

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County,
2 held in the auditorium of the Glen Echo Building in the Eastern Government Center at
3 Nine Mile Road, beginning at 9:00 a.m. Wednesday, November 19, 2008.

4

Members Present: Mr. E. Ray Jernigan, C.P.C., Chairperson (Varina)
Mrs. Bonnie-Leigh Jones, Vice Chairperson (Tuckahoe)
Mr. C. W. Archer, C.P.C. (Fairfield)
Mr. Ernest B. Vanarsdall, C.P.C. (Brookland)
Mr. Tommy Branin (Three Chopt)
Mr. R. Joseph Emerson, Jr., Director of Planning, Secretary
Mr. Richard W. Glover (Brookland)
Board of Supervisors Representative

Others Present: Mr. David D. O'Kelly, Assistant Director of Planning
Ms. Leslie A. News, CLA, Principal Planner
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner
Mr. Michael F. Kennedy, County Planner
Ms. Christina L. Goggin, AICP, County Planner
Mr. Tony Greulich, C.P.C., County Planner
Mr. Matt Ward, County Planner
Mr. Gregory Garrison, County Planner
Mr. Lee Pambid, C.P.C., County Planner
Mrs. Aimee Berndt, County Planner
Mr. Jonathan W. Steele, G.I.S. Manager
Mr. Mike Jennings, Traffic Engineer
Ms. Kim Vann, Police Division
Ms. Holly Zinn, Recording Secretary

5

6 **Mr. Richard W. Glover, the Board of Supervisors representative, abstains from**
7 **voting on all cases unless otherwise noted.**

8

9 Mr. Jernigan - Good morning, ladies and gentlemen. On behalf of the
10 Planning Staff, and the Planning Commission, we'd like to welcome you to our
11 November 19, 2008, meeting for Subdivisions and Plans of Development. I see
12 everybody made it out here. I know it's a little change from where we normally meet.

13

14 I'd like to welcome Mr. Glover, who is our sitting member from the Board of Supervisors.

15

16 Mr. Vanarsdall - Good morning, Mr. Glover.

17

18 Mr. Glover - Thank you, Sir.

19

20 Mr. Jernigan - With that, I'll turn it over to Mr. Emerson, our secretary.

21

22 Mr. Emerson - Thank you, Mr. Chairman. I would like to introduce a new
23 member from Public Works. He is seated back by Mr. Jennings. His name is Tommy

24 Catlett. He comes to us from VDOT where he was in the Engineer Trainee Program.
25 He's a graduate of Virginia Military Institute. Mike, if you have anything else you'd like
26 to add before we ask if Tommy has anything he wants to say, we'll give you time.

27
28 Mr. Jennings - I just wanted to introduce you to him. He just started two
29 weeks ago, so he'll be coming to Planning Commission on a regular basis working with
30 you. I wanted him to get to know you. Welcome aboard.

31
32 Mrs. Jones - Welcome.

33
34 Mr. Jernigan - It's a pleasure to have you on board, sir.

35
36 Mr. Catlett - It's good to be here.

37
38 Mr. Emerson - Mr. Chairman, that brings us to the first item on your agenda,
39 which is the Requests for Deferrals and Withdrawals. We have three deferrals, and
40 those will be presented by Ms. Leslie News.

41
42 Ms. News - Good morning, Mr. Chairman, members of the Commission.
43 We have three requests this morning. The first is on page 3 of your agenda and is
44 located in the Three Chopt District. This is a transfer of approval for POD-98-73, Tyler
45 Building, at the Koger Office Center. The applicant is requesting a deferral to the
46 December 17, 2008 meeting.

47
48 **TRANSFER OF APPROVAL**

49
50
51 **POD-98-73** **John J. Hanky, Jr. for 900 East Marshall Street**
52 **Tyler Building -Koger Associates, LP:** Request for transfer of approval as
53 **Office Center - required by Chapter 24, Section 24-106 of the Henrico**
54 **Santa Rosa Rd. County Code from Tyler Investments, LLC to 900 East**
55 **Marshall Street Associates, LP. The 2.02-acre site is**
56 **located along the east line of Santa Rosa Road,**
57 **approximately 200 feet south of Discovery Drive, on parcel**
58 **758-744-8860. The zoning is O-2, Office District. County**
59 **water and sewer. (Three Chopt)**

60
61 Mr. Jernigan - Is there any opposition to the deferral of POD-98-73, Tyler
62 Building? There is no opposition.

63
64 Mr. Branin - Mr. Chairman, I'd like to move that POD-98-73, Tyler
65 Building, be deferred to December 17, 2008, at the applicant's request.

66
67 Mr. Vanarsdall - Second.

68
69 Mr. Jernigan - Motion by Mr. Branin, seconded by Mr. Vanarsdall. All in
70 favor say aye. All opposed say no. The ayes have it; the motion passes.

61
62 At the request of the applicant, the Planning Commission deferred transfer of approval
63 POD-98-73, Tyler Building, to its December 17, 2008 meeting.

64
65 Ms. News - The next request is on page 5 of your agenda and is located
66 in the Tuckahoe District. This is a transfer of approval for POD-83-98, Plaza Del Sol.
67 The applicant is requesting a deferral to the December 17, 2008 meeting.

68
69 **TRANSFER OF APPROVAL**
70

POD-83-98 **James D. Thorton for McAndrew Properties, LLC:**
Plaza Del Sol - Request for transfer of approval as required by Chapter
10442 Patterson Ave. 24, Section 24-106 of the Henrico County Code from
DelSol Properties, LLC, Carlos E. Sol, Patricia V. Sol, Del
Sol, Inc, and Norman M. Morgan to McAndrew Properties,
LLC. The 0.07-acre site is located approximately 800 feet
east of Pump Rd. on Patterson Ave., on parcel 742-742-
5224. The zoning is R-1, One Family Residence District
and O-2, Office District. County water and sewer.
(Tuckahoe)

71
72 Mr. Jernigan - Is there any opposition to the deferral of POD-83-98, Plaza
73 Del Sol? There is no opposition.

74
75 Mrs. Jones - I move for deferral of POD-83-98, Plaza Del Sol, per the
76 applicant's request, to the December 17, 2008 meeting.

77
78 Mr. Archer - Second.

79
80 Mr. Jernigan - Motion by Mrs. Jones, seconded by Mr. Archer. All in favor
81 say aye. All opposed say no. The ayes have it; the motion passes.

82
83 At the request of the applicant, the Planning Commission deferred transfer of approval
84 POD-83-98, Plaza Del Sol, to its December 17, 2008 meeting.

85
86 Ms. News - The final request is on page 26 of your agenda and is
87 located in the Tuckahoe District. This is POD-68-07, The Shire @ Pump and Church.
88 The applicant is requesting a deferral to the January 28, 2009 meeting.

89

90 **PLAN OF DEVELOPMENT & MASTER PLAN**
91 *(Deferred from the September 24, 2008 Meeting)*

92
POD-68-07
The Shire @ Pump and
Church – Church Road
and Pump Road

Kimley Horn for Kevin McFadden and The Rebkee Company: Request for approval of a plan of development and master plan as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct five, one-story retail buildings (Buildings 1-5) totaling 50,480 square feet and a master plan for a future one-story retail building (Building 6) totaling 12,900 square feet. The 21-acre site is located at the southwest corner of the intersection of Pump and Church Roads on parcels 739-754-7156 and 739-753-1396. The zoning is B-2C, Business District (Conditional), C-1C, Conservation District, RTHC, Residential Townhouse District (Conditional) and R-3AC, One-Family Residence District (Conditional), B-3, Business District and R-5A, General Residence District. County water and sewer. **(Tuckahoe)**

93
94 Mr. Jernigan - Is there any opposition to the deferral of POD-68-07, The
95 Shire @ Pump and Church? There is no opposition.

96
97 Mrs. Jones - I move for deferral of POD-68-07, The Shire @ Pump and
98 Church, per the applicant's request, to the January 28, 2009 meeting.

99
100 Mr. Vanarsdall - Second.

101
102 Mr. Jernigan - Motion by Mrs. Jones, seconded by Mr. Vanarsdall. All in
103 favor say aye. All opposed say no. The ayes have it; the motion passes.

104
105 Ms. News - Staff is aware of no further requests.

106
107 Mr. Emerson - Mr. Chairman, that takes us to the next item on the agenda,
108 which is the expedited items. You have approximately eleven, unless that's changed
109 since yesterday afternoon. Those will be presented by Ms. Leslie News.

110
111 Ms. News - The first item on your agenda is on page 4, and is located in
112 the Tuckahoe District. This is transfer of approval for POD-55-76, Lexington Court. Staff
113 recommends approval.

114

175 Mr. Archer - Mr. Chairman, I move for approval of LP/POD-58-07, Dillyn
176 Place, Section 1, subject to the annotations on the plan, and standard conditions for
177 landscape plans.

178
179 Mr. Vanarsdall - Second.

180
181 Mr. Jernigan - Motion by Mr. Archer, seconded by Mr. Vanarsdall. All in
182 favor say aye. All opposed say no. The ayes have it; the motion passes.

183
184 The Planning Commission approved the landscape plan for LP/POD-58-07, Dillyn
185 Place, Section 1, subject to the standard conditions attached to these minutes for
186 landscape and lighting plans.

187
188 Ms. News - The next item is found on page 9 of your agenda, and is
189 located in the Brookland District. This is POD-69-08, Glen Allen Professional Park.
190 There is an addendum item on page 1 of your addendum. This includes additional
191 conditions 9 and 11 amended. Staff recommends approval.

192
193 **PLAN OF DEVELOPMENT**

194
195
196 **POD-69-08 Timmons Group for The McGurn Company, Inc.:**
197 **Glen Allen Professional Request for approval of a plan of development, as required**
198 **Park – Mountain Rd. and by Chapter 24, Section 24-106 of the Henrico County**
199 **John Cussons Dr. Code, to construct 3 one-story office buildings totaling**
200 **approximately 19,876 square feet. The 3.66-acre site is**
201 **located on the northeast corner at the intersection of**
202 **Mountain Rd. and John Cussons Dr., on parcel 770-767-**
203 **7982. The zoning is B-2C, Business District (Conditional)**
204 **and C-1, Conservation District. County water and sewer.**
205 **(Brookland)**

206
207 Mr. Jernigan - Is there any opposition to POD-69-08, Glen Allen
208 Professional Park? There is no opposition.

209
210 Mr. Vanarsdall - I move POD-69-08, Glen Allen Professional Park, be
211 approved with the annotations on the plan, standard conditions for developments of this
212 type, and the following conditions #9 amended, #11 amended, and 29 through 36.

213
214 Mr. Archer - Second.

215
216 Mr. Jernigan - Motion by Mr. Vanarsdall, seconded by Mr. Archer. All in
217 favor say aye. All opposed say no. The ayes have it; the motion passes.

218
219 The Planning Commission approved POD-69-08, Glen Allen Professional Park, subject
220 to the annotations on the plans, the standard conditions attached to these minutes for
221 developments of this type, and the following additional conditions:

- 211
212 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
213 Planning for review and Planning Commission approval prior to the issuance of
214 any occupancy permits.
215 11. **AMENDED** - Prior to the approval of an electrical permit application and
216 installation of the site lighting equipment, a plan including depictions of light
217 spread and intensity diagrams, and fixture specifications and mounting height
218 details shall be submitted for Department of Planning review and Planning
219 Commission approval.
220 29. The right-of-way for widening of Mountain Road as shown on approved plans
221 shall be dedicated to the County prior to any occupancy permits being issued.
222 The right-of-way dedication plat and any other required information shall be
223 submitted to the County Real Property Agent at least sixty (60) days prior to
224 requesting occupancy permits.
225 30. Outside storage shall not be permitted.
226 31. The proffers approved as a part of zoning case C-72C-88 shall be incorporated in
227 this approval.
228 32. The certification of building permits, occupancy permits and change of
229 occupancy permits for individual units shall be based on the number of parking
230 spaces required for the proposed uses and the amount of parking available
231 according to approved plans.
232 33. Approval of the construction plans by the Department of Public Works does not
233 establish the curb and gutter elevations along the Henrico County maintained
234 right-of-way. The elevations will be set by Henrico County.
235 34. The location of all existing and proposed utility and mechanical equipment
236 (including HVAC units, electric meters, junctions and accessory boxes,
237 transformers, and generators) shall be identified on the landscape plan. All
238 building mounted equipment shall be painted to match the building, and all
239 equipment shall be screened by such measures as determined appropriate by
240 the Director of Planning or the Planning Commission at the time of plan approval
241 35. The limits and elevations of the Special Flood Hazard Area shall be
242 conspicuously noted on the plan and labeled "Limits of Special Flood Hazard
243 Area." In addition, the delineated Special Flood Hazard Area must be labeled
244 "Variable Width Drainage and Utility Easement." The easement shall be granted
245 to the County prior to the issuance of any occupancy permits.
246 36. The existing portion of C-1 property that is in conflict with any building footprint
247 shall be rezoned prior to the issuance of a building permit for that building.
248

249 Ms. News - The next item is on page 16 of your agenda and is located in
250 the Three Chopt District. This is POD-66-08, West Broad Village—Phase III, the
251 architectural for REI. Staff recommends approval.
252

253 **PLAN OF DEVELOPMENT – Architecturals**
254 *(Deferred from the October 22, 2008 Meeting)*

255

POD-66-08
West Broad Village –
Phase III, REI
Architecturals –
Old Brick Rd. and Fish
Pond Ln.

Timmons Group for West Broad Village IV, LLC and West Broad Village V, LLC: Request for approval of architectural plans for a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story building with approximately 26,530 square feet of retail space in Phase 3 of the West Broad Village urban mixed use development. The 6.564 acre parcel is located along the north line of Old Brick Road, east of its intersection with Fish Pond Lane, and on the south line of West Broad Street, east of the I-64 Short Pump Interchange, on part of parcel 744-760-7007 and part of parcel 744-760-1664. The zoning is UMUC, Urban Mixed Use District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

256

257 Mr. Jernigan - Is there any opposition to POD-66-08, West Broad Village—
258 Phase III, REI Architecturals? There is no opposition.

259

260 Mr. Branin - Mr. Chairman, I'd like to move that POD-66-08, West Broad
261 Village—Phase III, REI Architecturals, be approved subject to the annotations on the
262 plans, and conditions of POD-66-08 previously approved.

263

264 Mr. Archer - Second.

265

266 Mr. Jernigan - Motion by Mr. Branin, seconded by Mr. Archer. All in favor
267 say aye. All opposed say no. The ayes have it; the motion passes.

268

269 The Planning Commission approved POD-66-08, West Broad Village—Phase III, REI
270 Architecturals, subject to the annotations on the plans and the conditions previously
271 approved for POD-66-08 by the Planning Commission at its meeting on October 22,
272 2008.

273

274 Ms. News - Next on page 17 of your agenda and located in the
275 Brookland District, is POD-68-08, Shrader Road Medical Center. There is an addendum
276 item on page 3 of your addendum. The addendum includes a revision to the caption to
277 change the building square footage, and indicates that staff has received revised site
278 and architectural plans that show a reduction in the size of the building, and therefore
279 provision of sufficient parking. Land disturbance in the 20-foot proffered buffer along the
280 rear property line has been eliminated. Staff can now recommend approval.

281

- 318 Plan, the limits of the areas to be cleared and the methods of protecting
 319 the required buffer areas. The location of utility lines, drainage structures
 320 and easements shall be shown.
- 321 (b) After the Erosion and Sediment Control Plan has been approved but prior
 322 to any clearing or grading operations of the site, the owner shall have the
 323 limits of clearing delineated with approved methods such as flagging, silt
 324 fencing or temporary fencing.
 - 325 (c) The site engineer shall certify in writing to the owner that the limits of
 326 clearing have been staked in accordance with the approved plans. A copy
 327 of this letter shall be sent to the Department of Planning and the
 328 Department of Public Works.
 - 329 (d) The owner shall be responsible for the protection of the buffer areas and
 330 for replanting and/or supplemental planting and other necessary
 331 improvements to the buffer as may be appropriate or required to correct
 332 problems. The details shall be included on the landscape plans for
 333 approval.
- 334 33. The location of all existing and proposed utility and mechanical equipment
 335 (including HVAC units, electric meters, junctions and accessory boxes,
 336 transformers, and generators) shall be identified on the landscape plan. All
 337 building mounted equipment shall be painted to match the building, and all
 338 equipment shall be screened by such measures as determined appropriate by
 339 the Director of Planning or the Planning Commission at the time of plan approval.
- 340 34. Except for junction boxes, meters, and existing overhead utility lines, and for
 341 technical or environmental reasons, all utility lines shall be underground.

342
 343 Ms. News - The next item is found on page 19 of your agenda, and is
 344 located in the Three Chopt District. This is POD-63-08, Christ Church Episcopal. There
 345 is an addendum on page 3 of your addendum, which includes two additional conditions,
 346 #34 and #35, relating to dedication of right-of-way for the widening on Pouncey Tract
 347 Road, and removal of the temporary trailers on the site. Staff can recommend approval.

348
 349 **PLAN OF DEVELOPMENT**

350
 351

POD-63-08 Christ Church Episcopal (POD-117-97, 37-98 and 72-06 Rev.)	Hulcher & Associates for Christ Church Episcopal: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story 12,779 square foot Parish Life Center and a 2,734 square foot addition to an existing sanctuary with no increase in seating; and to allow 3 temporary modular buildings. The 11.01-acre site is located on the west line of Pouncey Tract Rd. (State Route 271) at its intersection with Shady Grove Rd., on parcel 738-769-3891. The zoning is A-1, Agricultural District. County water and sewer. (Three Chopt)
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352 Mr. Jernigan - Do we have any opposition to POD-63-08, Christ Church
353 Episcopal? There is no opposition.

354
355 Mr. Branin - Mr. Chairman, I'd like to move that POD-63-08, Christ
356 Church Episcopal, be approved with annotations on the plans, standard conditions for
357 developments of this type, and the following additional conditions 29 through 35.

358
359 Mrs. Jones - Second.

360
361 Mr. Jernigan - Motion by Mr. Branin, seconded by Mrs. Jones. All in favor
362 say aye. All opposed say no. The ayes have it; the motion passes.

363
364 The Planning Commission approved POD-63-08, Christ Church Episcopal, subject to
365 the annotations on the plans, the standard conditions attached to these minutes for
366 developments of this type, and the following additional conditions:

- 367
368 29. The entrances and drainage facilities on Pouncey Tract Road (State Route 271)
369 shall be approved by the Virginia Department of Transportation and the County.
370 30. A notice of completion form, certifying that the requirements of the Virginia
371 Department of Transportation entrances permit have been completed, shall be
372 submitted to the Department of Planning prior to any occupancy permits being
373 issued.
374 31. Details for the gate and locking device at the emergency access road shall be
375 submitted for review by the Traffic Engineer and VDOT, and approved by the
376 County Fire Marshall. The owner or owner's contractor shall contact the County
377 Fire Marshall prior to completion of the fence installation to test and inspect the
378 operations of the gates. Evidence of the Fire Marshall's approval shall be
379 provided to the Department of Planning by the owner prior to issuance of
380 occupancy permits.
381 32. The location of all existing and proposed utility and mechanical equipment
382 (including HVAC units, electric meters, junction and accessory boxes,
383 transformers, and generators) shall be identified on the landscape plans. All
384 equipment shall be screened by such measures as determined appropriate by
385 the Director of Planning or the Planning Commission at the time of plan approval.
386 33. Except for junction boxes, meters, and existing overhead utility lines, and for
387 technical or environmental reasons, all utility lines shall be underground.
388 34. The right-of-way for widening of Pouncey Tract Road as shown on approved
389 plans shall be dedicated to the County prior to any occupancy permits being
390 issued. The right-of-way dedication plat and any other required information shall
391 be submitted to the County Real Property Agent at least sixty (60) days prior to
392 requesting occupancy permits.
393 35. The temporary trailers and related improvements shall be removed from the site
394 prior to issuance of a final Certificate of Occupancy for the Parish Life Center, but
395 no later than November 19, 2010.
396

397 Ms. News - Next on page 20 of your agenda, and located in the
398 Brookland District, is POD-60-08, Dickens Place Storage Lot. Staff recommends
399 approval.
400

401 **PLAN OF DEVELOPMENT (Deferred from the October 22, 2008 Meeting)**
402

POD-60-08 **William J. Schmidt and Fred Dailey for RLN Company,**
Dickens Place Storage Lot **LLC:** Request for approval of a plan of development, as
6504 Dickens Pl. required by Chapter 24, Section 24-106 of the Henrico
County Code, to construct a rental parking lot for permitted
B-3 uses including the parking of RV's, boats, cars, trucks,
licensed trailers, and not more than one (1) tractor trailer.
The 1.31-acre site is located on the east line of Dickens
Pl., approximately 375 feet south of the intersection with
Dickens Rd., on parcel 769-743-6236. The zoning is B-3,
Business District. County water and sewer. **(Brookland)**

403
404 Mr. Jernigan - Is there any opposition to POD-60-08, Dickens Place
405 Storage Lot? There is no opposition.
406

407 Mr. Vanarsdall - I move POD-60-08, Dickens Place Storage Lot, be approved
408 with the annotations on the plan, standards conditions for developments of this type,
409 and the following additional conditions 29 through 33.
410

411 Mr. Branin - Second.
412

413 Mr. Jernigan - Motion by Mr. Vanarsdall, seconded by Mr. Branin. All in
414 favor say aye. All opposed say no. The ayes have it; the motion passes.
415

416 The Planning Commission approved POD-60-08, Dickens Place Storage Lot, subject to
417 the annotations on the plans, the standard conditions attached to these minutes for
418 developments of this type, and the following additional conditions:
419

- 420 29. There shall be no outdoor storage in moveable storage containers including, but
421 not limited to, cargo containers and portable on demand storage containers.
422 30. Only automobiles, trucks (including dump trucks and bucket trucks), recreational
423 vehicles, boats and boat trailers, and landscaping trailers shall be permitted.
424 31. Only one (1) tractor- trailer shall be permitted. Only the components of that one
425 tractor-trailer shall be allowed onsite.
426 32. There shall be no storage sheds, nor the storage of construction materials, tires,
427 pallets, or debris onsite.
428 33. All vehicles parked onsite shall be operable and have current inspections and
429 license tags.
430

431 Ms. News - The next item is on page 24 of your agenda, and is located
432 in the Three Chopt District. This is POD-70-08, Learning Experience at Lauderdale
433 Square Shopping Center. There's an addendum item on page 4 of your addendum
434 indicating that a revised plan showing the sidewalk being terminated at the new parking
435 spaces, and provision of additional parking north of the building has been provided.
436 Staff recommends approval.

437

438 PLAN OF DEVELOPMENT

439

POD-70-08 **Koontz-Bryant, P.C. for The Wilton Companies:**
The Learning Experience Request for approval of a plan of development, as required
at Lauderdale Square by Chapter 24, Section 24-106 of the Henrico County
Shopping Center – 3033 Code, to construct a one-story 11,330 square foot child
Lauderdale Dr. daycare building in an existing shopping center. The 1.69-
acre site is located within the Lauderdale Square Shopping
Center, approximately 200 feet east of Lauderdale Drive
and 300 feet south of Rutgers Drive, on parcel 734-757-
5023. The zoning is B-2C, Business District (Conditional).
County water and sewer. **(Three Chopt)**

440

441 Mr. Jernigan - Is there any opposition to POD-70-08, The Learning
442 Experience at Lauderdale Square Shopping Center? There is no opposition.

443

444 Mr. Branin - Mr. Chairman, I'd like to move for approval of POD-70-08,
445 The Learning Experience at Lauderdale Square Shopping Center, with standard
446 conditions for developments of this type, and the following conditions 9 through 35.

447

448 Mr. Vanarsdall - Second.

449

450 Mr. Jernigan - Motion by Mr. Branin, seconded by Mr. Vanarsdall. All in
451 favor say aye. All opposed say no. The ayes have it; the motion passes.

452

453 The Planning Commission approved POD-70-08, The Learning Experience at
454 Lauderdale Square Shopping Center, subject to the annotations on the plans, the
455 standard conditions attached to these minutes for developments of this type, and the
456 following additional conditions:

457

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

461 11. **AMENDED** - Prior to the approval of an electrical permit application and
462 installation of the site lighting equipment, a plan including depictions of light
463 spread and intensity diagrams, and fixture specifications and mounting height
464 details shall be submitted for Department of Planning review and Planning
465 Commission approval.

- 466 29. There shall be no outdoor storage in moveable storage containers including, but
467 not limited to, cargo containers and portable on demand storage containers.
468 30. The proffers approved as a part of zoning case C-55C-85 shall be incorporated in
469 this approval.
470 31. A construction staging plan which includes details for traffic control, fire
471 protection, stockpile locations, construction fencing and hours of construction
472 shall be submitted for County review and prior to the approval of any final
473 construction plans.
474 32. The owners shall not begin clearing of the site until the following conditions have
475 been met:
476 (a) The site engineer shall conspicuously illustrate on the plan of development
477 or subdivision construction plan and the Erosion and Sediment Control
478 Plan, the limits of the areas to be cleared and the methods of protecting
479 the required buffer areas. The location of utility lines, drainage structures
480 and easements shall be shown.
481 (b) After the Erosion and Sediment Control Plan has been approved but prior
482 to any clearing or grading operations of the site, the owner shall have the
483 limits of clearing delineated with approved methods such as flagging, silt
484 fencing or temporary fencing.
485 (c) The site engineer shall certify in writing to the owner that the limits of
486 clearing have been staked in accordance with the approved plans. A copy
487 of this letter shall be sent to the Department of Planning and the
488 Department of Public Works.
489 (d) The owner shall be responsible for the protection of the buffer areas and
490 for replanting and/or supplemental planting and other necessary
491 improvements to the buffer as may be appropriate or required to correct
492 problems. The details shall be included on the landscape plans for
493 approval.
494 33. Evidence of a joint ingress/egress and maintenance agreement must be
495 submitted to the Department of Planning and approved prior to issuance of a
496 certificate of occupancy for this development.
497 34. The location of all existing and proposed utility and mechanical equipment
498 (including HVAC units, electric meters, junctions and accessory boxes,
499 transformers, and generators) shall be identified on the landscape plan. All
500 building mounted equipment shall be painted to match the building, and all
501 equipment shall be screened by such measures as determined appropriate by
502 the Director of Planning or the Planning Commission at the time of plan approval.
503 35. Prior to construction plan approval an updated shopping center master plan shall
504 be submitted.
505

506 Ms. News - Next on page 33 of your agenda and located in the Fairfield
507 District, is POD-62-08, Kingdom Hall. There's an addendum item on page 6 of your
508 addendum, which includes additional conditions 9 and 11 amended. Staff recommends
509 approval.
510

511 **PLAN OF DEVELOPMENT**

512

POD-62-08 **Landmark Fleet Surveyors for Ginter Park**
Kingdom Hall **Congregation of Jehovah’s Witnesses of Richmond,**
2801 Mechanicsville Tpke. **Virginia:** Request for approval of a plan of development,
as required by Chapter 24, Section 24-106 of the Henrico
County Code, to construct a one-story 9,916 square foot
worship building. The 3.48-acre site is located on the
northeast corner of the intersection of Mechanicsville
Tpke. (US Route 360) and St. Claire Ln. and the west line
of 20th Street, on parcel 800-729-2497. The zoning is B-
1C, Business District (Conditional). County water and
sewer. **(Fairfield)**

513

514 Mr. Jernigan - Is there any opposition to POD-62-08, Kingdom Hall? There
515 is no opposition.

516

517 Mr. Archer - Mr. Chairman, I move for approval of POD-62-08, Kingdom
518 Hall on the expedited agenda, subject to the standard conditions for developments of
519 this type, additional conditions 29 through 39, and on the addendum, 9 and 11
520 amended.

521

522 Mr. Vanarsdall - Second.

523

524 Mr. Jernigan - Motion by Mr. Archer, seconded by Mr. Vanarsdall. All in
525 favor say aye. All opposed say no. The ayes have it; the motion passes.

526

527 The Planning Commission approved POD-62-08, Kingdom Hall, subject to the
528 annotations on the plans, the standard conditions attached to these minutes for
529 developments of this type, and the following additional conditions:

530

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

534 11. **AMENDED** - Prior to the approval of an electrical permit application and installation
535 of the site lighting equipment, a plan including depictions of light spread and
536 intensity diagrams, and fixture specifications and mounting height details shall be
537 submitted for Department of Planning review and Planning Commission approval.

538 29. The right-of-way for widening of St. Claire Lane and 20th Street as shown on
539 approved plans shall be dedicated to the County prior to any occupancy permits
540 being issued. The right-of-way dedication plat and any other required information
541 shall be submitted to the County Real Property Agent at least sixty (60) days
542 prior to requesting occupancy permits.

543 30. A concrete sidewalk meeting VDOT standards shall be provided along the east
544 side of Mechanicsville Turnpike (U.S. Route 360).

- 545 31. The building shall be constructed of red brick, and the brick shall not be painted
546 at any time.
- 547 32. Outside storage shall not be permitted.
- 548 33. The proffers approved as a part of zoning case C-56C-07 shall be incorporated in
549 this approval.
- 550 34. A construction staging plan which includes details for traffic control, fire
551 protection, stockpile locations, construction fencing and hours of construction
552 shall be submitted for County review and prior to the approval of any final
553 construction plans.
- 554 35. Approval of the construction plans by the Department of Public Works does not
555 establish the curb and gutter elevations along the Henrico County maintained
556 right-of-way. The elevations will be set by Henrico County.
- 557 36. Approval of the construction plans by the Department of Public Works does not
558 establish the curb and gutter elevations along the Virginia Department of
559 Transportation maintained right-of-way. The elevations will be set by the
560 contractor and approved by the Virginia Department of Transportation.
- 561 37. The owners shall not begin clearing of the site until the following conditions have
562 been met:
- 563 (a) The site engineer shall conspicuously illustrate on the plan of development
564 or subdivision construction plan and the Erosion and Sediment Control
565 Plan, the limits of the areas to be cleared and the methods of protecting
566 the required buffer areas. The location of utility lines, drainage structures
567 and easements shall be shown.
- 568 (b) After the Erosion and Sediment Control Plan has been approved but prior
569 to any clearing or grading operations of the site, the owner shall have the
570 limits of clearing delineated with approved methods such as flagging, silt
571 fencing or temporary fencing.
- 572 (c) The site engineer shall certify in writing to the owner that the limits of
573 clearing have been staked in accordance with the approved plans. A copy
574 of this letter shall be sent to the Department of Planning and the
575 Department of Public Works.
- 576 (d) The owner shall be responsible for the protection of the buffer areas and
577 for replanting and/or supplemental planting and other necessary
578 improvements to the buffer as may be appropriate or required to correct
579 problems. The details shall be included on the landscape plans for
580 approval.
- 581 38. The location of all existing and proposed utility and mechanical equipment
582 (including HVAC units, electric meters, junctions and accessory boxes,
583 transformers, and generators) shall be identified on the landscape plan. All
584 building mounted equipment shall be painted to match the building, and all
585 equipment shall be screened by such measures as determined appropriate by
586 the Director of Planning or the Planning Commission at the time of plan approval
- 587 39. The existing unimproved right-of-way for Elkridge Lane shall be vacated prior to
588 the issuance of any building permits for this development.
589

590 Ms. News - The next item is found on page 35 of your agenda, and is
591 located in the Three Chopt District. This is SUB-26-08, Holman Ridge, for 91 lots.
592 There's an addendum item on page 6 of the addendum, which indicates that a revised
593 plan has been submitted, which includes reconfiguration of two roads that intersect at
594 Holman Ridge Road, to provide adequate separation distance between the
595 intersections, and the required dimensional information for cul-de-sacs has been
596 provided. Staff can recommend approval.

597
598 **SUBDIVISION**

599
SUB-26-08 **Draper Aden Associates for Twin Hickory, LLC and**
Holman Ridge **Robert Bain:** The 46.7-acre site proposed for a subdivision
(November 2008 Plan) of 91 single-family homes is located at the northern
terminus of Holman Ridge Road, adjacent to Rivers Edge
Elementary School on parcels 748-776-3108 and 747-775-
9503. The zoning is R-3C, One Family Residence District
(Conditional). County water and sewer. **(Three Chopt) 91**
Lots

600
601 Mr. Jernigan - Is there any opposition to SUB-26-08, Holman Ridge?
602 There is no opposition.

603
604 Mr. Branin - Mr. Chairman, I'd like to move for approval of SUB-26-08,
605 Holman Ridge, with the standard conditions for subdivisions served by public utilities,
606 the following additional conditions 13 through 20, and the addendum.

607
608 Mrs. Jones - Second.

609
610 Mr. Jernigan - Motion by Mr. Branin, seconded by Mrs. Jones. All in favor
611 say aye. All opposed say no. The ayes have it; the motion passes.

612
613 The Planning Commission granted conditional approval to SUB-26-08, Holman Ridge,
614 subject to the standard conditions attached to these minutes for subdivisions served by
615 public utilities, the annotations on the plans, and the following additional conditions:

- 616
617 13. The limits and elevation of the Special Flood Hazard Area shall be conspicuously
618 noted on the plat and construction plans and labeled "Limits of Special Flood
619 Hazard Area." Dedicate the Special Flood Hazard Area as a "Variable Width
620 Drainage & Utilities Easement."
621 14. Each lot shall contain at least 11,000 Sq. Ft., exclusive of the floodplain areas.
622 15. The details for the landscaping to be provided within the 20-foot wide planting
623 strip easement along the north and south sides of Holman Ridge Road shall be
624 submitted to the Department of Planning for review and approval prior to
625 recordation of the plat.
626 16. A County standard sidewalk shall be constructed along the north and south sides
627 of Holman Ridge Road.

663 The Planning Commission granted conditional approval to SUB-28-08, Mason Park
 664 (November 2008 Plan), subject to the standard conditions attached to these minutes for
 665 subdivisions served by public utilities, the annotations on the plans, and the following
 666 additional conditions:

- 667
- 668 13. At least sixty days prior to recordation of the plat, a draft of the covenants and deed
 669 restrictions for the maintenance of the common area shall be submitted to the
 670 Department of Planning for review. Such covenants and restrictions shall be in
 671 form and substance, satisfactory to the County Attorney and shall be recorded prior
 672 to recordation of the subdivision plat.
- 673 14. The proffers approved as part of zoning cases C-15C-03 and C-13C-05 shall be
 674 incorporated in this approval.
- 675 15. The transfer of the 0.09-acre reserved portion of lot 29 to the adjacent property
 676 owner must be recorded prior to construction plan approval.

677

678 Ms. News - That completes our expedited agenda.

679

680 Mr. Jernigan - Thank you, Ms. News.

681

682 Mr. Emerson - Mr. Chairman, that now brings us to Subdivision Extensions
 683 of Conditional Approval. That will be presented by Mr. Lee Pambid.

684

685 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**

686

687 **FOR INFORMATIONAL PURPOSES ONLY**

688

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB-56-07 Morgan Estates (Oct. 2007 Plan)	3	3	0	Three Chopt	11/18/2009
Pemberton Grove, Sec. A (Nov. 2005 Plan)	16	16	2	Brookland	11/18/2009
River Mill Estates (Oct. 2004 Plan)	12	12	3	Brookland	11/18/2009
Rocketts Landing Townhouses (Nov. 2005 Plan)	42	11	1	Varina	11/18/2009
Sweetbay Hills (Oct. 2005 Plan)	144	144	2	Fairfield	11/18/2009
SUB-62-07 The Village at Olde Colony (Nov. 2007 Plan)	9	9	0	Varina	11/18/2009
Woodman Hills (Nov. 2001 Plan)	1	1	3	Fairfield	11/18/2009

689

690 Mr. Jernigan - Good morning, Mr. Pambid.
691
692 Mr. Pambid - Good morning.
693
694 Mr. Vanarsdall - Good morning, Mr. Pambid.
695
696 Mr. Pambid - Good morning, sir. Are there any questions about the
697 subdivision extensions?
698
699 Mr. Jernigan - Does the Commission have any questions on the subdivision
700 extensions?
701
702 Mrs. Jones - No, sir.
703
704 Mr. Jernigan - No, sir.
705
706 Mr. Pambid - Thank you.
707
708 Mr. Jernigan - Looks like you're free this morning.
709
710 Mr. Emerson - Mr. Chairman, that now takes us to the remaining cases to
711 be heard, which I believe by my count is eight. They begin on page 6 of your regular
712 agenda.
713
714 **TRANSFER OF APPROVAL** (*Deferred from the October 22, 2008 Meeting*)
715
POD-124-87 **Tom Greene for Aaron Rents, Inc.:** Request for transfer
Aaron Rents of approval as required by Chapter 24, Section 24-106 of
(Formerly La-Z-Boy the Henrico County Code from Eugene R. Slayden, Jr.,
Furniture) - W. Broad St Jack D. Downing, and LZB Furniture Galleries to Aaron
Rents, Inc. The 0.89-acre site is located on the east line of
W. Broad St. (U.S. Route 250), approximately 600 feet
north of Bethlehem Rd. on parcel 766-749-4004. The
zoning is B-3, Business District. County water and sewer.
(Brookland)
716
717 Mr. Jernigan - Is there any opposition to transfer of approval POD-124-87,
718 Aaron Rents (Formerly La-Z-Boy Furniture)? There is no opposition.
719
720 Mr. Wilhite – Good morning, Mr. Chairman, Commission members.
721
722 Since your October meeting, staff has had an opportunity to visit the site. All of the
723 deficiencies identified in our inspector's report have been corrected, so we can
724 recommend approval of this transfer request.
725
726 Mr. Jernigan - All right. Are there any questions from the Commission for
727 Mr. Wilhite?

728
 729 Mr. Vanarsdall - Yes. Did you get the yellow lines straight?
 730
 731 Mr. Wilhite - Yes. They did correct the striping on the parking lot, and
 732 went from yellow to white.
 733
 734 Mr. Vanarsdall - Good. That's the only thing I had.
 735
 736 Mr. Jernigan - Any more questions for Mr. Wilhite? All right, Mr. Vanarsdall.
 737
 738 Mr. Vanarsdall - I move transfer of approval POD-124-87, Aaron Rents
 739 (Formerly La-Z-Boy Furniture), be approved with the comments from staff.
 740
 741 Mr. Archer - Second.
 742
 743 Mr. Jernigan - Motion by Mr. Vanarsdall, seconded by Mr. Archer. All in
 744 favor say aye. All opposed say no. The ayes have it; the motion passes.
 745
 746 The Planning Commission approved the transfer of approval request for POD-124-87,
 747 Aaron Rents (Formerly La-Z-Boy Furniture), from Eugene R. Slayden, Jr., Jack D.
 748 Downing, and LZB Furniture Galleries to Aaron Rents, Inc. subject to the standard and
 749 added conditions previously approved.

750
 751 **PLAN OF DEVELOPMENT**
 752

POD-71-02 (Rev.) **Timmons Group for G3 Investments, LLC and Tom Leonard:** Request for approval of a revised plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to locate a 2,400 square foot tent in the seasonal sales area of an existing grocery store. The 6.29-acre site is located along the north line of Brookriver Drive and the south line of Interstate 64, approximately 650 feet north of W. Broad Street (U.S. Route 250) on parcel 743-762-6518. The zoning is M-1C, Light Industrial District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer.
(Three Chopt)

753
 754 Mr. Jernigan - Is there any opposition to POD-71-02 (Rev.), Tom Leonard's
 755 at Brookhollow? There is no opposition.
 756
 757 Mr. Wilhite - This is the third request for the erection of a temporary tent
 758 on this site in the seasonal sales area. Staff has recommended one additional
 759 condition, which is on the revised tent plan and states that it shall be removed from the
 760 site no later than November 30, 2009. We had requested the applicant provide us

761 information on possibly constructing a more permanent structure in this location, but to
762 date, we have not received any information from him.

763
764 Mr. Jernigan - Are there any questions for Mr. Wilhite from the
765 Commission? Mr. Branin?

766
767 Mr. Branin - All right. Mr. Chairman, I'd like to move that POD-71-02
768 (Rev.), Tom Leonard's at Brookhollow, be approved with Condition 35.

769
770 Mrs. Jones - Second.

771
772 Mr. Jernigan - Motion by Mr. Branin, seconded by Mrs. Jones. All in favor
773 say aye. All opposed say no. The ayes have it; the motion passes.

774
775 The Planning Commission approved POD-71-02 (Rev.), Tom Leonard's at Brookhollow,
776 subject to the annotations on the plans, the standard conditions attached to these
777 minutes for developments of this type, and the following additional condition:

778
779 35. The temporary tent, to be located in the seasonal sales area as shown on the
780 revised plan, shall be removed from the site no later than November 30, 2009.

781
782 **PLAN OF DEVELOPMENT**

783
784
785
786
787
788
789
790
791
792
793
794
795
POD-72-08 **Timmons Group for Nathan Jones and Area
Development Group, Inc.:** Request for approval of a plan
Rite Aid - New Market of development, as required by Chapter 24, Section 24-
Road and Strath Road – 106 of the Henrico County Code, to construct a one-story
2661 New Market Rd. 14,854 square foot pharmacy and retail building. The 3.82-
acre site is located at the southeast corner of the
intersection of New Market Rd. (State Route 5) and Strath
Rd. on parcel 816-687-5307. The zoning is B-2C,
Business District (Conditional); A-1, Agricultural District;
and ASO, Airport Safety overlay District. County water and
sewer. **(Varina)**

784
785 Mr. Jernigan - Is there any opposition to POD-72-08, Rite Aid at New
786 Market and Strath Road? There is no opposition. Mr. Pambid, you may proceed.

787
788 Mr. Pambid - Good morning, Mr. Chairman and members of the Planning
789 Commission. The proposal is for a 14,854 square-foot pharmacy and retail building
790 along New Market, which is also State Route 5. The right-of-way along New Market will
791 be dedicated to include a multi-use trail. This is also known as the Capital Trail.

792
793 The five-foot sidewalk along New Market Road will be deleted from the final
794 construction plans, as VDOT and County staff agree that the ten-foot-wide asphalt
795 multi-use trail will provide the same pedestrian facility as the concrete sidewalk, and

796 also meet the intention of the proffers. The developer will construct this portion of the
797 trail fronting the property with this POD. Additionally, the Strath Road sidewalk will be
798 connected to the asphalt trail, and staff has asked for a mid-block crosswalk connection
799 from the trail to the building across the drive aisle to be constructed. Staff has asked
800 that this mid-block crosswalk be stamped asphalt of a different color. The developer has
801 also agreed to these requests.

802
803 A six-foot-high screening wall of the same material and color is proposed along the rear
804 of the property, including plantings to a transitional buffer 25 along the rear of the
805 property.

806
807 Here are the elevations as proposed in the proffers.

808
809 Staff recommends approval subject to the annotations on the plans, and standard
810 conditions for developments of this type. I'm happy to answer any questions that you
811 might have. Chris Thompson with the Timmons Group, and Chris Pecci with the
812 developer are also here to answer any questions you might have. That concludes my
813 presentation.

814
815 Mr. Jernigan - Are there any questions for Mr. Pambid from the
816 Commission? I guess with any other development that comes along Route 5 that has
817 the bike trail in front of it, we'll just delete the sidewalk from the get-go.

818
819 Mr. Pambid - I think most people understood as we were reviewing this
820 that the development of the Capital Trail would go as it was started or initiated here. If
821 there is a reason to have a sidewalk, it would probably be reviewed at that time, but as
822 we looked at it here, we did not see the need for any additional sidewalk if the developer
823 were to agree to build that portion. As I understand from VDOT, the construction of the
824 remainder of the trail would begin October 2010, and it would take about 15 months.

825
826 Mr. Emerson - Mr. Jernigan, this trail is supposed to be a multi-use trail.

827
828 Mr. Jernigan - Right.

829
830 Mr. Emerson - So, I think you're correct that it will serve the same purpose
831 as a sidewalk, along with being wide enough to accommodate bicyclists, who I guess
832 would be more of a recreational nature than possibly professional or serious nature.
833 They may still stay on the road if they're out for that level of bicycling. As long as the
834 developments have connectivity to the trail, I think it probably does serve the purpose of
835 the sidewalk in these areas.

836
837 Mr. Jernigan - Okay. Any other questions for Mr. Pambid? Thank you.

838
839 Mr. Pambid - Thank you.

840

841 Mr. Jernigan - All right. With that, I will move for approval of POD-72-08,
842 Rite Aid at New Market and Strath Road, with the addendum, and #29, which is revised.
843 This would be subject to the annotations on the plan, standard conditions for
844 developments of this type, and the following additional conditions 30 through 42, and 29
845 revised.

846
847 Mr. Vanarsdall - Second.

848
849 Mr. Jernigan - Motion by Mr. Jernigan, seconded by Mr. Vanarsdall. All in
850 favor say aye. All opposed say no. The ayes have it; the motion passes.

851
852 The Planning Commission approved POD-72-08, Rite Aid at New Market and Strath
853 Road, subject to the annotations on the plans, the standard conditions attached to these
854 minutes for developments of this type, and the following additional conditions:

- 855
- 856 29. **REVISED.** The right-of-way for widening of Strath Road **and New Market Road**
857 **(State Route 5)** as shown on approved plans shall be dedicated to the County
858 prior to any occupancy permits being issued. The right-of-way dedication plat
859 and any other required information shall be submitted to the County Real
860 Property Agent at least sixty (60) days prior to requesting occupancy permits.
 - 861 30. The entrances and drainage facilities on State Route 5 shall be approved by the
862 Virginia Department of Transportation and the County.
 - 863 31. A notice of completion form, certifying that the requirements of the Virginia
864 Department of Transportation entrances permit have been completed, shall be
865 submitted to the Department of Planning prior to any occupancy permits being
866 issued.
 - 867 32. A sidewalk meeting County standards shall be provided along the south side of
868 New Market Road and east side of Strath Road.
 - 869 33. The building shall be constructed of red brick and the brick shall not be painted at
870 any time.
 - 871 34. There shall be no outdoor storage in moveable storage containers including, but
872 not limited to, cargo containers and portable on demand storage containers.
 - 873 35. Outside storage shall not be permitted.
 - 874 36. The proffers approved as a part of zoning case C-63C-07 shall be incorporated in
875 this approval.
 - 876 37. In the event of any traffic backup which blocks the public right-of-way as a result
877 of congestion caused by the drive-up facilities, the owner/occupant shall close
878 the drive-up facilities until a solution can be designed to prevent traffic backup.
 - 879 38. Approval of the construction plans by the Department of Public Works does not
880 establish the curb and gutter elevations along the Henrico County maintained
881 right-of-way. The elevations will be set by Henrico County.
 - 882 39. Approval of the construction plans by the Department of Public Works does not
883 establish the curb and gutter elevations along the Virginia Department of
884 Transportation maintained right-of-way. The elevations will be set by the
885 contractor and approved by the Virginia Department of Transportation.

- 886 40. The owners shall not begin clearing of the site until the following conditions have
 887 been met:
- 888 (a) The site engineer shall conspicuously illustrate on the plan of development
 889 or subdivision construction plan and the Erosion and Sediment Control
 890 Plan, the limits of the areas to be cleared and the methods of protecting
 891 the required buffer areas. The location of utility lines, drainage structures
 892 and easements shall be shown.
 - 893 (b) After the Erosion and Sediment Control Plan has been approved but prior
 894 to any clearing or grading operations of the site, the owner shall have the
 895 limits of clearing delineated with approved methods such as flagging, silt
 896 fencing or temporary fencing.
 - 897 (c) The site engineer shall certify in writing to the owner that the limits of
 898 clearing have been staked in accordance with the approved plans. A copy
 899 of this letter shall be sent to the Department of Planning and the
 900 Department of Public Works.
 - 901 (d) The owner shall be responsible for the protection of the buffer areas and
 902 for replanting and/or supplemental planting and other necessary
 903 improvements to the buffer as may be appropriate or required to correct
 904 problems. The details shall be included on the landscape plans for
 905 approval.
- 906 41. The location of all existing and proposed utility and mechanical equipment
 907 (including HVAC units, electric meters, junctions and accessory boxes,
 908 transformers, and generators) shall be identified on the landscape plan. All
 909 building mounted equipment shall be painted to match the building, and all
 910 equipment shall be screened by such measures as determined appropriate by
 911 the Director of Planning or the Planning Commission at the time of plan approval.
 912

913 **PLAN OF DEVELOPMENT** (*Deferred from the October 22, 2008 Meeting*)
 914

POD-64-08
 Cambria Suites at Short
 Pump Town Center – W.
 Broad St.

Timmons Group for Short Pump Town Center, LLC and Nick Patel: Request for approval of a plan of development and a special exception for buildings exceeding 45 feet in height, as required by Chapter 24, Sections 24-106 and 24-94(b) of the Henrico County Code, to construct a six-story, 100-room hotel, with a proposed height of 74.5 feet. The 1.72-acre site is located approximately 650 feet north of W. Broad St. (US Route 250) and approximately 1,500 feet west of Lauderdale Dr., on parcel 736-764-3817. The zoning is B-3C, Business District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

915
 916 Mr. Jernigan - Is there any opposition to POD-64-08, Cambria Suites at
 917 Short Pump Town Center? There is no opposition. Okay, Mr. Wilhite, you may
 918 proceed.
 919

920 Mr. Wilhite - Thank you, sir. There are some revised site plans and
921 architectural elevations that are included in your addendum packet. Staff can
922 recommend approval of the site plan with the annotations shown. They pertain primarily
923 to sidewalk location along the ring road and the connector road. The parking
924 calculations have been updated, and they meet code requirements. The applicant is
925 actually requesting approval of 37 off-site spaces, and these would be in the existing
926 parking lot of the American Family Fitness, just on the other side of the connector road.
927 Staff has been out to the site a couple of times, and it does not appear that this portion
928 of the parking lot is being used. These spaces are within 400 feet of the entrance of the
929 hotel, and therefore can be counted as off-site parking to meet the requirements.

930
931 The revised elevations included in your packet—staff had requested that they add more
932 brick in keeping with the construction of the outparcels along Broad Street between the
933 two connector roads. Actually, the applicant is showing here primarily 61% brick in total
934 on these elevations. The northeast and southwest elevations are primarily brick;
935 however, on the northwest and southeast elevations, there is more EIFS on these
936 elevations. In total, they come up to probably less brick on this building than any other
937 buildings on the outparcels of Short Pump Town Center. Staff has recommended that
938 they provide more brick on these two elevations. Although what they provide here
939 probably does meet the architectural proffers of Short Pump Town Center, we've also
940 had indications Short Pump Town Center has approved what they are showing. Staff
941 would still like more brick provided on those two elevations.

942
943 Mr. Jernigan - Any questions for Mr. Wilhite from the Commission?
944

945 Mr. Branin - I do. Mr. Wilhite, I had a discussion with the applicant
946 yesterday to contact you in regards to adding more brick onto the building.
947

948 Mr. Wilhite - Yes. I talked to Bill Axselle late in the afternoon, and I
949 discussed the possibility of setting up a meeting with the architects and their
950 representatives to try to address these other two elevations.
951

952 Mr. Branin - Right. Staff doesn't have any issues with the actual site
953 plan?
954

955 Mr. Wilhite - We can recommend approval of the site plan, yes.
956

957 Mr. Branin - Okay. That's all I have.
958

959 Mr. Jernigan - Any more questions for Mr. Wilhite? Thank you, Mr. Wilhite.
960

961 Mr. Branin - May I hear from the applicant?
962

963 Mr. Jernigan - We'd like to hear from the applicant, please.
964

965 Mr. Axselle - Mr. Chairman, and ladies and gentlemen of the Planning
966 Commission, Bill Axselle.
967
968 Mrs. Jones - Good morning.
969
970 Mr. Archer - Good morning, Mr. Axselle.
971
972 Mr. Vanarsdall - Good morning, Mr. Axselle.
973
974 Mr. Axselle - I'm here on behalf of Short Pump Town Center. Bill Lewis is
975 here. He's counsel for the Cambria Suites. Chris Thompson is here with Timmons, who
976 is the engineer.
977
978 I think Mr. Wilhite and Mr. Branin have properly summarized the issue of the site plan,
979 as everything is ready to go there. We understand that it's likely that you will be asked
980 to approve the site plan, and defer the approval of the architectural elevations so that
981 we will bring in the folks from Short Pump Town Center, the tenant coordinator, the
982 architect for the Cambria Suites folks, and talk about what changes, if any, can be
983 made. The two ends of the building—the end facing Broad and the other end—are
984 about 90% brick. The two sides, which is where I think the basis of concern is, are not
985 primarily brick. In total, they do account for 61% brick, and the proffers say that it should
986 be primarily brick, and EIFS over masonry is allowed. So, it is in compliance with the
987 architectural proffers. The Short Pump Town Center folks have looked at it, and are
988 comfortable with it. I think the idea is to have an additional staff meeting with Mr. Branin
989 and others who want to attend, and try to see what we can do to further enhance the
990 amount of brick.
991
992 Mr. Branin - Mr. Axselle, did you get a chance to speak to the owner?
993
994 Mr. Axselle - The owner, the Short Pump Town Center folks, concur with
995 this. The contract purchaser, represented by Mr. Lewis, concurs with this approach, too.
996
997 Mr. Branin - All right. Well, I look forward to our meeting.
998
999 Mr. Jernigan - Any other questions for Mr. Axselle from the Commission?
1000 Thank you, Mr. Axselle. All right, Mr. Branin.
1001
1002 Mr. Branin - All right. Mr. Chairman, I would actually like to make two
1003 motions.
1004
1005 Mr. Jernigan - Okay.
1006
1007 Mr. Branin - The first motion, I would like to move for approval of the site
1008 plan for POD-64-08, Cambria Suites at Short Pump Town Center, including conditions
1009 29 and 31.
1010

1011 Mr. Vanarsdall - Second.

1012

1013 Mr. Jernigan - Motion by Mr. Branin, seconded by Mr. Vanarsdall. This is to
1014 approve just the site plan on POD-64-08, Cambria Suites at Short Pump Town Center,
1015 with the conditions. All in favor say aye. All opposed say no. The ayes have it; the
1016 motion passes.

1017

1018 The Planning Commission approved the site plan only for POD-64-08, Cambria Suites
1019 at Short Pump Town Center, subject to the annotations on the plans, the standard
1020 conditions attached to these minutes for developments of this type, and the following
1021 additional conditions:

1022

1023 29. There shall be no outdoor storage in moveable storage containers including, but
1024 not limited to, cargo containers and portable on demand storage containers.

1025 31. The proffers approved as a part of zoning case C-29C-98 shall be incorporated in
1026 this approval.

1027

1028 Mr. Branin - Then, I'd like to move for deferral to the December 17, 2008
1029 meeting of the architecturals, including the materials.

1030

1031 Mr. Vanarsdall - Second.

1032

1033 Mr. Jernigan - Motion by Mr. Branin, seconded by Mr. Vanarsdall. All in
1034 favor say aye. All opposed say no. The ayes have it; the motion passes.

1035

1036 At the request of the applicant, the Planning Commission deferred the architecturals,
1037 including the materials, for POD-64-08, Cambria Suites at Short Pump Town Center, to
1038 its December 17, 2008 meeting.

1039

1040 **PLAN OF DEVELOPMENT AND TRANSITIONAL BUFFER DEVIATION**

1041 *(Deferred from the September 24, 2008 Meeting)*

1042

POD-56-08 **Potts, Minter & Associates, P.C. for Commonwealth**
Mayland Medical Center – **Foundation for Cancer Research and Tropoli, Inc.:**
Mayland Ct. Request for approval of a plan of development and
transitional buffer deviation, as required by Chapter 24,
Sections 24-106 and 24-106.2 of the Henrico County
Code, to construct two, one-story office buildings and one,
two-story office building, totaling 40,056 square feet. The
transitional buffer deviation request is to reduce the width
of the transitional buffer along the southeast and part of
the northeast property lines. The 3.60-acre site is located
along the east line of Mayland Ct., approximately 375 feet
south of Mayland Dr. on parcel 752-757-8824. The zoning
is M-1C, Light Industrial District. (Conditional) County
water and sewer. **(Three Chopt)**

1043
1044 Mr. Jernigan - Is there any opposition to POD-56-08, Mayland Medical
1045 Center? Okay, we do have opposition. Mr. Wilhite, you may proceed.
1046
1047 Mr. Wilhite - Thank you, once again.
1048
1049 Since the last meeting, the applicant has met with the neighborhood, and has provided
1050 a revised plan. Page 4 of your addendum addresses this case. The annotated plans
1051 are in the packet, both site and architectural plans. The applicant has gone from two
1052 buildings originally shown, to three buildings now, with a mix of medical and general
1053 office buildings so that he can meet the required parking requirements. Stormwater
1054 management is being provided underground in this development.
1055
1056 The applicant is requesting a deviation from transitional buffer requirements. Code
1057 requires a transitional buffer 50 on this site. There was a zoning case back in 1981 that
1058 was approved that talked about a 50-foot buffer, but also gave the opportunity for an
1059 alternative of a 30-foot buffer with a 7-foot fence. The 30 feet is a natural buffer. Staff is
1060 comfortable with that. It is in keeping with the development next door that was
1061 constructed in the 1980's.
1062
1063 Staff has received some indication that there are concerns from the citizens over the
1064 buffer that was being proposed, but staff can recommend approval with the
1065 understanding that there be tree protection, and that there will be supplemental
1066 plantings added to the buffer if need be.
1067
1068 Mr. Jernigan - Are there any questions for Mr. Wilhite from the
1069 Commission? Thank you, Mr. Wilhite. Mr. Branin, would you like to hear from the
1070 applicant or the opposition first?
1071
1072 Mr. Branin - I would like to hear from the opposition first.
1073
1074 Mr. Jernigan - Okay. Ma'am, would you come down please? Good
1075 morning. Would you state your name for the record please?
1076
1077 Ms. Buckwalter - Good morning. My name is Mindilynn Buckwalter. I am
1078 representing the townhome association next door. As far as the applicant goes, he
1079 does not—
1080
1081 Mr. Branin - I'm sorry. The mics in here are not very good. What was
1082 your name?
1083
1084 Ms. Buckwalter - Mindilynn Buckwalter.
1085
1086 Mr. Branin - Thank you. I'm sorry.
1087

1088 Ms. Buckwalter - That's okay. As far as the applicant is concerned, we were
1089 upset because we were not invited to any additional meetings in planning this. We
1090 understand that it is not directly beside our property, but we were invited to this meeting,
1091 and not included in the homeowners' meeting. So, we spent time with the homeowners.
1092 The homeowners are also not in approval, the single-family homeowners. We are not in
1093 approval of the 30-foot buffer. We would like the 50-foot buffer left. That's pretty much it.
1094
1095 Mr. Branin - Okay.
1096
1097 Mr. Jernigan - Any questions for Ms. Buckwalter from the Commission?
1098
1099 Mr. Branin - No. I want to hear all the opposition, then I'm going to—Ms.
1100 Buckwalter—
1101
1102 Ms. Buckwalter - Do you want the reasons for that?
1103
1104 Mr. Branin - Not necessary, because I wasn't invited to that meeting as
1105 well.
1106
1107 Ms. Buckwalter - Well, we actually just found out about it a few days ago. We
1108 don't even know when it was held.
1109
1110 Mr. Branin - This was going to get deferred, but I wanted to get into it a
1111 little bit so there would be a neighborhood meeting.
1112
1113 Ms. Buckwalter - That would be great. I mean, we would appreciate a
1114 neighborhood meeting. Okay.
1115
1116 Mr. Branin - But I'm interested in knowing what the opposition is.
1117
1118 Ms. Buckwalter - Okay.
1119
1120 Mr. Jernigan - Thank you, ma'am.
1121
1122 Ms. Buckwalter - Thank you.
1123
1124 Mr. Jernigan - There was more opposition? Yes. Come on down, please
1125 sir.
1126
1127 Mr. Ritter - Good morning.
1128
1129 Mr. Jernigan - Good morning.
1130

1131 Mr. Ritter - My name is John Ritter. I live at 3406 Bryson Drive, which is
1132 Lot 13 of the Woodside subdivision. I am also a professional engineer, and I am one of
1133 the citizens who was in the meeting with the engineer, as far as the preliminary meeting.
1134

1135 My concern is also the transitional buffer. I'm a little less concerned with it. My main
1136 concern is that the transitional buffer at least satisfies the requirements of the County
1137 ordinance in that if we can't keep a 50-foot buffer, that we maintain that 30-foot buffer.
1138 As I understand it, that buffer requires a one-foot-high fence for every two-foot reduction
1139 of buffer, which is I understand, would mean that if we have a 30-foot buffer, we're
1140 required to have a 10-foot fence. I'm satisfied with an eight-foot fence, if it's on the
1141 project side.
1142

1143 In addition to that, I'm requesting that the 30-foot buffer be maintained as a tree
1144 protection area and undisturbed, and that #9 addendum landscape plan be required
1145 with return to the Planning Commission for public hearing and approval following
1146 construction of the project. Included with that would be a review for the necessity of
1147 supplemental landscaping within the buffer.
1148

1149 Lastly, I just request that if we have any dumpsters, that they be located as far away
1150 from the property lines as possible because in practicality, the people who come to
1151 empty those will come at 3:00 or 4:00 in the morning, and make an awful lot of noise.
1152

1153 That's about all I have.
1154

1155 Mr. Jernigan - Are there any questions for Mr. Ritter from the Commission?
1156 Thank you.
1157

1158 Mr. Ritter - Thank you.
1159

1160 Mr. Jernigan - Does anybody else want to speak? Okay, Mr. Branin, would
1161 you like to hear from the applicant?
1162

1163 Mr. Branin - Absolutely.
1164

1165 Mr. Jernigan - Good morning.
1166

1167 Mr. Stanley - Good morning, Mr. Chairman, ladies and gentleman of the
1168 Commission. My name is Jimmy Stanley. I'm the developer of this project. I think Mr.
1169 Wilhite did a good job of outlining exactly what we're doing. We are following the rules of
1170 the transitional buffer. We have no intention of disturbing the 30-foot wooded buffer. In
1171 fact, like Mr. Wilhite I believe said, we will be putting up a barrier there so our
1172 contractors cannot go into the 30-foot buffer. That will remain undisturbed.
1173

1174 I've spoken with Mr. Ritter on several occasions, and we communicated as recently as
1175 last night. I got the sense from him that everything was fine. He was just mainly

1176 concerned that we weren't going to go into that buffer, just like he was saying. I felt
1177 pretty comfortable with that.

1178
1179 I have not met any of the members of the townhouse community to the northeast of our
1180 project. We did invite them to—and of course, my engineer, Chris Mulligan, invited them
1181 to the neighborhood meeting. So this is the first I've heard of any concerns on their
1182 part.

1183
1184 Mr. Jernigan - Are there any questions for Mr. Stanley from the
1185 Commission?

1186
1187 Mrs. Jones - I would like to just clarify something. How many meetings
1188 have been held with the neighborhood?

1189
1190 Mr. Stanley - We held one meeting, and we made the mistake of
1191 sending—my understanding is we sent an invitation to the Planning Department, and
1192 Mr. Wilhite's name was on that invitation, but Mr. Branin's name was not. It was a
1193 single meeting with the neighborhood.

1194
1195 Mrs. Jones - With the adjacent neighbors.

1196
1197 Mr. Stanley - With all of the adjacent neighbors, including the townhouse
1198 community.

1199
1200 Mrs. Jones - At that time, did you discuss location of dumpsters and other
1201 concerns that I've heard?

1202
1203 Mr. Stanley - There will be no dumpsters on the site. So, yes, we talked
1204 about definitely the dumpsters. We talked about the transitional buffer. I'm trying to think
1205 of what the other concern was. I can't think of anything else that they were mentioning.

1206
1207 Mr. Jernigan - You sent notices to the neighborhood?

1208
1209 Mr. Stanley - Yes, sir, my engineer did. Yes, sir.

1210
1211 Mr. Jernigan - Okay. Any questions? All right. Thank you, Mr. Stanley.

1212
1213 Mr. Stanley - Yes, sir.

1214
1215 Mr. Branin - Mr. Stanley, you can sit down, or you can stay there. In all
1216 of our districts, we tend to want to meet with the community so we get a feel for what
1217 impact that any development of any type is going to have with the citizens that we
1218 represent. That's how we get our best feedback. That's how we can address our
1219 problems that are present with the quality of life of our citizens. I did not receive the
1220 invitation, nor did, obviously, the homeowner association next to you. I would
1221 recommend that you take the bull by the horns and *you* send the invitations out so I can

1222 point the finger at you if I don't get invited to the next one. I'm going to ask you to go
1223 ahead and request a deferral to the December 17, 2008 meeting, so you may have the
1224 opportunity to do the right thing and meet with all of us, so we can address this and
1225 move this case forward. Okay? So, if you'd like to go back up and request a deferral, I'll
1226 be happy to take that.

1227
1228 Mr. Glover - Mr. Branin, did you say that this is going to be a veterinarian
1229 hospital, because you're talking about the bull. You know, you started off, Mr. Stanley,
1230 your comments by saying that you're following all the rules, and I don't doubt that you
1231 do. But one of the things that I think as a developer you might want to consider is
1232 developments today versus 1981 when this case was approved. It's a little bit different
1233 in that area. You might want to talk to the neighbors, as you are going to do, and see if
1234 you cannot just only follow the rules, but follow the development patterns of Henrico
1235 County in the area. I think it would behoove you to do that, okay?

1236
1237 Mr. Stanley - Yes, sir. I would like to request a deferral of this—I'm not
1238 sure of the proper terminology—

1239
1240 Mr. Branin - POD-56-08.

1241
1242 Mr. Stanley - Of POD-56-08.

1243
1244 Mr. Branin - To December 17th?

1245
1246 Mr. Stanley - To December 17th.

1247
1248 Mr. Branin - Well done, Mr. Stanley.

1249
1250 Mr. Stanley - Thank you. I might be applying for a job soon.

1251
1252 Mr. Branin - We'd be happy to have you on staff. Mr. Chairman, I'd like
1253 to move that POD-56-08, Mayland Medical Center, be deferred to the December 17,
1254 2008 meeting, per the applicant's request.

1255
1256 Mr. Vanarsdall - Second.

1257
1258 Mr. Branin - I'd also like to ask staff to get with Mr. Stanley and set up a
1259 meeting posthaste so we can address the problems and issues that this project has.
1260 Okay? Thank you.

1261
1262 Mr. Jernigan - Motion by Mr. Branin, seconded by Mr. Vanarsdall. All in
1263 favor say aye. All opposed say no. The ayes have it; the motion passes.

1264
1265 At the request of the applicant, the Planning Commission deferred POD-56-08, Mayland
1266 Medical Center, to its December 17, 2008 meeting.

1267

1268
1269

PLAN OF DEVELOPMENT AND TRANSITIONAL BUFFER DEVIATION

POD-71-08
Spacemart – Westerre
Pkwy.

Balzer and Associates for Cox Road Storage, LLC, Westerre Commons, LLC and Spacemart Partners: Request for approval of a plan of development and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code, to construct a two-story 94,800 square foot self-service storage building with a basement. The transitional buffer deviation is to permit drainage improvements and a retaining wall within the required 25-foot transitional buffer located along Interstate 64. The 2.38-acre site is located at the northeast corner of the intersection of Interstate 64 and Cox Road, on parcel 747-758-9463 and part of parcel 748-758-4252. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Three Chopt)**

1270
1271
1272
1273

Mr. Jernigan - Is there any opposition to POD-71-08, Spacemart at Westerre Parkway? There is no opposition. Good morning, Ms. Goggin.

1274
1275
1276
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1279
1280
1281
1282
1283

Ms. Goggin - Good morning. This property was zoned B-2 with rezoning case C-54C-04. The proposed use, interior mini storage, was approved with a Provisional Use Permit P-10-08. The layout and architectural elevations match the exhibit reviewed and approved with the provisional use permit. The applicant has requested a transitional buffer deviation to install required drainage facilities and retaining wall to minimize grading within the buffer. This is shown on this plan right here. I clouded or bubbled it. I'm having a hard time remembering the word. A revised plan and this plan are in your handout addendum, providing the required right-of-way from the center line of Cox Road, as required by the traffic engineer.

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1285
1286
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1289
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1291

Staff can recommend approval of the revised plan with the standard conditions for developments of this type, and conditions 29 through 39 in the agenda. The motion for the POD and the transitional buffer deviation may be made in the same motion, should the Commission choose to do so. Christopher Shust is here, and the engineer is also here to answer any engineering questions you may have. Ms. Gloria Freye is here if you have any questions for her with the transitional buffer deviation. I would be happy to answer any questions the Commission may have of me.

1292
1293
1294

Mr. Jernigan - Are there any questions for Ms. Goggin from the Commission?

1295
1296

Mrs. Jones - I have a quick one.

1297
1298

Ms. Goggin - Yes, ma'am.

1299 Mrs. Jones - Landscaping and lighting, is that covered here somewhere,
1300 or is that coming back?
1301
1302 Ms. Goggin - No, ma'am.
1303
1304 Mrs. Jones - Okay.
1305
1306 Ms. Goggin - It was not part of the proffers or the provisional use permit.
1307
1308 Mr. Branin - I didn't hear your question.
1309
1310 Mrs. Jones - I was wondering about landscaping and lighting—whether
1311 that had been discussed as part of this, or if it was coming back to the Commission.
1312
1313 Mr. Branin - We covered landscaping, but I wasn't bringing it back, no.
1314
1315 Ms. Goggin - To clarify, all the adjacent properties on this side of 64 are
1316 business and/or office. Then we have 64. We do have some townhomes on this side of
1317 64—over here and over here. Here's the County water tower. So, the adjacent
1318 properties are existing business uses.
1319
1320 Mr. Branin - From our previous meetings, the minimal amount of
1321 landscaping that they'll have to add in will be coordinated with the existing—That's not
1322 really true to life; that was taken way before. There is already an office park that this will
1323 be going into that is already landscaped out. As a matter of fact, if you drive down Cox
1324 Road, the pad is pretty much there.
1325
1326 Ms. Goggin - Just to clarify, this aerial is a little old, this area right here—a
1327 shopping center, and an office park, and a daycare, and a fire station—so.
1328 Unfortunately, it doesn't show the built-out area.
1329
1330 Mrs. Jones - Okay.
1331
1332 Mr. Jernigan - Are there any more questions for Ms. Goggin from the
1333 Commission? Thank you, Ms. Goggin.
1334
1335 Ms. Goggin - Okay.
1336
1337 Mr. Jernigan - Mr. Branin, do you want to hear from the applicant?
1338
1339 Mr. Branin - I don't think it's necessary. If anyone else from the Planning
1340 Commission would like to hear from them, they're welcome.
1341
1342 Mr. Jernigan - I'm okay.
1343

1344 Mr. Branin - Okay. Then, Mr. Chairman, I'd like to move for approval of
1345 POD-71-08, Spacemart at Westerre Parkway, with the standard conditions for
1346 developments of this type, the following additional conditions 29 through 39, and the
1347 annotations on the plan including the transitional buffer.
1348

1349 Mr. Jernigan - And you're moving for the POD and the transitional buffer
1350 deviation?
1351

1352 Mr. Branin - Yes.
1353

1354 Mr. Jernigan - Okay.
1355

1356 Mr. Archer - Second.
1357

1358 Mr. Jernigan - Motion by Mr. Branin, and a second by Mr. Archer. All in
1359 favor say aye. All opposed say no. The ayes have it; the motion passes.
1360

1361 The Planning Commission approved POD-71-08, Spacemart at Westerre Parkway,
1362 subject to the annotations on the plans, the standard conditions attached to these
1363 minutes for developments of this type, and the following additional conditions:
1364

1365 29. The right-of-way for widening of Cox Road as shown on approved plans shall be
1366 dedicated to the County prior to any occupancy permits being issued. The right-
1367 of-way dedication plat and any other required information shall be submitted to
1368 the County Real Property Agent at least sixty (60) days prior to requesting
1369 occupancy permits.

1370 30. The drainage facilities on Interstate 64 shall be approved by the Virginia
1371 Department of Transportation and the County.

1372 31. A concrete sidewalk meeting County standards shall be provided along the east
1373 side of Cox Road.

1374 32. There shall be no outdoor storage in moveable storage containers including, but
1375 not limited to, cargo containers and portable on demand storage containers.

1376 33. Outside storage shall not be permitted.

1377 34. In order to maintain the effectiveness of the County's public safety radio
1378 communications system within buildings, the owner will install radio equipment
1379 that will allow for adequate radio coverage within the building, unless waived by
1380 the Director of Planning. Compliance with the County's emergency
1381 communication system shall be certified to the County by a communications
1382 consultant within ninety (90) days of obtaining a certificate of occupancy. The
1383 County will be permitted to perform communications testing in the building at
1384 anytime.

1385 35. The proffers approved as a part of zoning case C-45C-04 shall be incorporated in
1386 this approval.

1387 36. The certification of building permits, occupancy permits and change of
1388 occupancy permits for individual units shall be based on the number of parking

1426
1427 Mr. Archer - Mr. Chairman, I just want to make a couple of observations
1428 mostly in reference to the stubbing of Orinda. That and the tot lot were the two issues
1429 that Mr. Pambid handled so judiciously, and we worked it out. If you look at the original
1430 plan, you can see the tot lot did move some from the original plan. It was almost right in
1431 front of the street. Also, Orinda Drive was through instead of having that cul-de-sac.
1432 There were some conditions—I shouldn't say conditions—but a deal that Mr. Pambid
1433 worked out with the developer. Would you state what that is concerning the tot lot, Mr.
1434 Pambid? And I'll get him to come forward and repeat it for the record.

1435
1436 Mr. Pambid - Originally, as you can see here, the tot lot had a—Let me
1437 zoom in here a little bit. The bulk of the tot lot was at the rear of several properties,
1438 proposed lots. There was a concern with regards to visibility. The tot lot as it is
1439 presented on the original plan appears isolated from the entire subdivision with the
1440 exception of these properties here on this block. I think that visibility was also a main
1441 concern. So, what we had the engineer and the developer do—and you'll see that on
1442 the revised plan—is to open that up a little bit, which they have done. This is the
1443 configuration now. I think that this is an improvement over what was previously shown,
1444 but there is still some opportunity for additional configuration if we feel like we need it.

1445
1446 As far as the Orinda Drive issue is concerned, that has been handled. I believe at the
1447 time of rezoning, the Planning Commission felt like that connection needed to be there.
1448 That was removed with the original submission, but here again with the revised staff
1449 plan, that has been inserted into the proposal once again.

1450
1451 Also, this subdivision was originally submitted as SUB-03-08 at the beginning of the
1452 year under a different developer. Mr. Gelletly has come in and put his touches on it.
1453 The original number of lots was 132. By proffer, that is the maximum number of lots.
1454 This proposal features 130 lots.

1455
1456 Mr. Vanarsdall - How many?

1457
1458 Mr. Pambid - One hundred and thirty. Down from 132.

1459
1460 Mr. Archer - Thank you, sir.

1461
1462 Mr. Jernigan - Are there any more questions for Mr. Pambid from the
1463 Commission?

1464
1465 Mr. Archer - No, but I need to hear from Mr. Gelletly for just a second, Mr.
1466 Chairman, if I may.

1467
1468 Mr. Jernigan - Okay. Would the applicant come down, please? Good
1469 morning.

1470
1471 Mr. Gelletly - Good morning. Yes, sir, It's Skip Gelletly.

1472
1473 Mr. Archer - Good morning, Mr. Gelletly. In talking with Mr. Pambid, we
1474 appreciate the opportunities you've created by moving that tot lot. One of the things that
1475 is sometimes troublesome with tot lots is that they're kind of stuck off in the back of
1476 nowhere, and people don't know where they are. Is there any way that you can think of
1477 that you could sort of delineate where this entrance is going to be, sort of define it so it
1478 can be found?
1479
1480 Mr. Gelletly - Yes. Actually, there are a couple of the lots, and my eyesight
1481 is only but so good. But there are a couple of lots around it that make the hub in the
1482 back. The lots can be reduced because they're 3,000 or 4,000 square feet bigger than
1483 the requirements, to make it more obvious. Then what we were looking at is trying to
1484 control a couple of the model numbers, or model units that go on a couple of the wider
1485 lots that would allow that to open up a little bit. So, what we told Lee was that we'd be
1486 tickled to death to work with him in every way to do it. There's actually one other
1487 location that might go, if he's not satisfied with this one.
1488
1489 Mr. Archer - Okay.
1490
1491 Mr. Gelletly - So, not a problem at all.
1492
1493 Mr. Archer - Okay. I just sort of wanted to get that commitment on record,
1494 and also recognize that everybody that moves there won't have tots. I think this lot is
1495 sizeable enough that there may be an opportunity for things like a community meeting,
1496 or whatever the neighbors decide to do there.
1497
1498 Mr. Gelletly - When we originally did it, we were concerned, really, of sort
1499 of holding the children. Then I think the opposite of that was you're hiding the children.
1500 So, it's sort of a play trying to make sure that it works for everybody, that's all.
1501
1502 Mr. Archer - Okay. Well, we appreciate your committing to working with
1503 staff.
1504
1505 Mr. Gelletly - Thank you, sir.
1506
1507 Mr. Archer - And solving it in the best way possible.
1508
1509 Mr. Gelletly - I appreciate it.
1510
1511 Mr. Archer - That's what we want to hear. Thank you so much.
1512
1513 Mr. Jernigan - Any more questions for Mr. Gelletly? Okay, thank you, sir.
1514
1515 Mr. Archer - All right, Mr. Chairman. I will move for approval of SUB-27-
1516 08, Oakleys Chase (November 2008 Plan), subject to the revised plan, standard

1517 conditions for developments of this type, and the additional conditions noted in the
1518 agenda, 13 through 17.

1519
1520 Mr. Branin - Second.

1521
1522 Mr. Jernigan - Motion by Mr. Archer, seconded by Mr. Branin. All in favor
1523 say aye. All opposed say no. The ayes have it; the motion passes.

1524
1525 The Planning Commission granted conditional approval to SUB-27-08, Oakleys Chase
1526 (November 2008 Plan), subject to the standard conditions attached to these minutes for
1527 subdivisions served by public utilities, the annotations on the plans, and the following
1528 additional conditions:

1529
1530 13. The plan must be redesigned to provide at least the 80-foot minimum lot width
1531 required and as regulated by Chapter 24, of the Henrico County Code.

1532 14. Prior to requesting the final approval, a draft of the covenants and deed restrictions
1533 for the maintenance of the common area by a homeowners association shall be
1534 submitted to the Department of Planning for review. Such covenants and
1535 restrictions shall be in a form and substance satisfactory to the County Attorney
1536 and shall be recorded prior to recordation of the subdivision plat.

1537 15. The proffers approved as part of zoning case C-58C-07 shall be incorporated in
1538 this approval.

1539 16. The owner shall not begin clearing of the site until the following conditions have
1540 been met:

1541 (a) The site engineer shall conspicuously illustrate on the plan of development
1542 or subdivision construction plan and the Erosion and Sediment Control Plan,
1543 the limits of the areas to be cleared and the methods of protecting the
1544 required buffer areas. The location of utility lines, drainage structures and
1545 easements shall be shown.

1546 (b) After the Erosion and Sediment Control Plan has been approved but prior to
1547 any clearing or grading operations on the site, the owner shall have the
1548 limits of clearing delineated with approved methods such as flagging, silt
1549 fencing, or temporary fencing.

1550 (c) The site engineer shall certify in writing to the owner that the limits of
1551 clearing have been staked in accordance with the approved plans. A copy
1552 of this letter shall be sent to the Department of Planning and the Department
1553 of Public Works.

1554 17. The details for the landscaping to be provided within the 35-foot wide planting strip
1555 easement along Oakley's Lane and the median strip in Ruby Red Terrace shall be
1556 submitted to the Department of Planning for review and approval prior to
1557 recordation of the plat.

1558

1559 **PLAN OF DEVELOPMENT** *(Deferred from the October 22, 2008 Meeting)*

1560

POD-61-08
Bishop's Chapel at the
Virginia Diocesan Center
at Roslyn - River Rd.
(POD 164-86 and 57-01
Rev.)

Draper Aden Associates for Memorial Trustees of the Virginia Diocesan Center: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a two-story, 2,797 square foot chapel building and for a revised master plan for future development in an existing church education and conference center. The 111.92-acre site is located along the south line of River Rd., approximately 1,300 feet east of Parham Rd., on parcel 752-731-0629. The zoning is R-1, One Family Residence District. County water and sewer. **(Tuckahoe)**

1561

1562 Mr. Jernigan - Is there any opposition to POD-61-08, Bishop's Chapel at
1563 the Virginia Diocesan Center at Roslyn? There is no opposition. Okay, Mr. Wilhite, you
1564 may proceed.

1565

1566 Mr. Wilhite - Mr. Chairman. In your packet we've included a copy of the
1567 revised master plan that was submitted to us. Also, your addendum on page 7
1568 addresses a revised recommendation and a revised condition.

1569

1570 The master plan has been modified from the POD that was approved in 2001. The
1571 master plan included in your packet today does not show any future work past the
1572 construction of the proposed chapel before you today. We've also been provided with
1573 parking calculations which meet staff's satisfaction. No additional parking is being
1574 proposed at this time; however, we have asked that overflow parking areas be
1575 designated on the site. From the information provided to us by the applicant, they have
1576 in the neighborhood of 400 events here a year. Out of that time, there are probably ten
1577 times a year where they actually have a full parking lot. So, we've asked them to
1578 designate some areas on the site for overflow parking. Because of the nature of the site,
1579 and the limited impact on surrounding property, we are comfortable with this approach.

1580

1581 Staff is also recommending that no widening of the internal drive aisles be done. This
1582 was a condition back on the 2001 POD. The traffic engineer has visited the site and has
1583 taken a look at the nature of the operation there. The internal drive aisles are
1584 approximately 3,000 to 3,500 feet in length from one entrance on River Road to the
1585 other. He is comfortable with recommending that no widening of those drive aisles is
1586 necessary.

1587

1588 Condition #29 on page 7 of the addendum addresses the dedication of right-of-way
1589 along River Road. Instead of dedication being done prior to issuance of an occupancy
1590 permit for the chapel, it's been agreed to by the Director of Public Works and the
1591 applicant that dedication will take place when any River Road improvement project has
1592 been fully funded, designed, and approved by the Board of Supervisors.

1593

1594 Staff is in a position to recommend approval of the plan before you.
1595
1596 Mr. Jernigan - Okay. Are there any questions for Mr. Wilhite from the
1597 Commission? Okay, thank you, Mr. Wilhite.
1598
1599 Mrs. Jones - Thank you, Kevin.
1600
1601 Mr. Jernigan - Do you need to hear from the applicant?
1602
1603 Mrs. Jones - I really don't. I think this has been worked through over the
1604 past several months, certainly the details taken care of. This is a beautiful site. I'm not
1605 there often, but was recently, and it is certainly a lovely retreat. There are a number of
1606 issues that were handled by our various departments, and I'm ready to make a motion.
1607
1608 Mr. Jernigan - Okay.
1609
1610 Mrs. Jones - I would like to move for approval of POD-61-08, Bishop's
1611 Chapel at the Virginia Diocesan Center at Roslyn. This would be subject to all of the
1612 annotations on the plans, and standard conditions for developments of this type,
1613 additional conditions listed on our agenda, 30 and 31, along with the revised condition
1614 29 listed on the addendum.
1615
1616 Mr. Vanarsdall - Second.
1617
1618 Mr. Jernigan - Motion by Mrs. Jones, seconded by Mr. Vanarsdall. All in
1619 favor say aye. All opposed say no. The ayes have it; the motion passes.
1620
1621 The Planning Commission approved POD-61-08, Bishop's Chapel at the Virginia
1622 Diocesan Center at Roslyn, subject to the annotations on the plans, the standard
1623 conditions attached to these minutes for developments of this type, and the following
1624 additional conditions:
1625
1626 29. **REVISED** - The dedication of right-of-way for the future improvements to River
1627 Road across the frontage of the parcel is deferred at this time. The Roslyn
1628 Retreat Center and the owners of the property will dedicate to the County of
1629 Henrico the additional right-of-way needed for a River Road improvement project
1630 along the property, when so requested by the County, when the project is fully
1631 funded, designed and approved by the Board of Supervisors in a Public Hearing.
1632 30. The limits and elevations of the Special Flood Hazard Area shall be
1633 conspicuously noted on the plan and labeled "Limits of Special Flood Hazard
1634 Area." In addition, the delineated Special Flood Hazard Area must be labeled
1635 "Variable Width Drainage and Utility Easement." The easement shall be granted
1636 to the County prior to the issuance of any occupancy permits.
1637 31. The conceptual master plan, as submitted with this application, is for planning
1638 and information purposes only. All subsequent detailed plans of development
1639 and construction needed to implement this conceptual plan may be

1640 administratively reviewed and approved and shall be subject to all regulations in
1641 effect at the time such subsequent plans are submitted for review/ approval.
1642

1643
1644 Mr. Emerson - Mr. Chairman, that completes the cases for today and takes
1645 you to the approval of minutes for October 22, 2008.
1646

1647 APPROVAL OF MINUTES: October 22, 2008.
1648

1649 Mr. Jernigan - Do we have any changes to the minutes of October 22,
1650 2008?
1651

1652 Mrs. Jones - You're looking at me, so I have to say something. Aimee
1653 Berndt's name is A-i-m-e-e, correct? So, I think we should change that on page 13, line
1654 414.
1655

1656 Mr. Vanarsdall - She said she didn't know how to spell it until she got in the
1657 second grade.
1658

1659 Mrs. Jones - That's it.
1660

1661 Mr. Jernigan - Are there any more corrections? Do we have a motion?
1662

1663 Mrs. Jones - I so move.
1664

1665 Mr. Vanarsdall - Second.
1666

1667 Mr. Jernigan - Motion by Mrs. Jones, seconded by Mr. Vanarsdall to
1668 approve the minutes of October 22, 2008. All in favor say aye. All opposed say no. The
1669 ayes have it; the motion passes.
1670

1671 The Planning Commission approved the October 22, 2008 minutes as corrected.
1672

1673 Mr. Jernigan - Mr. Emerson, do we have any more business?
1674

1675 Mr. Emerson - No, sir, that completes our business for the day.
1676

1677 Mr. Vanarsdall - Mr. Jernigan, since he's the chairman, he couldn't make this
1678 announcement, but anyone who wants to go to Stuart's Restaurant in Highland Springs
1679 is invited, since it's so close.
1680

1681 Mr. Jernigan - My hearing was bad on that one. Would you repeat that one
1682 again?
1683

1684 Mr. Vanarsdall - The hearing aid went off, didn't it?
1685

1686 Mr. Jernigan - All right. If there is no further business, the meeting is
1687 adjourned.

1688
1689 The meeting is adjourned.

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E. Ray Jernigan, Chairperson

R. Joseph Emerson, Jr., Secretary