman. This request for landscape, lighting and  
506 fence plan approval consists of a two-phase project under two separate PODs. The overall  
507 project consists of approximately 500 apartment units on over 47 acres of property. A motion  
508 for approval is required for each POD. The project, however, is being developed under a  
509 uniform approach and the design for the landscape, lighting and fencing has been coordinated  
510 between the two projects. The presentation, therefore, addresses both projects. A revised plan  
511 has just been distributed which has additional annotations for Phase I. The project fronts on two  
512 roads, Three Chopt Road and Spring Oak Drive, and alternate fence height approval has been  
513 requested to permit construction of a six-foot decorative iron fence with brick columns in both  
514 front yards. The fence along Three Chopt has been located approximately 30 feet back from the  
515 right of way due to an extensive network of utility and drainage easements that exist in this area.  
516 This road frontage is also within the West Broad Street Overlay District, and landscaping is  
517 provided to meet the requirements of the district. A row of evergreen shrubs will be provided  
518 directly behind the sidewalk and street trees, as well as additional trees and shrubs, are provided  
519 behind the fence to avoid these easements. The fencing along Spring Oak Drive is located in  
520 close proximity to the road and the beds adjacent to the fence are landscaped. Staff feels the  
521 fence is attractive and functional and can support this request.

522  
523 The perimeter of the property adjacent to Short Pump Crossing Shopping Center to the east, and  
524 the office development to the west, as well as down the northern property line will have a six-  
525 foot decorative vinyl privacy fence. As requested by the adjacent neighbor, Mr. Haithcock, the  
526 vinyl fence to be installed to the north, along his property line, will be set back a minimum of  
527 one foot from the property line to avoid any disturbance to his property. The approximate  
528 location of the proposed easement to his property from this property has also been shown in the  
529 final location. The planting in this area is to be located outside of the easements. Evergreen  
530 plantings have been provided around the perimeter of the property to supplement existing tree-  
531 save areas.

532  
533 The entrances will have gates, which require approval by the Fire Marshall prior to installation.  
534 The applicant has agreed to provide a sidewalk connection from this development, which  
535 connects to the shopping center adjacent to the Ukrop's. That would be in this location right  
536 here (referring to slide). The shopping center has already constructed a brick crosswalk to allow  
537 this connection.

538



539 Several conflicts exist with the fencing and signage, which has been installed prior to approval,  
540 in County easements. The County is in the process of reviewing these encroachments and has  
541 indicated the majority of the encroachments, which have been installed, will be allowed to  
542 remain. However, a condition has been added to the Addendum requiring a maintenance and  
543 hold-harmless agreement to be submitted to the County to protect the interests of the County.  
544 All new work will be located outside of the easements. The sign, which has been constructed  
545 along Spring Oak Drive, is not a part of this approval and may potentially have to be relocated.  
546

547 In closing, there have been a substantial amount of coordination efforts on this project and we  
548 now feel that we have a quality development, which can be recommended for approval. It will  
549 be necessary to approve the alternative fence height and landscape and lighting for each  
550 individual project. Staff recommends approval subject to the annotations on the plan, standard  
551 conditions for landscape and lighting plans, and the additional conditions in your addendum. I  
552 will be happy to answer any questions, and the owner's representative is also present.  
553

554 Mr. Vanarsdall - Is the revised plan dated today?  
555

556 Ms. News - That's right. That is just one page of the approximately 40 pages you have  
557 in front of you. There are no changes to the other sheets.  
558

559 Mr. Taylor - Is the revised fence height a condition that we need to recognize  
560 separately?  
561

562 Ms. News - The alternative fence height should have a separate motion. Yes.  
563

564 Ms. Dwyer - Is the front yard on the Three Chopt side of this development?  
565

566 Ms. News - We actually have two fronts. It fronts Spring Oak Drive and Three Chopt,  
567 so we are asking for alternate fence height for both of those locations.  
568

569 Ms. Dwyer - And the Spring Oak Drive entry way is from the cul-de-sac?  
570

571 Ms. News - Yes. That is correct.  
572

573 Ms. Dwyer - And there will be a gate?  
574

575 Ms. News - Right. There is a drive entrance into each phase of the project. There is  
576 an entrance that comes in right here (referring to slide), and then another entrance that comes in  
577 here (referring to slide), and lighting. We are showing a gated entry at both locations. On the  
578 Phase I, the gate is located back so that you have access into the clubhouse area and parking, and  
579 Phase II, it is located along the roadway. The Fire Marshall is aware of this and has to approve  
580 the locking devices to make sure that they have access to this development as they need to.  
581

581 Ms. Dwyer - Why are they gating those access points?  
582

583 Ms. News - Perhaps the applicant can answer that.  
584

585 Ms. Dwyer - Are they gating the access points to Three Chopt?  
586  
587 Ms. News - Yes.  
588  
589 Mr. Archer - Any further questions from the Commission?  
590  
591 Mr. Taylor - Ms. News, you mentioned that Mr. Haithcock looked over the fence along  
592 the north side. Is he aware of, is he aware then, I assume, of what we are doing and agrees with  
593 it?  
594  
595 Ms. News - Yes. He has come in and looked at the plans. The only thing he asked was  
596 that the fence be moved one foot off of his property line, so there would be no disturbance on his  
597 property line, to allow the installation of the fence, and we annotated the plan.  
598  
599 Mr. Taylor - The applicant has accepted that?  
600  
601 Ms. News - Yes, they have.  
602  
603 Mr. Taylor - My other question then is more of a comment. I appreciate the  
604 cooperation of the requester in allowing this connection to the Pruitt Property. I think that is a  
605 key part to the design, and I do recognize their generosity and sensitivity to allowing people to  
606 have an access open to Short Pump Crossing Shopping Center.  
607  
608 Ms. News - Yes. That will be a nice amenity to this project.  
609  
610 Mr. Archer - Any further questions? Someone had a question for the applicant. Would  
611 the applicant come forward, please?  
612  
613 Mr. Cochran - Mr. Chairman and members of the Commission, my name is John  
614 Cochran with Youngblood, Tyler and Associates. With me today are members of the owner and  
615 a representative from the landscape architect. We have reviewed all conditions and are in  
616 agreement with the conditions. The situation concerning the gates, it appears that the owner does  
617 not want to install them and we'd like to delete them from the plan, and I'd be happy to answer  
618 any questions you might have.  
619  
620 Mr. Archer - All right. Any questions for the applicant?  
621  
622 Ms. Dwyer - That kind of answers my question. That is it.  
623  
624 Mr. Cochran - Also, I would like to say this has been a long and complicated process and  
625 I'd like to thank the staff and Leslie News and Mr. Taylor, as well, for a lot of hard work that  
626 was put into it to get us to this point.  
627  
628 Ms. Dwyer - So, should there be an annotation to the plan, that the gates will be  
629 deleted?  
630

631 Mr. Cochran - If we can do it that way, I can follow up with a letter. Whatever is most  
632 convenient.  
633

634 Mr. Taylor - I think probably both. What we will do is recognize this – just a comment  
635 today – that the annotation will be on the plan, and we'll make the annotation and I think  
636 probably the best thing for you to do is, by letter, to document the file.  
637

638 Mr. Cochran - I would be happy to do that.  
639

640 Mr. Silber- This may be a change that I was not aware of and maybe staff was not  
641 aware of. Ms. News, can you speak to that and whether there is anything else, any implications  
642 that may result with the removal of this fence or gate?  
643

644 Ms. News - The only other thing is that we would need is to delete Condition No. 7 in  
645 your Addendum, which addresses the provision of the fence. I don't think anybody would have  
646 any objections to eliminating the gates.  
647

648 Mr. Silber - The other fencing aspect and design concepts are in place?  
649

650 Mr. Cochran - That is correct, at this time. Yes.  
651

652 Mr. Silber - So it would simply be removal of the gate?  
653

654 Mr. Cochran - That is correct.  
655

656 Mr. Archer - OK, any further questions, comments?  
657

658 Mr. Taylor - Let me just clarify that. Shall we delete Condition No. 7 as a condition?  
659

660 Ms. News - For both Phase I and Phase II, take Condition No. 7 off of your addendum.  
661 We will just be approving additional condition No. 6.  
662 Mr. Taylor - All right, Mr. Chairman, I think I am ready.  
663

664 Mr. Archer - All right, Mr. Taylor.  
665

666 Mr. Taylor - I move approval of LP/POD-40-96. The Madison @ Spring Oak Phase I –  
667 Three Chopt Road, subject to standard conditions for developments of this type, the annotations  
668 on the plan, the revision to the addendum, and the deletion of Condition No. 7.  
669

670 Mr. Vanarsdall - Second.  
671

672 Mr. Archer - Motioned by Mr. Taylor and seconded by Mr. Vanarsdall. All in favor of  
673 the motion say aye. All opposed say no. The motion passes. Mr. Kaechele abstained.  
674

675 The Planning Commission approved Landscape and Lighting Plan for LP/POD-40-96, The  
676 Madison at Spring Oak Phase I – Three Chopt Road, subject to the revised plan, the annotations

677 on the plan, the standard conditions for developments of this type, and added Condition No. 6 as  
678 shown below:

679  
680 6. Prior to issuance of any final certificate of occupancy for this development, a  
681 maintenance and hold harmless agreement shall be submitted to the Planning Office  
682 indicating that the owner shall be responsible for removal, replacement, and/or relocation  
683 of any planting, fences, signs or other improvements in County-owned drainage and  
684 utility easements and/or County owned right-of-way, as deemed necessary by the County  
685 for maintenance of County-owned facilities. Should the County be required to remove  
686 any of these improvements for the purpose of maintenance or repair of County facilities,  
687 the County shall not be responsible for damage to or replacement of said improvements.  
688 The final wording of this agreement shall be as required by the Director of Public  
689 Utilities and Director of Public Works, and as approved by the County Attorney.  
690

691 Mr. Silber - Mr. Taylor, I think we will also need a motion on the alternative fence  
692 height plan.

693  
694 Mr. Taylor - Yes, Mr. Silber. I agree. Is the move appropriate at this time?  
695

696 Mr. Archer - Yes, sir.  
697

698 Mr. Taylor - Mr. Chairman, as an additional motion, I will move that the requirement  
699 for the alternate fence height be approved.  
700

701 Mr. Vanarsdall - Second.  
702

703 Mr. Archer - Motion by Mr. Taylor and seconded by Mr. Vanarsdall. All in favor of the  
704 motion say aye. All opposed say no. The ayes have it. The motion is granted.  
705

706 The Planning Commission approved Alternate Fence Height for LP/POD-40-96, The Madison @  
707 Spring Oak Phase I – Three Chopt Road.  
708

709 Mr. Archer - Do we need to hear anything, Mr. Secretary?  
710

711 Mr. Silber - No, I think she has already spoken to both of these.  
712

713 Ms. News - The presentation covered both projects.  
714

715 Mr. Archer - All right. Mr. Taylor.  
716

717 Mr. Silber - Mr. Taylor, we will need a motion again for these two on the landscape  
718 and lighting plan, and a separate motion for the alternative fence height.  
719

720 Mr. Taylor - I move approval of LP/POD-82-96, The Madison @ Spring Oak Phase II  
721 – Three Chopt Road, to allow the fence, and subject to the standard conditions for landscaping  
722 and lighting plans, and Condition No. 6 and deleting No. 7 on the Addendum.

723  
724 Mr. Vanarsdall - Second.

725  
726 Mr. Archer - Motion made by Mr. Taylor and seconded by Mr. Vanarsdall. All in favor  
727 of the motion say aye. All opposed say no. The ayes have it. The motion is approved. Mr.  
728 Kaechele abstained.

729  
730 The Planning Commission approved LP/POD-82-96, The Madison @ Spring Oak Phase II –  
731 Three Chopt Road, subject to the annotations on the plan, to allow the fence, and standard  
732 conditions for landscape and lighting, plus added Condition No. 6 as shown below:

733  
734 6. Prior to issuance of any final certificate of occupancy for this development, a  
735 maintenance and hold harmless agreement shall be submitted to the Planning Office  
736 indicating that the owner shall be responsible for removal, replacement, and/or relocation  
737 of any planting, fences, signs or other improvements in County-owned drainage and  
738 utility easements and/or County owned right-of-way, as deemed necessary by the County  
739 for maintenance of County-owned facilities. Should the County be required to remove  
740 any of these improvements for the purpose of maintenance or repair of County facilities,  
741 the County shall not be responsible for damage to or replacement of said improvements.  
742 The final wording of this agreement shall be as required by the Director of Public  
743 Utilities and Director of Public Works, and as approved by the County Attorney.

744  
745 Mr. Taylor - Mr. Chairman, I move approve of the alternative fence height.

746  
747 Mr. Vanarsdall - Second.

748  
749 Mr. Archer - Motion by Mr. Taylor and seconded by Mr. Vanarsdall. All in favor say  
750 aye. All opposed say no. The ayes have it. The motion carries. Thank you, Ms. News.

751  
752 The Planning Commission approved Alternative Fence Height for LP/POD-82-96, The Madison  
753 @ Spring Oak Phase II – Three Chopt Road.

754  
755 Mr. Silber - The next item is on Page 9. This was on the Expedited Agenda, but has  
756 been pulled off of the Expedited Agenda.

757  
758 **SUBDIVISION**

759  
Raintree East Youngblood, Tyler and Associates for Ivystone Properties, Inc:  
(November 2001 Plan) The 3.20 acre site is located on the south line of Ridgefield  
Parkway approximately 600 feet west of Falconbridge Drive on  
parcel 67-A-19. The zoning is R-2A, One-Family Residence  
District. County water and sewer. (Tuckahoe) 7 Lots

760  
761 Mr. Archer - Mr. Secretary, we already know that we have opposition to this. Perhaps  
762 it would be good to explain the time limits that we use to conduct this.

763

764 Mr. Silber - Yes, sir. The Planning Commission's policies relative to the amount of  
765 time that is available for presentation. The applicant is provided 10 minutes to present their case  
766 on this request. Some of that time can be saved for rebuttal. The opposition has a total of 10  
767 minutes, also, in presenting their case.

768  
769 Mr. Archer - All right. Ms. News.

770  
771 Ms. News - This request is for conditional approval of seven lots. There have been  
772 several requests for subdivision approval on this site in the past and a recent rezoning, which was  
773 denied. The unique shape and topography presents challenges for development. Staff believes  
774 this proposal is an improvement over the previous submissions. This proposal allows  
775 development of seven lots, but restricts the access by private drive to two locations. The  
776 applicant will be required to submit full construction plans on the location of the drive and  
777 dwelling and driveway locations on each lot, full grading and erosion control plans for all lots  
778 prior to final approval for any construction. Drainage and circulation considerations will be  
779 carefully reviewed. Staff recommends approval subject to the annotations on the plans,  
780 additional condition No. 13, and I'd be happy to answer any questions. Representatives of the  
781 Department of Public Works are also present.

782  
783 Mr. Archer - Thank you, so much, Ms. News. Are there questions from the  
784 Commission?

785  
786 Ms. Dwyer - Condition No. 13 is actually on the Agenda, not on the Addendum.

787  
788 Ms. News - That is correct. In the Addendum we eliminated No. 12 and gave a  
789 revised recommendation.

790  
791 Ms. Dwyer - Any further questions from the Commission? All right. I think we need  
792 to hear from the applicant.

793  
794 Mr. Youngblood - Good morning. I am Dick Youngblood, with Youngblood, Tyler and  
795 Associates. We had placed this on the Expedited Agenda because we didn't have any problems  
796 with the conditions once they were amended to eliminate Condition No. 12, and I guess you need  
797 to hear from the people who have concerns about the drainage and we will reserve the rest of our  
798 time, unless you have questions.

799  
800 Ms. Dwyer - I have one question. We have deleted No. 12 on the Addendum, but the  
801 substance of Condition No. 12 is, in any case, on the plan.

802  
803 Mr. Youngblood - We understand the annotations.

804  
805 Ms. Dwyer - What is the difference and why did you want this?

806  
807 Mr. Youngblood - I didn't like the language of No. 12 referring back to the Zoning  
808 Ordinance, which is the Subdivision Ordinance.

809

810 Ms. Dwyer- So what...  
811  
812 Mr. Youngblood - Because they are saying the things, those things are not covered in that  
813 Ordinance or specifically spelled out.  
814  
815 Ms. Dwyer - Which items are you referring to?  
816  
817 Mr. Youngblood - The sighting of homes and grading plans.  
818  
819 Ms. Dwyer - So it is the reference to Chapter 24 of the Code that you objected to?  
820  
821 Mr. Youngblood - Yes, ma'am.  
822  
823 Ms. Dwyer - So lot design is not a part of Chapter 24?  
824  
825 Mr. Youngblood - No, ma'am.  
826  
827 Ms. Dwyer - I might ask staff to respond to that and hear the opposition now.  
828  
829 Mr. Youngblood - OK. Thank you.  
830  
831 Mr. Archer - OK. We will hear from the opposition now or whoever would like to be  
832 the spokesperson. Will you come up? You can have as many as you like.  
833 Ms. Dwyer - You can all come on down to save a little time for anyone who wants to  
834 speak. More than one can speak, but you have a total of 10 minutes.  
835  
836 Mr. Archer - Please state your name and your residence, for the record, sir.  
837  
838 Mr. Crump - My name is R. C. Crump. I live at the corner of Bayleaf Court, Bayleaf  
839 Court, Falconbridge and Ridgefield Parkway. I have lived there for 17 years. Long before  
840 Ridgefield Parkway was built. I came to all of the meetings. The engineers said that there would  
841 never be a, when they built that road that there would never be a road leaving out of there onto  
842 Ridgefield Parkway at the entrance to the Park. I went to two different meetings at Godwin High  
843 School. I have, since I have lived there, I had one automobile go through the fence that Henrico  
844 County built at their expense, because of the closeness that they put the road to my property. I  
845 have lost three Lucidum bushes at the corner and a Leyland Cyprus, all because of accidents.  
846 There were so many accidents at Falconbridge and Ridgefield that the County police provided  
847 me with flares. Being retired, I am out there before the police and ambulance and fire are by at  
848 least 20 minutes, and I put flares out to protect the accident zone. Now, my problem is that if  
849 they have an entrance coming onto Ridgefield Parkway, if you understand that that is at the top  
850 of the hill, coming down Ridgefield it will be about 100 or 150 yards. It is downhill, in a 45 mile  
851 an hour zone, and in morning rush hour they are going as high as 60. The smart trailer has  
852 clocked them at 60 and 65 mph. I have pulled several people out of automobiles that had  
853 horrendous accidents. Since I was told flatly twice that there would never be a road entering  
854 onto Ridgefield Parkway, directly across to the Park, I just want you to know the danger that you  
855 are incurring, and you are going to see some deaths and some mangled bodies. I live down 1500

856 yards below, and they zoom down there like mad, never paying any attention to the light, and  
857 they are more concerned with, "I've got to get to work." And I am just saying, you can't safely  
858 let a road come into Ridgefield Parkway when the road is just barely over the crest of the hill in a  
859 45 mph zone. So, I plead to you that the entrance to whatever they the building is to be done not  
860 be on Ridgefield Parkway. That is all I have to say.

861  
862 Mr. Archer - Are there any questions from Mr. Crump from the Commission members?  
863 Thank you, sir.

864  
865 Ms. Martin - Good morning, Mr. Chairman, and Board (sic) members. My name is  
866 Diane Martin. On the deed it is Patricia Diane Martin. I live at No. 5, which is the subdivision it  
867 would back up to at 1909 Bailey's Court. I am going to represent myself and Mrs. Bowling, who  
868 is at No. 6 on the map (referring to slide) at 1911 Bailey's Court, where, if you look on the map,  
869 you can see that No. 7 is backing up to our property. I have two concerns and have been at  
870 many, many Board meetings. No. 1, my property was built below Code. An engineer has told  
871 me that my house should never have been approved and built. No. 2, I have an odd-shaped lot. I  
872 have spent \$25,000 to have all of the wood replaced under my home because of drainage  
873 problems. I have had \$15,000 put in my yard for French drains. So, you can see I am concerned  
874 about two things: How it is going to be graded. If this is not level, that map makes it look level  
875 to Ridgefield Parkway. It is a drop-off. Mrs. Bowling lives higher than me. Her water runs off  
876 into my yard, and my yard runs off into No. 4. If you have a chance to look at No. 4 sometimes,  
877 which the lady does not have the ways and means to pay for it, she is divorced with children  
878 going to college. Her home looks as if it is ready to fall due to water and improper building, and  
879 an engineer has told us this. My second concern is I do work out of my home, and I am there,  
880 and I go out at various times of the day, rush hour at night, and the traffic out there is horrendous  
881 on Ridgefield Parkway. I witnessed a lady going through the fence and up under almost the deck  
882 of Mr. Crump's home, which you see, (referring to slide), is at the end of Bailey's Court. In the  
883 last two weeks I have witnessed two accidents for which I heard the squealing tires and crash,  
884 gone out. One was a teenager who did not want to tell her father that she had rear-ended  
885 someone. I pulled her out. Had my cell phone. Because there is no fencing behind our home –  
886 you can walk right through it, and even though the police didn't come, I witness accidents all up  
887 and down that road all of the time. So I am very concerned about anything coming onto  
888 Ridgefield Parkway.

889  
890 We have had five families in Bailey's Court to leave in the last eight years who have children,  
891 and the reason for this is because people think our cul-de-sac is a cut-through to skip the light at  
892 Ridgefield Parkway and Falconbridge Road, in order to beat the light to get to Ridgefield  
893 Parkway. So, they fly up into the cul-de-sac. There is a sign at the end at Mr. Crump's property  
894 that says "Dead End", but it is approximately about this size. They don't see it. There are at  
895 least 20 to 25 cars a day that turn around in my driveway, thinking they are going to get to  
896 Ridgefield Parkway. Children used to play out there on their bicycles, but they don't let it. The  
897 bus has a hard time coming down in here (referring to slide), so if you are thinking about even  
898 doing a cul-de-sac on Ridgefield Parkway, I am still concerned how the bus or anybody is going  
899 to get in and out of there safely because of traffic.

900



901 No. 2, there is a fence, and it is not on this map (referring to slide), that was provided and built  
902 down from No. 6 all the way to the light on Ridgefield Parkway, and that fence is jumped by  
903 teenagers. The police are out constantly, because we have a neighborhood watch. We have  
904 things going on in that park that shouldn't be going on at nighttime. Teenagers are parking,  
905 jumping the fence; they're coming through our yard. They're going over there to drink, drugs  
906 and other things. We have police up in our parkway all the time for fast drivers and other things  
907 that are associated with the Park. So, I am very concerned about anything being built, in any  
908 kind of opening on Ridgefield. And I have lived in this home since 1986. I am the second  
909 owner.

910  
911 Ms. Dwyer - Mrs. Martin, is it your observation that people are speeding, traveling  
912 eastbound on Ridgefield toward the light at Gaskins?

913  
914 Ms. Martin - It is actually on the side of Mrs. Bowling's home. Now Mrs. Bowling is a  
915 widow. She is 78. She is in the back of the room. She and I hear things. We are running out  
916 there hoping no one is dead, and it is on her side. It is coming out where this subdivision is  
917 planned to be built and pulls out into the road, and that is the reason why we are very, very  
918 concerned. It is coming down that hill. See, I walk my dog. I think that it is interesting. I walk  
919 my dog on the property that is not owned by Mr. Wilton, just the street property with a leash on,  
920 too, in the morning, and the people are blowing the horn at me, and I am going back towards  
921 Flintwood, which is the opposite direction. They are blowing the horn at me, thinking I am  
922 going out in front of them. It is absolutely a mad house there at 5:00 p.m. traffic and also in the  
923 morning, as well as at night. It is obviously worse in the summer time because we have Godwin  
924 High School, which is out. You see, they use Falconbridge Road as a cut-through from Pump.  
925 They use Flintwood to come through to get to Ridgefield. They come up into ours, like  
926 Dawdeer, thinking it is cut-through to get to Ridgefield. So, Ridgefield is becoming a very, you  
927 know, when I lived there the Park had not even been finished. So, traffic has almost like – it is  
928 ten times what it used to be.

929  
930 Ms. Dwyer - One statement that you made was that this subdivision we are considering  
931 today would be served by a cul-de-sac.

932  
933 Ms. Martin - Well, it is my understanding that there might be a road that comes, since it  
934 was like one entrance or something that was my understanding.

935  
936 Ms. Dwyer - Two. I wonder if, Ms. News...

937  
938 Ms. Martin - Is this coming from there and going out into Ridgefield Parkway?

939  
940 Ms. Dwyer - Ms. News, could you show Ms. Martin how the road is planned?

941  
942 Ms. News - This is the park and this would be a private driveway that would come in  
943 off of Ridgefield and run along the front of the lots and separate them from Ridgefield, and have  
944 another exit back out.

945  
946 Ms. Martin - I figured it was my interpretation, because it is a circular, like a cul-de-sac.

947  
948 Ms. Dwyer - Kind of u-shaped...  
949  
950 Ms. Martin- Between you and I, anything that comes out on that road is a danger. You  
951 know as well as I that once they finish 288 that road is not going to be secondary to a lot of  
952 people. People are going to skate on this road to get up. To be very honest with you, when I  
953 bought my home no one ever told me that a road would go past the Park. If they had told me that  
954 there was a good idea, I might not have bought my home. It is a great access, if you live in  
955 Raintree, to jump on the interstate, but it is horrible to get in and out of, even with a light.  
956 Because they do try to beat it. We've had more accidents than you can possibly imagine. The  
957 police are out there all of the time. So, traffic is a big concern to me.  
958  
959 Ms. Dwyer - Thank you.  
960  
961 Mr. Crump - I just can't understand how your engineers can go back on their word,  
962 when they have not said once but twice that there would never be a road across Ridgefield  
963 Parkway, at the Park entrance. They flat out said, "It is too dangerous." And the traffic is next  
964 to Parham Road, every ambulance, fire engine and police car, that artery is used. And I am just  
965 saying that if you put an entrance coming into a small area where they are going to have to slow  
966 down to five mph to make the turn, and getting out of it is going to be an up-hill arrangement.  
967 You are going to create an awful, awful danger, and you are the one that is going to have to pick  
968 up the kids and the mothers that get creamed in the road. That just bothers me. I am too old to  
969 worry about myself. I mean, I will be there to throw out flares. I am, by the way, because of all  
970 of this, a Motorist Assistant with the Police Department, so I see a lot of it. And I just don't want  
971 it near home anymore than I have to.  
972  
973 Mr. Kaechele - Mr. Crump, were you referring to the connection to Dawndeer Lane?  
974  
975 Mr. Crump - No. They never mentioned Dawndeer. I emphatically said that there  
976 would never be an entrance onto Ridgefield Parkway from that area, going into the Park. It  
977 would be too dangerous. It is coming over that crest at 45 mph plus, and any vehicle will be on  
978 top of them before they can get into second gear.  
  
979 Mr. Kaechele - Well, OK. I can understand if you're connecting the whole subdivision  
980 back to Ridgefield, but with seven versus maybe 50 or 100, it is perhaps a different scenario.  
  
981 Mr. Crump- Well, if they have an entrance into Dawndeer, and that I don't know. You  
982 would have another artery to Ridgefield, and then you are going to multiply your problems.  
  
983 Mr. Kaechele - Well, if you had that, you would probably have to have a signal there.  
  
984 Mr. Crump - Well, a signal does not do much good. I mean, they put a signal finally at  
985 Falconbridge. It only slowed down the accidents. I finally got the Traffic Director to come out  
986 and the gentleman did a great job. He put a concave lens in, because the people were looking  
987 past the light at Falconbridge, trying to make the light at Gaskins, and even though people were  
988 turning, they were looking and they've got to make that light to get to work. And that is where  
989 the bad accidents occurred. Now, you put an accident there, you have got to realize that light is

990 just going to be seen once they crest that hill. At 45 mph you don't have too many seconds  
991 before you've got to have made some dramatic action in order to avoid an accident, or you will  
992 never come to a stop in that area in that time.

993  
994 Ms. Martin - There is also a light at Flintwood, and that does not stop the matter.

995  
996 Mr. Vanarsdall - Let me ask you a question. Who was it that promised you that this would  
997 never go through?

998  
999 Mr. Crump- The two engineers that did the project when the Park, I was...

1000  
1001 Mr. Vanarsdall - Were they County Engineers?

1002  
1003 Mr. Crump - Yes. And they also told me that the road would not be higher than my  
1004 backyard, because the drainage was to the Park, and they put in an open-face sewer and they've  
1005 never gotten one cup of water out of it. All of the water comes down my yard.

1006 Mr. Vanarsdall - The reason that I asked you the question is that, have you all had a  
1007 meeting about this with Ms. Dwyer or Ms. O'Bannon? Have you all had any kind of meetings  
1008 with Mr. Youngblood?

1009  
1010 Ms. Dwyer - No.

1011  
1012 Mr. Crump - We have had no meetings.

1013  
1014 Mr. Vanarsdall - Today is the first time that you heard about it?

1015  
1016 Ms. Martin - Yes. I have been calling because there have been people in my backyard  
1017 that I didn't know who they were, and I wanted to know if the County was out taking a look at  
1018 the water problems, and that is how I found out.

1019  
1020 Mr. Crump - They had a scheduled meeting somewhere before, and they didn't proceed  
1021 or what have you. They put blue and white signs out. We were prepared to go to it, and I have  
1022 forgotten now what happened, but it never came to fruition.

1023  
1024 Mr. Vanarsdall - That was zoning.

1025  
1026 Mr. Silber - That was when the property was up for rezoning. That is not what is  
1027 before us today. Before us today is a subdivision with the existing zoning. I think that one of the  
1028 challenges is that we have about a three-acre tract of land and that the property owner has a right  
1029 to develop the piece of land. It is been a real challenge trying to figure out what is the best use of  
1030 this property.

1031  
1032 Ms. Martin - Yes, I understand that, and Mr. Williford, I understand, owns the property.  
1033 He got this property, because I have had discussions with him a long time ago. He got this  
1034 property when it was given to him over the Deep Run Park. It was given back to him, because  
1035 he gave some land to Deep Run Park. He has never been extremely happy with it, because he

1036 has always been concerned that he couldn't develop it because it is not flush with the street. It  
1037 drops off. There are huge pipes underneath the street that come from Deep Run Park. When it  
1038 rains and rains, that water is running on that property and running down. So, I've had it very,  
1039 very wet in my back yard.

1040  
1041 Mr. Vanarsdall - They are the things that should have been settled before today. Is it yes or  
1042 no, the reason it drains that way, and the reason they are going to do it, and so forth. That is the  
1043 only thing I am saying.

1044  
1045 Ms. Martin - But he never changes the topography. I don't want to have to go and do  
1046 more work on my yard. I have had to do a lot of work on my yard because of the topography of  
1047 this land when these houses were built, and Mr. Williford built most of the houses on this cul-de-  
1048 sac, some of the houses on this cul-de-sac. He built Mr. Crump's home. And the water runs in  
1049 his home, and how much money has he spent? He has rebuilt his entire house.

1050  
1051 Mr. Crump - Sir, I realize I am not in you all's business, but I was a financial planner. I  
1052 don't know beans about how to process or what have you. I have come over here to let you  
1053 know the facts of living there for a number of years that I have lived there, the dilemmas that  
1054 have occurred, and I am not trying to tell you how to run your business, but I am just saying  
1055 "Don't create a canker that you are not going to get rid of. It is going to injure a lot of people.  
1056 Thank you."

1057  
1058 Ms. Dwyer - I was just going to comment that I have spoken to Ms. News and the  
1059 County, and also to Ms. Martin. We spoke about the drainage issue, before I remember that you  
1060 were here for the zoning case that was denied some time ago. The County has a great number of  
1061 conditions and requirements with regard to the drainage. They are fully aware of the topography  
1062 and the complications that that creates with development, and the goal of the County Engineers  
1063 who reviewed this drainage plan and the grading plan would be to ensure that the drainage is not  
1064 any worse now than it was before development, and that post-development would not be any  
1065 worse than pre-development. There is a possibility and some engineers say that it could be  
1066 improved because of whatever drainage system they come up with, and that is something that the  
1067 County is aware of, and will be very attentive to when the development is processed.

1068  
1069 The traffic question is another question. Before I ask Mr. Eure to come up, with the Traffic  
1070 Engineer's office, I would like to say that I believe, I wasn't there, Mr. Crump, so I am not sure  
1071 what was said and what promises were made, but I believe Mr. Kaechele was getting to the point  
1072 that engineers were assuring you that there would be no access to Ridgefield Parkway where the  
1073 Park entrance is that would service lots of homes, that is the whole Raintree neighborhood.  
1074 What we are dealing with, in other words, Dawndeer would not be cut through to Ridgefield.  
1075 What we have here is an infill piece of property that, as you know, has a lot of development  
1076 challenges. Access has to be provided to the property in some way, and we have been  
1077 struggling, I think, for a number of years to try to determine what the best access is for these lots.  
1078 A seven-lot access to Ridgefield is going to be different from an access that provides access to  
1079 Ridgefield that serves hundreds of homes. And that is certainly something that we will avoid,  
1080 but I would like to hear from the Traffic Engineer and what he has to say about the traffic  
1081 concerns that have been expressed about access to Ridgefield.

1082  
1083 Mr. Eure - Good morning, Mr. Chairman, and members of the Commission. The  
1084 access as has been indicated is a private, basically, a shared driveway access. It is more desirable  
1085 than having seven separate driveways where traffic would back out onto Ridgefield. We are  
1086 making sure we do not with the design and layout of this road, or this driveway. We can use the  
1087 term interchangeably between private road and joint driveway. It is to ensure the individual  
1088 driveways for the homes are situated such that the vehicles will not back out onto Ridgefield  
1089 Parkway. They will pull out into the roadway. There will be cross-over access directly across  
1090 from the Park and a right-in, right-out access to the east, and we will require the developer to  
1091 prove adequate sight distance for both of these entrance points so that the available sight distance  
1092 exceeds the minimum for the prevailing speed that we have on the roadway. That is one of the  
1093 things that we can do to ensure that it is a safe entrance point.  
1094  
1095 Ms. Dwyer - If I can just interrupt you, what Mr. Eure is saying is that the concern  
1096 about the hill and speed, the Traffic Engineer refers to that by using the word sight distance, so  
1097 they make sure that a car has adequate sight distance when you take into account the curvature of  
1098 the road, elevation of the road, and the speed of the vehicle.  
1099  
1100 Mr. Eure - Correct. That takes into account the vertical and horizontal curvature of  
1101 the road and vegetation along the roadway that might obstruct the vision and so forth.  
1102  
1103 Ms. Dwyer - So the sight distance for these sites will exceed what is normally required.  
1104 Is that what you said?  
1105  
1106 Mr. Eure - It will exceed the minimum based on the standards for the roadway. This  
1107 is as if it were a public roadway or a commercial entrance. One thing that I will point out is that  
1108 we are dealing with seven homes that access this joint driveway. It is not being designed and  
1109 laid out such that a connection can ever be made through to Dawndeer or any of the adjacent  
1110 streets, and so the maximum amount of traffic that you would ever expect on it would be seven  
1111 homes, which, a rough figure would be probably 70 vehicles a day, spread out over the course of  
1112 the day. That is a combination of leaving and entering the driveway, so we are looking at  
1113 roughly 35 trips in and 35 trips out on any given day.  
1114  
1115 Ms. Dwyer - This would lay to rest any question that Dawndeer might ever be cut  
1116 through to Ridgefield.  
1117  
1118 Mr. Eure - Correct.  
1119  
1120 Mr. Kaechele - Is that design as a private roadway or is that public?  
1121  
1122 Mr. Eure - It is a designed basically as a private roadway. We are flaring it out right  
1123 at the intersection with Ridgefield, but once it does, you get internal fill. I think it is about 16  
1124 feet wide, if I am not mistaken.  
1125  
1126 Mr. Kaechele - Would that accommodate a school bus in the event you had to have pick  
1127 up? You wouldn't stop a school bus on Ridgefield, would you?

1128  
1129 Mr. Eure - They may stop the bus on Ridgefield. They do stop on four-lane divided  
1130 roadways, but with this design, a school bus could go in, coming from the west go in the cross-  
1131 over entrance and come back out the other side without having to back up and turn around and  
1132 physically the driveway could accommodate it.  
1133  
1134 Mr. Kaechele - That would probably be the safer way.  
1135  
1136 Mr. Eure - That would be the safer way.  
1137  
1138 Ms. Dwyer - Mr. Kaechele, also, I think that at one time a cul-de-sac was considered as  
1139 a design for a private drive to serve these houses and it was decided that that would not be a good  
1140 design because it would be difficult for a bus to turn around, so this would allow a school bus to  
1141 come in, stop on the private drive, and then exit. I am sorry to interrupt. You were talking about  
1142 sight distance.  
1143  
1144 Mr. Eure - I think we have covered that.  
1145  
1146 Ms. Dwyer - What about the accidents, the concern about accidents that exist on  
1147 Ridgefield and how might this development exacerbate that situation?  
1148  
1149 Mr. Eure - Ridgefield, as any other arterial we have in the County, does have a high  
1150 volume of traffic at higher speeds and just based on sheer percentages, we are going to have  
1151 accidents. We have done a number of things out there to try to mitigate and minimize the  
1152 number of accidents. Mr. Crump mentioned the modifications to the signal to try to accentuate  
1153 the fact that we have a traffic signal in advance of Gaskins, because some people were  
1154 apparently looking this and thinking about Falconbridge, and running it on a regular basis. We  
1155 are not saying that we've eliminated the problem, but we are constantly looking at safety  
1156 improvements that can be done. We have done some accident analysis on Ridgefield within the  
1157 last six months or so, looking at various segments of it, and there is no one segment that is  
1158 standing out as a very dangerous section of road percentage-wise compared to other roadways,  
1159 and we are acknowledging that there are accidents, but there is no single cause, and no pattern  
1160 that is easily fixable, and with respect to the additional traffic from the subdivision, what we can  
1161 guarantee is that we are introducing a minimum amount of additional traffic to the roadway at  
1162 entrance points that will have to meet minimum sight distance requirements. So, beyond that,  
1163 there is not a whole lot more than can be done to improve the safety.  
1164  
1165 Mr. Archer - All right. Any other questions from Mr. Eure?  
1166  
1167 Mr. Taylor - Mr. Chairman, I have one that is related to our prior discussion. When we  
1168 looked at this before, and as I look at this now, there seems to be a technically feasible  
1169 alternative of taking this driveway as you have it here, as a driveway, and rather than exit onto or  
1170 open it to Ridgefield Parkway, why couldn't, I can see rather simply perhaps with the loss of one  
1171 lot, you could exit the traffic from those six lots that remain onto Dawndeer Lane, and this is an  
1172 obvious possibility. I just wonder why, this is an option that apparently been foreclosed to us in  
1173 the design concept stage.

1174  
1175 Ms. News - I can say that we have had a subdivision approval in the past with that  
1176 connection that showed cul-de-sac to Dawndeer, and it was a little awkward because of how it  
1177 fronted on Ridgefield. So they would come in from Dawndeer and then have a private drive  
1178 away from there.  
1179  
1180 Mr. Taylor - Well, I can see that, but I really think Mr. Youngblood and company have  
1181 done a very credible job. When I saw this, I thought that was a very innovative way to do that,  
1182 and I congratulate you, sir. But, I wonder if we couldn't perhaps get the best approach out of this  
1183 by reconsidering an exit on Dawndeer at the expense of perhaps one lot? Dawndeer, No 1, not  
1184 exiting on Ridgefield, and then running that same road all the way to the end of, I guess it would  
1185 be the east end. Because I think that would work. It may make the lot smaller, but it would  
1186 cause traffic to work internally, and there would not be any exit of traffic onto Ridgefield nor any  
1187 entrance in there. So, that really is the safety angle, but I am not sure about the ground slopes in  
1188 there. I don't know if that would be accessible to the developer of Dawndeer Lane or that we  
1189 could work the internal distribution of roads such as Dawndeer Lane, to be accessible. But in my  
1190 mind, closing the entrance and exits that we have on Dawndeer, keeping that same basic  
1191 alignment and accessing Dawndeer would give you at least six lots.  
1192  
1193 Ms. News - I would like to ask the engineer to address that, if you don't mind.  
1194  
1195 Mr. Archer - Mr. Youngblood.  
1196  
1197 Mr. Youngblood - Well, I don't want to take credit for this design. I think this design came  
1198 from staff rather than our office.  
1199  
1200 Mr. Taylor - Well, I think it is a very...  
1201  
1202 Mr. Youngblood - It is a unique design. This property presented a lot of challenges and like  
1203 staff has said, this isn't the first plan that has been presented, nor is it the first use that was  
1204 presented since there was a zoning case on it. No, we didn't look at that. And I am not sure  
1205 without being able to sit down and spend some time studying it that would be the way to tackle  
1206 the problem that we have with access to Ridgefield Parkway.  
1207  
1208 Mr. Taylor - That might allow the owner, the developer, to gain access to a number of  
1209 lots and reduce the safety problem of entrance and exits on Ridgefield, because I am familiar  
1210 with that, and...  
1211  
1212 Mr. Youngblood - Well, anytime you have a roadway like Ridgefield Parkway, you are going  
1213 to have problems with accidents and high speeds and that type of thing, and it is an enforcement  
1214 problem. There are certain things you can do with design, but they are not going to take care of  
1215 the public driving. That is the problem. Now, the drainage problem, I think we can assist in that.  
1216 There is a storm sewer system near Ms. Martin's house and that is the upper reaches of the storm  
1217 sewer system and with the development of this, it would probably take care of some of her  
1218 problems with drainage, but Mr. Williford is here. Let me see what.  
1219

1220 Mr. Vanarsdall - What did Mr. Eure, you didn't ask him that, did you?  
1221  
1222 Mr. Taylor - No, because I really think, sir, it is the developer's problem, because it is  
1223 another approach, and there is a loss of one lot, but the problem that Mr. Eure described and Mr.  
1224 Crump described is the access directly onto Ridgefield Parkway. An internal solution to  
1225 Dawndeer would remove that limitation and still leave, leave you some design flexibility in the  
1226 development, even a little bit bigger buffer between the houses and Ridgefield Parkway, well, at  
1227 the same time netting six lots.  
1228  
1229 Mr. Youngblood - Mr. Williford indicated that he has been through that scenario before. I  
1230 guess...  
1231  
1232 Mr. Taylor - Is it worthwhile doing it one more time because of the safety aspects that  
1233 have been identified here with the two entrances directly onto Ridgefield Parkway, though, is my  
1234 question.  
1235  
1236 Mr. Williford - My name is Joe Williford and I represent Ivystone Properties and I am  
1237 mad. I am going to give you a little bit of history. The plan that you see in front of you was  
1238 developed 20 years ago by the County of Henrico, not by Ivystone Properties. The zoning that  
1239 you see on this piece of property was zoned twenty some years ago by the County of Henrico,  
1240 not Ivystone Properties. The County of Henrico approached Ivystone Properties and proposed a  
1241 swap. Ivystone Properties owned property that was situated adjacent to the Deep Run Park on  
1242 the north side of it. This property was property obtained by the County of Henrico for the Park.  
1243 The alignment of Ridgefield Parkway separated this tract of land from the Park. The County  
1244 asked us to entertain a swap for the property we had in exchange for this property. The County  
1245 zoned the property and placed subdivision approval, tentative subdivision approval on it before  
1246 that swap took place. We were able to proceed with Section 1, the section to the east of these  
1247 seven lots right here (pointing to slide) because there was access. A condition of approval on the  
1248 subdivision plat stated that these seven lots that you are looking at here could not be developed  
1249 until such time as Ridgefield Parkway was completed. On that original plan, Dawndeer was  
1250 extended to Ridgefield Parkway. When the public meetings were going on regarding the  
1251 development of the Park, we received a call from the then Assistant Director of Public Works,  
1252 who asked us if we would have an objection to the closing of Dawndeer. With Dawndeer  
1253 extended through to Ridgefield Parkway, it placed three lots on Dawndeer, one on the west side  
1254 and two fronting Dawndeer on the east side, leaving four remaining lots fronting Ridgefield  
1255 Parkway. Our response to that request to close Dawndeer was, "Yes, we have no objection  
1256 except or unless it is going to cause the reduction of the lot yield." The answer that we got was,  
1257 "That's no problem. You just face off seven lots on Ridgefield. Now, in the last 20 years we  
1258 have been paying taxes on this property based on seven residential lots. We have tried numerous  
1259 times to develop this property. We have even offered to swap this property back to the County,  
1260 and we have placed this property for sale to the County based on the County's own appraisal of  
1261 it. And we are still here talking about it and paying taxes on it.  
1262  
1263 Mr. Vanarsdall - Mr. Williford, let me respond a little bit to that. First of all, you don't  
1264 have to be mad, especially to us. The Planning Commission has absolutely nothing to do with



1265 that and we have every right, when we have opposition to a case, to question and try to work out  
1266 something different.

1267

1268 Mr. Williford - I understand.

1269

1270 Mr. Vanarsdall - My only concern is that it wasn't worked out before today or a meeting  
1271 telling these people why, and then we could go from there. We are not, we are just trying to see  
1272 what we can do. If we can't work anything out for these people, then we can't do it.

1273

1274 Mr. Williford - I understand.

1275

1276 Mr. Vanarsdall - That is all we are trying to do. Come up with different answers.

1277

1278 Mr. Williford - I understand.

1279

1280 Mr. Taylor - And my apologies, sir. This is an alternative just to see if there is  
1281 someway you can...

1282

1283 Mr. Vanarsdall - And if it is not, then we...

1284

1285 Mr. Taylor - If you can't net all seven, we can see if you can net six.

1286

1287 Mr. Williford - We went through this with, I don't know how many years ago. We came  
1288 in through subdivision approval with these seven lots, final subdivision approval. We were  
1289 presented with this alternative that you have suggested. Yes, it costs lot yield, but better yet, my  
1290 address would be 10200 Ridgefield Parkway, but you can't get there that way. You've got to  
1291 turn on Falconbridge Drive and you go find Sorrento Place, and you go to the dead end, and you  
1292 turn right, and you come to a dead end and you can take a private drive into my backyard.

1293

1294 Ms. Dwyer - I wonder if the opposition, I think there are two people who have raised  
1295 their hand. I will give you a minute each so that we can wrap this up. If you would like to come  
1296 forward, you can come down and speak at the microphone.

1297

1298 Ms. Martin - Thank you, again. I am Diane Martin and I live at 1909 Bailey's Court. I  
1299 find what Mr. Williford said very interesting and the reason for this is when Mr. Hayes Bowling  
1300 was alive and had moved into the house, in I think 1989 or 1990, the three of us were in that  
1301 home and we called Mr. Williford, and I was on the extension with his wife, and Mr. Bowling  
1302 asked Mr. Williford about buying the property behind him because he had found out that Mr.  
1303 Williford was the owner, and is how I knew that Mr. Williford was the owner. Mr. Williford's  
1304 comments on the phone, point blank, with me there was, and I don't believe that he knew his  
1305 wife and I were on the phone, which she at present can vouch, was that "I am not planning to sell  
1306 any of that property. I have the County over a barrel and I have seven lots." Now, you can see  
1307 when we had asked, another of the neighbors had asked him, he wanted a half a million dollars  
1308 for this property. I had already gone down to the County and found out what he paid for it. I  
1309 never approached him about buying it because of what he said to Mr. Hayes who died two years  
1310 ago.

1311  
1312 Mr. Archer - Ms. Martin, your time is up. Thank you. Mr. Crump.  
1313  
1314 Mr. Crump - I think that Mr. Taylor has a great idea. If you direct traffic out into  
1315 Ridgefield rather than Dawndeer, you are only going to have some DOAs on your conscience,  
1316 and that is what is going to happen. It is better to have part of something than all or nothing.  
1317 Greed is all that he is seeing.  
1318 Mr. Archer - Thank you, Mr. Crump. What was your name?  
1319  
1320 Mr. Crump - My name is R. C. Crump.  
1321  
1322 Mr. Archer - Do you need to hear from somebody else?  
1323  
1324 Ms. Dwyer- I don't think I need to hear from anybody else. We have been wrestling  
1325 with this piece of property, I guess the neighbors, the owner and developer and the County for  
1326 obvious reasons. The topography is very severe. I believe the County has a plan to deal with the  
1327 drainage and the grading and I believe they would be happy to work with Ms. Martin and Mr.  
1328 Crump and Ms. Bowling. I think Ms. Bowling and Ms. Martin are the ones most directly  
1329 affected, and the other neighbor on Bailey's Court. I believe that these issues will be taken care  
1330 of, and I think that is what we had spoken about earlier. That does give us the remaining issue of  
1331 the traffic problem, which has been an issue in other cases. As you may recall, there was a  
1332 townhouse development proposed that this Commission denied a little over a year ago. There  
1333 have been several proposals in the past. There have been approvals for subdivisions that had  
1334 seven access points to Ridgefield Road. That was approved by this Commission many years ago  
1335 and truly would have been, as one would agree, a serious traffic problem. We've had proposals  
1336 to have a cul-de-sac coming off of Dondier, and that presents a number of different development  
1337 issues. The question now is, would the plan that staff and the developer have come up with  
1338 today, which would create one private drive off of Ridgefield Road, be acceptable. I am going to  
1339 accept what I understand is the Traffic Engineer's assessment of this, which is, given the  
1340 minimal number of lots which have access to this drive, that this would be an acceptable design  
1341 for this particular subdivision. I am going to move that the Commission approve the subdivision  
1342 as presented here today. I would like for Ms. News to speak briefly to this question about  
1343 condition No. 12. I believe Mr. Youngblood indicated that he felt there was some problem with  
1344 referencing Chapter 24. Can you enlighten me about that from the staff's perspective?  
1345  
1346 Ms. News - Chapter 24 and Chapter 19 of the subdivision ordinance are referenced  
1347 back and forth. They are cross-referenced to each other, and there are different aspects of  
1348 subdivision design in each ordinance, so I really don't see a problem. Chapter 24 deals with  
1349 setbacks and grading and drainage. But, as we said before, this condition, what we are trying to  
1350 accomplish with this condition, is annotated on the plans and we will get what we need to make  
1351 sure that we have a safe development and well draining development.  
1352  
1353 Ms. Dwyer - Thank you, Ms. News. With that I move that the Commission recommend  
1354 the Commission approve the subdivision known as Raintree East in accordance with the  
1355 November, 2001 Plan, including annotations on the plan, standard conditions for subdivisions

1356 served by Public Utilities and additional conditions No. 13 on the agenda, excluding additional  
1357 condition No. 12, as recommended by staff.

1358

1359 Mr. Kaechele - I second it.

1360

1361 Mr. Archer - Motion by Ms. Dwyer and second by Mr. Kaechele. All in favor of the  
1362 motion say aye. All opposed say no. The vote is 4-2. Mr. Kaechele, are you abstaining from  
1363 voting?

1364

1365 Mr. Kaechele - No. I voted on this.

1366

1367 Mr. Jernigan - I would like to note for the record on my vote that I am doing it because it  
1368 was only a gentleman's agreement between the County and the developer. I don't like this road  
1369 either, but I think the County has to stick up for what it said 20 years ago.

1370

1371 Mr. Archer - OK. The motion is granted. The vote was 4-2.

1372

1373 The vote was as follows:

1374

1375 Mr. Archer - Yes

1376 Mr. Jernigan - Yes

1377 Mr. Vanarsdall - No

1378 Mr. Taylor - No

1379 Ms. Dwyer - Yes

1380 Mr. Kaechele - Yes

1381

1382 **THE COMMISSION TOOK A RECESS AT THIS TIME.**

1383

1384 **THE COMMISSION RECONVENED.**

1385

1386 Mr. Silber - Mr. Secretary, there has been a request that we skip by several plans and  
1387 move forward to Page 20. If the Commission is agreeable to that, I will call that case.

1388

1389 Mr. Archer - Does anyone on the Commission disagree?

1390

1391 Mr. Vanarsdall - What did you say that we were going to do?

1392

1393 Mr. Archer - Skip over to Page 20 and do John Rolfe Commons. All right Mr.  
1394 Secretary, go ahead and call it.

1395

1396

1396 **PLAN OF DEVELOPMENT & MASTER PLAN**  
1397

POD-79-01  
John Rolfe Commons  
Shopping Center –  
John Rolfe Parkway and  
Ridgefield Parkway

**Santec Consulting Services for Wilton Family Partnership III: Request for approval of a plan of development and master plan, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct the first phase of a community shopping center. Phase I consists of an 8,500 square foot, one-story retail building and an 87,800 square foot, two-story retail building.** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a two-phase community shopping center. Phase I consists of two, one-story retail buildings at 8,500 square feet and 15,900 square feet and a two-story, 87,800 square foot retail building. Phase II consists of a 38,500 square foot, one-story retail building. The 34.90-acre site is located on the northwest corner of Ridgefield Parkway and proposed John Rolfe Parkway on part of parcel 66-A-13. The zoning is B-2C, Business District (Conditional) and O-2C, Office District (Conditional). County water and sewer. **(Tuckahoe)**

1398  
1399 Mr. Silber - There is an Addendum that describes the request in a different fashion  
1400 from what is on the agenda.

1401  
1402 Ms. Goggin - Yes, sir. Just to go over that real quickly. The difference is that we took  
1403 the term “master plan” out. We are not approving the master plan. The master plan is for  
1404 information only. As previously stated, this is to approve a two-phase shopping center.

1405  
1406 Mr. Archer- Ms. Goggin, let me interrupt just one moment to ask if there is opposition.  
1407 I see none. Go right ahead, Ms. Goggin.

1408  
1409 Ms. Goggin - This was to construct a two-phase shopping center. The first phase would  
1410 be approximately 112,200 square feet and phase two would be 38,500 square feet. Not included  
1411 in this application, but for your information, there is future development for about six out  
1412 parcels, six or seven, depending on the users, and those can be seen in your master plan.

1413  
1414 In 1988 the property was rezoned and one of the proffers at that time was that all of the flood  
1415 plain property was being treated as C-1, which would exclude commercial development and  
1416 such. But, it would allow drainage improvements associated with the BMP, so that is the only  
1417 violation of the C-1. The C-1 literally runs all across the back of the property, next to  
1418 Bennington Ridge Estates. What this allows is the shortest span between the property line and  
1419 the building is approximately, excuse me, the buffer is approximately 100 feet, and compared to  
1420 our 25 ft. transitional buffer that would be required, the 100 ft. is a substantial improvement. So,  
1421 like I said, that is at the narrowest point.

1422  
1423 The applicant has committed to design features and amenities for this site. In talking to Mr.  
1424 Wilton, it is going to be Ukrop’s flagship shopping center. It is going to be, you know, their

1425 place, but the designs and features and amenities that we discussed and we agreed to were  
1426 interior sidewalks throughout the shopping center, brick pavers or an equivalent at pedestrian  
1427 crossing versus striping, using the BMP as a water feature, so that it is not sitting there, and  
1428 depending on the uses that go in, bike racks or other accessories that would complement the  
1429 users.

1430  
1431 Traffic does require that two access points to the shopping center are required prior to CO. The  
1432 applicant is working with Public Works to build John Rolfe Parkway to the northern line of the  
1433 property or to build an alternative that is acceptable to the Director of Public Works.

1434  
1435 The applicant has submitted color architectural for everybody to see. As you can tell, the front  
1436 of the building, at least the Ukrop's, is predominantly brick and accessory buildings surfaces are  
1437 synthetic stucco and brick accents. The applicant has proffered and has agreed to put brick all  
1438 around the rear of the building, so all of the outside would be complementary and the adjacent  
1439 property owners don't see cinder block that is the tendency for older shopping centers.

1440  
1441 Staff sent out notices to all of the adjacent property owners including Ridgefield Green, Rolfield,  
1442 and the applicant sent property notice letters out and had a meeting at Tuckahoe Little League  
1443 the 26<sup>th</sup>. We had approximately 20 citizens come and we spent an hour and a half with them. It  
1444 was Mrs. Dwyer, me, Lee Priestas from Works to help answer questions and we encouraged  
1445 people to call us if they had any more, and encouraged them to come to this meeting. Just for the  
1446 Planning Commission's knowledge, I personally have not received any e-mails, faxes, or calls  
1447 pertaining to the project from any property owners that have been notified. Staff recommends  
1448 approval of this plan, with the annotations on the revised site plan, Nos. 9 and 11 Amended, and  
1449 additional conditions Nos. 23 through 42. I will be happy to answer any questions you all may  
1450 ask.

1451  
1452 Mr. Archer - Thank you, Ms. Goggin. Are their questions from the Commission?  
1453

1454 Ms. Dwyer - After our meeting, I had two minor questions about the conditions, the  
1455 first was Condition No. 26: "The required building setback shall be measured from the proposed  
1456 right-of-way line and the parking shall be located behind the proposed right-of-way line. Is that  
1457 the same as the ultimate right of way line?  
1458

1459 Ms. Goggin - Yes, for John Rolfe Parkway.  
1460

1461 Ms. Dwyer - Can we say ultimate?  
1462

1463 Ms. Goggin - I am sure we can change that.  
1464

1465 Ms. Dwyer - Is that a problem, Mr. Wilton? I am just more comfortable with that  
1466 language.

1467 Mr. Archer - I am sorry. What Condition was that?  
1468

1469 Ms. Dwyer - No. 26. And then on No. 40, where we are talking about the Erosion and  
1470 Sediment Control Plan that will require flagging and silt fencing or temporary fencing. Can we  
1471 take out flagging and just require fencing on No. 40 (b)?  
1472

1473 Ms. Goggin - Take out flagging?  
1474

1475 Ms. Dwyer - Take out flagging and require fencing.  
1476

1477 Mr. Archer - All right. Anyone else?  
1478

1479 Mr. Taylor - Mr. Chairman, I have a comment on the architecture that is appropriate at  
1480 this point, and that is, I want to compliment the developer on the choice. I particularly like the  
1481 pyramidal rows on one building, and when I look at the Ukrop's building I see a couple of areas  
1482 there that look like they could benefit, perhaps, from the same type of pyramidal rows, and I  
1483 wonder if Mr. Wilton cares to comment as to whether or not that is a thought to entertain or that  
1484 architecturally, he has done this for altitude purposes or some other reason.  
1485

1486 Mr. Wilton - I am Henry Wilton. As far as the Ukrop's Building is being designed by  
1487 the same architect as the rest of the buildings. It is Jack Shaney with Freeman and Morgan.  
1488 Ukrop's is controlling their design work, whereas we are controlling everything else in this  
1489 center. I will mention your comment to Jack and he can pass it on to Ukrop's.  
1490

1491 Mr. Taylor - I just want to compliment you on your choice of stainless steel or steel  
1492 seamed roof, the pyramidal structure, I think would really look great, and I think perhaps we  
1493 should mention it to Mr. Ukrop and they delineate your fine design.  
1494

1495 Mr. Wilton - I will mention that to him, and I think the architect has done a nice job and  
1496 it will be the nicest shopping center we've ever constructed.  
1497

1498 Mr. Taylor - We would expect nothing less. That is all I had, Mr. Chairman.  
1499

1500 Mr. Archer - All right. Anything further from the Commission? Do you want to hear  
1501 from the applicant, Ms. Dwyer?  
1502

1503 Ms. Dwyer - Would the applicant like to speak? All right, Ms. Dwyer. All right, we've  
1504 had, as Mr. Wilton mentioned, a neighborhood meeting that I think was very informative and I  
1505 think that there might be some issues remaining, relating more to John Rolfe Parkway than  
1506 relating to this particular development, which the residents seem to be very receptive of. It is a  
1507 high-quality development, and I look forward to seeing it come to fruition. John Rolfe Parkway,  
1508 as you know, will be built to accommodate the subdivision, so this section of John Rolfe  
1509 Parkway will be built a little earlier than originally anticipated. So, I move approval of POD-79-  
1510 01, John Rolfe Commons Shopping Center – John Rolfe Parkway and Ridgefield Parkway,  
1511 subject to the annotations on the plan, the standard conditions for developments of this type,  
1512 additional conditions Nos. 9 and 11 Amended, and Nos. 23 through 42, and, of course, including  
1513 the captioned amendment that was included in our Addendum.  
1514

1515 Mr. Vanarsdall - Second.

1516

1517 Mr. Archer - Motioned by Ms. Dwyer and seconded by Mr. Vanarsdall. All in favor of  
1518 the motion say aye. Those opposed to the motion say no. There is no opposition. The ayes have  
1519 it. The motion is granted. Mr. Kaechele abstained.

1520

1521 Mr. Silber - Ms. Dwyer, that obviously included the two minor word changes that you  
1522 had recommended also.

1523

1524 The Planning Commission approved POD-79-01, John Rolfe Commons Shopping Center – John  
1525 Rolfe Parkway and Ridgefield Parkway, subject to the annotations on the plans, the standard  
1526 conditions for developments of this type, and the following additional conditions:

1527

1528 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Planning Office for  
1529 review and Planning Commission approval prior to the issuance of any occupancy  
1530 permits.

1531 11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including  
1532 depictions of light spread and intensity diagrams, and fixture and specifications and  
1533 mounting height details shall be submitted for Planning Office review and Planning  
1534 Commission approval.

1535 23. The right-of-way for widening of Ridgefield Parkway and John Rolfe Parkway as shown  
1536 on approved plans shall be dedicated to the County prior to any occupancy permits being  
1537 issued. The right-of-way dedication plat and any other required information shall be  
1538 submitted to the County Real Property Agent at least sixty (60) days prior to requesting  
1539 occupancy permits.

1540 24. The easements for drainage and utilities as shown on approved plans shall be granted to  
1541 the County in a form acceptable to the County Attorney prior to any occupancy permits  
1542 being issued. The easement plats and any other required information shall be submitted  
1543 to the County Real Property Agent at least sixty (60) days prior to requesting occupancy  
1544 permits.

1545 25. The limits and elevations of the 100-year frequency flood shall be conspicuously noted  
1546 on the plan “Limits of 100 Year Floodplain.” In addition, the delineated 100-year  
1547 floodplain must be labeled “Variable Width Drainage and Utility Easement.” The  
1548 easement shall be granted to the County prior to the issuance of any occupancy permits.

1549 26. The required building setback shall be measured from the ultimate right-of-way line and  
1550 the parking shall be located behind the ultimate right-of-way line.

1551 27. The developer shall provide fire hydrants as required by the Department of Public  
1552 Utilities and Division of Fire.

1553 28. A standard concrete sidewalk shall be provided along the north side of Ridgefield  
1554 Parkway and the west side of John Rolfe Parkway.

1555 29. Employees shall be required to use the parking spaces provided at the rear of the  
1556 building(s) as shown on the approved plans.

1557 30. All repair work shall be conducted entirely within the enclosed building.

1558 31. Outside storage shall not be permitted.

1559 32. The proffers approved as a part of zoning case C-66C-88 shall be incorporated in this  
1560 approval.

- 1561 33. The developer shall install an adequate restaurant ventilating and exhaust system to  
1562 minimize smoke, odors, and grease vapors. The plans and specifications shall be  
1563 included with the building permit application for review and approval. If, in the opinion  
1564 of the County, the type system provided is not effective, the Commission retains the  
1565 rights to review and direct the type of system to be used.
- 1566 34. Any necessary off-site drainage and/or water and sewer easements must be obtained in a  
1567 form acceptable to the County Attorney prior to final approval of the construction plans.
- 1568 35. Deviations from County standards for pavement, curb or curb and gutter design shall be  
1569 approved by the County Engineer prior to final approval of the construction plans by the  
1570 Department of Public Works.
- 1571 36. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of  
1572 the Henrico County Code.
- 1573 37. Storm water retention, based on the 50-10 concept, shall be incorporated into the  
1574 drainage plans.
- 1575 38. Insurance Services Office (ISO) calculations must be included with the plans and  
1576 approved by the Department of Public Utilities prior to the issuance of a building permit.
- 1577 39. Approval of the construction plans by the Department of Public Works does not establish  
1578 the curb and gutter elevations along the Henrico County maintained right-of-way. The  
1579 elevations will be set by Henrico County.
- 1580 40. The owners shall not begin clearing of the site until the following conditions have been  
1581 met:  
1582
- 1583 (a) The site engineer shall conspicuously illustrate on the plan of development or  
1584 subdivision construction plan and the Erosion and Sediment Control Plan, the  
1585 limits of the areas to be cleared and the methods of protecting the required buffer  
1586 areas. The location of utility lines, drainage structures and easements shall be  
1587 shown.
- 1588 (b) After the Erosion and Sediment Control Plan has been approved but prior to any  
1589 clearing or grading operations of the site, the owner shall have the limits of  
1590 clearing delineated with approved methods such as silt fencing or temporary  
1591 fencing.
- 1592 (c) The site engineer shall certify in writing to the owner that the limits of clearing  
1593 have been staked in accordance with the approved plans. A copy of this letter  
1594 shall be sent to the Planning Office and the Department of Public Works.
- 1595 (d) The owner shall be responsible for the protection of the buffer areas and for  
1596 replanting and/or supplemental planting and other necessary improvements to the  
1597 buffer as may be appropriate or required to correct problems. The details shall be  
1598 included on the landscape plans for approval.
- 1599 41. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the  
1600 Planning Office and approved prior to issuance of a certificate of occupancy for this  
1601 development.
- 1602 42. The conceptual master plan, as submitted with this application, is for planning and  
1603 information purposes only.  
1604

## 1605 **PLAN OF DEVELOPMENT RECONSIDERATION**

1606



POD-29-00  
The Gardens @ Twin  
Hickory

**Youngblood, Tyler & Associates, P.C. for HHHunt Corporation:** Request for approval of its reconsideration of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to amend a condition regarding the construction of Hickory Bend Drive. The 40.77 acre site is located on the east side of Twin Hickory Lake Drive at intersection with Hickory Bend Drive on part of parcels 27-A-5A, 27-A-9A and 27-A-11. The zoning is R-5C, General Residence District (Conditional) and C-1, Conservation District. County water and sewer. **(Three Chopt)**

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Mr. Archer - Is there opposition? All right, Mr. Kennedy.

Mr. Vanarsdall - Do you want to change the screen, Mike?

Mr. Kennedy - Ladies and gentlemen of the Commission. I am not doing an impression. This is just my voice today. Sorry. On The Gardens @ Twin Hickory, the applicant has requested reconsideration of Condition No. 23 for POD-29-00, which was approved by the Commission in April 2000. That condition required that Hickory Bend Drive, which divides the property, be recorded before any occupancy permits were issued. Basically, this is a financing problem. The property underlying all of the entire site is actually held under construction loan by HUD until the construction is complete it would be hard to approve any dedications and easements they can grant as they retain the underlying property. In the meantime, the building will be completed, so what they would like is temporary COs and there is an additional condition which is No. 23 Revised, which is on the agenda, which actually provides for holding of final COs and bonding of the road and would ensure that the road be put into place.

Neighborhood opposition was previously expressed by concerned residents of Twin Hickory, that had to do with the extension of Hickory Bend Drive, which is here (referring to slide), going through Nuckols Road. They were generally concerned about having straight through access from Nuckols to Hickory Bend Drive. They were concerned about through access similar to the concern that they have about the traffic and the volume and speed of traffic that normally travels along Hickory Lake Drive, which is here (referring to slide). I think what they don't want to see is a cut-through road. As you know, the property at the terminus of this current section of Hickory Bend Drive is zoned A-1, and that will come back to the Commission, and the homeowners will have ample opportunity to discuss the layout of roads in that area at that time, and when more firm plans come through, there will be more discussion on that. Just as a matter of note, staff does not want a direct connection and the developer has not indicated an intent to have a direct connection. There will probably be some sort of connection to Nuckols Road, but more likely they will off set roads, but we don't have any firm plans. The neighborhood, that is the concerned neighbors of Twin Hickory now understand that a zoning case will be coming forward in the future. They don't have any opposition to moving forward at this time.

Mr. Archer - All right. Questions?

1642 Mr. Kennedy - So basically it is just a technical change that would permit them to get occupancy  
1643 permits based on their financing structure.

1644  
1645 Mr. Archer - Thank you, Mr. Kennedy. Any questions from the Commission?  
1646 Comments? None. Do we need to hear from the applicant?

1647  
1648 Mr. Taylor - No, I don't think so, Mr. Chairman. I am ready to make a motion, and  
1649 accordingly, I would move approval of the Reconsideration of POD-29-00, The Gardens @ Twin  
1650 Hickory, subject to the annotations on the plan for standard developments of this type and  
1651 conditions No. 23 revised.

1652  
1653 Mr. Vanarsdall - Second.

1654  
1655 Mr. Archer - Motion by Mr. Taylor and second by Mr. Vanarsdall. Those in favor of the  
1656 motion say aye. Those opposed say no. The ayes have it. The motion is granted. Mr. Kaechele  
1657 abstained.

1658  
1659 The Planning Commission approved Reconsideration of POD-29-00, The Gardens @ Twin  
1660 Hickory, subject to the previously approved annotations on the plan, the original conditions and  
1661 the following revised condition No. 23:

1662  
1663 23. **REVISED** – Final Occupancy Permits shall be withheld until the right-of-way for  
1664 Hickory Bend Drive has been dedicated and the developer has posted, with the Planning  
1665 Office, the Subdivision Bond for that portion of Hickory Bend Drive to be constructed  
1666 with the Gardens at Twin Hickory, and has escrowed with the Department of Public  
1667 Works \$150,000 for the extension of Hickory Bend Drive. A full-width utility easement  
1668 and an access easement shall be recorded prior to the issuance of any occupancy permits.

1669  
1670 Mr. Silber - The next case is on Page 13.

1671

1671 **PLAN OF DEVELOPMENT RECONSIDERATION**

1672

POD-30-99  
Reflections of West Creek  
(Formerly Summit Gayton  
Apartments)

**Foster & Miller, P.C. for North Gayton Road Venture, LLLP:** Request for approval of its reconsideration of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to amend architectural elevations, to relocate three garage buildings, and to amend the name of the project. The 22.649-acre site is located on the east line of Gayton Road Extended on part of parcel 36-A-45 and part of 36-A-43. The zoning is R-5C, General Residence District (Conditional) and R-6C, General Residence District (Conditional). County water and sewer. **(Three Chopt)**

1673

1674 Mr. Archer - Thank you, Mr. Secretary. Is there opposition to POD-30-99? No  
1675 opposition. Mr. Kennedy.

1676

1677 Mr. Kennedy - There is a staff report attached with the agenda, that summarizes it quite  
1678 well, but I am going to try to go over it briefly. The applicant has requested reconsideration of the  
1679 original layout plan and architectural elevations for former Summit Gayton Apartments approved  
1680 by the Planning Commission at their May 26, 1999 meeting.

1681

1682 The layout would relocate three garages closer to the interstate and provide better sound buffers.  
1683 The revised elevations would do three different things. No. 1, the elevations that were approved  
1684 originally by the Commission had a two-story clubhouse. This would reduce it to a one-story  
1685 clubhouse. The proffers of the plan require a clubhouse, but don't specify the size or the number  
1686 of stories. So, they'd like to request that change.

1687

1688 The second thing the applicant has requested by the new owner, is the reduction of bricks on the  
1689 finish of the building. The buildings were originally proffered with a single elevation, a front  
1690 elevation, and basically when it was approved by the Commission it specifically said by the  
1691 Commission that the elevations were, should be generally consistent with the proffered elevation,  
1692 subject to changes as may be requested and approved at the time of Plan of Development review.  
1693 So, they said generally consistent at the time it came in for the original POD approval. The plan  
1694 that they submitted reflected that brick pattern, which is basically almost 2/3s brick around the  
1695 entire building. Since that time, with the new owner, they have requested reconsideration of that  
1696 design so that on those portions of the building that do not face interior drives, they would not be  
1697 required to provide brick on those facings. They had expressed concern about the cost of  
1698 providing brick particularly between buildings, when facing building to building, and they don't  
1699 feel that there is any benefit received from it. What they specifically noted is that the cost savings  
1700 from the brick would be used to enhance landscaping and staff, given the fact that the site had a  
1701 severe cut in the original development plan because of drainage issues, staff is concerned about the  
1702 level of landscaping on the site, particularly because this is a potential gateway, with North Gayton  
1703 Road Extended being a potential interchange on the interstate. So, as a result of that staff feels that  
1704 if they come back and significantly enhance the landscaping that we will be willing to recommend  
1705 sacrificing brick finish on the buildings. And they previously requested Expedited Approval, but  
1706 staff wanted to make this presentation to make sure that it was clear that there is an expectation of

1707 enhanced landscaping and the landscape plan will come back to the Commission. So, we just want  
1708 to put that into the record and when it comes back we expect a superior product in the landscaping.

1709  
1710 Mr. Archer - Thank you, Mr. Kennedy. Are there questions from the Commission?

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1712 Mr. Taylor- Mr. Chairman, I have just a couple of points that I wanted to discuss with  
1713 Mr. Kennedy. With regard to your last comment on the substitution of landscaping for the brick,  
1714 additional brick, we have yet to see the landscaping plan, so we will have to look very carefully if  
1715 we are going to make sure that we do get landscaping that is adequate for sound attenuation. One  
1716 of my concerns is that the brick is a little bit better sound attenuator than perhaps the substitute  
1717 surface and my concern really would accentuate taking a careful design review on the sound  
1718 proofing and making sure that in substitution for the brick that not only the landscaping should be  
1719 improved, but I would like to take, like to have them take a look at what that does to the  
1720 soundproofing on that particular side, and improve the sound. In our previous discussion, we had  
1721 discussed that at some future date, a date uncertain, unplanned Gayton Road would at least in  
1722 theory or practice, and right now it is practice, some day in the future we would expect that Gayton  
1723 Road would cross interstate 64 and I am assured, and I seek confirmation of this, that the plan is  
1724 futuristic and that no building or improvements would be within the zone of that road.

1725  
1726 Mr. Kennedy - The right of way has been reserved for any interchange at that location, so  
1727 we can accommodate a full interchange, which is what the County anticipates sometime in the  
1728 future, VDOT and eventually their plan. It is their request but it isn't in VDOT's plan. As far  
1729 as the overall traffic, the County has anticipated that as being an interchange and has reserved the  
1730 right of way in this plan.

1731  
1732 Mr. Taylor - Very good.

1733  
1734 Ms. Dwyer - May I follow up on your question, Mr. Taylor?

1735  
1736 Mr. Taylor - Certainly you may.

1737  
1738 Ms. Dwyer - I am wondering if there is a way to etch in stone or place in writing at least a  
1739 commitment to enhance landscaping, since a compromise is being made on the brick. We have no  
1740 assurance of this commitment, no condition that says, "X dollar amount" or "a certain quantifiable  
1741 amount of landscaping will be applied" to compensate for that.

1742  
1743 Mr. Kennedy - No. There isn't any quantification, but it does require landscaping plan  
1744 approval by the Planning Commission. The plan will come back.

1745  
1746 Ms. Dwyer - Landscape plan approval doesn't really speak to enhancement of  
1747 landscaping. It speaks to minimum requirements.

1748  
1749 Mr. Kennedy - I do know the developer has done a study of the cost difference between the  
1750 two, and he may be able to speak to the cost savings and what they would be willing to commit out  
1751 of that, but I can't speak for him. Our basis was even with minimum landscaping, the minimum  
1752 landscaping that we require, given the fact that the site was clear cut and it was actually a 50 ft.

1753 transitional buffer required between this property and the car dealership that the limited  
1754 landscaping would be required on the rest of the site and would be insignificant. Most of the 15%  
1755 tree canopy will probably almost be accommodated within that transitional buffer required, so we  
1756 do have a concern.

1757  
1758 Mr. Silber - Ms. Dwyer, I think I know where you are coming from, and staff has that  
1759 concern, also. That is why we are making a presentation. I think the record would reflect the  
1760 importance of providing adequate landscaping in the future. I would prefer that we not try to get  
1761 into coming up with a cost estimate or type of vegetation. If the Commission wants to entertain the  
1762 possibility of a condition that says that “Enhanced landscaping will be required as a part of this  
1763 reduction of brick material,” now that may be possible. I certainly think that if you don’t want to  
1764 take that direction that the record will reflect the intent here. Staff has concerns with the quality of  
1765 this development. When this property was rezoned, the expectations were high. We felt the  
1766 apartments were appropriate here only if they were of super quality, and brick was an important  
1767 part of that. Staff still feels that we would like to see 50% brick on this project. If that is going to  
1768 be reconsidered, then I think the developer needs to step forward and commit to future  
1769 beautification of this site, the ability to buffer it from the dealership that is next door, buffer it from  
1770 the ramp and the interstate, etc. So, I do think that the quality should be jeopardized and I don’t  
1771 think we should be moving in a direction that is going to jeopardize the quality of its originally  
1772 intended rezoning.

1773  
1774 Mr. Kaechele -I think I agree with those comments on this. Even on the front elevations, are we  
1775 getting 50% brick there, or somewhat close to that, perhaps?

1776  
1777 Mr. Kennedy - Somewhat close to that, yes, on the front elevation.

1778  
1779 Mr. Kaechele -But there is some buildings, typically, buildings A and F, where your side elevation  
1780 really faces the on ramp, and you are going to get more exposure to the side than perhaps B, as  
1781 well, and I thought perhaps that landscaping is not going to cover all of the elevations, so I would  
1782 think that more brick in the visible sides should be a part of it.

1783  
1784 Mr. Kennedy - Basically the sides of the building where it is only the interior drives within,  
1785 they did not contemplate brick on the side facing Gayton Road Extended, so anything that faces an  
1786 interior drive on any side would have the predominance of brick. So, the one location that you  
1787 would be concerned about would be that one end unit adjacent to Gayton Road, and that could  
1788 be...

1789  
1790 Mr. Kaechele- Are you talking about Building F?

1791  
1792 Mr. Silber - The side of Building F.

1793  
1794 Mr. Kaechele - That would show 9 feet of brick on the two stories.

1795  
1796 Mr. Silber - Mike, would the side of Building F, which is adjacent to that ramp, what  
1797 brick would that have? Which elevation is that? Is that six? (Referring to the elevation plan)

1798

1799 Mr. Kennedy - Building F would have six.  
1800  
1801 Mr. Silber - Mr. Kaechele, it is going to have very little brick on that side.  
1802  
1803 Mr. Kaechele - What is the side elevation of No. 8?  
1804  
1805 Mr. Silber - Your question, Mr. Kaechele, is where would 8 be on the site.  
1806  
1807 Mr. Kennedy - It would be the side facing the Gayton ramp. Facing the street would be elevation  
1808 5 facing the access road, which is also the dealership and the real elevation would be 7.  
1809  
1810 Mr. Silber - Mr. Kaechele, the rear elevations that are going to be backing up to the  
1811 east-west road would run all the way from Gayton Road all the way over to Pouncy Tract Road  
1812 eventually, and will not have any brick on the back side.  
1813  
1814 Mr. Kennedy - Right. There is a 50-foot transitional buffer proffer in that location.  
1815  
1816 Ms. Dwyer - Which is clear-cut, you said?  
1817  
1818 Mr. Kennedy - The whole thing is clear-cut.  
1819  
1820 Ms. Dwyer - But it seems to me that these proffers are really reducing the quality, with  
1821 the exception of the garage location.  
1822  
1823 Mr. Kennedy - With the exception of the garage location, yes, and the staff's concern here is that  
1824 it is one of those hard tradeoffs, that if they sacrifice, if they just plant the minimum landscaping,  
1825 it is going to be inadequate. Unfortunately, the proffers didn't address that. They didn't require  
1826 a sound barrier or additional landscaping along the interstate; so without having those extra  
1827 hooks, we were, staff was concerned with how to get them to enhance the landscaping. Which is  
1828 better, the brick finish or enhanced landscaping? That was the tradeoff. And we felt if they  
1829 ended up sacrificing the landscaping then it would actually be more visible.  
1830  
1831 Ms. Dwyer - And yet we don't have any assurance about how that landscaping will be  
1832 enhanced, any kind of quantity or measurement.  
1833  
1834 Mr. Taylor - We would see a landscaping plan, would we not?  
1835  
1836 Mr. Kennedy - The landscape plan would have to come back to the Commission.  
1837 Ms. Dwyer - But my point is, we are giving up brick and we don't have any quantity or  
1838 measurement of what we are gaining.  
1839  
1840 Mr. Kennedy - They have not committed to anything. They have no committed to putting a  
1841 transitional buffer along the interstate or between them and the adjoining properties.  
1842

1843 Mr. Taylor - It would seem to me that in making the motion, we could craft the motion  
1844 that we have some kind of future review by the developer and staff to define the actual extent of  
1845 the revised siding plan.

1846  
1847 Mr. Kennedy - What I would like to suggest, in accordance with our design standards, is that the  
1848 multi-family design standards, which this was approved before then, may be something we can  
1849 implement in this case, and suggest that they have at least a 25-foot transitional screening around  
1850 the perimeter in lieu of the brick and establish a standard, and that landscaping within the center  
1851 around the buildings would be irrigated, as a possible condition. That would enhance  
1852 landscaping, you know, and provide adequate assurances that there would be quality landscaping  
1853 and quality maintenance. So, there would be a perimeter of 25 transitional and irrigation of the  
1854 yards surrounding the buildings.

1855  
1856 Mr. Taylor - And the review, too, of the landscaping.

1857  
1858 Mr. Kennedy - The landscaping will come back. Is that agreeable?

1859  
1860 Mr. Cochran - (Mr. Cochran indicates that it is.)

1861  
1862 Mr. Archer - The applicant has agreed.

1863  
1864 Ms. Dwyer - I have a question, also, about eliminating the screen walls in the lower  
1865 units. Those are walls that screen patios that are at ground level. Is that correct. So, which ones  
1866 have been removed and why?

1867  
1868 Mr. Kennedy - They have removed any of the ones that do not face driveways, the driving and  
1869 parking areas, which they felt they needed privacy screens for those, and the other units they felt  
1870 were facing unit to unit, or that it wasn't necessary, or if it was facing outside, only a portion of it  
1871 wasn't necessary.

1872  
1873 Ms. Dwyer - Does that refer to internal drives? It appears to me that in Building B, for  
1874 example, some of the patios might be facing east-west Summit Road.

1875  
1876 Mr. Kennedy - On G there are no patios facing either of those access roads.

1877  
1878 Ms. Dwyer - What about east-west Summit or the driveway?

1879  
1880 Mr. Kennedy - It would face east-west Summit, but we'd put transitional buffer in that  
1881 location, but there'd be no brick walls, basically.

1882 Ms. Dwyer - All right. There would be a screen wall for the patios facing the parking  
1883 lot?

1884  
1885 Mr. Kennedy - Yes, those facing the parking lot. Anything facing the parking lot.

1886  
1887 Ms. Dwyer - Or an access drive?

1888

1889 Mr. Kennedy - Or an access drive would have a screen wall or brick finish, 2/3s brick  
1890 finish, basically.

1891  
1892 Mr. Archer - OK. Anything further for Mr. Kennedy? Mr. Taylor, do you need to hear  
1893 from the applicant, sir?

1894  
1895 Mr. Taylor - I think it might, in this case, be reasonable to ask the applicant if he would  
1896 like to step forward and address both the issue of landscaping as well as the soundproofing, as well  
1897 as the brick, so we can gauge his intentions, Mr. Chairman.

1898  
1899 Mr. Kent Little - Members of the Commission, my name is Kent Little. I am president of  
1900 Reed and Company in Virginia Beach, Virginia. We are the new owner of the property. Just a  
1901 brief explanation of our company. We own several thousand apartments in southeastern Virginia  
1902 and this our first apartment project in the County of Henrico, and we really do want to do a quality  
1903 job here where we are not seeking to dumb-down the quality of this project, but if I could just give  
1904 a brief explanation as to how we even got to this point. We acquired this property from Summit,  
1905 and during our due diligence we were presented with one set of plans, which recommended a  
1906 certain amount of brick and amenities in the project, and we looked at our budgets and our  
1907 financial plans predicated on those. When we got down to see Mr. Kennedy, we found we  
1908 discovered a completely different set of documents indicating a whole new set of approvals that  
1909 probably we have some responsibility for, but it was a, we should have known about, but when we  
1910 looked at that situation, we saw quite a bit of a difference in brick treatment on the building than  
1911 what we had originally planned to do. Now, we felt like the minimum landscaping situation here  
1912 was not going to do the job either, and the reason for that is, we want to screen the property off  
1913 from the car dealership and provide good buffering for that. We do know this is going to be a  
1914 gateway for the County and we are very well aware of the Gayton Road Extended plan, and that is  
1915 one reason we felt the property was very favorably located, and I think we need to do a good job  
1916 on the landscaping with that. And we felt like certainly the brick treatment on the building was a  
1917 very appropriate thing, but in some instances, in discussing it with Mike, which, by the way, has  
1918 handled this in a very professional manner. We have a good relationship working with Mike. We  
1919 felt like we could probably pick up some cost where we had two buildings facing either other, and  
1920 put that money back into areas that were more useful in terms of the landscaping. And I do want to  
1921 give you my company's commitment to the County. We want to do a quality job here as well. We  
1922 are not seeking to, we have a very extraordinary landscaping budget for this, and when we bring  
1923 the plan back we recognize that Mr. Kennedy and your Board (sic) has oversight over that. So, we  
1924 want to do a quality job on this. We just felt like, in some instances where we had two buildings  
1925 facing each other that we were incurring costs that really didn't serve the quality purpose of what  
1926 we were intending to do, and we could use that money more efficiently somewhere else where we  
1927 could bring a better quality project to the situation. Now, we met with Mr. Taylor and indicated  
1928 our concerns, and he was very helpful and thank you for your help in that. We went back to our  
1929 architects and revised our plans and went through that with Mike, and I do want to emphasize that  
1930 we are very willing to come back and discuss the landscaping issues.

1931  
1932 Mr. Archer - Thank you, Mr. Little. Are there questions from the Commission?

1933



1934 Mr. Kaechele - Well, as far as the use of brick, I agree with the concept of the interior walls,  
1935 that is not as important, but in every instance where it has a view to the public, I am concerned that  
1936 there is some spaces that don't show much brick.

1937  
1938 Mr. Little - OK. Well, in the instance of the on-ramp to Gayton, and I have our Project  
1939 Manager here, I must say, not that I am trying to blame anybody, but I haven't been totally  
1940 involved in, specifically that building. We would not object, we agree, I think that was the spirit of  
1941 what we tried to work with Mike, that wherever we had public viewing of wood that a public site  
1942 of brick on the road, either internal or external, that we would try to put the brick there. We are  
1943 agreeable to the spirit of that, and we agree to amend those two buildings, if that would give you  
1944 comfort in terms of increasing the brick on that.

1945  
1946 Mr. Kaechele - Well, the one unit labeled G, which faces a roadway, that is the back of the  
1947 apartment building, and that road will, eventually, I guess, connect down to...that has a lot of  
1948 visibility.

1949  
1950 Mr. Kennedy - Mr. Kaechele, your concern is on Building G.

1951  
1952 Mr. Kaechele - And F as well, perhaps.

1953  
1954 Mr. Kennedy - And F as well, facing the Summit access drive.

1955  
1956 Mr. Kaechele - Right. That is going to have a lot of exposure as well as, I guess, connected traffic  
1957 through here (referring to slide).

1958  
1959 Mr. Kennedy - On those two exposures, facing the Summit access drive, that is the one  
1960 location where we actually have a 50-foot transitional buffer in the proffer, so there is a proffer  
1961 buffered at that location. On the end of F, facing the interstate, there is no proffered buffer, so that  
1962 would be one of the places that...

1963  
1964 Mr. Silber - Mr. Kennedy, even though there is a 50-foot transitional buffer, I think that  
1965 buildings of that height are going to be very visible to the access road.

1966  
1967 Mr. Kennedy - Yes.

1968  
1969 Mr. Taylor - And we don't really know where the access road is going to be for the  
1970 extension of Gayton Road, do we?

1971 Mr. Kennedy - Basically, that right of way is traced on the plan, as you see on Page 2 of 14.  
1972 They both show kind of an alignment of the interchange ramp.

1973  
1974 Mr. Taylor - On which one?

1975  
1976 Mr. Kennedy - On Page 2 of 14.

1977  
1978 Mr. Taylor - OK. All right. I see.

1979

1980 Mr. Vanarsdall - Mr. Kennedy, by your remarks, staff notes that the landscape plan. Does  
1981 this mean that No. 9 Amended is on the...

1982  
1983 Mr. Kennedy - No. 9 Amended is on the original plan. With No. 9 Amended, we can come  
1984 back.

1985  
1986 Mr. Taylor - Mr. Chairman, if I might. This is kind of late in the morning, and there are  
1987 quite a number of loose ends that need to be resolved. I thought we were a little closer to this than  
1988 we apparently are, and I think that when we look at a change to this project, and a change of owner  
1989 as well as changes of methods, I get the uneasy feeling that our best intentions that everybody has,  
1990 this may not come out unless we have a little more time. So, what I would like to do is use my  
1991 prerogative to defer this for 30 days, at the request of the Commission, to give the staff and the  
1992 developer and myself an additional opportunity to look at all of these details, at no cost to the  
1993 developer. So I would move that we defer this for 30 days at the request of the Commission to the  
1994 December 19, 2001 meeting.

1995  
1996 Mr. Vanarsdall - Second.

1997  
1998 Mr. Archer - Motioned by Mr. Taylor and seconded by Mr. Vanarsdall to defer to the  
1999 December 19, 2001 meeting, at the request of the Commission. All in favor of the motion say  
2000 aye. All opposed say no. The ayes have it. The motion carries. This case is deferred to  
2001 December 19, 2001. Mr. Kaechele abstained.

2002  
2003 The Planning Commission deferred Plan of Development Reconsideration POD-30-99,  
2004 Reflections at West Creek (formerly Summit Gayton Apartments) to its meeting on December  
2005 19, 2001.

2006  
2007 Mr. Taylor - And I want to thank everybody for participating, and we will just use the  
2008 time wisely and go over it. We won't make the inevitable mistakes that we will make if we try  
2009 to do it here, and have a lot of hard feelings. We want to make sure we all do the right thing.

2010  
2011 Mr. Little - I agree. I don't think 30 days is any great sacrifice to us and we will try to  
2012 give a clearer understanding of what we are trying to do.

2013  
2014 Mr. Taylor - We appreciate that.

2015  
2016 Mr. Silber - The next plan is on Page 14.

2017  
2018 **PLAN OF DEVELOPMENT & MASTER PLAN**

2019  
POD-80-01 **Youngblood, Tyler & Associates, P.C. for HHHunt**  
Parsons Walk at Twin **Corporation:** Request for approval of a plan of development and a  
Hickory master plan, as required by Chapter 24, Section 24-106 of the  
Henrico County Code to construct Section A, zero lot line  
subdivision with 53 lots and future Sections B and C, zero lot line  
subdivision with 64 lots. The 28.66 acre site is located on the south

line of Twin Hickory Lake Drive across from proposed Hickory Woods on part of parcel 37-A-1 and 2. The zoning is R-5AC, General Residence District (Conditional). County water and sewer. **(Three Chopt)**

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Mr. Archer - All right. Is there opposition to this, POD-80-01?

Mr. Vanarsdall - Was that removed from the Expedited Agenda?

Mr. Archer - Yes. If there is no opposition, we will go ahead. Mr. Kennedy.

Mr. Kennedy - Ladies and gentlemen of the Commission, I am back again with my voice. This would approve a POD for a zero-lot line subdivision. The initial tentative plat was approved by the Commission. This is basically the zero-lot line portion of it, because of the zero lot lines, there are common areas associated with it, and so a zero-lot line subdivision, at least most of the subdivisions, come back to the Commission for plan of development review. The concerned neighbors of Twin Hickory had expressed some concern about this when we were back on the Twin Hickory plan. Basically, what the neighbors at Twin Hickory were concerned about was the future screening along the interstate. There is a proffer on the plan. The zoning case requires a landscape buffer along there. It is actually maintained a common area. The developer has actually employed a sound consultant and they, too, are concerned about noise from the interstate traveling through the neighborhood, particularly if they are building houses right next to it, not just for Twin Hickory Overall, but they've got to market this property anyway. They haven't quite gotten to that portion of it. There is a condition that the landscaping in that area be equivalent to a transitional buffer, as a condition of the approval. That equivalency doesn't say whether it has to be natural trees being preserved, a replanted buffer, or a wall of some sort with some kind of additional landscaping or berm. We are actually going through that research process now to make a determination as to what is best and feels best for the community. There is some concern about removal of natural trees, and staff and developer feel that maybe it would be more appropriate for the landscape portion of the plan to come back, so you can see what the impact is, and actually see where the difference is at the final construction plan when we have more definite details from the sound consultant. That impact may be reduced by different options. Whether it be a berm, whether it be a wall, whether it be supplementing existing vegetation, because you really can't commit to saving trees, if you are building a berm and putting a wall on top of it. So, the neighborhood agreed that No. 9 Amended would be acceptable to them, and so they have withdrawn their opposition and that is why they are no longer here. So, they feel at that point the sound study will be done. The options will be presented and we can discuss it in a public forum with them before we come back to the Commission.

Mr. Silber- The staff is recommending approval of the master plan and the issue was the buffering along the interstate and the ramp, and that has been addressed now, with a recommendation for No. 9 Amended.

Mr. Kennedy - That is right, and they understand that given the fact that no, that proffers have addressed this, that there is more limited input on this, and I believe that when the future extension of Hickory Bend Drive comes in, they will have some additional concerns about

2062 buffering, and maybe you will want to have more significant commitment at that point. I just don't  
2063 think they were prepared previously to know how far along this was, as you know, we've already  
2064 been through zoning and the subdivision process. It is really just subdivision construction plan  
2065 approval.

2066  
2067 Mr. Taylor - And you are saying that they are basically satisfied now where they are.

2068  
2069 Mr. Kennedy - They are satisfied with the fact that the landscape plans will come back and  
2070 that they will be presented options from the sound consultant explaining what the levels are and  
2071 what the final recommendation is going to be, based on a true engineering sound study. They were  
2072 not aware that was taking place at the time, and they appreciate the fact that staff required a buffer,  
2073 but they weren't sure, given other sites that were cut and the amount of trees, that they were going  
2074 to provide that sound buffering, and they were glad to know from the developer that interstate road  
2075 noise is an issue. There is a significant grade difference along the buffer and already there is a  
2076 noise issue, given the grade difference on trees that have already been cut, because as this property  
2077 goes across from the interstate to Twin Hickory Lake Drive, there is probably a 10-foot grade  
2078 difference as you go across the Hickory Woods and the condominium project, there is another 10-  
2079 foot grade difference. As you go across the Virginia Power easement, there is another 10-foot  
2080 grade difference. So, actually, you are almost 30 feet higher from the interstate as well, so they  
2081 already have road noise concerns that they want to make sure is not exacerbated by this  
2082 development.

2083  
2084 Mr. Taylor - Do we have a sound study by a qualified sound engineer?

2085  
2086 Mr. Kennedy - They are working on that now, and that is what will be dealt with at the  
2087 landscape plan stage.

2088  
2089 Mr. Taylor - Now, recognizing the fact that the last case used a 30-day deferral, do you  
2090 feel that this one would benefit from a 30-day deferral, at the request of the Commission?

2091  
2092 Mr. Kennedy - I think what the neighborhood agreed; the point so far is that we have gone  
2093 so far with the layout that the layout is already there. The issue here is what the net result is going  
2094 to be of the sound study, and how are we going to treat it in landscaping. We have 35 feet to deal  
2095 with. The applicant is already dealing with VDOT to see if they could use 35 feet of their right of  
2096 way, which is a limited access right of way to do work with it, and they are coming up with a plan,  
2097 and we will be able to, the place for the recommendation will be the landscaping.

2098  
2099 Mr. Silber - Mr. Taylor, I don't think a deferral would help at this point. I think more  
2100 detailed information will be coming in at the time of the landscape submission.

2101  
2102 Mr. Taylor - Do you think we'll have an adequate opportunity to review it again? We  
2103 could delay it for 30 days and give everybody time to do it. (Unintelligible)...full throttle by then.

2104  
2105 Mr. Kennedy - Given the fact that the tentative subdivision has already been approved and  
2106 the layout is already in place, and he is entitled to have an administrative review, I think we are not

2107 going to gain anything from that. The place that we are going to gain is at the landscape plan  
2108 stage.

2109  
2110 Mr. Taylor - You would recommend we go ahead with this case and then revisit it at the  
2111 landscape plan point in stage if that is acceptable to the developer.

2112  
2113 Mr. Kennedy - That is acceptable to the developer and to the homeowners.

2114  
2115 Mr. Taylor - Mr. Chairman, I am ready...

2116  
2117 Mr. Kaechele - Just as a point of information, on the zoning and the floor plan, do all 117 units, or  
2118 whatever, have the front elevation garage, the front entrance? Can you show it to us here?

2119  
2120 Mr. Tyler - For the record, my name is Webb Tyler, engineer with Youngblood, Tyler  
2121 and Associates, representing HHHunt Corporation. To my knowledge, Mr. Kaechele, not all of the  
2122 proposed homes in Parsons Walk have front-entry garages. I remember trying to significantly  
2123 reduce the number of front-entry garages.

2124  
2125 Mr. Kaechele - And if you recall, was there a proffer on the number of brick fronts?

2126  
2127 Mr. Tyler - Yes, sir. There was a certain proffer. It was a proffer relative to the  
2128 percentage of homes with brick fronts, and I believe it is 50%, if my memory serves me correctly.  
2129 I will defer to Michael from my memory standpoint.

2130  
2131 Mr. Kaechele - So these elevations, floor plans here are typical, not the only one.

2132  
2133 Mr. Tyler - That is correct. I believe the last I saw there was something like eight  
2134 different basic models plus variations on each of those different model types.

2135  
2136 Mr. Kaechele - OK, thank you.

2137  
2138 Mr. Archer - OK, anything further. If not, Mr. Taylor was deciding to move.

2139  
2140 Mr. Taylor - All right, Mr. Chairman. I will proceed to move for approval of POD-80-  
2141 01, Parsons Walk @ Twin Hickory, subject to the annotations on the plan, standard conditions for  
2142 development of this type, and conditions Nos. 9 Amended and Nos. 23, 24, 25, 26, 27, 28, 29, 30  
2143 and 31.

2144  
2145 Mr. Vanarsdall - Second.

2146  
2147 Mr. Archer - Motion by Mr. Taylor and seconded by Mr. Vanarsdall. All in favor of the  
2148 motion say aye. All opposed say no. The ayes have it. The motion is granted.

2149  
2150 The Planning Commission approved Plan of Development and Master Plan for POD-80-01,  
2151 Parsons Walk at Twin Hickory, subject to the annotations on the plans, the standard conditions for  
2152 developments of this type, and the following additional conditions:

- 2153  
2154 **9. AMENDED** – A detailed landscaping plan shall be submitted to the Planning Office for  
2155 review and Planning Commission approval prior to the issuance of any occupancy permits.  
2156 23. Roof edge ornamental features that extend over the zero lot line, and which are permitted by  
2157 Section 24-95(i)(1), must be authorized in the covenants.  
2158 24. Eight-foot easements for construction, drainage, and maintenance access for abutting lots  
2159 shall be provided and shown on the POD plans.  
2160 25. Building permit request for individual dwellings shall each include two (2) copies of a  
2161 layout plan sheet as approved with the plan of development. The developer may utilize  
2162 alternate building types providing that each may be located within the building footprint  
2163 shown on the approved plan. Any deviation in building footprint or infrastructure shall  
2164 require submission and approval of an administrative site plan.  
2165 26. Architectural plans for this development must meet the standards of the April 24, 1995,  
2166 Planning memo of Zero Lot Line Development Standards. The standard memo addresses  
2167 the building relationship to the zero lot line and include: minimum percentage of wall on  
2168 the zero lot line, number, size and location of window and door openings in first and  
2169 second floors and height and setbacks for fences abutting decks.  
2170 27. The subdivision plat for Twin Hickory Lake Drive Phase III and Parsons Walk shall be  
2171 recorded before any building permits are issued.  
2172 28. The developer shall provide fire hydrants as required by the Department of Public  
2173 Utilities and Division of Fire.  
2174 29. The proffers approved as a part of zoning case C-44C-01 shall be incorporated in this  
2175 approval.  
2176 30. Deviations from County standards for pavement, curb or curb and gutter design shall be  
2177 approved by the County Engineer prior to final approval of the construction plans by the  
2178 Department of Public Works.  
2179 31. Approval of the construction plans by the Department of Public Works does not establish  
2180 the curb and gutter elevations along the Henrico County maintained right-of-way. The  
2181 elevations will be set by Henrico County.

2182 Mr. Silber - I believe that completes the agenda with the exception of the minutes.  
2183 They are on the last page, Page 24. We have minutes from the September 26 and October 24,  
2184 2001 meetings.

2185  
2186 Mr. Archer - Are their corrections? I think I have one from the September 26 minutes,  
2187 Page 44, Line 1631, change the word if to it, and on Page 51, Line 1924, I think that word should  
2188 be restrictive instead of restricted covenants. That is all I have.

2189  
2190 Ms. Dwyer - My corrections have been given to Ms. Carver.

2191  
2192 Mr. Archer - Are there any further corrections? If not, we will have a motion for  
2193 approval.

2194  
2195 Ms. Dwyer - I move the approval of the September 26, 2001 minutes as corrected.

2196  
2197 Mr. Vanarsdall - Second.

2198

2199 Mr. Archer - Motion by Ms. Dwyer and seconded by Mr. Vanarsdall. All in favor of  
2200 the motion say aye. All opposed say no. The minutes are approved. And now, October 24, 2001  
2201 minutes.  
2202  
2203 Ms. Dwyer - I didn't have any corrections for those.  
2204  
2205 Mr. Archer - All right. No corrections. May we have a motion?  
2206  
2207 Ms. Dwyer - I move that we approve the October minutes as they are.  
2208  
2209 Mr. Vanarsdall - Second.  
2210  
2211 Mr. Archer - Motion by Ms. Dwyer and seconded by Mr. Vanarsdall. All in favor say  
2212 aye. All opposed say no. The ayes have it. The motion is granted. Are we done, Mr. Secretary?  
2213  
2214 Mr. Silber - Yes, sir.  
2215  
2216 Mr. Vanarsdall - I make a motion we adjourn.  
2217  
2218 Ms. Dwyer - Second.  
2219 Mr. Archer - Motion by Mr. Vanarsdall and seconded by Ms. Dwyer. The Commission  
2220 adjourned at 11:45 a.m.  
2221

2221 On a motion by Mr. Vanarsdall and seconded by Ms. Dwyer, The Planning Commission  
2222 adjourned its meeting for November 28, 2001, at 11:45 a.m.

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

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Randall R. Silver, Acting Secretary

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