

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  
3 Center at Parham and Hungary Springs Roads, Beginning at 9:00 a.m. Wednesday, November  
4 16, 2005.

5

6 Members Present:                   Mr. Ernest B. Vanarsdall, C.P.C., Chairperson (Brookland)  
7   Mr. C. W. Archer, C.P.C., Vice Chairperson (Fairfield)  
8   Mr. Tommy Branin (Three Chopt)  
9   Mrs. Bonnie-Leigh Jones (Tuckahoe)  
10    Mr. E. Ray Jernigan, C.P.C. (Varina)  
11    Mr. David A. Kaechele (Three Chopt) Board of Supervisors  
12   Representative  
13    Mr. Randall R. Silber, Director of Planning, Secretary

14

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

25

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

28

29 Mr. Vanarsdall -           The Planning Commission will now come to order. Good morning,  
30 fellow Commissioners and staff members. Good morning, Mr. Kaechele. We have a few  
31 cases this morning and I'm going to turn the meeting over to our Secretary, Mr. Silber.

32

33 Mr. Silber -               Thank you, Mr. Chairman. Good morning, everyone. We have all  
34 members of the Planning Commission present this morning. First on the agenda would be  
35 consideration of those items that have been requested for deferral. I believe we have at least  
36 three. Ms. News, can you tell us about those?

37

38 Mr. Vanarsdall -           Good morning, Ms. News.

39

40 Ms. News -                Good morning, Mr. Chairman, members of the Commission. We have  
41 three deferrals on the list before you, and received two additional requests for deferral this  
42 morning, which I will cover.

43 The first request is on page 2 of agenda and it is located in the Brookland District. This is a  
44 transfer of approval for POD-55-75 and POD-46-94, Brookfield Commons. The applicant is  
45 requesting a deferral to the January 25, 2006 meeting.

46

47 **TRANSFER OF APPROVAL (Deferred from the October 26, 2005 Meeting)**

48

POD-55-75 and POD-46-94 **Hirschler Fleischer for Direct Invest Ventures, LLC:**  
Brookfield Commons Request for transfer of approval as required by Chapter 24,  
Section 24-106 of the Henrico County Code from Chamberlin,  
L.P. to Direct Invest Ventures, LLC. The 6.822-acre site is  
located at 6600 W. Broad Street (U. S. Route 250) at the  
northeast corner of the intersection of W. Broad Street and  
Dickens Road on parcel 768-743-7194 The zoning is O-3,  
Office District. County water and sewer. **(Brookland)**

49

50 Mr. Vanarsdall - Is there anyone in the audience in opposition to the deferral of POD-55-  
51 75 and POD-46-94, Brookfield Commons, in the Brookland District? No opposition. I move  
52 that POD-55-75 and POD-46-94, Brookfield Commons, be deferred to January 25, 2006, at  
53 the applicant's request.

54

55 Mr. Archer - Second.

56

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

59

60 At the request of the applicant, the Planning Commission deferred the transfer of approval  
61 request for POD-55-75 and POD-46-94 Brookfield Commons, to its January 25, 2006 meeting.

62

63 Ms. News - The next request is on page 5 in your agenda and this is located in the  
64 Varina District - is the landscape plan LP/POD-34-05, The Village @Osborne - Zero Lot Line  
65 Dwellings. The applicant has requested a deferral to the December 14, 2005 meeting.

66

67 **LANDSCAPE PLAN (Deferred from the October 26 2005, Meeting)**

68

LP/POD-34-05 **Foster & Miller, P.C. for FTF, LLC:** Request for approval of  
The Village @ Osborne - a landscape plan, as required by Chapter 24, Sections 24-106  
Zero Lot Line Dwellings and 24-106.2 of the Henrico County Code. The 41.758-acre  
Osborne Turnpike site is located at 7101 Osborne Turnpike, approximately 4,500  
feet north of Burning Tree Road on parcels 802-696-9269 and  
803-696-6866. The zoning is R-5AC, General Residence  
District (Conditional) **(Varina)**

69

70 Mr. Vanarsdall - Is there anyone in the audience in opposition to the deferment of  
71 LP/POD-34-05, The Village @ Osborne, to the December 14 meeting? No opposition.

72 Mr. Jernigan - Mr. Chairman, I move for deferral of landscape plan LP/POD-34-05,

73 The Village @ Osborne, to December 14, 2005, by request of the Applicant.

74

75 Mr. Archer - I second, Mr. Chairman.

76

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

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

79

80 At the request of the applicant, the Planning Commission deferred the landscape plan for  
81 LP/POD-34-05, The Village @ Osborne, to the December 14, 2005, meeting.

82

83 Ms. News - The next request is on page 20 in your agenda and this is located in the  
84 Varina District - subdivision Hoke Brady Farms (October 2005 Plan) for 43 lots. The applicant  
85 has requested a deferral to the December 14, 2005 meeting.

86

### 87 **SUBDIVISION**

88

Hoke Brady Farms  
(October 2005 Plan)  
Kingsland Road

**Engineering Design Associates for Charlie H. Purks, Sr. and D. P. Purks Trust and G & G Limited:** The 126.30-acre site proposed for a subdivision of 43 single-family homes is located on the north line of Kingsland Road between Varina Road and the U.S. Park Service property on parcel 812-674-1758 The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield. **(Varina) 43 Lots**

89

90 Mr. Vanarsdall - Is there anyone in the audience in opposition to the deferral of  
91 subdivision Hoke Brady Farms (October 2005 Plan) in the Varina District? No opposition.

92

93 Mr. Jernigan - Mr. Chairman, I move for deferral of subdivision Hoke Brady Farms  
94 (October 2005 Plan) to December 14, 2005, by request of the applicant.

95

96 Mr. Archer - Second.

97

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

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

100

101 At the request of the applicant, the Planning Commission deferred subdivision Hoke Brady  
102 Farms (October 2005 Plan), to its December 14, 2005 meeting.

103

104 Ms. News - This morning we received a request for a deferral for POD-24-04,  
105 Hickory Corner Office Park, on page 10 in your agenda, located in the Three Chopt District.  
106 The applicant is requesting deferral to the December 14, 2005 meeting.

107 **PLAN OF DEVELOPMENT RECONSIDERATION (Deferred from the October 26, 2005**  
108 **Meeting)**

109

POD-24-04  
Hickory Corner Office Park  
5310 – 5398 Twin Hickory  
Road

**D. Neil Rankins for Hickory Corner, L.C.:** Request for approval of a reconsideration of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, for approval of revisions to site improvements, architectural and HVAC screening for a previously approved office park. The 5.135-acre site is located on the east line of Twin Hickory Road, approximately 170 feet north of Nuckols Road on parcel 747-773-1506. The zoning is O-2C, Office District (Conditional). County water and sewer. **(Three Chopt)**

110

111 Mr. Vanarsdall - Is there anyone in the audience in opposition to the deferral of POD-24-  
112 04, Hickory Corner Office Park in the Three Chopt District? No opposition.

113

114 Mr. Branin - Mr. Chairman, I move that POD-24-04, Hickory Corner Office Park, be  
115 deferred to the December 14 meeting, per the applicant's request.

116

117 Mr. Jernigan - Second.

118

119 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mr. Jernigan. All  
120 in favor say aye...all opposed say nay. The motion passes.

121

122 At the request of the applicant, the Planning Commission deferred POD-24-04, Hickory  
123 Corner Office Park, to its December 14, 2005 meeting.

124

125 Ms. News - The next request is on page 19 in your agenda and located in the  
126 Fairfield District - subdivision Michael's Way (November 2005 Plan). The applicant has  
127 requested a deferral to the December 14, 2005 meeting.

128

129 **SUBDIVISION**

130

Michael's Way  
(November 2005 Plan)  
Madge Lane

**McKinney & Company for Mindy Properties, LLC:** The 10.73-acre site proposed for a subdivision of 18 single-family homes is located 350 feet east of the intersection of Madge Lane and Caddie Lane on parcel 804-724-9640. The zoning is R-4, One-Family Residence District. County water and sewer. **(Fairfield) 18 Lots**

131

132 Mr. Vanarsdall - Is there anyone in the audience in opposition to the deferral of  
133 subdivision Michael's Way (November 2005 Plan) in the Fairfield District? No opposition.

134 Mr. Archer.

135

136 Mr. Archer - Mr. Chairman, I move for deferral of subdivision case Michael's Way

November 16, 2005

137 (November 2005 Plan) to December 14, 2005, by request of the applicant.

138

139 Mr. Jernigan - Second.

140

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

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

143

144 At the request of the applicant, the Planning Commission deferred subdivision Michael's Way

145 (November 2005 Plan), to its December 14, 2005 meeting.

146

147 Ms. News - That's all of the requests for deferral that staff is aware of.

148

149 Mr. Vanarsdall - Thank you, Ms. News.

150

151 Mr. Silber - If there are no other deferrals, we will move on to the Expedited

152 Agenda. We have a number of items on the Expedited Agenda. What this is, items have been

153 placed on this consent agenda, if you will, that allows for the Planning Commission to take

154 action without hearing these cases. These are plans that have been reviewed by staff, there are

155 no outstanding issues, the applicant is agreeable to the conditions that have been recommended

156 by staff and the Commissioner from that district has no outstanding issues for those plans. So,

157 they are placed on the Expedited Agenda so that we can hear the cases without a hearing. I

158 believe we have three on the Expedited Agenda.

159

160 Ms. News - That's correct, Mr. Secretary. First on page 3 in your agenda and

161 located in the Three Chopt District is a transfer of approval POD-98-73, Tyler Building

162 (Formerly the Koger Executive Center) and they are recommending approval.

163

#### 164 **TRANSFER OF APPROVAL**

165

POD-98-73

Tyler Building (Formerly

Koger Executive Center

Block "C")

1603 Santa Rosa Road

**Bruce E. Mason for Tyler Investors, LLC:** Request for

transfer of approval as required by Chapter 24, Section 24-106

of the Henrico County Code from Koger Properties, Inc. and

Forest Park Associates, LLC to Tyler Investors, LLC. The

2.024-acre site is located on the east side of Santa Rosa Road,

approximately 275 feet northeast of the intersection of Franklin

Farm Drive and Santa Rosa Road in the Koger Office Center

on parcel 758-744-8860. The zoning is O-2, Office District.

County water and sewer. **(Three Chopt)**

166

167 Mr. Vanarsdall - Is there anyone in the audience in opposition to the transfer of approval

168 request for POD-98-73, Tyler Building (Formerly Koger Executive Center), in the Three

169 Chopt District? No opposition. Mr. Branin.

170 Mr. Branin - Mr. Chairman, I move that the transfer of approval POD-98-73, Tyler  
171 Building on the Expedited Agenda be approved.

172

173 Mr. Archer - Second.

174

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

177

178 The Planning Commission approved the transfer of approval request for POD-98-73, Tyler  
179 Building (Formerly Koger Executive Center Block "C") subject to the new owners accepting  
180 and agreeing to be responsible for continued compliance with the conditions for the original  
181 POD approval.

182

183 Ms. News - Next on page 18 of your agenda, located in the Varina District, is  
184 subdivision Rocketts Landing Phase 1 (November 2005 Plan). This is a subdivision of 42  
185 residential townhouse lots and nine parcels for future development.

186

#### 187 **SUBDIVISION**

188

Rocketts Landing Phase I (November 2005 Plan) Osborne Turnpike	<b>Shadrach &amp; Neal, Inc. for Central Virginia Investments/Rocketts Landing LLC:</b> The 2.43-acre site proposed for a subdivision of 42 residential townhouses for sale and 9 parcels for future development is located on Old Osborne Turnpike at the County line, 150 feet south of Orleans Street on parcels 797-712-3780, 797-713-5542 and 8451. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. <b>(Varina) 42 Lots</b>
--	--

189

190 Mr. Vanarsdall - Is there anyone in the audience in opposition to Rocketts Landing, Phase  
191 I (November 2005 Plan), in the Varina District? No opposition. Mr. Archer.

192

193 Mr. Archer - Mr. Chairman, I move approval of Rocketts Landing, Phase 1  
194 (November 2005 Plan) subject to the annotations on the plan, the standard conditions for  
195 subdivisions served by public utilities and additional conditions Nos. 13, 14 and 15.

196

197 Mrs. Jones - Second.

198

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

201

202 Mr. Jernigan - Mr. Chairman, I abstain.

203

204 Mr. Vanarsdall - So noted. Thank you.

205 The Planning Commission granted conditional approval to subdivision Rocketts Landing,  
206 Phase 1 (November 2005 Plan) subject to the annotations on the plans, the standard conditions  
207 attached to these minutes for subdivisions served by public utilities, and the following  
208 additional conditions. Mr. Jernigan abstained.

209

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

213 14. The proffers approved as part of zoning cases P-14-04 and C-55C-04 shall be  
214 incorporated in this approval.

215 15. The final plat shall contain a statement that this subdivision is on an abandoned industrial  
216 site. The wording shall be approved by the Department of Planning Staff and the County  
217 Attorney, and shall be conspicuously on the face of the plat.

218

219 Ms. News - The final request is on page 23 in your agenda and located in the Varina  
220 District. This is subdivision Seven Pines Villa (November 2005 Plan) for five lots. There is an  
221 addendum item on page 4 of your addendum adding two additional conditions to the approval.  
222 The first addition, No. 14, requires the applicant to show that a dwelling could be situated on  
223 the lots to confirm the buildable area of lot 1. And, No. 15 which requires that the site be  
224 noted on the construction plans that it is within the core are of the Seven Pines Civil War  
225 Battlefield and which details requirements in the event that any graves are located during  
226 construction.

227

## 228 **SUBDIVISION**

229

Seven Pines Villa  
(November 2005 Plan)  
Howard Street

**Engineering Design Associates for James L. and Evelyn Cannon and Beers & White Inc.:** The 2.579-acre site proposed for a subdivision of 5 single-family homes is located along the south line of Howard Street, approximately 170 feet east of Seven Pines Avenue on parcels 831-716-1119 and 830-716-9014. The zoning is R-4, One-Family Residence District. County water and sewer. **(Varina) 5 Lots**

230

231 Mr. Vanarsdall - Is there anyone in the audience in opposition to subdivision Seven Pines  
232 Villa (November 2005 Plan) in the Varina District? No opposition. Mr. Jernigan.

233

234 Mr. Silber - Ms. News, is the applicant aware of those two additional conditions?

235

236 Ms. News - I believe they are. They submitted a request for Expedited Approval.

237

238 Mr. Silber - Expedited Approval with the understanding of those two additional  
239 conditions.

240

241 Ms. News - The applicant is indicating that they are in agreement.

242

243 Mr. Silber - Okay.

244

245 Mr. Jernigan - Mr. Chairman, with that I move for approval of Seven Pines Villa  
246 (November 2005 Plan) subject to the annotations on the plans, the standard conditions for  
247 subdivisions served by public utilities and additional conditions Nos. 12 and 13 and Nos. 14  
248 and 15 added on the addendum.

249

250 Mr. Archer - Second.

251

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

254

255 The Planning Commission granted conditional approval to subdivision Seven Pines Villa  
256 (November 2005 Plan) subject to the annotations on the plans, the standard conditions attached  
257 to these minutes for subdivisions served by public utilities, and the following additional  
258 conditions:

259

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

263 13. Each lot shall contain at least 8,000 square feet exclusive of flood plain areas.

264 14. Prior to requesting final approval, the engineer shall furnish the Department of Planning  
265 Staff a plan showing a dwelling situated on Lot 1 to determine if the lot design is adequate  
266 to meet the requirements of Chapter 24, of the Henrico County Code.

267 15. Any found cemetery, burial ground, or graveyard shall be platted as a cemetery lot with  
268 either public street frontage or an access easement 16 feet in width. The following note  
269 shall be added to the construction plans: NOTICE: The subject property is located  
270 within the core area of the Seven Pines Civil War Battlefield Area. Any graves  
271 identified during construction activities shall be left undisturbed, unless reburial of the  
272 remains is approved in accordance with applicable laws.

273

274 Mr. Vanarsdall - Thank you, Ms. News.

275

276 Ms. News - You're welcome.

277

278 Mr. Silber - Now moving back to the top of the agenda on page 1, next would be  
279 consideration of extension of conditional approvals. All of them on the agenda this morning  
280 can be handled administratively and do not require Planning Commission approval on any of  
281 these five extensions. We list them for Planning Commission information. If you want any  
282 information on these, staff is prepared to provide that.



283 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL:**  
 284  
 285 **FOR INFORMATIONAL PURPOSES ONLY**  
 286

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended Recommended
Cedar Run (November 2003 Plan)	Fairfield	132	91	1	1 Year 11/15/06
Kain Estates (September 2004 Plan)	Three Chopt	96	96	0	1 Year 11/15/06
Kingsridge (October 2003 Plan)	Varina	164	117	1	1 Year 11/15/06
Purcell Manor (November 2003 Plan)	Brookland	3	3	1	1 Year 11/15/06
River Mill Estates (October 2004 Plan)	Brookland	12	12	0	1 Year 11/15/06

287

288 Mr. Vanarsdall - All right. Good morning, Ms. Goggin.

289

290 Mr. Silber - Ms. Goggin, is there anything you need to inform the Commission on  
 291 these five subdivisions?

292

293 Ms. Goggin - Good morning. No, sir, I'm just here to answer any questions they may  
 294 have.

295

296 Mr. Silber - There are no questions on those so they will be accepted and moved  
 297 forward. We will now start into our regular agenda and the first case is on page 4, an  
 298 alternative fence height which was deferred from the October 26 meeting, the Adamson  
 299 Residence on River Road.

300

301 **ALTERNATIVE FENCE HEIGHT PLAN (Deferred from the October 26, 2005, Meeting)**

302

Adamson Residence - **William H. Spell for John and Katherine Adamson:** Request  
 River Road for approval of an alternative fence height plan to permit a  
 brick serpentine wall in excess of 42 inches in height in the  
 front yard, as required by Chapter 24, Sections 24-106 and 24-  
 95(1)7 of the Henrico County Code. The 2.295-acre site is  
 located at 9301 River Road on parcel 744-735-2788. The  
 zoning is R-1, One-Family Residence District. **(Tuckahoe)**

303

304 Mr. Vanarsdall - Is there anyone in the audience in opposition to this case, Adamson  
 305 Residence, serpentine wall, in the Tuckahoe District? Are you in opposition?

306 Mr. McKinney - We've got it worked out, Mr. Vanarsdall, as far as I know.

307

308 Mr. Strauss - For the record, that was Mr. Moe McKinney. Thank you, Mr.  
309 Chairman. This case was deferred last month in order to allow the applicant Mr. Adamson  
310 time to schedule a meeting with his neighbor to discuss the height of the wall. This meeting  
311 was held and staff did discuss the proposed wall design with the applicant's landscape  
312 architect, Mr. Bill Spell, and he was also present at the meeting. There was some opposition  
313 about the column height at either side of the entrance. It is my understanding, that after  
314 discussions this morning, there is a compromise that has been reached. The applicant is  
315 willing to adjust the height of the column to eight feet instead of the nine feet that was  
316 proposed. So, at this time staff is recommending approval of the plan that was submitted for  
317 approval last month with the note about the "right-of-way." And, in addition, we would like  
318 to annotate the plan that the columns would be a total of eight feet in height. If you have  
319 additional questions, I'm here to answer them and Mr. Bill Spell is also here. Thank you.

320

321 Mr. Vanarsdall - Are there any questions for Mr. Strauss by Commission members?

322

323 Mrs. Jones - All right. Thank you, gentlemen. Mr. Strauss, let me make sure that I  
324 understand this. The right-of-way notation will be removed from the plan.

325

326 Mr. Strauss - Right.

327

328 Mrs. Jones - And there will be an additional annotation on the plan indicating the  
329 height of the columns will be eight feet.

330

331 Mr. Strauss - Yes.

332

333 Mrs. Jones - With that, I move for approval of alternative fence height plan for John  
334 and Katherine Adamson with the annotations on the plan and the additional eight-foot-column  
335 height annotation and the removal of the right-of-way annotation.

336

337 Mr. Jernigan - Second.

338

339 Mr. Vanarsdall - The motion was made by Mrs. Jones and seconded by Mr. Jernigan. All  
340 in favor say aye...all oppose say nay. The motion passes. Thank you for your input, Mr.  
341 McKinney. I see an old face there, Mr. Bill Spell, I don't mean O L D, I mean O L E.

342

343 The Planning Commission approved the alternative fence height plan for the Adamson  
344 Residence subject to the annotations on the plan and the standard conditions for landscape  
345 plans.

346 **SUBDIVISION & EXCEPTION (Deferred from the October 26, 2005, Meeting)**

347

Sweetbay Hill  
(October 2005 Plan)  
JEB Stuart Parkway

**Foster & Miller, P.C. for William C. & Edith B. Schermerhorn Charitable Remainder Unitrust and Sweetbay Development, Inc.:** Request for approval of a conditional subdivision and exception pursuant to Sections 19-4(c) and 19-112 of the Henrico County Code for creation of a block greater than 1,320 feet in length between intersecting streets. The 95.316-acre site is located adjacent to Magnolia Ridge subdivision, approximately 1500 feet northwest of the intersection of Magnolia Ridge Drive and unimproved J.E.B. Stuart Parkway on parcels 781-773-3186, 780-773-3673 and 2718 and 780-772-9071. The zoning is R-2AC, One-Family Residence District (Conditional). County water and sewer.  
**(Fairfield) 144 Lots**

348

349 Mr. Silber -  
350 conditions.

There is an addendum item associated with this case that includes revised

351

352 Mr. Vanarsdall - Is there anyone in the audience in opposition to Sweetbay Hill (October  
353 2005 Plan) in the Fairfield District? No opposition. Mr. McGarry.

354

355 Mr. McGarry -

Good morning, Mr. Chairman, members of the Commission. A revised  
356 plan has been handed out to you. You will be taking action on that plan. You will need three  
357 motions today on this case. The first is to waive the time limits on the plan. The second is for  
358 the exception and third would be for the approval of the subdivision. There are three issues  
359 that staff thinks have been worked out. We will cover the first one. The Department of Public  
360 Works is in agreement with the developer regarding the specific improvements to Woodman  
361 Road/JEB Stuart Parkway and the Grenville Lane connection. That will provide access to the  
362 subdivision. Then a financial guarantee for completeness of the JEB Stuart Parkway portion  
363 over to Brook Road has also been worked out with the Director of Public Works. Staff can  
364 recommend approval of 144 lots.

365

366 Secondly, the developer proposes a 24-foot all weather emergency access road between Kings  
367 Tree Drive and Queens Tree Drive within the Virginia Power easement which abuts lots 17  
368 and 30. This is in lieu of a road connection. Staff is willing to accept that in place of the  
369 actual constructed road.

370

371 Third, walking trails will be provided to connect Tuliptree Court to Queens Tree Drive and a  
372 trail along the Chickahominy River. There is also a tot lot on Kings Tree Drive. Construction  
373 details for all these items will be shown on the construction plans. Staff can recommend  
374 approval of the 144-lot subdivision subject to the standard conditions, plus conditions Nos. 12  
375 through 20 with No. 19 revised, No. 20 is a replacement condition on your addendum where it  
376 specifies the requirements for the construction plans to show the tot lot and the trails. Number  
377 21 references the emergency access drive standard and No. 22 requires that Virginia Power be

378 in agreement with the emergency access drive. I'll be happy to answer any questions.

379

380 Mr. Archer - So, Mr. McGarry, we've got to do the time limits and the exception?

381

382 Mr. McGarry - Yes, sir, and the subdivision approval...three motions.

383

384 Mr. Vanarsdall - What's the date on these, today?

385

386 Mr. McGarry - Sweetbay Hill came in Monday, November 14. So, it came in after the  
387 deadline of the previous week.

388

389 Mr. Silber - Mr. McGarry, the all weather emergency access would that run, I guess,  
390 north of lot 17 and 30? Is that going to be entirely within the Virginia Power easement?

391

392 Mr. McGarry - That's correct.

393

394 Mr. Silber - And with that access we there is still a need for the exception on the lot  
395 length?

396

397 Mr. McGarry - I think so.

398

399 Mr. Silber - How will the access be noted? If that road going to be used for  
400 emergency purposes, is it going to be blocked off, or is going to be....

401

402 Mr. McGarry - There will be bollards at each end, it will be paved, perhaps signage will  
403 also be appropriate to include with the construction plans. The details will be in the  
404 construction plans.

405

406 Mr. Silber - The bollards are removable bollards?

407

408 Mr. McGarry - I suspect they would be. That's a detail that could be addressed with the  
409 construction plan.

410

411 Mr. Silber - The plan says six-inch removable bollards.

412

413 Mr. McGarry - Okay.

414

415 Mr. Silber - I guess my point is that this is a little bit out of the ordinary that we  
416 would consider this form of shortening the length between connecting streets. I think it is a  
417 technique that may work fine but I'm just concerned about how this emergency access  
418 connection between these two roads will actually function. If it's going to be blocked off and  
419 you won't know that it is really there then it's not going to serve its purpose. If designed  
420 properly then I think it will work. So, I don't know to what extent we have information on  
421 how that connection will be provided.

422

423 Mr. Archer - Mr. Secretary, do you think we need to improve the language at this  
424 point, or do you think it can be worked out administratively?

425

426 Mr. Silber - I think we can work it out administratively. We might want to have the  
427 applicant come up and provide us with some details as to how that might be provided. That's  
428 just a concern that I have. I want to make sure that when it is finished and constructed that it  
429 actually serves its purpose.

430

431 Mr. Vanarsdall - The applicant is here, if you want to speak to him.

432

433 Mr. Theobald - Mr. Chairman and members of the Commission, my name is Jim  
434 Theobald, attorney for Attack Properties. The bollard emergency design was discussed with  
435 Mr. Thompson and Mr. Jennings and is designed to be most likely a gravel type surface. With  
436 removable bollards they just lift up for the Fire Department, that way pedestrians and bikes  
437 and whatnot can continue to use it as a part of the walking trails. But, that's how essentially it  
438 would function. And while I'm up here, Mr. Archer, I would ask that you amend condition  
439 No. 20 in the sentence where it says: The common area shall be an amenity... paved walking  
440 trails in the common area. We had discussed with Mr. O'Kelly and Mr. McGarry that some of  
441 these trails border or may actually be over some wetlands in order to connect the trails and so  
442 we are able to do a boardwalk type of construction for those trails. So, I believe it would be  
443 more accurate to say, "paved walking trails and/or boardwalks in the common area" so that we  
444 won't have a condition to require us to pave in wetlands which obviously would not be  
445 allowed. I'll be happy to answer any other questions.

446

447 Mr. Archer - Is that satisfactory language to you, Mr. Secretary?

448

449 Mr. Silber - I think so. What if Virginia Power says that they will not accept this in  
450 their right-of-way or their easement?

451

452 Mr. Theobald - Well, I suppose they could do that. We've not had that experience in the  
453 past. I don't think that we are breaking any new ground here. We have the right to use the  
454 surface area of that easement as long as we don't interfere with their lines. We can't do  
455 basketball courts with hoops and whatnot, but we do have the right to drive over it obviously  
456 with roads etc. So, I don't know why it would be any different than any other road crossing  
457 the easement.

458

459 Mr. Silber - Okay. Thank you.

460

461 Mr. Archer - Mr. Theobald, how do you want to word that, paved walking trails  
462 and/or ....

463

464 Mr. Theobald - Boardwalks would be my suggested language.

465

466 Mr. Archer - Boardwalks, that's the word I forgot. Okay.

467

468 Mr. Vanarsdall - All right. Are there any more questions by Commission members? Mr.  
469 Archer.

470

471 Mr. Archer - Well, Mr. Chairman, first I will move to waive the time limits on the  
472 plan.

473

474 Mr. Jernigan - Second.

475

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

478

479 The Planning Commission waived the time limits to accept this plan after the deadline date.

480

481 Mr. Archer - And second, I will move to grant the necessary exception.

482

483 Mr. Jernigan - Second.

484

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

487

488 The Planning Commission approved the exception to create a block greater than 1,320 feet in  
489 length between intersecting streets for subdivision Sweetbay Hill (October 2005 Plan)

490

491 Mr. Archer - Okay and then I will move to approve Sweetbay Hill, JEB Stuart  
492 Parkway subject to the annotations on the plan, the standard conditions for subdivisions,  
493 conditions Nos. 12 through 20 on the agenda and the revised No. 19 and replacement of No.  
494 20 which adds the language "paved walking trails and/or wooden boardwalks" and the added  
495 additional conditions Nos. 21 and 22.

496

497 Mr. Jernigan - Second.

498

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

501

502 The Planning Commission granted conditional approval for subdivision Sweetbay Hill (October  
503 2005 Plan) subject to the annotations on the plans, the standard conditions for subdivisions  
504 served by public utilities, and the following additional conditions:

505

506 12. A County standard sidewalk shall be constructed along the north side of Woodman Road  
507 and one side of all non cul-de-sac streets.

508 13. The proffers approved as part of zoning case C-6C-05 shall be incorporated in this  
509 approval.

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

- 513 15. Prior to requesting recordation, the developer shall furnish a letter from Dominion  
514 Virginia Power stating that this proposed development does not conflict with its facilities.
- 515 16. The detailed plant list and specifications for the landscaping to be provided within the  
516 20-foot-wide planting strip easement along Woodman Road shall be submitted to the  
517 Department of Planning for review and approval prior to recordation of the plat.
- 518 17. Prior to requesting the final approval, a draft of the covenants and deed restrictions for  
519 the maintenance of the common area by a homeowners association shall be submitted to  
520 the Department of Planning for review. Such covenants and restrictions shall be in form  
521 and substance satisfactory to the County Attorney and shall be recorded prior to  
522 recordation of the subdivision plat.
- 523 18. Prior to final approval, the developer shall petition the Board to initiate the process to  
524 abandon and offer for sale the portion of Woodman Road within this Development not  
525 needed for access.
- 526 19. Access shall be provided by Woodman Road/ JEB Stuart Parkway and Grenville Road.  
527 The Developer will build ½ Woodman Road/JEB Stuart Parkway and then 1/2  
528 Grenville Road plus a 12-foot lane in the opposite direction on Grenville Road. A  
529 financial contribution will be escrowed for the remainder of JEB Stuart Parkway, the  
530 amount of which will be approved by the Director of Public Works, or development  
531 shall be limited to 56 lots on a single point of access.
- 532 20. The common area shall be an amenity to the neighborhood by including a tot lot on the  
533 east side of Kings Tree Drive; paved walking trails and/or wooden boardwalk in the  
534 common area connecting Tuliptree Court and Kings Tree Drive; and a trail along the  
535 Chickahominy River. Construction details for these items shall be shown on the  
536 construction plans for review and approval by the Director of Planning.
- 537 21. An all weather emergency access drive connecting Kings Tree Drive and Queens Tree  
538 Drive within the Dominion Virginia Power easement abutting lots 17 and 30 shall be  
539 provided to the satisfaction of the Director of Public Works prior to construction plan  
540 approval.
- 541 22. The developer shall furnish a letter from Dominion Virginia Power stating that the  
542 proposed development, including roads, the emergency access drive, and the walking  
543 trails does not conflict with its facilities, prior to approval of construction plans.  
544
- 545 Mr. Theobald - Mr. Chairman, I would like to thank Mr. McGarry and Mr. O'Kelly as  
546 well as Mr. Jennings and Mr. Thompson. A week ago this matter was not as tidy as it is today  
547 and they worked very hard with us and we appreciate it.  
548
- 549 Mr. Archer - Thank you, Mr. McGarry.  
550
- 551 Mr. Vanarsdall - Thank you, Mr. Theobald.

552 **SUBDIVISION**

553

Townsend  
(November 2005 Plan)

**Foster & Miller, P.C. for Dominion Land & Development Partnership:** The 14.2-acre site proposed for a subdivision of 32 single-family homes on zero lot lines is located on the western side of Francistown Road abutting the south side of Echo Lake Elementary School on parcels 759-767-5161, 2638, 6934 and 6516 and 758-767-8413. The zoning is R-5AC, General Residence District (Conditional). County water and sewer. **(Brookland) ~~32~~ 33 Lots**

554

555 Mr. Vanarsdall - Is there anyone in the audience in opposition to Townsend (November  
556 2005 Plan) in the Brookland District? No opposition. Mr. McGarry.

557

558 Mr. McGarry - A revised plan is being handed out. These were submitted in time so there  
559 is no waiver of time limit required. Your approval will be for 33 lots on this revised plan. The  
560 original plan in the packet contained 32 lots, 33 is authorized under the proffers, that's the  
561 maximum. The three issues that staff, actually there were four, and I'll start with the three that  
562 were on the original staff plan as annotations. We believe that they all have been successfully  
563 worked out. The annotation requires that the common areas provide the details for the trails in  
564 the construction plans. The second annotation, there will be a need for two of the lots on this  
565 revised plan, lots 21 and 22, will need to be tweaked to provide the 80 feet of lot width that's  
566 required by the proffers that say that 80 percent of all of the lots have to have 80 feet of lot  
567 width. Three, staff is still recommending a Transitional Buffer 10 abutting lot No. 32 and then  
568 last on the revised plan, we found that there is a need for a 25-foot front yard setback as  
569 measured from the access drive which is a proffer No. 6 requirement. It is not shown that way  
570 but the plan has been annotated to that end. With that, staff will be happy to recommend  
571 approval subject to the standard conditions for public utilities, additional conditions Nos. 12 to 16  
572 and of course referencing the annotations on the plans.

573

574 Mr. Vanarsdall - Are there any questions by Commission members?

575

576 Mrs. Jones - I have a question. Could you touch again on the fact that this was  
577 proffered for a 32-lot subdivision?

578

579 Mr. McGarry - No, it's 33. His original plan was for 32, he has now sent in a revised  
580 plan for 33 and the proffers allow up to 33. So, this is permitted.

581

582 Mrs. Jones - I see.

583

584 Mr. Jernigan - I misunderstood that. I thought you said 32.

585

586 Mr. Vanarsdall - I apologize to the rest of the Commissioners for getting this this morning.  
587 I was a little surprised myself. I'm glad we have it.

588



589 Mr. McGarry - We spent a lot of work getting this to this point this morning.  
590

591 Mrs. Jones - Thank you for the clarification.  
592

593 Mr. Vanarsdall - Are there any other questions?  
594

595 Mr. Silber - I have a question, and perhaps this can be best answered by the applicant,  
596 but, Mr. McGarry, on lot 17, this is a zero lot line development, and homes must be placed on  
597 one of the side property lines. Lot 17 doesn't show it that way. In fact, if they put it on that  
598 southern property line, which I assume that's where they want to put it, there's a potential  
599 conflict with the wetlands location. Perhaps the applicant could address where they would situate  
600 the home on that lot.  
601

602 Mr. Vanarsdall - What did you say is wrong with it?  
603

604 Mr. Silber - On lot 17, it is showing a buildable area in the middle of the lot. All  
605 buildable areas or all houses must be placed on one of the two side lot lines. If they place it on  
606 that southern lot line, Mr. Vanarsdall, then it's right up against the wetlands, which is in  
607 violation of the wetlands requirements.  
608

609 Mr. Vanarsdall - Okay. How can we fix that now?  
610

611 Mr. Silber - Maybe the applicant can address that.  
612

613 Mr. Vanarsdall - You heard what Mr. Silber is asking.  
614

615 Mr. Wright - Mr. Commissioner, members of the Commission, my name is Gibson  
616 Wright with Dominion Land Development. If I'm not mistaken I believe that those wetlands are  
617 to be impacted. During the course of this process Public Works had changed the policy with  
618 respect to buffering along, what they call environmental ditches or what have you, that in the  
619 past, the Corps, they want them piped and then I guess they would allow them to remain and now  
620 they are requiring buffers along those ditches which severely impacts our lots. So, we have  
621 decided to go in and impact those by piping that ditch through there and filling it and that would  
622 allow us to get those lots. So, I'm pretty sure that is the case, Randy.  
623

624 Mr. Silber - All right. Mr. Wright, I am raising this as an issue because Planning  
625 doesn't administer the wetland requirements but my understanding is you need to have a setback  
626 from the wetlands. So, if you move that house over that property line you will still need to have  
627 some setback from any wetlands is my understanding. So, I think some attention to that lot 17  
628 will be necessary when you put your final plans together.  
629

630 Mr. Wright - That's fine.  
631

632 Mr. Vanarsdall - Number 18 is all right, right?  
633

634 Mr. McGarry - Yes. It is on a zero lot line.  
635

636 Mr. Vanarsdall - Are there any other questions?  
637

638 Mr. Archer - Mr. Chairman, just as a point of clarification, and something I should  
639 probably know, but what is the rule regarding the tower drop zone? I'm looking at how it  
640 impacts lots 25 and 26 and 22. Is it that it has to be a certain number of feet away from the  
641 construction itself?  
642

643 Mr. McGarry - The actual tower drop zone has to be set up so that any dwelling structure  
644 is outside of that zone.  
645

646 Mr. Archer - It's the structure, not the lot?  
647

648 Mr. McGarry - Correct.  
649

650 Mr. Archer - Okay.  
651

652 Mr. McGarry - The main house will be in buildable areas that have all been set up so that  
653 they will be outside of the fall zone.  
654

655 Mr. Archer - That's what I needed to know. Thank you.  
656

657 Mr. Vanarsdall - Are there any other questions? Do we need to waive the time limit on  
658 this?  
659

660 Mr. McGarry - No, sir, you do not.  
661

662 Mr. Vanarsdall - I didn't see a date on it. Before I make the motion, I did want to make a  
663 motion to waive the transitional buffer that runs down by, it used to be 32 and now its 33.  
664

665 Mr. Branin - Second.  
666

667 Mr. Vanarsdall - The motion was made by Mr. Vanarsdall and seconded by Mr. Branin.  
668 All in favor say aye...all opposed say nay. The motion passes.  
669

670 Mr. Vanarsdall - And now I would like to move to approve subdivision Townsend  
671 (November 2005 Plan) with conditions Nos. 12 through 16 and the standard conditions for  
672 subdivisions served by public utilities and the annotation on the plans and the change from the  
673 original 32 to 33 lots.  
674

675 Mr. Branin - Second.  
676

677 Mr. Vanarsdall - The motion was made by Mr. Vanarsdall and seconded by Mr. Branin.  
678 All in favor say aye...all opposed say nay. The motion passes.

679 The Planning Commission granted conditional approval for subdivision Townsend (November  
680 2005 Plan) subject to the annotations on the plans, the standard conditions for subdivisions  
681 served by public utilities, and the following additional conditions:

682

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

685 13. The proffers approved as part of zoning case C-61C-04 shall be incorporated in this  
686 approval.

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

690 15. The detailed plant list and specifications for the landscaping to be provided within the 25-  
691 foot-wide common area along Francistown Road shall be submitted to the Department of  
692 Planning for review and approval prior to recordation of the plat.

693 16. Prior to requesting the final approval, a draft of the covenants and deed restrictions for  
694 the maintenance of the common area by a homeowners association shall be submitted to  
695 the Department of Planning for review. Such covenants and restrictions shall be in form  
696 and substance satisfactory to the County Attorney and shall be recorded prior to  
697 recordation of the subdivision plat.

698

699 **ARCHITECTURAL PLANS & LIGHTING PLAN**

700 **(Deferred from the October 26, 2005 Meeting)**

701

POD-62-05  
Towne Center West -  
W. Broad Street

**Timmons Group for Towne Center - West, LLC:** Request for approval of architectural plans ~~and a lighting plan~~ for a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, for a 77,647 square foot shopping center (Phase 1). The 41.9-acre site is located on the north line of W. Broad Street (U.S. Route 250), approximately 500 feet east of N. Gayton Road on parcels 734-764-6330, 734-764-8352, 735-764-6278, 736-764-1973, 735-764-1287 and 735-764-4320. The zoning is B-2C, Business District (Conditional), R-6C, General Residence District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer.  
**(Three Chopt)**

702

703 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-62-05, Towne Center  
704 West, architectural plans, in the Three Chopt District? No opposition. Mr. Silber, is this the  
705 one you were on television about?

706

707 Mr. Silber - I think that might be true, yes, sir.

708

709 Mr. Vanarsdall - My wife was so proud of that. Randy is on television. I thought it was a  
710 new governor, the way she said it.

711

712 Mr. Archer - I saw him to. You are very photogenic.  
713

714 Mr. Vanarsdall - All right. Mr. Wilhite, good morning.  
715

716 Mr. Wilhite - Good morning. Thank you, Mr. Chairman. The site plan for this project  
717 was approved at your October POD meeting. The architectural plans and the lighting plan were  
718 deferred until today. Since the meeting in October, we have met with the applicant to discuss  
719 issues dealing with the architectural plans. There are some revised plans that we received last  
720 week that are included in your addendum packet that you received this morning. The plans for  
721 building Nos. 6 and 7 were in your packet. Building No. 6 is the one located closest to W.  
722 Broad Street. Building No. 7 is in the line of three to the north of that. Basically, the changes  
723 that were done were to add or increase detailing to the rear façade of the structures to meet  
724 proffer requirements. Building No. 7, which is in your packet as well, is identically similar to  
725 Nos. 8 and 9, which are facing future multi-family areas in the same development.  
726

727 The changes that were made on there do meet the proffer requirements that were accepted with  
728 the rezoning case. Staff is in a position to recommend approval. On page 2 of your addendum,  
729 staff's updated recommendation appears. Also, at this time, the applicant wants to withdraw the  
730 lighting case. They are not in a position to go forward at this time. So, we still need information  
731 on that. I'll be happy to answer any questions that you have.  
732

733 Mr. Silber - Mr. Wilhite, the second sheet of the plan refers to building seven, this  
734 actually would be for buildings Nos. 7, 8, and 9, wouldn't it?  
735

736 Mr. Wilhite - Yes. The treatment of the back of buildings 8 and 9 are substantially  
737 similar to what appears in 7.  
738

739 Mr. Silber - Have you just not provided us additional sheets or they just provided 7 as a  
740 representation of what 8 and 9 would look like?  
741

742 Mr. Wilhite - No, we do have the sheets. The sheets have been provided for 8 and 9 but  
743 it is essentially the same as the back of 7 and we didn't include that in the packet.  
744

745 Mr. Silber - Sure, that's fine. Thank you.  
746

747 Mr. Vanarsdall - Are there any other questions by Commission members?  
748

749 Mr. Branin - Mr. Secretary, would you like to make any comments since you were on  
750 TV in regards to this one?  
751

752 Mr. Silber - No, sir. No thank you.  
753

754 Mr. Branin - Mr. Chairman, I would like to move for approval of POD-62-05 for staff's  
755 recommendation including the revised architectural plans, the staff's annotations and removal of  
756 the lighting plan.

757

758 Mrs. Jones - Second.

759

760 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mrs. Jones. All in  
761 favor say aye...all opposed say nay. The motion passes.

762

763 The Planning Commission approved POD-62-05, Towne Center West Architectural Plans, the  
764 lighting plan was withdrawn by the applicant. The plans were approved subject to the standard  
765 conditions, the annotations on the plans and the additional conditions approved for this plan at the  
766 October 26, 2005 meeting.

767

768 **PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION**

769

POD-69-05 Genworth Development Center-Brookfield Office Park - 6604 W. Broad Street (U.S. Route 250)	<b>Mozingo &amp; Associates for Genworth Financial:</b> Request for approval of a plan of development and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24-106.2(e)(3) of the Henrico County Code, to construct a three-story, 89,500 square foot employee training and development facility, with a 48-room dormitory and a 1 ½ story, 6,500 square foot hospitality center. The 4.559-acre site is located at the southwest corner of Falmouth Street and Bethlehem Road in the Brookfield Office Park on part of parcel 769-744-4118. The zoning is O-3, Office District. County water and sewer. <b>(Brookland)</b>
--	--

770

771 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-69-05, Genworth  
772 Development Center, in the Brookland District? No opposition. Good morning, Ms. Goggin.

773

774 Ms. Goggin - Good morning. A revised plan is being handed out to you right now. The  
775 revised plan was submitted yesterday and provides the 50/10 information as required by Public  
776 Works Design Division, and it also provides the Fire Department's access as requested to  
777 perform vehicle rescue operations, I hope it's not necessary, but just in case it is. Fire did  
778 comment that the fire lane south of the building would need to be continued east toward Falmouth  
779 Street. Public Works Traffic Division is requiring that removable bollards and/or chains are  
780 provide for the emergency access off of Bethlehem Road so that people do not confuse it with an  
781 entrance into the site.

782

783 The plans do not include the additional parking required by Planning but the applicant has agreed  
784 to provide the necessary parking on the Genworth Office Complex and we have drafted a  
785 condition to help address that.

786

787 One of the proposed buildings will serve as a training facility for local and out-of-town  
788 employees for Genworth Financial. The facility will also provide accommodations for their out-  
789 of-town employees. While in the County, to help provide a good training experience for their  
790 out-of-town guests a hospitality house is also proposed to provide an area outside the classroom

791 for visiting employees to unwind while on the Genworth campus.

792 The applicant has also requested a transitional buffer deviation along Bethlehem Road to reduce  
793 the required 25-foot transitional buffer to 10 feet and to allow breaks in the buffer to  
794 accommodate emergency vehicle access.

795

796 The applicant has provided colored renderings of the proposed buildings. The color didn't quite  
797 come through (referring to rendering on the screen) but this is the training facility and this is the  
798 hospitality house. I will be happy to answer any questions the Commission may have. The  
799 applicant's engineer and attorney are here if you have any questions of them. The transitional  
800 buffer deviation, as well as the wavier of time limits, will both require separate motions. Should  
801 the Commission choose to approve the plans, staff recommends approval of the revised plans  
802 with staff's annotations on the original plan in your agenda, the standard conditions for plans of  
803 development, additional conditions Nos. 24 through 37 in the agenda and condition No. 38 which  
804 would address the parking and I have worked up some language. The language for that condition  
805 could be: A plan shall be provided to provide not less than 50 parking spaces on the Genworth  
806 Property prior to final approval of the construction plan. I'll be happy to answer any questions  
807 you may have.

808

809 Mr. Vanarsdall - Are there any questions by Commission members?

810

811 Mr. Jernigan - Ms. Goggin, how many additional parking spaces do we need?

812

813 Ms. Goggin - We are down to needing 38 with the revised plan.

814

815 Mr. Vanarsdall - Let me explain a couple of things to the Commission. On your original  
816 agenda (sic) there were three issues and the two she just told us about have been satisfied. And  
817 then we came to the additional parking. There are 1,700 parking spaces on the campus that was  
818 satisfactory before, I believe, 1993. Then it changed and they came up short. How many short,  
819 83 wasn't it?

820

821 Ms. Goggin - Yes, sir.

822

823 Mr. Vanarsdall - And so staff recommended we have 50 parking spaces. We have trouble  
824 finding them so this morning Jack Wilson, attorney, Randy and Dave and I met and talked about  
825 it and that's why we have condition No. 38 to address the parking so that we would not have to  
826 defer it. By the way, Don Cooper, in the back there is from the headquarters and so this satisfied  
827 him and satisfied Jack the attorney and I'm sure satisfied Mike Mazingo and the architect. So,  
828 that's what happened. So, everybody seems to be very pleased about it. And I want to say that  
829 the County and I and all of us are very glad, Don, that Genworth is going to stay where it is and  
830 going to stay in Henrico County.

831

832 Mr. Cooper - Thank you, sir.

833 Mr. Vanarsdall - We are very happy about this. This is a new concept, I guess. Thank  
834 you, Ms. Goggin.

835

836 Mr. Wilson - Mr. Chairman, members of the Commission, I just want to make sure that  
837 we are clear on the parking condition. The original plan that we were looking at this morning  
838 showed 12 parking spaces. I think the revised plan that you have now before you shows 24  
839 spaces.

840

841 Mr. Branin - Sir, would you state your name, please, for the record.

842

843 Mr. Wilson - I'm sorry. I'm Jack Wilson and I represent Genworth. Thank you. I  
844 want to make sure that we are clear on the parking. The original plan showed 12 parking spaces  
845 on the site and that's the plan that Mr. Vanarsdall was referring to this morning that we were  
846 looking at. The revised plan, that I think you have before you, already shows an additional 12  
847 beyond that. So, really, what we are talking about is needing to come up with now 38 more  
848 spaces somewhere else on the Genworth facility. So, I wasn't quite sure what plan we were  
849 going to be looking at to approve this morning. But, if it is the revised plan, then the condition  
850 should say an additional 38 spaces on the Genworth property because the revised plan that you  
851 have before you has already picked up 12 of that 50.

852

853 Mr. Silber - I think we would be acting on the revised plan, which does show 24. I  
854 may want to have that condition read again. Are we talking about a total of 50 parking spaces or  
855 are we talking about additional parking spaces. If that's true, I think Mr. Wilson is right, I think  
856 we would be talking about the difference which I guess is 38. Ms. Goggin, can you read that  
857 condition again?

858

859 Ms. Goggin - The conditions does state 50 parking spaces but with the revised plan and  
860 the additional parking shown on the revised plan it would require 38 additional spaces to the  
861 revised plan.

862

863 Mr. Silber - Can you read that condition then, please.

864

865 Ms. Goggin - Okay. A plan shall be provided to provide not less than 50 parking spaces  
866 on the Genworth property prior to final approval of the construction plan.

867

868 Mr. Vanarsdall - You could put a total of 50 and then that will take care of the 12 and the  
869 38.

870

871 Mr. Silber - Yes, we can amend that to say 38 but it would be understood that there are  
872 38 in addition to the 24 that's shown on this plan.

873

874 Mr. Vanarsdall - Well, why don't you put 38 additional?

875

876 Ms. Goggin - Yes, we can change it to....

877

878 Mr. Silber - I think it needs to stipulate that there will be 38 additional parking spaces.  
879

880 Ms. Goggin - So, it could state: A plan shall be provided to provide an additional 38  
881 parking spaces on the Genworth property prior to final approval of the construction plan.  
882

883 Mr. Silber - That's correct. I think it may be appropriate for the applicant to also  
884 provide the Commission some information as to where they think these 38 parking spaces maybe  
885 provided. Maybe Mr. Mozingo could help us with that.  
886

887 Mr. Mozingo - I'm Mike Mozingo, the applicant's engineer. We will provide plan of  
888 whatever you require for the additional 38 spaces. If that's the way you want to do it, we will  
889 provide a plan or drawing or whatever that will show you those 38 spaces.  
890

891 Mr. Branin - Can you currently show us where those would be located?  
892

893 Mr. Mozingo - We haven't talked about that at all. I have not talked with my client at all  
894 on where those would be. Some might be on the site property that we are referring to now that  
895 we are approving today and others might be elsewhere on the Genworth campus. We have not  
896 talked about that at all, yet.  
897

898 Mr. Silber - Okay. As long as you understand that you will need to come up with 38  
899 parking spaces. You can't commit at this time where those might be. If you fall short of that we  
900 will have an issue with the plan going forward.  
901

902 Mr. Mozingo - We won't fall short.  
903

904 Mr. Silber - Okay. So, help me to understand.... It sounds like staff has indicated that  
905 the Division of Fire has indicated that the fire access lane near the dormitory needs to be  
906 extended southward toward Falmouth Street.  
907

908 Mr. Mozingo - That's correct.  
909

910 Mr. Silber - To what extent will that be extended?  
911

912 Mr. Mozingo - It's only about 40 feet, 40 additional feet.  
913

914 Mr. Silber - The Division of Fire has indicated that 40 additional feet will cover  
915 (unintelligible)  
916

917 Mr. Mozingo - To the end of the building, basically, from where we show it on the  
918 revised plan to the end of the building, on that front corner.  
919

920 Mr. Silber - Okay.  
921

922 Mr. Vanarsdall - All right. Thank you. Do I need to waive the time limit on this?



923

924 Mr. Silber - Yes, you do.

925

926 Mr. Vanarsdall - I want to thank Jack for meeting at 7:30 a.m. this morning. And I want to  
927 thank Randy and Dave for interrupting their routine so early in the morning to get this done. I  
928 want to waive the time limit. I move that we waive the time limit on this revised plan.

929

930 Mr. Archer - Second, Mr. Chairman.

931

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

934

935 The Planning Commission approved to waive the time limit for the revised plan for POD-69-  
936 05, Genworth Development Center – Brookfield Office Park.

937

938 Mr. Vanarsdall - Now I want to move that we honor the transitional buffer deviation.

939

940 Mr. Archer - Second.

941

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

944

945 The Planning Commission approved the transitional buffer deviation for POD-69-70,  
946 Genworth Development Center – Brookfield Office Park.

947

948 Mr. Vanarsdall - And now, Ms. Goggin, I'm going to get you to do something. I move  
949 now to recommend approval for POD-69-05, Genworth Development Center – Brookfield Office  
950 Park, 6604 W. Broad Street (U.S. Route 250) with the annotations on the plan, the standard  
951 conditions for developments of this type and then we have conditions Nos. 24 through 37. And,  
952 I'm going to ask Ms. Goggin to read No. 38 which pertains to parking.

953

954 Ms. Goggin - Number 38 reads: A plan shall be provided to provide 38 additional  
955 parking spaces on the Genworth Property prior to final approval of the construction plan.

956

957 Mr. Vanarsdall - Thank you. That's my motion.

958

959 Mr. Archer - Second, Mr. Chairman.

960

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

963

964 Mr. Wilson - Mr. Chairman, I would like to thank you for your wiliness to meet with  
965 us this morning and Mr. Silber and Mr. O'Kelly's wiliness to work through this issue today.  
966 Genworth really appreciates it and so do I. Thank you.

967 Mr. Vanarsdall - Did you get any breakfast, Jack?

968

969 Mr. Wilson - No, and I'm going to get some now after I get back across the river.

970

971 The Planning Commission approved POD-69-05, Genworth Development Center – Brookfield  
972 Office Park, subject to the annotations on the plans, the standard conditions attached to these  
973 minutes for developments of this type, and the following additional conditions:

974

975 24. The right-of-way for widening of Bethlehem Road as shown on approved plans shall be  
976 dedicated to the County prior to any occupancy permits being issued. The right-of-way  
977 dedication plat and any other required information shall be submitted to the County  
978 Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

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

984 26. The drainage facilities on I-64 shall be approved by the Virginia Department of  
985 Transportation and the County.

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

988 28. Outside storage shall not be permitted.

989 29. The developer shall install an adequate restaurant ventilating and exhaust system to  
990 minimize smoke, odors, and grease vapors. The plans and specifications shall be  
991 included with the building permit application for review and approval. If, in the  
992 opinion of the County, the type system provided is not effective, the Commission  
993 retains the rights to review and direct the type of system to be used.

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

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

1000 32. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b)  
1001 of the Henrico County Code.

1002 33. Storm water retention, based on the 50-10 concept, shall be incorporated into the  
1003 drainage plans.

1004 34. Insurance Services Office (ISO) calculations must be included with the plans and  
1005 contracts and must be approved by the Department of Public Utilities prior to the  
1006 issuance of a building permit.

1007 35. Approval of the construction plans by the Department of Public Works does not  
1008 establish the curb and gutter elevations along the Henrico County maintained right-of-  
1009 way. The elevations will be set by Henrico County.

1010 36. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the  
1011 Department of Planning and approved prior to issuance of a certificate of occupancy for  
1012 this development.

- 1013 37. The location of all existing and proposed utility and mechanical equipment (including  
1014 HVAC units, electric meters, junction and accessory boxes, transformers, and  
1015 generators) shall be identified on the landscape plans. All equipment shall be screened  
1016 by such measures as determined appropriate by the Director of Planning or the  
1017 Planning Commission at the time of plan approval.  
1018 38. A plan shall be provided to provide 38 additional parking spaces on the Genworth  
1019 Property prior to final approval of the construction plan.

1020

1021 **PLAN OF DEVELOPMENT**

1022

POD-70-05

Darbytown Townhouses

**Balzer & Associates, Inc. for Darbytown Road, LLC:**  
Request for approval of a plan of development, as required by  
Chapter 24, Section 24-106 of the Henrico County Code, to  
construct 17, two-story townhouse units for sale. The 1.71-acre  
site is located at the northwest corner of Darbytown Road and  
Shirleydale Avenue (1481 Darbytown Road) on parcel 804-  
711-4444. The zoning is R-5, General Residence District.  
County water and sewer. **(Varina)**

1023

1024 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-70-05, Darbytown  
1025 Townhouses, in the Varina District? No opposition. Good morning, again, Mr. McGarry.

1026

1027 Mr. McGarry - Good morning, Mr. Chairman. This is a revised architectural, that's  
1028 why I put it on your screen. The time limit was met on this resubmission. The revised  
1029 architectural was submitted to show how they had dressed up the townhouse fronts, providing  
1030 shutters. It also shows provision of windows on the end walls closest to the property lines. It  
1031 also indicates that the building material will be hardi plank and staff is recommending some  
1032 brick in place of the hardi plank. The schematic landscape plan was also submitted and is also  
1033 acceptable to the staff. The full-blown plan will be reviewed at a later time by staff. And,  
1034 then finally, the details that the tot lot equipment type and layout be shown, staff has also  
1035 agreed to accept that with a formal lighting and landscaping plan application. The staff can  
1036 recommend approval of this plan of development subject to the standard conditions for  
1037 developments of this type, which are townhouses, and additional conditions Nos. 24 through  
1038 32. I'll be happy to answer any questions.

1039

1040 Mr. Vanarsdall - Are there any questions of Mr. McGarry by Commission members?

1041

1042 Mr. Jernigan - I don't have any questions, Mr. Chairman.

1043

1044 Mr. Vanarsdall - Do you need to hear from the applicant?

1045

1046 Mr. Jernigan - Yes, sir.

1047

1048 Mr. Vanarsdall - All right. Will the applicant come down, please. State your name for  
1049 the record.

1050

1051 Mr. Patterson - Good morning. My name is Pat Patterson and I'm representing the  
1052 applicant for the project, Darbytown Townhouses. Do you have any specific questions that  
1053 you would like to ask me?

1054

1055 Mr. Jernigan - Good morning, Mr. Patterson. Prior to this meeting, we discussed that  
1056 staff did want some brick on this project and I'm happy that you moved up to hardi plank  
1057 rather than trying to put vinyl out there. So, I'll tell you what. I'm all right with the hardi  
1058 plank but as we discussed, I would like to have a little color variation on it. So, if you could  
1059 put three colors.

1060

1061 Mr. Patterson - We agree with that, no problem at all.

1062

1063 Mr. Jernigan - That will break it up a little bit rather than being all white or gray and  
1064 that comes in a gray. But something in a soft tone that just shows a little difference. The  
1065 shingles, are they dimensional or just standard?

1066

1067 Mr. Patterson - I don't know what the plans show on the shingles. I think they are  
1068 dimensional but I'm not sure of that.

1069

1070 Mr. Vanarsdall - Mr. Jernigan, we weren't laughing at you, it's what written here. On  
1071 the plan it says front with "shudders."

1072

1073 Mr. Jernigan - It makes me shudder to see it. Yes, the shutters will make it look better.  
1074 And can we make it dimensional shingles and three colors and we will be okay with that.

1075

1076 Mr. Patterson - We can make the shingles dimensional. That's no problem.

1077

1078 Mr. Jernigan - Okay. Thank you, sir. Mr. Chairman, with that I will move for  
1079 approval of POD-70-05, Darbytown Townhouses, with the standard conditions for  
1080 developments of this type and the following additional conditions Nos. 24 through 32.

1081

1082 Mr. Branin - Second.

1083

1084 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Branin. All  
1085 in favor say aye...all opposed say nay. The motion passes.

1086

1087 The Planning Commission approved POD-70-05, Darbytown Townhouses, subject to the  
1088 annotations on the plans, the standard conditions attached to these minutes, and the following  
1089 additional conditions:

1090

1091 24. The developer shall provide fire hydrants as required by the Department of Public  
1092 Utilities and Division of Fire.

1093 25. Prior to issuance of a certificate of occupancy for any building in this development, the  
1094 engineer of record shall certify that the site has been graded in accordance with the

- 1095 approved grading plans.
- 1096 26. Any necessary off-site drainage and/or water and sewer easements must be obtained in a  
1097 form acceptable to the County Attorney prior to final approval of the construction plans.
- 1098 27. Deviations from County standards for pavement, curb or curb and gutter design shall be  
1099 approved by the County Engineer prior to final approval of the construction plans by the  
1100 Department of Public Works.
- 1101 28. Insurance Services Office (ISO) calculations must be included with the plans and contracts  
1102 and must be approved by the Department of Public Utilities prior to the issuance of a  
1103 building permit.
- 1104 29. Approval of the construction plans by the Department of Public Works does not establish  
1105 the curb and gutter elevations along the Henrico County maintained right-of-way. The  
1106 elevations will be set by Henrico County.
- 1107 30. The unit house numbers shall be visible from the parking areas and drives.
- 1108 31. The names of streets, drives, courts and parking areas shall be approved by the Richmond  
1109 Regional Planning District Commission and such names shall be included on the  
1110 construction plans prior to their approval. The standard street name signs shall be  
1111 ordered from the County and installed prior to any occupancy permit approval.
- 1112 32. The subdivision plat for Darbytown Townhouse shall be recorded before any building  
1113 permits are issued.

1114

1115 **SUBDIVISION (Deferred from the October 26, 2005 Meeting)**

1116

Wilton Collector Roads, **Youngblood, Tyler & Associates, P.C. for WF Hunt, LLC**  
Phase 1 (October 2005 Plan) **and HHHunt Corporation:** The 47.35-acre portion of the  
1185-acre site proposed for a subdivision for public roads is  
located on property adjacent to the north and south lines of the  
Pocahontas Parkway (State Route 895) and the James River  
shore line on parcel 798-683-5459. The zoning is UMUC,  
Urban Mixed Use District (Conditional). County water and  
sewer. **(Varina) 0 Lot**

1117

1118 Mr. Vanarsdall - Is there anyone in the audience in opposition to Wilton Collectors Road,  
1119 Phase 1, in the Varina District? No opposition. Mr. Wilhite.

1120

1121 Mr. Wilhite - If you might remember, we had a subdivision approved back in March for  
1122 Wilton Parkway which is the road leading from Route 5 into this development. The plan before  
1123 you today is for the first phase of the public roads within the Wilton development. Since this was  
1124 deferred from your meeting in October, the applicant has met with the Traffic Engineering  
1125 Division to work out the traffic issues. We did receive a revised plan on Monday afternoon,  
1126 which has just been handed out to you. It will require you to waive the time limits for approval.  
1127 All the traffic issues with the County have been worked out at this point. In addition, we did  
1128 receive some written comments from VDOT on yesterday. Essentially, at this point, they are  
1129 reserving any comments they have until later on in the design process.

1130

1131 I do need to point out that the proposed interchange with Pocahontas Parkway (State Route 895)

1132 has not been approved yet. It's to go before the Commonwealth Transportation Board I believe  
1133 in December.

1134

1135 The layout that you have before you now has really no significant changes from the plan that was  
1136 originally submitted to us. Just details as far as the right-of-way width, median width, and turn  
1137 lane locations have been resolved.

1138

1139 The applicant also did provide us with an updated master plan, which I will put on the screen.  
1140 Unfortunately, it is a little hard to read. Essentially, what appears as "Road B" on the  
1141 subdivision plan, the crossing with I-895, has been shifted approximately 600 feet west, closer to  
1142 the James River and also "Road B" has been moved roughly about 600 feet to the north of I-895  
1143 where it parallels it and some additional development is planned in that area.

1144

1145 Staff is in a position to recommend approval of the revised plan received on Monday. I'll be  
1146 happy to answer any questions you may have.

1147

1148 Mr. Vanarsdall - Are there any questions for Mr. Wilhite? No questions. All right. Thank  
1149 you. Mr. Jernigan, do you want to hear from the applicant?

1150

1151 Mr. Jernigan - I don't really need to unless he just wants to talk.

1152

1153 Mr. Vanarsdall - He doesn't want to talk. He always sits on the front row to make a good  
1154 impression but he doesn't always want to talk.

1155

1156 Mr. Jernigan - Mr. Chairman, the Commonwealth Transportation Board has always kind  
1157 of been behind us on this, I mean, lagging behind. They wanted us to do approvals before  
1158 anything would happen with them, and they meet next month. But, as the proffers of this case, if  
1159 they deny the entrances, anyway, we are protected on housing. So, I'm ready to make a motion.

1160

1161 Mr. Vanarsdall - Go ahead.

1162

1163 Mr. Jernigan - Unless Mr. Silber has something to say.

1164

1165 Mr. Silber - I think I'm fine. I don't know, Mr. Jernigan, if there's any update that's  
1166 necessary on the connection of these roads, back across Osborne to Route 5. Maybe Mr. Tyler  
1167 can share with us at this point. Obviously, these roads will tie into that and that's a major  
1168 entrance into this project. That alignment has been approved by the Commission or a conditional  
1169 subdivision has been approved for those roads.

1170

1171 Mr. Wilhite - I would add, from staff's standpoint, that conditional approval was granted  
1172 back in March and we have not seen a submittal yet for final subdivision approval. And at the  
1173 same time, construction plans for that roadway, Wilton Parkway, would come in the same time.  
1174 So, the applicant has not made his submission yet for final approval.

1175

1176 Mr. Silber - Okay. Mr. Jernigan, you are correct. If there is any difficulty in getting

1177 access to I-895 the proffer conditions do restrict the amount of development they can achieve.  
1178 So, obviously, what you are approving today would be impacted if the connection to I-895 is not  
1179 approved.

1180

1181 Mr. Jernigan - Yes, sir.

1182

1183 Mr. Silber - So, that is a very important decision that the Commonwealth  
1184 Transportation Board is about to make.

1185

1186 Mr. Jernigan - Okay. All right. We have to move to waive the time limits.

1187

1188 Mr. Wilhite - Yes, sir.

1189

1190 Mr. Jernigan - Okay. I make a motion to waive the time limit on the Wilton Collector  
1191 Roads.

1192

1193 Mr. Archer - Second.

1194

1195 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Archer. All  
1196 in favor say aye...all opposed say nay. The motion passes.

1197

1198 The Planning Commission approved to waive the time limit for plan submittal for Wilton  
1199 Collector Roads, Phase 1 (October 2005 Plan).

1200

1201 Mr. Jernigan - And with that, Mr. Chairman, I would like to move for approval of  
1202 subdivision Wilton Collector Road, Phase 1 (October 2005 Plan) with the standard conditions for  
1203 subdivisions served by public utilities, and the following additional conditions Nos. 12 through  
1204 15.

1205

1206 Mr. Branin - Second.

1207

1208 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Branin. All  
1209 in favor say aye...all opposed say nay. The motion passes.

1210

1211 The Planning Commission granted conditional approval to subdivision Wilton Collector Roads,  
1212 Phase 1 (October 2005 Plan) subject to the annotations on the plans, the standard conditions  
1213 attached to these minutes for subdivisions served by public utilities, and the following additional  
1214 conditions:

1215

1216 12. The limits and elevation of the 100-year frequency flood shall be conspicuously noted on  
1217 the plat and construction plans and labeled "Limits of 100-year floodplain." Dedicate  
1218 floodplain as a "Variable Width Drainage & Utilities Easement."

1219 13. Any necessary offsite drainage easements must be obtained prior to approval of the  
1220 construction plan by the Department of Public Works.

1221 14. The proffers approved as part of zoning case C-56C-04 shall be incorporated in this

1222 approval.  
1223 15. A landscape and lighting plan for the collector roads shall be submitted for review and  
1224 approval prior to the recordation of the subdivision plat.

1225

1226 **SUBDIVISION**

1227

Pemberton Grove  
(November 2005 Plan)  
11081 Old Washington Road

**Engineering Design Associates for Woodland O. Hogg & O. W. H. III, Ruth P. Coffman and Oakleigh Properties, LLC:**  
The ~~47.70~~ **13.97**-acre site proposed for a subdivision of ~~47~~ **16** single-family homes is located on the east side of Old Washington Highway, ~~550~~ **630** feet northwest of the intersection of Haley's Hollow Road and Old Washington Road on parcels 771-770-6776, 772-770-1548 and ~~771-770-6729~~. The zoning is R-2A, One-Family Residence District. County water and sewer. **(Brookland) 47 16 Lots**

1228

1229 Mr. Vanarsdall - Is there anyone in the audience in opposition to subdivision Pemberton  
1230 Grove (November 2005 Plan) in the Brookland District? No opposition. Good morning, Mr.  
1231 Greulich.

1232

1233 Mr. Greulich - Good Morning Mr. Chairman, Planning Commission members, this  
1234 conditional application was submitted on September 30th of this year and proposed a  
1235 subdivision to create 16 lots. Staff began its initial review and determined that in fact 17 lots  
1236 were being proposed. Staff advised the applicant of this and stated that the plans should reflect  
1237 this. The setbacks of the accessory buildings on lot 17 were also asked for to determine if they  
1238 would meet the required setbacks, for a reverse corner lot, from the proposed road. Finally,  
1239 staff was concerned about the proposed common area. During the staff/developer meeting,  
1240 planning staff reiterated these concerns and Public Works Design also stated that they would  
1241 require additional right-of-way shown on the plans before they could recommend approval.  
1242 The applicant indicated that these deficiencies would be corrected before the Commission  
1243 meeting and submitted a revised plan on November 04 that reflected these changes. However,  
1244 on November 09, staff was advised that the structures on lot 17 would not be removed because  
1245 the applicant no longer owned this lot. Staff determined that the applicant recorded a deed on  
1246 September 09 that sold this lot to another party. As a result, County staff could no longer  
1247 require that this lot be a part of the subdivision nor require that the structures meet the required  
1248 setbacks from the proposed road. The applicant had applied the Code utilizing the ability to  
1249 subdivide a lot that has not been previously subdivided thus the property line would technically  
1250 exist prior to the construction of the road. As a result, these structures will be granted non-  
1251 conforming status when the new road was built. While the sale of this parcel and its exclusion  
1252 from this subdivision are technically allowed by the County Code, the spirit of the subdivision  
1253 ordinance has not been met. As a result, a portion of Old Washington Highway will not be  
1254 improved and an accessory structure will now be closer to a road than could be. This fact is  
1255 compounded further when the orientation of the neighboring lot to the east is considered. The  
1256 buildable area for lot 16 is such that the home will be further away from the road than the  
1257 neighboring garage and the homeowner will be forced to look at the rear of this garage. Staff



1258 has added condition eighteen to address this concern and it can be found in the addendum on  
1259 page three. It states: "A landscaped strip, equivalent to a transitional 10' buffer shall be  
1260 located along the length of the western property line of lot 16. Details for the landscaping  
1261 shall be shown on the construction plans."

1262

1263 The revised plan as provided to staff and included in this morning's addendum does adequately  
1264 address all of the required comments from staff. Therefore, staff can recommend approval of  
1265 the latest, submitted plan. It is subject to the annotations on the plan, the standard conditions  
1266 for conditional subdivisions served by public utilities, additional conditions twelve through  
1267 seventeen and addendum condition number eighteen. Staff and representatives of the applicant  
1268 are available to answer any questions you may have. Thank you.

1269

1270 Mr. Vanarsdall - Thank you. Are there any questions by Commission members? No  
1271 questions. Unless someone on the Commission wants to hear from the applicant, I don't need  
1272 to. With that, I recommend Pemberton Grove for approval November 2005 Plan with the  
1273 standard conditions for subdivisions served by public utilities and also the annotations on the  
1274 plan and conditions Nos. 12 through 17 and adding No. 18 on the addendum.

1275

1276 Mr. Branin - Second.

1277

1278 Mr. Vanarsdall - The motion was made by Mr. Vanarsdall and second by Mr. Branin. All  
1279 in favor say aye...all opposed say nay. The motion passes.

1280

1281 The Planning Commission granted conditional approval to Pemberton Grove (November 2005  
1282 Plan) subject to the annotations on the plans the standard conditions for subdivisions served by  
1283 Public Utilities and the following additional conditions:

1284

- 1285 12. Each lot shall contain at least 13,500 square feet exclusive of the flood plain areas.
- 1286 13. Prior to requesting final approval, the engineer shall furnish the Department of Planning  
1287 Staff a plan showing a dwelling situated on Lots 6 and 16 to determine if the lot design is  
1288 adequate to meet the requirements of Chapter 24, of the Henrico County Code.
- 1289 14. The limits and elevation of the 100-year frequency flood shall be conspicuously noted on  
1290 the plat and construction plans and labeled "Limits of 100-year floodplain." Dedicate  
1291 floodplain as a "Variable Width Drainage & Utilities Easement."
- 1292 15. A plan shall be submitted prior to recordation of the plat showing the buildable area for  
1293 each lot to properly recognize the limitations for dwelling unit dimensions and setbacks.  
1294 Buildable area is that area within which a dwelling unit may legally be located considering  
1295 the front yard, side yard, and rear yard setback requirements of Chapter 24, of the  
1296 Henrico County Code.
- 1297 16. Any necessary offsite drainage easements must be obtained prior to approval of the  
1298 construction plan by the Department of Public Works.
- 1299 17. Any future building lot containing a BMP, sediment basin or trap and located within the  
1300 buildable area for a principal structure or accessory structure, may be developed with  
1301 engineered fill. All material shall be deposited and compacted in accordance with the  
1302 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a

1303 professional engineer. A detailed engineering report shall be submitted for the review  
1304 and approval by the Building Official prior to the issuance of a building permit on the  
1305 affected lot. A copy of the report and recommendations shall be furnished to the  
1306 Directors of Planning and Public Works.

1307 18. A landscaped strip, equivalent to a transitional 10' buffer shall be located along the  
1308 length of the western property line of lot 16. Details for the landscaping shall be shown  
1309 on the construction plans.

1310

1311 Mr. Silber - That concludes the portion of the agenda that involves PODs and  
1312 subdivisions. We do have the Resolution for substantial and accord, but next on the agenda  
1313 would be approval of the minutes. Do you want to take it in that order and approve your minutes  
1314 first or hear the resolution for substantial in accord?

1315

1316 **APPROVAL OF MINUTES: October 26, 2005**

1317

1318 Mr. Vanarsdall - Are there any corrections?

1319

1320 Mr. Jernigan - I have one correction and it's on page 40, line 1526. It should read,  
1321 "landscaping and parking" not "park" "parking." And, that's it.

1322

1323 Mr. Vanarsdall - Are there any other corrections by Commission members?

1324

1325 Mr. Archer - Excellent, Mr. Jernigan.

1326

1327 Mr. Jernigan - I figured I needed to find something once in a while.

1328

1329 Mr. Archer - You read that one page.

1330

1331 Mr. Vanarsdall - If there are no more corrections I'll entertain a motion.

1332

1333 Mr. Archer - Mr. Chairman, I move that the minutes be approved as corrected.

1334

1335 Mr. Branin - Second.

1336

1337 Mr. Vanarsdall - The motion was made by Mr. Jernigan and second by Mr. Branin. All  
1338 in favor say aye...all opposed say nay. The motion passes.

1339

1340 The Planning Commission approved the minutes from the October 26, 2005, meeting subject  
1341 to the corrections.

1342

1343 Mr. Silber - Next on the agenda is a resolution for substantial in accord SIA-02-05  
1344 this is for the Eastern Henrico Recreation Center on Laburnum Avenue in the Fairfield  
1345 District.

1346

1347 Mr. Vanarsdall - Mr. Tyson, did you learn anything this morning sitting on the other side

1348 of the aisle?

1349

1350 Mr. Tyson - That it's cold in here in the morning hours.

1351

1352 **RESOLUTION: SIA-02-05 – Eastern Henrico Recreation Center Site – Substantially In**  
1353 **Accord with the County Comprehensive Plan (Fairfield District) – (Staff Report by Lee**  
1354 **Tyson)**

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1356 Mr. Tyson - Mr. Chairman, Mr. Kaechle, members of the Commission, and Mr.  
1357 Secretary. The Planning Department has received a request from the Division of Recreation and  
1358 Parks to coordinate a “Substantially in Accord” study with other County departments to determine  
1359 whether the proposed site for the Eastern Henrico Recreation Center is substantially reasonable in  
1360 light of the Comprehensive Plan recommendations for future land uses for this site and the  
1361 surrounding area. The proposed site, part of Parcel 807-733-6105, is located in the Fairfield  
1362 District on the west line of N. Laburnum Avenue, approximately 1,300 feet south of Harvie  
1363 Road and 1800 feet north of Creighton Road. The total area of the subject site is approximately  
1364 18 acres. It is part of a larger parcel (with a total of 36.38 acres), the remaining portion of  
1365 which is located on the north line of Laburnum Avenue at the southeast intersection with  
1366 Harvie Road, which is shown here (referring to the screen). This was the subject of rezoning  
1367 case C-71C-05, which the Planning Commission heard on last Thursday night.

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1369 The proposed site has several positive attributes to recommend it. (1)The site has ample  
1370 frontage along N. Laburnum Avenue. (2) Access to the site is already available from either  
1371 direction with a crossover at Watts Lane. (3) There is sufficient buildable acreage outside  
1372 environmentally sensitive areas on the property. (4) There are no wetlands noted on the site  
1373 outside of the small area occupied by the stream crossing at the far southeastern most corner of  
1374 the site. (5) Minimal grading will be required during construction of the recreation facility.  
1375 (6) Public water and sewer are readily available to the site. (7) The proposed use is compatible  
1376 with the existing and proposed land uses surrounding the property.

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1378 A primary limitation with developing the subject site as proposed is the need to dedicate a  
1379 portion of the acreage for right-of-way for Watts Lane and the expense of constructing this  
1380 roadway across the middle of the site. The irregular shape of the property may also pose a  
1381 challenge, however the Division of Recreation & Parks has indicated that there is room outside  
1382 of any environmental sensitive areas to accommodate the building.

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1384 The 2010 Land Use Plan recommends Office development for the proposed site. The proposed  
1385 site is also designated a Prime Economic Development Site for office/service and/or office uses  
1386 in the Plan. The subject site is in the Airport Safety Overlay District (Transitional Zone).

1387 The site does support the General and Government and Semi-Public Goals, Objectives and  
1388 Policies of the 2010 Land Use Plan with consideration of the physical attributes and limitations  
1389 of the proposed site. The conclusion of the studies is the proposed site supports the intent,  
1390 goals, objectives of the 2010 Land Use Plan without imposing adverse effects on the  
1391 surrounding community and staff recommends that the site be found substantially in accord  
1392 with the County's Comprehensive plan. I'll be happy to answer any questions you may have.

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1394 Mr. Vanarsdall - Are there any questions for Mr. Tyson. Thank you, Lee. Now we need  
1395 a motion to do this and send it on to the Board.

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1397 Mr. Silber - Mr. Vanarsdall, I do have one question, and maybe Mr. Tyson  
1398 mentioned this and maybe I missed it, but the Watts Lane that's coming through the property,  
1399 that's on the Major Thoroughfare Plan, would the County be building that with the  
1400 construction of this recreation facility?

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1402 Mr. Tyson - I don't know the answer to that, Mr. Silber. We pointed that out or that  
1403 was pointed out as a limitation by the Department of Public Works but I don't have the  
1404 construction timetable for when that will go through. The construction timetable for the  
1405 recreation site that was submitted by Recreation & Parks says that the construction wouldn't  
1406 occur for a couple of years. Construction would take approximately 15 months and the  
1407 Division does not anticipate opening the facility before the Fall of 2009, but I'm not sure as to  
1408 the timing of Watts Lane construction.

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1410 Mr. Silber - So, we don't know whether the recreation facility would go on the north  
1411 side or south side of Watts Lane?

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1413 Mr. Tyson - We don't know that. I would suspect on the north side, as there is a  
1414 small area of environmentally sensitive land on the southern portion. I believe the recreation  
1415 center itself would probably go on the north side with any accessory fields and activity areas  
1416 on the south side, but I'm not sure of that.

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1418 Mr. Silber - As the Commission may recall when this property was up for rezoning,  
1419 one of the issues dealt with Watts Lane and the only crossover along this frontage of Laburnum  
1420 is at the location of where Watts Lane would go through, so it does provide a much safer way  
1421 of getting to Laburnum and it does provide a left-turn movement out of this site, if Watts Lane  
1422 were built. You can see that it goes across a portion of the property (referring to map on the  
1423 screen) down on the sort of the lower end. It's not a part of this site, and we would need to  
1424 work out an arrangement or require some additional property from the Fraternal Order of the  
1425 Police, I believe owns that property. But, I think access to Laburnum would be greatly  
1426 improved if Watts Lane were constructed with the development of this site. So, we will need  
1427 to work out the details of that as the plan comes in for that recreation facility.

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1429 Mr. Archer - Mr. Secretary, I was curious about this. I can remember seeing that  
1430 maybe 15 or 16 years ago. Knowing that Watts Lane kind of terminates at Sandy Lane but I  
1431 used to notice when I was coming down Laburnum that the driveway, essentially to Kings  
1432 Point Apartments was named Watts Lane. And I notice how they were across from each other  
1433 and I figured one day there will be a road in there connecting those two. So, somebody  
1434 planned that years and years ago.

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1436 Mr. Silber - Nothing like good planning, eh, Mr. Archer?

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1438 Mr. Archer - I'll tell you. I often wondered about that. I knew it was coming one  
1439 day.  
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1441 Mr. Vanarsdall - Are there any more questions for Mr. Tyson?  
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1443 Mr. Archer - I have to move on this, right, Mr. Secretary?  
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1445 Mr. Silber - Yes, sir.  
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1447 Mr. Archer - All right, then...  
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1449 Mr. Vanarsdall - You can read that right there.  
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1451 Mr. Archer - Do we need to read the resolution?  
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1453 Mr. Silber - I don't think it needs to be read.  
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1455 Mr. Vanarsdall - Tell him how to shorten it.  
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1457 Mr. Silber - I think you can just read the final resolution.  
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1459 Mr. Archer - Okay. I will move that the resolution titled SIA-02-05 be recommended  
1460 for approval.  
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1462 Mr. Branin - Second.  
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1464 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mr. Branin. All  
1465 in favor say aye...all opposed say nay. The motion passes.  
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1467 The Planning Commission approved to recommend the Resolution SIA-02-05, Eastern Henrico  
1468 Recreation Center Site in the Fairfield District to the Board of Supervisors.  
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1470 Mr. Vanarsdall - Mr. Silber, to you have anything else for us?  
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1472 Mr. Silber - No, sir, Mr. Chairman. I would like to wish everybody a Happy  
1473 Thanksgiving.  
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1475 Mrs. Jones - To you as well.  
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1477 Mr. Vanarsdall - I hope all of you have a nice Thanksgiving and the Lord be good to you.  
1478 And get a big ham. The big ham in my family is me.  
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1480 Mr. Archer - Thank you, Mr. Secretary. Watch your cholesterol that's about all I can  
1481 say.  
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1483 Mrs. Jones - I would move to adjourn.  
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1485 Mr. Archer - I second your motion for adjournment, Mrs. Jones.  
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1487 On a motion by Mrs. Jones and seconded by Mr. Archer, the Planning Commission adjourned  
1488 its November 16, 2005, meeting.  
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Ernest B. Vanarsdall, C.P.C., Chairperson  
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Randall R. Silber, Secretary  
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