

1 Minutes of the regular monthly meeting of the Planning Commission of the County of Henrico,
2 Virginia, held in the Board Room of the County Administration Building in the Government Center
3 at Parham and Hungary Springs Roads, Beginning at 9:00 a.m. Wednesday, November 17, 2004.

4

5 Members Present: Mrs. Lisa D. Ware, C.P.C., Chairperson (Tuckahoe)
6 Mr. Ernest B. Vanarsdall, C.P.C., Vice Chairperson (Brookland)
7 Mr. C. W. Archer, C.P.C. (Fairfield)
8 Mr. E. Ray Jernigan, C.P.C. (Varina)
9 Mr. John Marshall (Three Chopt)
10 Mr. James B. Donati, Jr., (Varina) Board of Supervisors
11 Representative

12

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

24

25 **Mr. James B. Donati, Jr., the Board of Supervisors Representative, abstains on all cases**
26 **unless otherwise noted.**

27

28 Mrs. Ware - Good morning. Welcome to the Planning Commission meeting for
29 subdivisions and plans of development, November 17, and at this time I will turn the meeting
30 over to our Secretary, Mr. Silber.

31

32 Mr. Silber - Thank you, Madam Chairman. Good morning everyone. We have all
33 members of the Planning Commission present this morning and we are ready to conduct business
34 for our POD Planning Commission meeting. First on the agenda would be the request for
35 deferrals and withdrawals. Ms. News.

36

37 Ms. News - Good morning, Madam Chairman, Mr. Secretary, members of the
38 Commission. Staff is aware of six requests for deferrals and withdrawals. The first request is on
39 page 2 of your agenda and it's located in the Three Chopt District, POD-47-04, Retail Buildings
40 – Town Center @ Twin Hickory on Nuckols Road. The applicant is requesting a deferral until
41 December 15, 2004, meeting.

42 **PLAN OF DEVELOPMENT (Deferred from the September 22, 2004, Meeting)**

43

POD-47-04
Retail Buildings – Town
Center @ Twin Hickory –
Nuckols Road

Will Goode, P.E. for Twin Hickory (E&A), LLC: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct two (2) one-story retail buildings totaling approximately 12,600 square feet, and associated parking. The 1.61-acre site is located at the southwest intersection of Old Nuckols Road and Nuckols Road in the Town Center @ Twin Hickory Shopping Center on parcel 745-773-9641. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Three Chopt)**

44

45 Mrs. Ware - Is there anyone in the audience in opposition to the deferral of POD-47-
46 04, Retail Buildings – Town Center @ Twin Hickory in the Three Chopt District? There's no
47 opposition. Mr. Marshall.

48

49 Mr. Marshall - Madam Chairman, I move that POD-47-04, Retail Buildings – Town Center @
50 Twin Hickory, Nuckols Road, be deferred to the December 15 meeting, at the request of the
51 applicant.

52

53 Mr. Vanarsdall - Second.

54

55 Mrs. Ware - The motion was made by Mr. Marshall and seconded by Mr. Vanarsdall.
56 All in favor say aye...all opposed say nay. The ayes have it. The motion is passed.

57

58 Pursuant to the applicant's request, the Planning Commission deferred POD-47-04, Retail
59 Buildings – Town Center @ Twin Hickory on Nuckols Road, to its December 15, 2004, meeting.

60

61 **PLAN OF DEVELOPMENT (Deferred from the October 27, 2004, Meeting)**

62

POD-69-04
Townes @ Bickerstaff –
Bickerstaff Road

Bay Design Group for Prospect Homes: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 33 two-story residential townhouse units for sale. The 5.07-acre site is located at the corner of Bickerstaff Road and Okano Road on parcel 804-708-1236. The zoning is R-5, General Residence District. County water and sewer. **(Varina)**

63

64 Mr. Silber - There is no need for any action on this item for withdrawal.

65

66 Mr. Jernigan - Yes, we do, don't we?

67

68 Mr. Silber - No, not for a POD. No, I stand corrected.

69 Mr. Jernigan - It is for PODs but not if it is a zoning issue.

70

71 Mr. Silber - Mr. Jernigan, you are absolutely correct. For PODs we do need a motion.
72 Thank you, Mr. Jernigan, for keeping me on my toes.

73

74 Mr. Jernigan - Madam Chairman, I make a motion to withdraw POD-69-04, Townes @
75 Bickerstaff.

76

77 Mr. Vanarsdall - I'll second that.

78

79 Mrs. Ware - The motion was made by Mr. Jernigan and seconded by Mr. Vanarsdall.
80 All in favor say aye...all opposed say nay. The ayes have it. The motion is passed.

81

82 Pursuant to the applicant's request, the Planning Commission withdrew POD-69-04, Townes @
83 Bickerstaff – Bickerstaff Road, from any further consideration.

84

85 **PLAN OF DEVELOPMENT (Deferred from the May 26, 2004 Meeting)**

86

POD-68-02

Blackwood Retail - Glen
Eagles Shopping Center –
10410 Ridgefield Parkway

Balzer & Associates, Inc. for Richfield Associates, LLC:
Request for approval of a plan of development, as required by
Chapter 24, Section 24-106 of the Henrico County Code, to
construct a 6,600 square foot building addition in an existing
shopping center. The 0.90-acre site is located on the northwest
corner of Ridgefield Parkway and Eagles View Drive in the
Glen Eagles Shopping Center on part parcel 740-750-0178. The
zoning is B-2C, Business District (Conditional). County water
and sewer. **(Tuckahoe)**

87

88 Mrs. Ware - Is there anyone in the audience in opposition to the deferral of POD-68-
89 02, Blackwood Retail in the Tuckahoe District? If there is no opposition, I move that POD-68-
90 02, Blackwood Retail be deferred to the March 30, 2005, meeting, at the applicant's request.

91

92 Mr. Vanarsdall - Second.

93

94 Mrs. Ware - The motion was made by Mrs. Ware and seconded by Mr. Vanarsdall. All
95 in favor say aye...all opposed say nay. The ayes have it. The motion is passed.

96

97 Pursuant to the applicant's request, the Planning Commission deferred POD-68-02, Blackwood
98 Retail – Glen Eagles Shopping Center – 10410 Ridgefield Parkway, to its March 30, 2005,
99 meeting.

100

101 **SUBDIVISION (Deferred from the September 22, 2004, Meeting)**

102

Majestic Meadows
(September 2004 Plan)

Engineering Design Associates for Reginald H. Nelson, IV and Phyllis Marie Nelson: The 180.94-acre site proposed for a subdivision of 130, single-family homes is located at 9421 Osborne Turnpike at the northeast corner of the intersection of Osborne Turnpike and Kingsland Road on parcel 808-672-3167. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield. **(Varina) 130 Lots**

103

104 Mrs. Ware - Is there anyone in the audience in opposition to the deferral of subdivision
105 Majestic Meadows (September 2004 Plan) in the Varina District? There's no opposition. Mr.
106 Jernigan.

107

108 Mr. Jernigan - Madam Chairman, I make a motion to defer subdivision Majestic
109 Meadows (September 2004 Plan) to December 15, 2004, meeting, by the request of the
110 applicant.

111

112 Mr. Vanarsdall - Second.

113

114 Mrs. Ware - The motion was made by Mr. Jernigan and seconded by Mr. Vanarsdall.
115 All in favor say aye...all opposed say nay. The ayes have it. The motion is passed.

116

117 Pursuant to the applicant's request, the Planning Commission deferred subdivision Majestic
118 Meadows (September 2004 Plan), to its December 15, 2004, meeting.

119

120 **SUBDIVISION & SPECIAL EXCEPTION**

121 **(Deferred from the September 22, 2004, Meeting)**

122

Fairlawn
(September 2004 Plan)

Timmons Group for The Tetra Company: The 14.04-acre site proposed for a subdivision of 53 single-family homes with an exception pursuant to Section 19-4(c) of the Henrico County Code, is located along undeveloped Meadow Lane between Hanover Road and Airport Road on parcels 826-721-8998, 827-721-4474 and 828-721-1721. The zoning is R-4A, One-Family Residence District, and R-4, One-Family Residence District. County water and sewer. **(Varina) 53 Lots**

123

124 Mrs. Ware - Is there anyone in the audience in opposition to the deferral of subdivision
125 Fairlawn (September 2004 Plan) in the Varina District? There's no opposition. Mr. Jernigan.

126

127 Mr. Jernigan - Madam Chairman, I make a motion to defer subdivision Fairlawn
128 (September 2004 Plan) to December 15, 2004, meeting, by the request of the applicant.

129

130 Mr. Vanarsdall - Second.

131

132 Mrs. Ware - The motion was made by Mr. Jernigan and seconded by Mr. Vanarsdall.
133 All in favor say aye...all opposed say nay. The ayes have it. The motion is passed.

134

135 Pursuant to the applicant's request, the Planning Commission deferred subdivision Fairlawn
136 (September 2004 Plan), to its December 15, 2004, meeting.

137

138 Ms. News - The last request for deferrals and withdrawals that staff is aware of is on
139 page 13 of your agenda, subdivision Morgan Pointe (October 2004 Plan) in the Three Chopt
140 District.

141

142 **SUBDIVISION (Deferred from the October 27, 2004, Meeting)**

143

Morgan Pointe
(October 2004 Plan)

Foster & Miller, P.C. for Andronikos and Evangelia Moudilos and Winterfield Road Development, LLC: The 29.683-acre site proposed for a subdivision of 20, single-family homes is located on the west line of Pouncey Tract Road, approximately 2,975 feet north of the intersection of Nuckols Road and Pouncey Tract Road on parcel 734-776-1774. The zoning is A-1, Agricultural District. County water and septic tank/drainfield. **(Three Chopt) 20 Lots**

144

145 Mrs. Ware - Is there anyone in the audience in opposition to the deferral of subdivision
146 Morgan Pointe (October 2004 Plan) in the Three Chopt District? There's no opposition. Mr.
147 Marshall.

148

149 Mr. Marshall - Madam Chairman, I move that subdivision Morgan Pointe be deferred to
150 December 15, 2004, meeting, at the request of the applicant.

151

152 Mr. Vanarsdall - Second.

153

154 Mrs. Ware - The motion was made by Mr. Marshall and seconded by Mr. Vanarsdall.
155 All in favor say aye...all opposed say nay. The ayes have it. The motion is passed.

156

157 Pursuant to the applicant's request, the Planning Commission deferred subdivision Morgan
158 Pointe (October 2004 Plan), to its December 15, 2004, meeting.

159

160 Mr. Marshall - Madam Chairman, I have another one that I would like to defer.

161

162 Mr. Vanarsdall - What page is it on, Mr. Marshall?

163

164 Mr. Marshall - It's on page 21.

195

196 Mr. Vanarsdall - Second.

197

198 Mrs. Ware - The motion was made by Mr. Archer and seconded by Mr. Vanarsdall.
199 All in favor say aye...all opposed say nay. The ayes have it. The motion is passed.

200

201 The Planning Commission deferred subdivision Sweetbay Hill (November 2004 Plan), to its
202 December 15, 2004, meeting.

203

204 Mr. Silber - It sounds as though that there are no other deferrals at this point. Moving
205 on next in the agenda would be the Expedited Agenda. These are items that are placed on the
206 agenda has expedited or a consent agenda format. These are plans that there are no know issues,
207 according to staff and the Commission member from the district, and we know of no opposition
208 and the applicant is agreeable to the conditions that are recommended with this plan. If there is
209 any opposition to these items, they will be pulled off of the Expedited Agenda and heard in the
210 order found on the agenda. I believe we have several items on the Expedited Agenda, Ms. News.

211

212 Ms. News - Yes, sir. There are three items on the Expedited Agenda. The first item is
213 on page 10 and is located in the Brookland District. This is subdivision Chickahominy Branch,
214 Section D (November 2004 Plan) for two lots.

215

216 **SUBDIVISION**

217

Chickahominy Branch, **Timmons Group for Paul W. Wilborn and Doris M. Wilborn:** The 2.358-acre site proposed for a subdivision of 2, single-family homes is located along the east line of Long Meadow Drive, approximately 650 feet northwest of the intersection of Long Meadow Drive and Mill Road on parcel 766-774-7380. The zoning is A-1, Agricultural District. Public water and sewer and individual well and septic tank/drainfield.
(November 2004 Plan) **(Brookland) 2 Lots**

218

219 Mrs. Ware - Is there anyone in the audience in opposition to subdivision Chickahominy
220 Branch, Section D (November 2004 Plan) in the Brookland District on the Expedited Agenda?
221 There's no opposition. Mr. Vanarsdall.

222

223 Mr. Vanarsdall - I move Chickahominy Branch, Section D (November 2004 Plan) be
224 approved on the Expedited Agenda with the annotations on the plans, the standard conditions for
225 subdivisions served by public water and individual well and septic tank/drainfield and additional
226 conditions Nos. 12 and 13.

227

228 Mr. Marshall - Second.

229 Mrs. Ware - The motion was made by Mr. Vanarsdall and seconded by Mr. Marshall.
230 All in favor say aye...all opposed say nay. The ayes have it. The motion is passed.

231

232 The Planning Commission granted conditional approval to subdivision Chickahominy Branch,
233 Section D (November 2004 Plan) subject to the standard conditions attached to these minutes,
234 for subdivision served by public water and individual well and septic tank/drainfield, the
235 annotations on the plan and the following additional conditions:

236

237 12. Each lot shall contain at least one acre.

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

240

241 Ms. News - The next request is on page 15 of your agenda and it is located in the
242 Brookland District. This is subdivision The Villas at Springfield (November 2004 Plan) for 33
243 lots. There is also an addendum item on this. The addendum includes a revised plan which
244 addresses all of staff concerns regarding lot layout. Staff is satisfied that the lots now meet the
245 Code requirements and the applicant has provided lot details demonstrating compliance with
246 proffers for house size, garage size and compliance with the accessory use requirements of the
247 Code. The addendum also includes a revised recommendation for approval.

248

249 **SUBDIVISION**

250

The Villas at Springfield
(November 2004 Plan)

Foster & Miller, P.C. for Lunsford L. Duke and Attack-Kornblau Duke Investments: The 10.36-acre site proposed for a subdivision of 33, single-family homes (detached and semi-detached) is located at the southwest corner of the intersection of Springfield Road and Staples Mill Road (State Route 33) on parcels 761-769-6447 and 761-769-4574. The zoning is R-5AC, General Residence District (Conditional). Public water and sewer. **(Brookland) 33 Lots**

251

252 Mrs. Ware - Is there anyone in the audience in opposition to subdivision The Villas at
253 Springfield (November 2004 Plan) in the Brookland District on the Expedited Agenda? There's
254 no opposition. Mr. Vanarsdall.

255

256 Mr. Vanarsdall - I move The Villas at Springfield (November 2004 Plan) be approved on
257 the Expedited Agenda with the annotations on the plans, the standard conditions for subdivision
258 served by public utilities and additional conditions Nos. 12, 13, 14, 15 and 16. And, on the
259 addendum it says that staff approves it.

260

261 Mr. Marshall - Second.

262

263 Mrs. Ware - The motion was made by Mr. Vanarsdall and seconded by Mr. Marshall.
264 All in favor say aye...all opposed say nay. The ayes have it. The motion is passed.

265

266 The Planning Commission granted conditional approval to subdivision The Villas at Springfield
267 (November 2004 Plan) subject to the standard conditions attached to these minutes, for
268 subdivision served by public utilities, the annotations on the plan and the following additional

269 conditions:

270

271 12. Each lot shall contain at least 5,625 square feet.

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

274 14. The proffers approved as part of zoning case C-24C-04 shall be incorporated in this
275 approval.

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

281 16. Any future building lot containing a BMP, sediment basin or trap and located within the
282 buildable area for a principal structure or accessory structure, may be developed with
283 engineered fill. All material shall be deposited and compacted in accordance with the
284 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
285 professional engineer. A detailed engineering report shall be submitted for the review and
286 approval by the Building Official prior to the issuance of a building permit on the affected
287 lot. A copy of the report and recommendations shall be furnished to the Directors of
288 Planning and Public Works.

289

290 Ms. News - The final request on the Expedited Agenda is on page 17 of the agenda and
291 it is located in the Brookland District. This is subdivision Rock Spring Estates, Section 6
292 (November 2004 Plan) for 2 Lots.

293

294 **SUBDIVISION**

295

Rock Spring Estates,
Section 6
(November 2004 Plan)

G. Stuart Grattan, P.E. for D. Tommy and Linda M. Duke:
The 19.74-acre site proposed for a subdivision of 2, single-
family homes is located at the northern terminus of Wood Brook
Lane on parcel 765-779-6921. The zoning is A-1, Agricultural
District. Public water and septic tank/drainfield. **(Brookland) 2
Lots**

296

297 Mrs. Ware - Is there anyone in the audience in opposition to subdivision Rock Spring
298 Estates, Section 6 (November 2004 Plan) in the Brookland District on the Expedited Agenda?
299 There's no opposition. Mr. Vanarsdall.

300

301 Mr. Vanarsdall - I move Rock Spring Estates, Section 6 (November 2004 Plan) be
302 approved on the Expedited Agenda with the annotations on the plans, the standard conditions for
303 subdivisions served by public water and individual well and septic tank/drainfield and additional
304 condition No. 12.

305 Mr. Marshall - Second.

306

307 Mrs. Ware - The motion was made by Mr. Vanarsdall and seconded by Mr. Marshall.

308 All in favor say aye...all opposed say nay. The ayes have it. The motion is passed.

309

310 The Planning Commission granted conditional approval to subdivision Rock Spring Estates,
311 Section 6 (November 2004 Plan) subject to the standard conditions attached to these minutes, for
312 subdivision served by public water and individual well and septic tank/drainfield, the annotations
313 on the plan and the following additional condition:

314

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

318

319 Mr. Silber - Next on the agenda would be conditional subdivisions that are up for
320 extension. There are three subdivisions that have conditional approval that seek extension. All
321 those on the agenda today are for informational purposes. They will be extended
322 administratively and does not require any Planning Commission action. It may be necessary for
323 staff to note where these subdivisions stand as far as its status. Mr. Wilhite, do you have
324 anything to add?

325

326 **FOR INFORMATIONAL PURPOSES ONLY**

327

328 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL:**

329

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended
Cedar Run (November 2003 Plan)	Fairfield	132	91	0	1 Year (11/16/05)
Kingsridge (October 2003 Plan)	Varina	164	117	0	1 Year (11/16/05)
Purcell Manor (November 2003 Plan)	Brookland	3	3	0	1 Year (11/16/05)

330

331 Mr. Wilhite - The three subdivisions that will be extended administrative are Cedar Run
332 (November 2003 Plan) located in the Fairfield District, Kingsridge (October 2003 Plan) in the
333 Varina District and Purcell Manor (November 2003 Plan) in the Brookland Magisterial District.
334 If you have any questions, staff will be happy to try to answer them.

335

336 Mr. Silber - Are there any questions from the Commission? Okay.

337

338 Mrs. Ware - No questions? Okay.

339

340 Mr. Silber - Before we I get to the next case let me make an announcement. It seems
341 like at every meeting I'm making an announcement on staff opportunities. We continue to have
342 vacancies in the Planning Department and with those vacancies we create opportunities for
343 people. And because we have such outstanding staff with many skills and experience, we are
344 able to often promote from within. So, I wanted to make an announcement this morning of two

345 promotions in the Planning Department that the Commission may or may not be aware of. The
346 first promotion is Mr. Kevin Wilhite to County Planning III. Kevin has been with the County
347 and the Planning Department for some 16 years in four different positions. I think I fail to
348 mention this at an earlier meeting, but Kevin was promoted a couple of weeks ago and I just
349 wanted to inform the Commission and offer my congratulations to Kevin.

350

351 Aud. & Commission -Congratulations, Kevin (audience and Commission applauds).

352

353 Mr. Silber - In addition to that, we have another promotion to announce, one that is
354 even more recent, and that is County Planner II. Christina has been promoted from County
355 Planner I to II filling the position that was vacated by Kevin. So, we continue to have
356 opportunities created and promotions. Christina has been with us for about four years. She has
357 experience that goes beyond Henrico County. She has also worked for Hanover County, King
358 William County and the City of Richmond. So, she comes well prepared and skilled and we
359 have had her for four years and she has been promoted into the position that Kevin vacated. So,
360 congratulations to Christina.

361

362 Aud. & Commission -Congratulations, Christina (audience and Commission applauds).

363

364 Mr. Archer - Are we eligible for the positions that they left?

365

366 Mr. Silber - Yes, you are, Mr. Archer. You have asked that a number of times, but I
367 have not seen your application.

368

369 Mr. Archer - Well I haven't found one that really suits me yet.

370

371 Mr. Silber - I see, moving on. The next case on the agenda is on page 5, POD-80-04,
372 Westland East – W. Broad Street in the Three Chopt District.

373 **PLAN OF DEVELOPMENT**

374

POD-80-04
Westland – East
W. Broad Street

G. Stuart Grattan, P.E. for Dunville, LLC, Makram Besanti, Alan Delforn, and The Wilton Companies: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 6,237 square foot convenience store with 8 fuel pumps, 2 self-serve carwash bays, a 5,000 square foot retail building, and associated parking, as an addition to an existing shopping center. The 4.13-acre site is located within the Westland Shopping Center, on the south line of W. Broad Street (U.S. Route 250), approximately 500 feet west of the intersection of Enterprise Parkway and W. Broad Street on parcels 763-752-3466, 763-752-2080 and 762-753-9614. The zoning is B-3, Business District. County water and sewer. **(Three Chopt)**

375

376 Mrs. Ware - Is there any opposition to POD-80-04, Westland East in the Three Chopt
377 District? There's no opposition. Good morning, Mr. Cooper.

378

379 Mr. Cooper - Good morning, Madam Chairman, members of the Commission. This
380 project is for a new Wawa Convenience Store, gas pumps and a car wash to be located at the site
381 of the former American Hero Express Restaurant on Broad Street. This site is adjacent to and
382 will be now included as part of the Westland Shopping Center. Additionally, this plan is also for
383 the approval of a Hollywood Video Store that would be located in front of the old Staples
384 Building, again, also within the shopping center just east of the existing Jiffy Lube.

385

386 The project is proposed to be built in two phases. Phase one would be the construction of the
387 Wawa Convenience Store, car wash and gas canopy. Phase two would include the Hollywood
388 Video building. A revised plan was handed out to you this morning which addresses the
389 concerns listed in your original agenda. Specifically, the revised plan includes a master plan for
390 the shopping center as well as updated site coverage and parking calculations. Additionally, the
391 convenience store and gas canopy have been revised to meet the 50-foot-setback requirement.

392

393 Finally, revised building elevations have also been provided to you this morning for the car wash
394 and Hollywood Video buildings. These elevations provide additional windows on several sides
395 of the buildings as requested by staff. Other aspects of the revised layout that have been
396 annotated on the plan includes an 8-foot-high brick wall to be constructed along the rear property
397 line of the Wawa site as well as a 6-foot-high decorative wrought iron style fence to be built
398 along the eastern property line of the Wawa site and a note indicating that the current entrance
399 onto Broad Street, in front of the old Staples building, will be relocated and brought up to
400 today's design standards with Phase I construction.

401 As noted in the original staff report, the Division of Police had concerns with several aspects of
402 this development. Generally speaking, the Division of Police stills feels that this site is not the
403 best location for the proposed convenience store and car wash uses. However, they are satisfied
404 at this time with the commitments made by the applicant to make the site as safe and attractive as
405 possible. These commitments include limiting the hours of operation for the car wash and
406 vacuums to the hours of 6:00 a.m. through 11:00 p.m., using security cameras on site, installing a
407 signalization device to indicate when someone is parked in the handicapped parking spaces, and
408 controlling access to this site along the eastern and southern property lines with the construction
409 of the brick wall and wrought iron style fence as I described earlier.

410

411 These commitments are further outlined in letters from Wawa Inc. and the Division of Police,
412 and staff is recommending that these be incorporated into this approval as indicated in additional
413 condition No. 42 of your handout addendum.

414

415 In general, the applicant and their engineer have worked diligently with staff to address
416 comments and concerns. With the revised plan and building elevations, as well as the
417 commitments made by the applicant to the Division of Police, staff can recommend approval of
418 this project. The applicant and their engineer and representative are here today to answer any
419 questions you may have. A representative from the Division of Police is here today, as well, and
420 I'm happy to answer any questions you may have, too.

421

422 Mr. Marshall - Mike, where in there is it about where they are going to realign that entranceway?
423 What condition is that?

424

425 Mr. Cooper - There is not a condition that specifically states that. It's annotated on the
426 revised plan.

427

428 Mr. Marshall - Right there in that corner (referring to map)?

429

430 Mr. Cooper - I believe I wrote it right in the middle, right on Broad Street, if you see
431 right in the right-of-way of Broad Street, I wrote on there "revised plan entrance relocation to be
432 constructed as shown in Phase II with Phase I."

433

434 Mr. Marshall - And I didn't see anything about that concrete bumper blocks in there.

435

436 Mr. Cooper - We can annotate that on the plan as well. I thought we would just
437 annotate that and I thought that that would be adequate.

438

439 Mr. Marshall - As long as we make sure we do that.

440

441 Mr. Vanarsdall - Stuart is here, if you want to talk to him.

442

443 Mr. Marshall - We've talked about it. We talked about it in length on Monday.

444

445 Mrs. Ware - That needs to be added?

446 Mr. Marshall - Do you need to add that to put on there now?

447

448 Mr. Cooper - We can make note on the record, that we will annotate the plan, that
449 bumper blocks will be provided in the double stack parking between the Wawa and the old
450 Staples parcel.

451

452 Mr. Marshall - That's fine.

453

454 Mr. Donati - Mr. Cooper, could you tell me again what Police said in their report? They
455 did not want the convenience store and car wash here, at this location?

456

457 Mr. Cooper - I believe that is correct. Kim Vann with Police is here and she could
458 better answer that, but I believe that they feel that this location, in regards to a convenience store
459 and car wash uses, given the proximity to the residential area behind it, it's not perhaps, for
460 security purposes, the best design or location for this project.

461

462 Mr. Donati - I thought I heard you right. Okay.

463

464 Mr. Marshall - We had a meeting with Colonel Middleton on Monday.

465

466 Mr. Donati - And it's going to have a fence around it, right?

467

468 Mr. Marshall - Right. The purpose of our meeting Monday was....

469

470 Mr. Donati - I'm sort of bewildered here, where Police starts making decision where we
471 are going to start putting things in the County. I understand safety, but....

472

473 Mr. Marshall - Right. There were concerned about some safety issues, Mr. Donati, so Monday
474 we had a meeting with Colonel Middleton and Wawa and Mr. Grattan and the representatives
475 from Wilton, and out of that came the condition for this wrought iron fence along the property
476 line, as well as the items about the signalization devices. They had a concern about the back. In
477 other words, there is a front door and a back door and the potential for robberies and so forth
478 being on the back door, so....

479

480 Mr. Donati - But the shopping center is okay there, right?

481

482 Mr. Marshall - Right. After the meeting, the Police Department was satisfied with some of these
483 added conditions as it address the safety concerns.

484

485 Mrs. Ware - So, Mr. Cooper, the brick wall is in the back of the property and the
486 wrought iron fence goes down the side?

487

488 Mr. Cooper - Yes, ma'am, that's correct. If you note on your revised plan, I annotated it
489 to the rear. Just behind the car wash bays would be an eight-foot-high, brick wall fence. They
490 are also using that as one of their permitted alternatives for transitional buffer that's required

491 back there, and then tying into that along this eastern property line will be the wrought iron style
492 fence, which should be six feet in height.

493

494 Mrs. Ware - And the video store will ultimately go between those two parking aisles
495 that are in front of what is now the Office Store.

496

497 Mr. Cooper - Yes, that is correct. If you notice the two, they are kind of shaded or
498 striped. Essentially, that will be the location where the Hollywood Video will go with Phase II
499 of the construction.

500

501 Mrs. Ware - Which is down here in the bottom corner (referring to map).

502

503 Mr. Cooper - Yes, ma'am.

504

505 Mrs. Ware - All right.

506

507 Mr. Silber - Mr. Cooper, will the existing driveway stay at its current location in Phase
508 I?

509

510 Mr. Cooper - No. That is what is shown on your plan here, but in our meeting on
511 Monday an agreement was made that the entrance realignment, relocation, and bringing it up to
512 today's design standards, will actually be done with Phase I of the construction. So, what you
513 see in Phase II, in the bottom left-hand corner, minus the building, will take place with Phase I.

514

515 Mr. Silber - Okay, and that will be annotated somewhere on the plan?

516

517 Mr. Cooper - It is annotated. If you notice within the right-of-way of W. Broad Street
518 on your revised plan, there is an asterisk in handwriting, "Entrance relocation to be constructed
519 as shown in Phase II with Phase I," it's right in the middle of the plan.

520

521 Mrs. Ware - So, that's closing this entrance is basically what it is.

522

523 Mr. Marshall - See, they are going to put this island in, here (referring to plan) and the bumper
524 block along, here. So, there is no cut through. So, you have to go up and around.

525

526 Mr. Silber - Okay. I just wanted to make sure that that was align with Phase I. I
527 couldn't read this. Okay. Thank you.

528

529 Mrs. Ware - Are there any more questions for Mr. Cooper from the Commission? No
530 questions.

531

532 Mr. Marshall - Madam Chairman, I'm going to move approval of POD-80-04, Westland – East,
533 subject to the annotations on the plans, the standard conditions for developments of this type,
534 along with additional conditions Nos. 23 through 37 and then added conditions Nos. 38 through
535 42 listed on the addendum.

536

537 Mr. Vanarsdall - Second.

538

539 Mrs. Ware - The motion was made by Mr. Marshall and seconded by Mr. Vanarsdall.

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

541

542 The Planning Commission approved POD-80-04, Westland – East – W. Broad Street, subject to
543 the annotations on the plans, the standard condition attached to these minutes for developments
544 of this type and the following additional conditions:

545

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

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

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

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

558 27. A standard concrete sidewalk shall be provided along the south side of W. Broad Street.

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

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

564 30. Insurance Services Office (ISO) calculations must be included with the plans and
565 contracts and must be approved by the Department of Public Utilities prior to the
566 issuance of a building permit.

567 31. Approval of the construction plans by the Department of Public Works does not establish
568 the curb and gutter elevations along the Virginia Department of Transportation
569 maintained right-of-way. The elevations will be set by the contractor and approved by
570 the Virginia Department of Transportation.

571 32. The owner or manager on duty shall be responsible for temporarily closing the car
572 facility when the on-site stacking space is inadequate to serve customer demand to
573 prevent a backup of vehicles onto the public right-of-way. The owner shall arrange with
574 the Traffic Engineer to provide standard traffic control signs to notify customers that
575 stopping or standing on the public right-of-way shall not be permitted near the entrances
576 to the car wash facility.

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

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

- 581 HVAC units, electric meters, junction and accessory boxes, transformers, and generators)
 582 shall be identified on the landscape plans. All equipment shall be screened by such
 583 measures as determined appropriate by the Director of Planning or the Planning
 584 Commission at the time of plan approval.
- 585 35. Only retail business establishments permitted in a B-3 zone may be located in this center.
 586 36. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of
 587 the total site area.
- 588 37. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).
 589 38. A decorative wrought iron style fence shall be constructed along the eastern property line
 590 of parcel 763-752-3466.
- 591 39. The hours of operation for the car wash and vacuums shall be limited to 6:00am to
 592 11:00pm.
- 593 40. Pay telephones shall not be located on parcel 763-752-3466.
 594 41. A signalization device to notify employees when someone parks in the handicap parking
 595 spaces on parcel 763-752-3466 shall be installed in the convenience store.
- 596 42. The conditions set forth in the letters from Wawa, Inc. and the Henrico County Division
 597 of Police, both dated **November 16, 2004**, shall be incorporated into this approval.
 598

599 **SUBDIVISION (Deferred from the October 27, 2004, Meeting)**

600

Kain Estates
 (September 2004 Plan)

Bay Design Group for Carolyn H. Leake, Trustee, and The Breeden Company, Inc.: The 175.442-acre site proposed for a subdivision of 96 single-family homes is located on the south line of Kain Road approximately 1,800 feet east of the Goochland-Henrico County boundary on parcels 734-769-4535, 733-770-2133, and 732-770-5049. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield.
(Three Chopt) 96 Lots

601

602 Mrs. Ware - Is there any opposition to subdivision Kain Estates (September 2004 Plan)
 603 in the Three Chopt District. There's no opposition. Hello, Mr. Wilhite.

604

605 Mr. Wilhite - Good morning. The plan that you have in your packet is actually the
 606 fourth layout we've seen on this piece of property. Currently, we do have 96 lots. There are two
 607 points of access being provided to Kain Road. The Concept Road 26-2, which is a minor
 608 collector on the Major Thoroughfare Plan, is shown in a location acceptable to staff. The double
 609 frontage lots that were shown on the last plan have been eliminated from the residential streets
 610 and also the cul-de-sac streets now currently meet all length requirements of the Department of
 611 Public Works.

612 One annotation that needs to be added to the plan in your packet is that the pond near the
 613 easternmost entrance to Kain Road, that is currently shown as part of Lot 7, is actually going to
 614 be split off in common areas as an amenity for the subdivision.

615

616 On page two of your addendum, there is a revised recommendation for approval. There are two
 617 revised conditions and three added conditions recommended by staff. Condition No. 13 as

618 revised to require a sidewalk along the south side of Kain Road and the east side of Concept
619 Road 26-2. Condition No. 16 has been revised to make sure that the 20-foot right-of-way
620 easement that's currently existing along the western boundary of this property will be vacated
621 prior to any lots impacted by said easement are recorded.

622

623 The three added conditions are, No. 17 requiring that signage for stub streets be added at the
624 appropriate locations. Number 18 is requiring that dwellings on reverse corner lots be fronted
625 toward the shorter street frontage side. And, No. 19 has been added to show that no more than
626 48 building permits will be issued prior to an elaborate road system constructed to Pouncey Tract
627 Road with at least 52 feet from curb to curb, either a single road connection or a combination of
628 connections. With that, staff can recommend approval of the revised plan with those
629 annotations, the standard conditions for subdivisions of this type and additional conditions Nos.
630 11 through 19 as amended.

631

632 Mrs. Ware - Are there any questions for Mr. Wilhite from the Commission?

633

634 Mr. Silber - Mr. Wilhite, I think there may be some numbering differences here. I
635 think what Mr. Jernigan has is a list of revised conditions that differs from the list that I have
636 before me.

637

638 Mr. Jernigan - I think what came out in the packet yesterday is different than what I
639 received this morning. Oh, I see. These are different. I've got it. We're all right.

640

641 Mr. Wilhite - I'm not sure what you may have. We had 11 through 16 on the main
642 agenda and Nos. 13 and 16 had been revised as they show up on page 2 of the addendum, plus
643 three added conditions Nos. 17, 18 and 19, which show up on page 2 of the addendum as well.

644

645 Mr. Vanarsdall - That's what I have.

646

647 Mr. Jernigan - That's what I have but the one that was faxed to me yesterday, has Nos. 13
648 to 20 and this one has Nos. 13 to 19, but I'm straight now.

649

650 Mr. Wilhite - Yes, we had a problem yesterday and we corrected that. I'm sorry that
651 you got that.

652

653 Mr. Jernigan - No problem.

654

655 Mrs. Ware - Okay. Are there any more questions for Mr. Wilhite?

656 Mr. Marshall - Madam Chairman, I move approval of subdivision Kain Estates subject to the
657 annotations on the plan and the standard conditions for subdivisions not served by public
658 utilities, conditions Nos. 11, 12, revised condition No. 13, conditions Nos. 14, 15, revised
659 condition No. 16 and added conditions Nos. 17, 18 and 19.

660

661 Mr. Vanarsdall - Second.

662

663 Mrs. Ware - The motion was made by Mr. Marshall and seconded by Mr. Vanarsdall.
664 All in favor say aye...all opposed say nay. The motion passes.

665

666 The Planning Commission granted conditional approval to subdivision Kain Estates (September
667 2004 Plan) subject to the annotations on the plans, the standard conditions attached to these
668 minutes for developments of this type, and the following additional conditions:

669

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

672 12. The detailed plant list and specifications for the landscaping to be provided within the 25-
673 foot-wide planting strip easement along Kain Road and Concept Road 26-2 shall be
674 submitted to the Department of Planning for review and approval prior to recordation of the
675 plat.

676 13. A County standard sidewalk shall be constructed along the south side of Kain Road and the
677 east side of Concept Road 26-2.

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

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

691 16. Evidence of the vacation of the existing 20-foot right-of-way easement along the western
692 boundary of this development shall be provided to the Department of Planning prior to
693 recordation of the subdivision plat containing any lots impacted by the said easement.

694 17. The developer shall provide signage, the wording and location as deemed appropriate by
695 the Director of Public Works, which addresses the possible future extension of any stub
696 street.

697 18. On reverse corner lots, the dwellings shall be oriented with the front façade facing the
698 shortest street frontage of the lot.

699 19. No more than 48 building permits for dwellings on the property may be granted by the
700 County until such time as a single road or connection of roads, each having a width of at
701 least 52 feet curb to curb, is available for use from the property to Pouncey Tract Road.

702

703 Mr. Silber - This is the last case on our agenda for today.

704

705 **SUBDIVISION**

706

River Mill Estates

Balzer & Associates, Inc. for Carol and Chris Shumaker:

November 17, 2004

-19-

(October 2004 Plan)

The 20.52-acre site proposed for a subdivision of 12, single-family homes is located at 11980-82 Old Washington Highway approximately 327 feet east of Kelliipe Road on parcels 773-778-9194 and 774-778-3934. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield.

(Brookland) 12 Lots

707

708 Mrs. Ware - Is there anyone in the audience in opposition to subdivision River Mill
709 Estates (October 2004 Plan) in the Brookland District? There's no opposition.

710

711 Ms. Goggin - Good morning.

712

713 Mrs. Ware - Good morning.

714

715 Ms. Goggin - A revised plan was just handed out to you. Public Works can now
716 recommend approval of the plan because the floodplain elevations have been provided to their
717 satisfaction. The purposed subdivision is landlocked, to coin a phrase, by Mill Pond to the east
718 and Thomas Mill to the north and west. The shape of the parcel necessitated an approximately
719 1,900-foot-long subdivision road. Public Works has granted a cul-de-sac length waiver, but a
720 wavier for maximum block length of 1,320 feet will need to be granted by the Planning
721 Commission as a part of its approval. Staff can recommend approval of that waiver due to its
722 unique physical constraints. Staff recommends conditional approval subject to the annotations
723 on the plan, the standard conditions for subdivisions not served by public utilities and additional
724 conditions Nos. 11 through 17 in the agenda. I'll be happy to address any questions from the
725 Commission and Ron Green from Balzer & Associates is here if you have any questions from
726 him as the applicant.

727

728 Mrs. Ware - Are there any questions for Ms. Goggins from the Commission? All right,
729 no questions. Mr. Vanarsdall, would you like to hear from the applicant?

730

731 Mr. Vanarsdall - No, I don't need to. I recommend River Mill Estates (October 2004 Plan)
732 be approved with the annotations on the plans for subdivisions not served by public utilities, and
733 conditions Nos. 11 through 17.

734

735 Mr. Marshall - Second.

736 Mrs. Ware - The motion was made by Mr. Vanarsdall and seconded by Mr. Marshall.
737 All in favor say aye...all opposed say nay. The motion passes.

738

739 Mr. Vanarsdall - Thanks for getting that straight, Christina.

740

741 The Planning Commission granted conditional approval to subdivision River Mill Estates
742 (October 2004 Plan) subject to the annotations on the plans, the standard conditions attached to
743 these minutes for subdivision not served by public utilities, and the following additional
744 conditions:

745

- 746 11. Prior to requesting recordation, the developer shall furnish a letter from Dominion Virginia
747 Power stating that this proposed development does not conflict with its facilities.
- 748 12. Each lot shall contain at least 43,560 square feet, exclusive of the flood plain areas.
- 749 13. The limits and elevation of the 100-year frequency flood shall be conspicuously noted on
750 the plat and construction plans and labeled "Limits of 100-year floodplain." Dedicate
751 floodplain as a "Variable Width Drainage & Utilities Easement."
- 752 14. Any necessary offsite drainage easements must be obtained prior to approval of the
753 construction plan by the Department of Public Works.
- 754 15. Any future building lot containing a BMP, sediment basin or trap and located within the
755 buildable area for a principal structure or accessory structure, may be developed with
756 engineered fill. All material shall be deposited and compacted in accordance with the
757 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
758 professional engineer. A detailed engineering report shall be submitted for the review and
759 approval by the Building Official prior to the issuance of a building permit on the affected
760 lot. A copy of the report and recommendations shall be furnished to the Directors of
761 Planning and Public Works.
- 762 16. Prior to requesting final approval, the engineer shall furnish the Department of Planning
763 Staff a plan showing a dwelling situated on Lot 6 to determine if the lot design is adequate
764 to meet the requirements of Chapter 24, of the Henrico County Code.
- 765 17. The plan must be redesigned to provide at least the 150-foot minimum lot width required
766 and as regulated by Chapter 24, of the Henrico County Code.

767
768 Mr. Silber - I take it that we have no minutes that are up for approval this time, Ms.
769 News?

770
771 Ms. News - Yes, sir. The minutes are in draft form, and they are being reviewed, but
772 because of the short time period between the meetings there wasn't enough time to get these
773 ready for the packets. They plan to have both sets of minutes at the next meeting.

774
775 Mr. Silber - Okay. That concludes the cases before the Planning Commission this
776 morning. I have one remainder to the Commission. We have a special joint Work Session,
777 probably the Planning Commission and the Board, on Tuesday, November 23.

778
779 Mr. Archer - At 8:00 a.m., correct?

780
781 Mr. Silber - At 8:00 a.m. with pasteries and coffee. At 8:30, the session will began.
782 We don't know how long it is going to go. We suspect that it will involve lunch and could go
783 beyond. I know Mr. Archer has a conflict and will have to leave around noon. That's fine, and
784 if there is anybody else that has a conflict and has to leave early, just let me know. That is on the
785 agenda and I look forward to having you there.

786
787 Mr. Archer - All right. Madam Chairman, I move for adjournment.

788
789 Mr. Vanarsdall - Second.

790

791 Mrs. Ware - The motion was made by Mr. Archer and seconded by Mr. Vanarsdall.
792 All in favor say aye...all opposed say nay. The motion passes. This meeting is adjourned.

793

794 On a motion by Mr. Archer and seconded by Mr. Vanarsdall, the Planning Commission
795 adjourned its meeting at 9:42 a.m.

796

797

798

799

800

Lisa D. Ware, Chairman

801

802

803

804

805

Randall R. Silber, Secretary