

1 Minutes of the regular monthly meeting of the Planning Commission of the County of
2 Henrico, Virginia, held in the Board Room of the County Administration Building in the
3 Government at Parham and Hungary Springs Roads, Beginning at 9:00 a.m. Tuesday, October
4 27, 1998

5

6 Members Present: Mr. C. W. Archer, C.P.C., Chairman (Fairfield)
7 Ms. Elizabeth G. Dwyer, C.P.C., Vice Chairman (Tuckahoe)
8 Mr. David A. Zehler, C.P.C. (Varina)
9 Mr. Ernest B. Vanarsdall, C.P.C. (Brookland)
10 Mrs. Mary L. Wade (Three Chopt)

11

12 Member Absent: Mr. James B. Donati, Jr. Board of Supervisors Representative
13 (Varina)

14

15 Others Present: Mr. John R. Marlles, AICP, Director of Planning, Secretary
16 Mr. Randall R. Silber, Assistant Director of Planning
17 Mr. David D. O'Kelly, Jr., Principal Planner,
18 Mr. Jim P. Strauss, CLA, County Planner
19 Mr. E. J. (Ted) McGarry, III, County Planner
20 Mr. Kevin D. Wilhite, County Planner
21 Mr. Mikel C. Whitney, County Planner
22 Ms. Leslie A. News, CLA, County Planner
23 Mr. R. Kirby Smith, Drafting Technician
24 Mr. Robert J. Eagle, Associate County Planner
25 Mr. L. Jerry Peay, Planning Technician
26 Mr. Todd Eure, Assistant Traffic Engineer
27 Ms. Diana B. Carver, Recording Secretary
28 Mrs. L. B. Ann Cleary, Office Assistant

29

30 Mr. Archer - Good morning. Do we have any members of the press here today? If
31 you are, and chose not to be recognized, welcome. With that, I'll turn the meeting over to our
32 Secretary, Mr. Marlles.

33

34 Mr. Marlles - Thank you, Mr. Chairman, good morning. We do have a quorum
35 today. Mr. Wilhite will give us the requests for deferrals and withdrawals.

36

37 Mr. Archer - All right, Mr. Wilhite.

38

39 Mr. Wilhite - Good morning, Mr. Chairman, members of the Commission and ladies
40 and gentlemen. On your addendum you have a list of nine requests for deferrals and
41 withdrawals and I got hit for two more since stepping up to the podium. Hopefully, I can
42 keep this all straight. The first one will be on page three of your agenda, a transfer of
43 approval.

71

72 Mrs. Wade - I move the transfer of approval for POD-123-83 be deferred until the
73 15th of December, at the applicant's request.

74

75 Mr. Vanarsdall - Second.

76

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

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

79

80 At the request of the applicant, the Planning Commission deferred the transfer of approval
81 request for POD-123-83, Erica's Beauty Concepts (POD-109-79 Revised) (Formerly Regency
82 International Hair), to its December 15, 1998, meeting.

83

84 **LANDSCAPE PLAN (Deferred from the September 22, 1998, Meeting)**

85

LP/POD-86-98 **Wilson Moreth Connock LTD: Request for approval of**
St. James Baptist Church **landscape plan as required by Chapter 24, Sections 24-106 and**
2169 New Market Road **24-106.2 of the Henrico County Code. The 5.8 acre site is**
located on the south line of New Market Road (State Route 5)
approximately 700 feet east of Varina Road on parcels 226-A-10,
11, and 11A. The zoning is A-1, Agricultural District. (Varina)

86

87 Mr. Wilhite - Also on page five, landscape plan LP/POD-86-98, This was just added,
88 the applicant is requesting a deferral until November 12, 1998.

89

90 Mr. Archer - Is there anyone here in opposition to the deferral of LP/POD-86-98, St.
91 James Baptist Church? No opposition.

92

93 Mr. Zehler - Mr. Chairman, I move that LP/POD-86-98, landscaping plans for St.
94 James Baptist Church be deferred to the November 12, 1998, at the applicant's request.

95

96 Mr. Vanarsdall - Second.

97

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

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

100

101 At the request of the applicant, the Planning Commission deferred the landscaping plan for
102 LP/POD-86-98, St. James Baptist Church, 2169 New Market Road, to its November 12,
103 1998, meeting.

104 PLAN OF DEVELOPMENT (Deferred from the September 22, 1998, Meeting)

105

**POD-70-98
Car Nation –
W. Broad Street**

Resource International, Ltd. For Victor J. Moes and MGT Construction: 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 1,275 square foot used car sales facility. The 0.425-acre site is located on the north line of W. Broad Street (U.S. Route 250), opposite its intersection with Willard Road approximately 310 feet west of Bethlehem Road on parcel 81-12-A-1A. The zoning is B-3, Business District. County water and sewer. (Brookland)

106

107 Mr. Wilhite - On page ten, POD-70-98, Car Nation – W. Broad Street, the applicant is
108 requesting a deferral until November 17, 1998.

109

110 Mr. Archer - Is there anyone here in opposition to the deferment of POD-70-98, Car
111 Nation – W. Broad Street? No opposition?

112

113 Mr. Vanarsdall - Is this because they haven't had the signing, Mikel (Mr. Whitney nodded
114 his head to say yes)? You don't have to get up, that's all right. I move POD-70-98, Car
115 Nation – W. Broad Street, be deferred until November 17, 1998, at the applicant's request.

116

117 Mr. Zehler - Second.

118

119 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Zehler.
120 All in favor say aye...all oppose say nay. The motion passes.

121

122 At the request of the applicant, the Planning Commission deferred POD-70-98, Car Nation –
123 W. Broad Street, to its November 17, 1998, meeting.

124

125 SUBDIVISION (Deferred from the August 25, 1998, Meeting)

126

**Fort King
(June 1998 Plan)**

Foster & Miller, P.C. for Stern Homes: The 7.0 acre site is located along the south line of Fort King Road, approximately 700 feet east of Pemberton Road on parcels 68-A-23, 24, 25, 27, and part of parcels 68-A-22, 26 29 and part of parcel 68-A-2-E-1. The zoning is R-2A, One-Family Residence. County water and sewer. (Tuckahoe) 17 Lots

127

128 Mr. Wilhite - On page 13, subdivision Fort King (June 1998 Plan), the applicant is
129 requesting a deferral until November 17, 1998, as well.

130

131 Mr. Archer - Is there anyone here in opposition to the deferment of subdivision Fort
132 King (June 1998 Plan)? No opposition?

133

134 Ms. Dwyer - I move the deferral of subdivision Fort King (June 1998 Plan) to our
135 November 17, 1998, meeting at the applicant's request.

136

137 Mr. Vanarsdall - Second.

138

139 Mr. Archer - The motion was made by Ms. Dwyer and seconded by Mr. Vanarsdall.
140 All in favor say aye...all oppose say nay. The motion passes.

141

142 At the request of the applicant, the Planning Commission deferred subdivision Fort King (June
143 1998 Plan) to its November 17, 1998, meeting.

144

145 **PLAN OF DEVELOPMENT (Deferred from the September 22, 1998, Meeting)**

146

POD-84-98

**River of Life Church
- Phase 1 and Master
Plan**

Hulcher & Associates for River of Life Church, Trustees:
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 5,508 square foot education building (Phase
1) and a master plan for a one-story 9,350 square foot
fellowship/recreation building and a one-story, 10,000 square foot
sanctuary. The 6.22-acre site is located on the north line of
Gayton Road, approximately 500 feet west of Red Hawk Road on
parcel 90-A-13C. The zoning is R-3, One-Family Residence
District. County water and sewer. (Tuckahoe)

147

148 Mr. Wilhite - On page 14, POD-84-98, River of Life Church - Phase 1 and Master
149 Plan, the applicant is requesting a deferral until November 17, 1998.

150

151 Mr. Archer - Is there anyone here in opposition to this deferment? No opposition?

152

153 Ms. Dwyer - At the applicant's request, I move the deferral of POD-84-98, River of
154 Life Church to our November 17, 1998, meeting.

155

156 Mr. Vanarsdall - Second.

157

158 Mr. Archer - The motion was made by Ms. Dwyer and seconded by Mr. Vanarsdall.
159 All in favor say aye...all oppose say nay. The motion passes.

160

161 At the request of the applicant, the Planning Commission deferred POD-84-98, River of Life
162 Church - Phase 1 and Master Plan, to its November 17, 1998, meeting.

163

164 PLAN OF DEVELOPMENT (Deferred from the September 22, 1998, Meeting)

165

**POD-81-98
L. Jeremy Crews
8790 Park Central
Drive Addition
POD-22-94
Revised)**

Mozingo & Associates for L. Jeremy Crews: Request for approval of a revised plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, 2,153 square foot office and a one-story, 10,274 square foot warehouse expansion. The 2.40-acre site is located along the west line of Park Central Drive, approximately 1,200 feet north of Parham Road at 8790 Park Central Drive on parcel 53-A-80I. The zoning is O/SC, Office/Service District (Conditional). County water and sewer (Fairfield)

166

167 **Mr. Wilhite -** On page 19, POD-81-98, L. Jeremy Crews, the applicant is requesting a
168 deferral until December 15, 1998.

169

170 **Mr. Archer -** Is there anyone here in opposition to the deferment of POD-81-98? No
171 opposition? Okay. I move deferment of POD-81-98 to the December 15, 1998, meeting, at
172 the applicant's request.

173

174 **Mr. Vanarsdall -** Second.

175

176 **Mr. Archer -** The motion was made by Mr. Archer and seconded by Mr. Vanarsdall.
177 All in favor say aye...all oppose say nay. The motion passes.

178

179 At the request of the applicant, the Planning Commission deferred POD-81-98, L. Jeremy
180 Crews 8790 Park Central Drive Addition (POD-22-94 Revised), to its December 15, 1998,
181 meeting.

182

183 LIGHTING PLAN

184

**LP/POD-21-96
The Greens
Virginia
Apartments**

Castle Development Company: Request for approval of a lighting plan as required by Chapter 24, Section 24-106 of the Henrico County Code. The 13.4 acre site is located at the southwest corner of the intersection of Brook Road (U.S. Route 1) and Virginia Center Parkway on part of parcel 33-A-10 and 11. The zoning is R-6C, General Residence District (Conditional) (Fairfield)

185

186 **Mr. Wilhite -** On page 23, LP/POD-21-96, The Greens Virginia Center Apartments,
187 the applicant is requesting a deferral until December 15, 1998.

188

189 **Mr. Archer -** Is there anyone here in opposition to the deferment of the lighting plan
190 LP/POD-21-96, The Greens Virginia Center Apartments? No opposition? I move deferment

191 of LP/POD-21-96, The Greens Virginia Center Apartments, to the December 15, 1998,
192 meeting, at the applicant's request.

193

194 Mr. Vanarsdall - Second.

195

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

197 All in favor say aye...all oppose say nay. The motion passes.

198

199 At the request of the applicant, the Planning Commission deferred the lighting plan for
200 LP/POD-21-96, The Greens Virginia Center Apartments, to its December 15, 1998, meeting.

201

202 LANDSCAPE PLAN

203

**LP/POD-120-95
Meineke Muffler**

Potts, Minter and Associates: Request for approval of landscape plan as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 1.18 acre site is located at the northeast corner of Parham and Hungary Roads on parcels 63-A-4B and 63-A-2C. The zoning is B-2, Business District. (Fairfield)

204

205 Mr. Wilhite - On page 27, LP/POD-120-95, Meineke Muffler, the applicant is
206 requesting a deferral until November 17, 1998.

207

208 Mr. Archer - Is there anyone here in opposition to the deferment of the landscape plan
209 for LP/POD-120-95, Meineke Muffler? No opposition? I move deferment of LP/POD-120-
210 95, to the November 17, 1998, meeting, at the applicant's request.

211

212 Mr. Vanarsdall - Second.

213

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

215 All in favor say aye...all oppose say nay. The motion passes.

216

217 At the request of the applicant, the Planning Commission deferred the landscape plan for
218 LP/POD-120-95, Meineke Muffler, to its November 17, 1998, meeting.

219

220 LANDSCAPE PLAN

221

**LP/POD-26-98
Sunrise Cottages**

Niles Bolton Associates: Request for approval of landscape plan as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 6.33 acre site is located at the northeast corner of Parham and Michael Road on parcel 79-A-69. The zoning is R-6C, General Residence District(Conditional). (Three Chopt)

222

223 Mr. Wilhite - Also on page 27, landscape plan LP/POD-26-98, Sunrise Cottages, the
224 applicant is requesting a deferral until January 26, 1999.

225

226 Mr. Archer - Is there anyone here in opposition to the deferment of the landscape plan
227 for LP/POD-26-98, Sunrise Cottages? No opposition?

228

229 Mrs. Wade - I move the landscape plan for LP/POD-26-98, Sunrise Cottages, be
230 deferred until the 26th of January 1999.

231

232 Mr. Vanarsdall - Second.

233

234 Mr. Archer - The motion was made by Mrs. Wade and seconded by Mr. Vanarsdall.
235 All in favor say aye...all oppose say nay. The motion passes.

236

237 At the request of the applicant, the Planning Commission deferred the landscape plan for
238 LP/POD-26-98, Sunrise Cottages, to its January 26, 1999, meeting.

239

240 Mr. Wilhite - We are not done yet. On page two, Provisional Use Permit, P-31-98.

241

242 **P-31-98 Gloria Freye for AAT Communications Corp.:** Request for approval of
243 obstruction marking and lighting of a communication tower pursuant to the approved
244 conditions of Provisional Use Permit P-31-98. This is a 199' communication tower located at
245 the southwest corner of Route 5 and I-295 at the end of Fordson Farm Lane, on part of parcel
246 249-A-32. The tower was approved on September 9, 1998 with no obstruction marking or
247 lighting. The applicant has now requested the tower be painted and lighted per the
248 requirements of the Federal Aviation Administration. This action requires approval by the
249 Henrico County Planning Commission.

250

251 Mr. Wilhite - The applicant is requesting a deferral for two weeks, until November 12,
252 1998.

253

254 Mr. Archer - Is there any opposition for the deferment of P-31-98? No opposition.

255

256 Mr. Zehler - With that, Mr. Chairman, I move that P-31-98 be deferred, per
257 applicant's request, to the November 12, 1998, meeting.

258

259 Mr. Vanarsdall - Second.

260

261 Mr. Archer - The motion was made by Mr. Zehler and seconded by Mr. Vanarsdall.
262 All in favor say aye...all oppose say nay. The motion passes.

263 At the request of the applicant, the Planning Commission deferred P-31-98 to its' November
264 12, 1998, meeting.

265

266 Mr. Archer - Is that it, Mr. Wilhite?

267

268 Mr. Wilhite - For now, sir, that's it.

269

270 Mr. Archer - All right, Mr. Secretary.

271

272 Mr. Marlles - Mr. Chairman, our next item is our expedited agenda. We have eight
273 items that staff is recommending for the expedited agenda, and Mr. Wilhite will summarize
274 those requests.

275

276 Mr. Wilhite - You received an addendum also and some of these expedited cases make
277 reference to the addendum as well. First on the Expedited Agenda, page five, landscape plan
278 LP/POD-86-98, St. James Baptist Church.

279

280 Ms. Dwyer - Wasn't that deferred?

281

282 Mr. Wilhite - I'm sorry. Yes, that was deferred. Turn to page seven, LP/POD-90-96,
283 Crown Central Station.

284

285 LIGHTING PLAN

286

LP/POD-90-96 Crown Central Station	Crown Central Petroleum Company: Request for approval of lighting plan as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The .56 acre site is located at 6715 Staples Mill Road opposite Penick Road on parcel 82-A-52. The zoning is B-2C, Business District (Conditional). (Brookland)
---	---

287

288 Mr. Wilhite - Please note that there are items on the addendum that pertains to this
289 case as well.

290

291 Mr. Archer - Okay. Are we ready on this case? No opposition? Mr. Vanarsdall.

292

293 Mr. Vanarsdall - I move LP/POD-90-96, Crown Central Station be approved on this
294 expedited agenda.

295

296 Ms. Dwyer - Second.

297

298 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Ms. Dwyer.
299 All in favor say aye...all oppose say nay. The motion passes.

300

301 The Planning Commission approved the lighting plan for LP/POD-90-96, Crown Central
302 Station, subject to the annotations on the plan and the standard conditions for lighting plans.

303

304 **SUBDIVISION**

305

**Staples Mill Plaza
Shopping Center
(October 1998 Plan)**

**Foster & Miller, P.C. for SMP Limited Partnership: The
7.57 acre site is located on the southeast corner of Staples Mill
Road (State Route 33) and Hungary Spring Road on parcel 50-
13-A-3. The zoning is B-1, Business District. County water and
sewer.**

(Brookland) 2 Lots

306

307 Mr. Wilhite - Page 11, Staples Mill Plaza Shopping Center (October 1998 Plan). The
308 staff recommends approval.

309

310 Mr. Archer - Is there anyone in opposition to this approval?

311

312 Mr. Vanarsdall - Mr. Chairman, may I ask a technical question?

313

314 Mr. Archer - Sure, go ahead.

315

316 Mr. Vanarsdall - When we are approving on the expedited agenda, do we need to go into
317 the standard conditions and annotations on the plans, and, in this particular case, condition No.
318 12, or can we just say approved on the expedited agenda?

319

320 Mr. Archer - I'm going to defer that question to the Secretary. Mr. Marlles.

321

322 Mr. Marlles - Mr. Chairman, I believe it would be probably proper to reference the
323 annotations and any special conditions as we do in a regular motion to approve.

324

325 Mr. Archer - Okay.

326

327 Mr. Vanarsdall - Thank you.

328

329 Ms. Dwyer - Do we do the previous one?

330

331 Mr. Archer - Do you want to amend your original motion on the other one, then, Mr.
332 Vanarsdall?

333

334 Mr. Vanarsdall - No. That's all right. I'll follow it out on this one. I move subdivision
335 Staples Mill Plaza Shopping Center be approved with the annotations on the plan, the standard
336 conditions for subdivisions and additional condition No. 12, on the expedited agenda.

337

338 Mr. Zehler - Second.

339

340 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Zehler.

341 All in favor say aye...all oppose say nay. The motion passes.

342

343 The Planning Commission granted conditional approval to subdivision Staples Mill Plaza

344 Shopping Center (October 1998 Plan), subject to the conditions attached to these minutes, and

345 the following additional condition:

346

347 12. The limits and elevation of the 100 year frequency flood shall be conspicuously noted

348 on the plat and construction plans and labeled "Limits of 100 Year Floodplain."

349 Dedicate floodplain as a "Variable Width Drainage & Utility Easement."

350

351 **SUBDIVISION**

352

**Wynfield
(October 1998 Plan)**

Sunbelt Engineering, PC. for Madison Development: The 3.46 acre site is located at the eastern terminus of Yates Lane at its intersection with Yates Terrace on part of parcel 147-A-103 and parcel 147-16-A-100. The zoning is R-4AC, One-Family Residence District (Conditional). County water and sewer. (Fairfield) 5 Lots

353

354 Mr. Archer - Is there any opposition to this expedited agenda item? No opposition.

355

356 Mr. Zehler - Mr. Chairman, if you will, the agenda we received is showing this in
357 Fairfield. Can you make that correction that it should be shown in Varina?

358

359 Mr. Archer - I was aware of it.

360

361 Mr. Zehler - With that, Mr. Chairman, I move that subdivision Wynfield be approved
362 subject to the annotations on the plan and the standard conditions for subdivisions served by
363 public utilities.

364

365 Mr. Archer - Mr. Zehler, excuse me, but I believe it is in the Fairfield District.

366

367 Ms. Dwyer - It looks like it is in Fairfield on the map.

368

369 Mr. Zehler - I'm sorry.

370

371 Mr. Archer - Well, anyway, I go along with your motion. I'll second that motion.

372

373 Mr. Zehler - I apologize, sir.

374

375 Mr. Archer - Well, I'll restate the motion. I recommend approval of subdivision
376 Wynfield subject to the annotations on the plans and the standard conditions for subdivisions.

377

378 Mr. Zehler - Second.

379

380 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr. Zehler. All
381 in favor say aye...all oppose say nay. The motion passes.

382

383 The Planning Commission granted conditional approval subdivision Wynfield (October 1998
384 Plan), subject to the standard conditions attached to these minutes and the annotations on the
385 plans.

386

387 PLAN OF DEVELOPMENT

388

POD-102-98 Environmental Supply Company, Inc.	Engineering Design Associates for Environmental Supply Company, Inc. and S. James Ellen, Jr. : Request for approval of plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one- story, 12,000 square foot office warehouse. The .99 acre site is located on the north line of Charles City Road, 4400' east of Monahan Road on part of parcel 195-A-4. The zoning is M-2, General Industrial District and ASO (Airport Safety Overlay District). Septic tank/ Drainfield and Individual well. (Varina)
--	---

389

390 Mr. Archer - Is there any opposition to POD-102-98, Environmental Supply
391 Company, Inc.? No opposition. Mr. Zehler.

392

393 Mr. Zehler - Mr. Chairman, I move approval of POD-102-98, Environmental Supply,
394 subject to the annotations on the plans, the standard conditions for developments of this type
395 and the additional conditions Nos. 1A, 1B, 2 being deleted, and Nos. 23 through 30.

396

397 Mr. Vanarsdall - Second.

398

399 Mr. Archer - The motion was made by Mr. Zehler and seconded by Mr. Vanarsdall.
400 All in favor say aye...all oppose say nay. The motion passes.

401

402 The Planning Commission approved POD-102-98, Environmental Supply Company, Inc.,
403 subject to the standard conditions attached to these minutes, the annotations on the plan and the
404 following additional conditions:

405

406 1A. The septic tank location shall be approved by the County Health Department before a
407 building permit is issued. Connection shall be made to the public sewer when available

- 408 within 300 feet of the site/building.
- 409 1B. The well location shall be approved by the County Health Department before a building
410 permit is issued. Connection shall be made to the public water system when available
411 within 300 feet of the site/building
- 412 ~~2. DELETE The approval of this plan of development does not constitute approval of the~~
413 ~~utilities layout or construction plans. The development shall comply with the~~
414 ~~requirements as stated in the utilities contract approved by the Department of Public~~
415 ~~Utilities. The Department of Public Utilities shall be notified at least 24 hours prior to~~
416 ~~the start of any utilities construction.~~
- 417 23. The easements for drainage and utilities as shown on approved plans shall be granted to the
418 County in a form acceptable to the County Attorney prior to any occupancy permits being
419 issued.
- 420 24. Any necessary off-site drainage easements must be obtained in a form acceptable to the
421 County Attorney prior to final approval of the construction plans by the Department of
422 Public Works.
- 423 25. Deviations from County standards for pavement, curb or curb and gutter design shall be
424 approved by the County Engineer prior to final approval of the construction plans by the
425 Department of Public Works.
- 426 26. The applicant shall furnish proof to the Planning Office that conditions satisfactory to the
427 Health Department have been met that insure the proposed septic tank drainfield system is
428 suitable for this project prior to the issuance of a building permit.
- 429 27. Insurance Services Office (ISO) calculations must be included with the utilities plans and
430 contracts and must be approved by the Department of Public Utilities prior to the issuance
431 of a building permit.
- 432 28. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
433 Planning Office and approved prior to issuance of a certificate of occupancy for this
434 development.
- 435 29. When public water is available to the site, fire hydrants shall be installed by the property
436 owner to meet existing ISO - Needed Fire Flow requirements and Division of Fire
437 commercial property minimum hose lay requirement which is 350 feet.
- 438 30. All buildings when constructed shall include a fire detection system. The alarm system
439 shall be designed to provide immediate notification to the Fire division in the event of an
440 alarm situation at the facility. A 24-hour monitoring company must be utilized for this
441 service.

442
443 **LANDSCAPE PLAN**

444

**LP/POD-86-97
Parham Park Place
(Formerly Parham
Road Senior
Apartments)**

Balzer & Associates: Request for approval of a landscape plan as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 4.35 acre site is located on the north line of E. Parham Road, approximately 400 feet west of Hungary Spring Road on parcel 60-A-28A and part of parcel 60-A-28. The zoning is R-6C, General Residence District (Conditional).

(Brookland)

445

446 Mr. Wilhite - We do have an addendum item pertaining to this case with an attached
447 plan.

448

449 Mr. Archer - Is there any opposition to the approval of LP/POD-86-97, Parham Park
450 Place? No opposition.

451

452 Mr. Vanarsdall - Mr. Chairman, in one of the meeting we were having this morning,
453 before we had this meeting, was on this one and I would like to ask Ms. News something, if
454 she would come to the mike.

455

456 Mr. Archer - Ms. News.

457

458 Mr. Vanarsdall - Ms. News, if we approve this on the expedited agenda, how is that
459 going to take care of what we talked about?

460

461 Ms. News - We have two choices. We can remove it from the expedited agenda and
462 discuss the issues regarding the compactor in the regular format, or we can approve this
463 without approving the compactor location or screening details.

464

465 Mr. Vanarsdall - I don't believe Ray had any problems with it, did he?

466

467 Ms. News - That's correct.

468

469 Mr. Vanarsdall - So, there's no discussion to do.

470

471 Ms. News - Right. We agreed that those details would be handled with the lighting
472 plan, which also has to come back to the Planning Commission.

473

474 Mr. Vanarsdall - What I want to do is make a motion that this does not have any thing to
475 do with the compactor whatsoever. Thank you. All right. I move that LP/POD-86-97,
476 Parham Park Place, be approved with the standard conditions, the annotations on the plan and
477 I want to make sure in no way this approval effects the compactor or the dumpster in Phase 1
478 or Phase 2 or anything. This is the landscape plan and does not include the compactor.

479

480 Mr. Zehler - Second.

481

482 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Zehler.
483 All in favor say aye...all oppose say nay. The motion passes.

484

485 The Planning Commission approved the landscape plan for LP/POD-86-97, Parham Park
486 Place (Formerly Parham Road Senior Apartments), subject to the annotations on the plan and

487 the standard conditions for landscape plans.

488

489 **LIGHTING PLAN**

490

LP/POD-103-83 **Davis & Green Inc.:** Request for approval of a lighting plan as
Richmond Medical Park required by Chapter 24, Section 24-106 of the Henrico County
Phase II Code. The 9.7 acre site is located between Crestwood Avenue
2008 & 2010 Bremono Rd. and Bremono Road on the northline of Old Richmond Avenue on
parcel 103-A-18. The zoning is O-2, Office District.
(Three Chopt)

491

492 Mr. Archer - Is there anyone in the audience in opposition to this approval? No
493 opposition. Mrs. Wade.

494

495 Mrs. Wade - I did get a call from a lady last night expressing some concern about
496 spillover, but I understand that there is a standard condition that provides for taking care of
497 that. And, I was not under the impression that that would be a problem and no one was
498 coming here to speak today. So, I would move that LP/POD-103-83, Richmond Medical
499 Park, Phase II, be approved subject to the annotations and the standard conditions.

500

501 Mr. Vanarsdall - Second.

502

503 Mr. Archer - The motion was made by Mrs. Wade and seconded by Mr. Vanarsdall.
504 All in favor say aye...all oppose say nay. The motion passes.

505

506 The Planning Commission approved the lighting plan for LP/POD-103-83, Richmond Medical
507 Park Phase II - 2008 and 2010 Bremono Road, subject to the annotations on the plan and the
508 standard conditions for lighting plans.

509

510 Mr. Wilhite - Finally, on page 26, LP/POD-7-98, Stillman Office Building. This is a
511 landscape and lighting plan and there is an addendum item pertaining to this case.

512

513 **LANDSCAPE AND LIGHTING PLAN**

514

LP/POD-7-98 **Shipp and Wilson, Inc. for Duma and Associates:** Request
Stillman Office for approval of landscape and lighting plan as required by
Building Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County
(POD-96-96 Revised) Code. The 1.4 acre site is located at the northwest corner of
Mayland Drive and Stillman Parkway on part of parcel 48-A-
70G. The zoning is M-1C, Light Industrial District
(Conditional). County water and sewer. **(Three Chopt)**

515

516 Mr. Archer - Is there any opposition to this approval, LP/POD-7-98, Stillman Office
517 Building. All right. We have some opposition. Then we will have to remove this item from
518 the expedited agenda. Okay. Is that all, Mr. Wilhite, for the expedited agenda items?

519

520 Mr. Wilhite - Yes, sir.

521

522 Mr. Archer - All right, Mr. Secretary, we will move on with the agenda.

523

524 Mr. Marles - Mr. Chairman, our next item is subdivision extensions of conditional
525 approval. There are five of those and Mr. Wilhite will review those.

526

527 Mr. Wilhite - Actually, there are only four items on this list.

528

529 Mr. Marles - Sorry about that.

530

531 SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL

532

<u>Subdivision</u>	<u>Magisterial District</u>	<u>Remainin g Lots</u>	<u>Previous Extension s</u>
Magnolia Ridge Cluster Lot	Fairfield	122	2
Millrace (October 1990 Plan)	Three Chopt	35	7
Rock Springs Estates (October 1990 Plan)	Brookland	3	7
Wyndham Overall Single Family Residence Plan (June 1991 Plan)	Three Chopt	37	6

533

534 Mr. Wilhite - Staff recommends approval of all four subdivisions for extension of
535 conditional approval.

536

537 Mr. Vanarsdall - If there is no opposition, I move that we approve the subdivisions
538 extensions of conditional approval as reported, as recommended by staff, until October 26,
539 1999.

540

541 Mr. Zehler - Second.

542

543 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Zehler.

544 All in favor say aye...all oppose say nay. The motion passes.

545

546 The Planning Commission voted to approve the subdivision extensions of conditional approval
547 for 12 months, October 26, 1999.

548

549 Mr. Marles - Mr. Chairman, I'll first case is P-16-98 and Mrs. Jo Ann Hunter will be
550 giving the staff presentation.

551

552 **VARINA:**

553 **P-16-98 Amendment - Gloria Freye for AAT Communications Corporation:**
554 **Request for approval of obstruction marking and lighting of a communication tower pursuant**
555 **to the approved conditions of Provisional Use Permit P-16-98. This is a 115' communication**
556 **tower located at the northwest corner of Charles City Road and I-295 on part of parcel 206-A-**
557 **42. The tower was approved on July 8, 1998 with no obstruction marking or lighting. The**
558 **applicant has now requested the tower be painted and lighted per the requirements of the**
559 **Federal Aviation Administration. This action requires approval by the Henrico County**
560 **Planning Commission.**

561

562 **Mr. Archer - Is there anyone here in the audience in opposition to P-16-98? No**
563 **opposition. Mrs. Hunter, good morning.**

564

565 **Mrs. Hunter - This request adds obstruction marking and lighting to an approved 115-**
566 **foot-tall lattice tower. This is the first of this type of request before the Commission. The**
567 **tower is located in the northwest quadrant of Charles City Road and Interstate 295. The tower**
568 **was approved by the Commission in May and by the Board of Supervisors in July. Condition**
569 **No. 3 of the permit required Commission approval for lighting and stripping of the tower.**
570 **The FAA has indicated that due to the proximity and the alignment of this tower to the Airport**
571 **runway, both lighting and painting would be required. If the request were approved a steady**
572 **red light would be placed at the top of the tower and a steady red light at the center of the**
573 **tower. The tower would also be painted with aviation orange and white stripes. AAT does**
574 **have commitment from both Nextel and Trien for co-location on this tower. The site is**
575 **suitable for a tower and was recommended by staff. The location is generally remote and**
576 **planned for industrial use. The lighting and stripping of this tower would have limited impact**
577 **and staff has no objection to this request. I'd be happy to answer any questions.**

578

579 **Mr. Archer - Thank you, Mrs. Hunter. Are there any questions by the Commission?**

580

581 **Mrs. Wade - I thought the comment about the FAA was interesting.**

582

583 **Ms. Dwyer - I did too.**

584

585 **Mrs. Wade - Theirs is grandfathered and if constructed today it would have to meet**
586 **the same standards, I just wondered what their goals are.**

587

588 **Mr. Archer - Are there any other questions? Would you like to hear from the**
589 **applicant, Mr. Zehler?**

590

591 **Mr. Zehler - No, Mr. Chairman, I don't need to hear from the applicant. It's quite**
592 **obvious that there is no one in opposition to this case. It's a secluded piece of property. It's**
593 **along the interstate and it really has no effect on any residential or any neighbors. Therefore,**

594 with that, I move that P-16-98 be recommended to the Board for approval.

595

596 Ms. Dwyer - Second.

597

598 Mr. Archer - The motion was made by Mr. Zehler and seconded by Ms. Dwyer. All
599 in favor say aye...all oppose say nay. The motion passes. Did everybody hear that? Mr.
600 Silber just may me aware that this is not a recommendation to the Board, this is a final
601 approval.

602

603 Mr. Zehler - Did you say that this does not go to the Board, Mr. Chairman?

604

605 Mr. Archer - Correct. It does not go.

606

607 The Planning Commission moved approval of P-16-98

608

609 Mr. Vanarsdall - Mr. Chairman, may I ask a question before we go on?

610

611 Mr. Archer - Certainly.

612

613 Mr. Vanarsdall - The question really is for Mr. Marles. We discussed at one time that
614 perhaps transfer of approval could be added to the expedited agenda or that we didn't need to
615 review them at all. Have you gotten a ruling on that?

616

617 Mr. Marles - Mr. Vanarsdall, we have talked about that at staff meetings, and we do
618 need to just continue that conversion. We do use the transfer of approval process to check for
619 conformity with the zoning ordinance requirements. However, in cases where there are no
620 issues perhaps those could be put on the expedited agenda. We will continue that conservation.

621

622 Mr. Vanarsdall - My opinion is that we need to know about it because there are violations
623 sometimes, and even when we know about it we can go out and visit the site ourselves and
624 maybe see something we don't like. I just wondered if it could be incorporated in the
625 expedited agenda.

626

627 Mr. Marles - Good suggestion.

628

629 Mr. Vanarsdall - Thank you, Mr. Chairman.

630

631 **TRANSFER OF APPROVAL**

632

POD-11-97

**Marriott Courtyard -
Westerre**

**John G. Murray for Hospitality Properties Trust: Request
for transfer of approval of a plan of development as required by
Chapter 24, Section 24-106 of the Henrico County Code from
Henricus Land Partnership and Courtyard Management Corp. to**

HPTMI II Properties Trust. The 3.1 acre site is located at the southwest corner of W. Broad Street and Westerre Parkway on parcel 48-A-37E. The zoning is B-2C, Business District (Conditional). County water and sewer. (Three Chopt)

633

634 Mr. Archer - Is there anyone here in the audience in opposition to the transfer of
635 POD-11-97, Marriott Courtyard? No opposition. Mr. Whitney, good morning, sir.

636

637 Mr. Whitney - Good morning, Mr. Chairman, Planning Commission members. Staff is
638 still recommending approval of this transfer. There are no deficiencies on this site. They
639 have received their certificate of occupancy within the last month or so. So, with that, I'll
640 take any questions you may have.

641

642 Mr. Archer - All right. Are there any questions of Mr. Whitney by Commission
643 members? No questions?

644

645 Mrs. Wade - Not from me.

646

647 Mr. Archer - Do you need to hear from the applicant, Mrs. Wade?

648

649

650 Mrs. Wade - No. I move that the transfer of approval for POD-11-97, Marriott
651 Courtyard be approved.

652

653 Ms. Dwyer - Second.

654

655 Mr. Archer - The motion was made by Mrs. Wade and seconded by Ms. Dwyer. All
656 in favor say aye...all oppose say nay. The motion passes.

657

658 The Planning Commission approved the transfer of approval for POD-11-97, Marriott
659 Courtyard - Westerre, subject to the original approval.

660

661 **TRANSFER OF APPROVAL (Deferred from the September 22, 1998, Meeting)**

662

POD-136-84

POD-138-86

POD-21-87

Hungary Springs

Office Park, Phase

I - IV

Carrie H. O'Malley for HSOP, L.C.: Request for transfer of approval of a plan of development, as required by Chapter 24, Section 24-106, of the Henrico County Code, from Hungary Springs Office Park Associates to HSOP, L.C. The site is located on the north line of Shrader Road, east of Hungary Spring Road on parcels 70-A-49A, 49B, and 49C. The zoning is O-3, Office District. County water and sewer. (Brookland)

663

664 Mr. Archer - Is there anyone here in the audience in opposition to this transfer? No
665 opposition. Mr. Whitney.

666

667 Mr. Whitney - Thank you, Mr. Chairman. This case was deferred because the closing
668 had not occurred on the property. It is my understanding that HSOP, L.C. is now the owner
669 of the property and we can move forward with the approval of this transfer. They accept the
670 responsibilities for the conditions of these PODs and they will correct the site deficiencies by
671 November 30, 1998. There is a representative here if you have any questions of him.

672

673 Mr. Archer - All right. Mr. Vanarsdall, would you like to hear from the applicant?

674

675 Mr. Vanarsdall - You did say you were recommending approval, didn't you?

676

677 Mr. Whitney - Yes, we are recommending approval.

678

679 Mr. Vanarsdall - No. I don't need to hear from the applicant. I move POD-136-84,
680 POD-138-86, and POD-21-87, Hungary Springs Office Park, Phase I - IV be approved with
681 condition No. 1 about the deficiencies and the annotations on the plan.

682

683 Mrs. Wade - Second.

684

685 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mrs. Wade.
686 All in favor say aye...all oppose say nay. The motion passes.

687

688 The Planning Commission approved the transfer of approval for POD-136-84, POD-138-86
689 and POD-21-87, Hungary Springs Office Park, Phase I - IV, subject to the original approval
690 and the following additional condition:

691

692 1. The site deficiencies, as identified in the inspection report, dated August 21, 1998,
693 shall be corrected by November 30, 1998.

694

695 Mr. Zehler - Mr. Chairman, I'm in agreement with Mr. Vanarsdall. Here are two
696 good examples of way the transfer of approvals should be put on the consent agenda.

697

698 Mr. Archer - I agree. Very good. Thank you, sir.

699

700 TRANSFER OF APPROVAL

701

**POD-136-85
Bank of Virginia**

Hirschler, Fleischer, Weinberg, Cox & Allen for Sidney J. Gunst, Jr. and Robert M. Atack: Request for transfer of approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code from Bank of Virginia to Sidney J. Gunst, Jr. and Robert M. Atack. The 1.15 acre site is

located at the northeast corner of W. Broad Street and Dominion Boulevard on parcel 47-2-B-11A. The zoning is B-2C, Business District (Conditional). (Three Chopt)

702

703 Mr. Archer - Is there anyone here in the audience in opposition to this transfer? No
704 opposition. Mr. Wilhite.

705

706 Mr. Wilhite - I spoke to the applicant's representative yesterday and I was told that
707 they were going to request a deferral until November 17, 1998. I did not get confirmation of
708 that request. There are some landscaping issues that have not been resolved on this site. I'm
709 not sure if the representative is here today.

710

711 Mr. Archer - Is there someone here representing this case? I don't see anybody.

712

713 Mrs. Wade - Is this continued to be used as a bank?

714

715 Mr. Wilhite - At this point, we are not sure. We have been discussing some alternative
716 uses on the site and we have not received anything formally submitted to the County for
717 approval yet. There is some landscaping missing on the site that may be in conflict with some
718 additions they want to do and they are reluctant to install landscaping at this point. We have
719 not worked out any type of an agreement with them on when landscaping would need to be
720 installed or when they were going to submit new plans to the County.

721

722 Mrs. Wade - How did they say they wanted this deferred, by a phone call or rumor?

723

724 Mr. Wilhite - Yes. I spoke to the representative over the phone and had indication that
725 they would send us a letter requesting deferral, but I did not receive that.

726

727 Mrs. Wade - Okay. We won't transfer it until we get their check. Until the
728 November meeting you said?

729

730 Mr. Wilhite - Yes. November 17, 1998.

731

732 Mrs. Wade - All right. I move the transfer of approval POD-136-85 to the November
733 17, 1998, meeting at the applicant's request.

734

735 Ms. Dwyer - Second.

736

737 Mr. Archer - The motion was made by Mrs. Wade and seconded by Ms. Dwyer. All
738 in favor say aye...all oppose say nay. The motion passes.

739

740 At the request of the applicant, the Planning Commission deferred the transfer of approval for
741 POD-136-85, Bank of Virginia, to its November 17, 1998, meeting.

742 LANDSCAPE AND LIGHTING PLAN

743

**LP/POD-21-98 Purvis & Associates: Request for approval of a landscape and
Ranco Road Office lighting plan as required by Chapter 24, Sections 24-106 and 24-
Warehouse Ph II 106.2 of the Henrico County Code. The 17.6 acre site is located
on the northern terminus of Ranco Road on part of parcel 71-A-
91F. The zoning is M-1, Light Industrial District. (Brookland)**

744

**745 Mr. Marles - I would like to add that as part of the presentation for this case, staff will
746 be incorporating some of the new G.I.S. technology which is becoming rapidly available.
747 Hopefully, we won't run into any technical problems, but we hope that this is going to result
748 in much more information being available to both the Commission and the public. Mr.
749 Strauss, will be giving the staff report.**

750

**751 Mr. Archer - Okay. Is there anyone here in opposition to LP/POD-21-98, Ranco
752 Road Office Warehouse Phase II?**

753

**754 Ms. Hunt - Mr. Chairman, I'm really not here in opposition, I'm just from one of
755 the neighborhoods behind this development and I just wanted to reiterate our support for the
756 Commission and how they have been very supportive of our neighborhood and making sure
757 that the value of our homes are not impacted by this development. Thanks.**

758

759 Mr. Archer - Thank you, very much.

760

761 Mr. Vanarsdall - You didn't get her name.

762

**763 Ms. Hunt - Oh, I'm sorry. My name is Sherry Hunt, the secretary of the Old
764 Hermitage Association.**

765

766 Mr. Archer - Thank you, Ms. Hunt. Okay, Mr. Strauss.

767

**768 Mr. Strauss - Thank you, Mr. Chairman. As you know the application is for the
769 approval of a landscape and lighting plan for the first building of Phase II only. The site is
770 located at the terminus of Ranco Road, west of the Old Hermitage subdivision and north of
771 RF&P Railroad. As you heard, the neighbors have some concern about the use of loud
772 speakers. I talked to Sonny Bertozzi. He's indicated to me that they have no intention of
773 using loud speakers for this project. And, indeed, there was a POD condition prohibiting the
774 use of loud speaker that was audible at the property line, so that is a part of the approved
775 POD. We have Mr. Al Frauenfelder here who can assist us with showing some additional
776 G.I.S. information for this presentation this morning. As you can see on the screen, this is an
777 aerial photo of the site area. This is Ranco Road (referring to screen) here. This is the old
778 Hermitage subdivision. The neighbors who have been very active with this project are very
779 concerned about saving the trees here and that will be addressed with future landscape plans**

780 with the second phase in this project. The aerial we are focusing on is right, here, where the
781 first phase building is being constructed. The landscape plan meets all of the code
782 requirements for landscaping. It is a small landscape plan, obviously, because it's a small
783 phase of the construction. But, it does meet the requirements of the code, so staff is
784 recommending approval at this time. I'd be happy to answer any additional questions you may
785 have.

786

787 Mr. Archer - Thank you, Mr. Strauss. Are there any questions of Mr. Strauss by the
788 Commission?

789

790 Mr. Vanarsdall - Did I hear you say that the former president or the president now of the
791 association has moved to South Carolina?

792

793 Ms. Hunt - Yes.

794

795 Mr. Vanarsdall - I talked to him on the phone and his concern was lighting and speakers
796 and you told me that there is a proffer that says "no loud speakers."

797

798 Mr. Strauss - Actually, this is an unconditional case. This is straight M-1 zoning. So,
799 there are no proffers. But, we did, in February, discussed the concern about loud speakers
800 and we had a condition added at the conclusion of that hearing to prohibit the use of loud
801 speakers that were audible at the property line of the Old Hermitage subdivision. Now, as I
802 said, I discussed the issue of loud speakers with Mr. Bertozzi and he said there was no intent
803 to even use loud speakers with this phase.

804

805 Mr. Vanarsdall - There never is. Okay. All right. Thank you.

806

807 Mr. Archer - Are there any further questions of Mr. Strauss?

808

809 Ms. Dwyer - Mr. Strauss, does this mean about 200 feet of trees will be maintained
810 with this phase, maintained on the edge of the property line adjacent to the neighborhood?

811

812 Mr. Strauss - Yes. That 200 feet of trees will remain until construction begins on the
813 portion of the property which is, I guess you could say, phase two of phase two, additional
814 warehouse buildings in this area. Now the moment that they start clearing in that 200 feet they
815 are required by POD to construct a 10-foot fence along the entire perimeter. They will be
816 constructing a fence along this perimeter here.

817

818 Ms. Dwyer - Did you say a wood fence?

819

820 Mr. Strauss - It's a ten-foot wood fence. The neighbors were very actively engaged in
821 the discussion of what the fence would look like and it's basically the extension of a fence
822 that's existing on the south side of the project.

823 Ms. Dwyer - Is that inside the property line?
824

825 Mr. Strauss - It would be located.... I think the wording we used, it would be "field
826 located" with the participation of the citizens in the adjacent neighborhood.
827

828 Ms. Dwyer - Somewhere within that 50-foot buffer.
829

830 Mr. Strauss - Yes. And the intent was to have it field located so that we could save
831 the trees there. We didn't want to just strike a single setback from the property line. We met
832 with a number of citizens where there were so many trees in this area, we didn't want to just
833 strike one line and say that the fence would be there. We wanted to meander the fence
834 through the trees that were there.
835

836 Mrs. Wade - I would say that the neighborhood needs to continue its vigilance.
837

838 Ms. Hunt - Can I just say one thing? We scheduled a meeting with Mr. Bertozzi at
839 9:00 a.m. on Saturday to determine the line of the fence, so I would like to invite any of you
840 who are interested to come to that meeting.
841

842 Mr. Archer - Okay. Are there any further questions?
843

844 Mr. Vanarsdall - I don't need to hear from the applicant, unless Ms. Purvis has something
845 she wants to offer.
846

847 Ms. Purvis - Good morning. I'm Sue Purvis. I just wanted to say good morning and
848 I've met with Mr. Strauss and I believe we do have a couple of annotations added to the plan
849 and I've talked with Mr. Bertozzi and we are in full agreement with those. We have been
850 trying to stay in contact with the neighbors as much as we can. Thank you.
851

852 Mrs. Wade - How is the fence line going to be marked after they determine where it's
853 going to be?
854

855 Ms. Purvis - I would assume the best way to mark that fence line, right now, is with
856 field tape or with flagging, whichever seems to work the best when everyone congregates on
857 Saturday morning.
858

859 Mrs. Wade - When the bulldozer man come it doesn't always seem to work. Thank
860 you.
861

862 Mr. Vanarsdall - I move LP/POD-21-98, Ranco Road Office Warehouse Phase II, be
863 approved with the annotations on the plan, the standard conditions for landscape and lighting
864 and make sure whatever we can do about no loud speakers. That's it.
865

866 Mr. Zehler - Second.

867

868 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Zehler.

869 All in favor say aye...all oppose say nay. The motion passes.

870

871 The Planning Commission approved the landscape and lighting plan for LP/POD-21-98, Ranco
872 Road Office Warehouse, Phase II, subject to the annotations on the plan and the standard
873 conditions for landscape and lighting plans.

874

875 **LANDSCAPE PLAN (Deferred from the September 22, 1998, Meeting)**

876

LP/POD-123-97

Highwoods

Distribution

Center, Phase 1

JMCA: Request for approval of a landscape plan as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 79.456-acre site is located on the southeast corner of Darbytown Road and Laburnum Avenue on parcel 204-A-28. The zoning is M-1C, Light Industrial District (Conditional). (Varina)

877

878 Mr. Archer - Is there anyone in the audience in opposition to landscape plan LP/POD-
879 123-97, Highwoods Distribution Center, Phase I? No opposition. Ms. News.

880

881 Ms. News - The landscape plan submitted for Phase I includes plantings around the
882 entire perimeter of the site and around Building A. The plantings along Laburnum Avenue
883 and Darbytown Road conform to a concept for development of a wet pond BMP approved
884 with the POD. Plantings along Miller Avenue are on top of a ten-foot berm in accordance
885 with proffered conditions. Existing woods and hedgerows in the 50-foot buffer along the east
886 and west property lines will be supplemented with additional tree and shrub plantings. In an
887 effort to increase the size of some of the plantings along Laburnum and Darbytown, it has
888 been agreed that some of the plantings along the east and west property lines will be installed
889 with future phases of development in order to put current funds toward larger plant materials
890 at the front of the site.

891

892 Review of plantings in the proffered buffers by Planning Commission will be satisfied with
893 this phase of development. Condition No. 5 on your addendum will allow the internal
894 landscaping for subsequent phases to be reviewed by staff. Stone walls, intended to give a
895 bridge effect, will be installed at the entrance road on Laburnum in accordance with the
896 concept. Details for the walls are provided in the last two pages of the packet you have just
897 been handed. Condition No. 6 relates to the wall construction. Staff recommends approval of
898 this plan.

899

900 Mr. Archer - Thank you, Ms. News. Are there any questions of Ms. News?

901

902 Mr. Zehler - Is the sign before us today part of this approval?

903

904 Ms. News - Actual signs are not approved by this body. They have to go through
905 the sign permit process, but I think the concept of how the sign will look is part of the concept
906 plan that's shown, the materials etc.

907

908 Mr. Zehler - As far as you know, is the sign going to be black brick?

909

910 Ms. News - I'd like to ask the applicant to answer that.

911

912 Mr. Archer - Are there any further questions of Ms. News while the applicant is
913 approaching?

914

915 Mr. Suttentfield - I'm Glenn Suttentfield with Rose Architects. We talked about the black
916 brick and I haven't been able to clear it with my client, but I feel confident that we will be
917 able to match that brick design as we talked about.

918

919 Mr. Zehler - Good. Thank you.

920

921 Ms. Dwyer - Exactly how has the planting, landscaping been enhanced along
922 Laburnum Avenue? Are they the same types of trees, just larger, these that are being planted.
923 Is that correct?

924

925 Mr. Suttentfield - Do you mean how it would be enhanced? We would be trying to take
926 the same tree and make it a larger caliper.

927

928 Ms. Dwyer - What kinds of trees, generally, do you have along Laburnum?

929

930 Mr. Suttentfield - I'll need a little help from the landscape architect but there are some
931 Willows, there are some Zelkovas....

932

933 Mr. Collins - Hi. I'm Jeff Collins with JMCA. I'm sorry I didn't quite understand
934 your question.

935

936 Ms. Dwyer - I was curious about the tall street trees along Laburnum. What type of
937 trees are you going to plant?

938

939 Mr. Collins - Different types of Maples. We have some Zelkovas in the parking lot.
940 It ranges to just about everything down towards the BMP areas. We have Weeping Willows, I
941 can't remember everything that we put out there. We have some smaller trees too, the
942 Dogwoods, the Birches, and Redbuds and things like that. We are trying to keep with the
943 original schematic sketch that we did back in January/February plus fit the requirements that
944 the County requires.

945

946 Mrs. Wade - There are 19 Willow Oaks somewhere.

947
948 Mr. Collins - We've got 900 trees total.
949
950 Ms. Dwyer - Will the BMPs be screened from view from Laburnum?
951
952 Mr. Collins - We talked about, and with Mr. Zehler, we talked about a park-like
953 character up front. Some of it's going to seem like it's screened but not just generally like
954 putting pines straight in a row to screen it. No, ma'am. We are not going to do that. It's
955 using your shrubs and using your middle trees and your larger trees trying to create a park-like
956 atmosphere out front.
957
958 Ms. Dwyer - And what would the BMP look like? The BMPs along Laburnum, what
959 will they look like?
960
961 Mr. Collins - I'm sorry, I don't understand.
962
963 Mrs. Wade - Will they be wet or dry?
964
965 Mr. Collins - Oh. They will have water in them, yes, ma'am.
966
967 Mr. Zehler - One of them is going to have a fountain in it, correct?
968
969 Mr. Collins - Correct. The bigger one is going to have the fountain in it.
970
971 Ms. Dwyer - They won't be shallow swells with
972
973 Mr. Collins - We are trying to define that edge, as far as maintenance is concerned and
974 plant material is concerned, we are trying to keep that edge defined so that you can see it along
975 Laburnum at points, so it's not an ugly feature.
976
977 Ms. Dwyer - And that's what we don't want. Is the fountain near the entry drive, that
978 circle?
979
980 Mr. Collins - Yes, it is. Look at the left-hand side of your screen. We've got to keep
981 it out of the easement there (referring to screen). It's going to be a floating fountain.
982
983 Mrs. Wade - And what happens on the other side?
984
985 Mr. Collins - The other side is more shallow. It's a smaller BMP. So, that's just
986 going to be more of just water. The bigger BMP area, we had to get some movement of the
987 water.

988 Mrs. Wade - I assume that there was some fairly good size buffer agreed upon at
989 zoning time. The BMP seems to be all in it.

990

991 Mr. Collins - Yes, ma'am. If you see the final drawings... We were talking with
992 Leslie on that and the BMP does take up a lot of space. But between the BMP and the parking
993 lot, that's where we have to get our required trees, around the BMP and on the berm, so,
994 that's where we ended up. But, required trees and trying to keep everything looking like the
995 park, like what was requested by the County.

996

997 Ms. News - Mrs. Wade, may I add that this concept is what was presented at the
998 time of POD and what was expressly approved, to allow the BMP to be placed in the proffered
999 landscape buffer. They were working toward this effect. The plans you have in your packet
1000 are along these lines but more detailed and slightly different, but meeting this concept.

1001

1002 Mrs. Wade - Thank you.

1003

1004 Mr. Zehler - This site also is considerably raised from Laburnum Avenue so it
1005 actually sits up higher. And, as Leslie said, what we are looking at is the original plan which
1006 we have added and beefed up the plantings and such. As the applicant has said, we have
1007 requested a park-like effect so that when you look over there you will notice most of the
1008 landscaping and the lake effect and you won't notice the buildings as much as you would
1009 notice the fountain and the bridge and the aesthetics that go along with it.

1010

1011 Ms. Dwyer - May I ask a question, Mr. Zehler, because I don't remember when this
1012 was zoned? Did we realize that the landscape buffer would be almost exclusively dedicated to
1013 the BMP at zoning?

1014

1015 Mr. Zehler - I believe we did. We were more so looking at the lake effect than we
1016 were the buffer, turning it into an amenity with the floating fountain.

1017

1018 Ms. Dwyer - What is a floating fountain.

1019

1020 Mr. Collins - A fountain that floats in the water. It's anchored, it's not going to go
1021 anywhere. Because the level of the water is going to be a different level, because of the water
1022 that's coming into it at times, it's better just to do a floating fountain.

1023

1024 Mrs. Wade - But there will always be enough water, then.

1025

1026 Mr. Collins - Oh, yes, ma'am.

1027

1028 Mr. Archer - Are there any further questions for the applicant?

1029 Mr. Zehler - Mr. Chairman, I would like to commend the applicant as well as
1030 Highwoods Properties for their more than above and beyond the call as far as their
1031 contribution towards this project. They have done enormous additional plantings. It will give
1032 us the park-like effect as well as the lake effect and the bridge will also be an asset. I think we
1033 put our self in a situation that when you look over there you will notice these amenities as well
1034 as you won't notice the buildings, what they are constructed of, which the buildings are being
1035 constructed of good, high-quality materials along with smoked glass and bricks. Like I said, I
1036 do want to commend you gentlemen because you have done an excellent job and we've worked
1037 together real good on this project. With that, Mr. Chairman, I move that LP/POD-123-97,
1038 Highwoods Distribution Center, Phase 1, landscaping plan be approved subject to the
1039 annotations on the plans and the standard conditions for landscaping plans.

1040

1041 Ms. Dwyer - Second.

1042

1043 Mr. Archer - The motion was made by Mr. Zehler and seconded by Ms. Dwyer. All
1044 in favor say aye...all oppose say nay. The motion passes.

1045

1046 The Planning Commission approved the landscape plan for LP/POD-123-97, Highwoods
1047 Distribution Center, Phase 1, subject to the annotations on the plan, the standard conditions for
1048 lighting plans and the following additional conditions:

1049

1050 5. A detailed landscaping plan for each subsequent phase of construction shall be
1051 submitted to the Planning Office for administrative review and approval prior to the
1052 issuance of any additional occupancy permits

1053 6. Prior to final signature of the landscape plans, provide detailed construction plans for
1054 the entrance walls at the Laburnum Avenue entrance for review and approval by the
1055 County. Provide an agreement as required by the Department of Public Works
1056 indicating that the drainage pipes crossing this entrance shall be maintained by the
1057 owner of the property. Provide a Hold Harmless agreement to the County allowing
1058 County water to flow through these pipes.

1059

1060 **PLAN OF DEVELOPMENT**

1061

POD-100-98 CVS Pharmacy @ Lauderdale Square (POD-93-97 and POD- 85-90 Revised)	TIMMONS for Wilton Family Partnership III: Request for approval of plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a 10,125 square foot pharmacy addition and related improvements to an existing shopping center. The 4.06 acre portion of this site is located at the southeast corner of Lauderdale Drive and Rutgers Drive on parcels 56-10-2S, 56-A-1B and 56-10-2KA. The zoning is B-2C, Business District (Conditional). County water and sewer. (Three Chopt)
---	--

1062

1063 Mr. Archer - Is there anyone in the audience in opposition to POD-100-98, CVS
1064 Pharmacy? No opposition. Mr. Whitney.

1065

1066 Mr. Whitney - Thank you, Mr. Chairman. Mr. McGarry has just handed you some
1067 additional information for this plan of development. This was a slip up by staff. I don't know
1068 what happened. The architectural did not get included in your packet. That's one of the
1069 sheets that's been given to you. I'll point out on this that the building is brick. It's basically a
1070 typical CVS Pharmacy. I think you have seen a couple. One that I can remember off hand is
1071 at Mayberry Square Shopping Center on Patterson Avenue. It's very similar to that building.
1072 The second sheet is a conceptual landscape plan for the BMP on this project. The BMP plan
1073 itself was included in your packet. I'll point out that this is on the west side of Lauderdale,
1074 across the street from the shopping center. This parcel is zoned RTHC and one of the proffers
1075 deals with the use of this property as being a detention basin for the shopping center. The
1076 landscape plan is conceptual, at this time, just for information purposes. Staff has not
1077 completed its review of it. We would look at this more closely when we get the final signature
1078 for this plan.

1079

1080 As far as the conceptual landscape plan, there is a condition on your addendum that staff has
1081 revised. We would like to have permission or a letter from Virginia Power and Bell Atlantic
1082 stating that this proposed development, including the construction and landscaping of the
1083 BMP, does not conflict with their facilities. There are a number of easements around the
1084 BMP, which are indicated on the BMP plan. We would want to be assured that the plantings
1085 that they are proposing to do, in a 25-foot landscape buffer along North Gayton and
1086 Lauderdale Drive would be achievable. So this letter would help assure us of that. There are
1087 no other changes that I am aware of at this time. Staff can now recommend approval of this
1088 plan, the annotations, the additional information we have given you, condition No.31 being
1089 revised, and I'll take any questions that you may have.

1090

1091 Mrs. Wade - What about the planting or the buffer along Rutgers on the north?

1092

1093 Mr. Whitney - There is a transitional buffer along Rutgers, we will see that with the
1094 landscape plan. That will come back to us. Staff has recommended that condition No.9 be
1095 amended, to come back to the Planning Commission for that plan.

1096

1097 Mrs. Wade - You mentioned a new plan that you hadn't finished reviewing.

1098

1099 Mr. Whitney - The conceptual BMP plan, staff has not completed its review, but it will
1100 be reviewed as a part of the final plan for signature.

1101

1102 Mrs. Wade - So, it's just the BMP part?

1103

1104 Mr. Whitney - That's correct. The rest of the site landscape plan will be done with the
1105 overall landscape plan.

1106 Mrs. Wade - Have you heard from anybody around, any of the residents?
1107

1108 Mr. Whitney - I have not heard from anybody on this case.
1109

1110 Mrs. Wade - Broadford got notice and I assume Worthington Hills got notice.
1111

1112 Mr. Whitney - To the best of my knowledge, the affidavit is in the file that the notices
1113 were mailed out and those parcels were included in the mailing. Creekwood subdivision would
1114 be another.
1115

1116 Mrs. Wade - Okay. Thank you. I hadn't heard from anybody either.
1117

1118 Mr. Whitney - The representative for the applicant is here if you have any questions of
1119 him.
1120

1121 Mr. Marlles - Mr. Whitney, can you, or maybe the applicant can, who is going to be
1122 responsible for maintaining the BMP since it's going to be on the other side of Lauderdale,
1123 next to the neighborhood?
1124

1125 Mr. Whitney - I'd have to defer that questions to the applicant.
1126

1127 Mr. Archer - Are there any other questions of Mr. Whitney before the applicant comes
1128 forth?
1129

1130 Mr. Vanarsdall - Is there not a condition, Mr. Secretary, that says that? Go on and let
1131 him speak first.
1132

1133 Mr. Loving - Good morning. My name is Monty Loving with TIMMONS,
1134 representing the applicant. The developer will maintain the BMP across the street, Mr.
1135 Wilton.
1136

1137 Mrs. Wade - The shopping center part?
1138

1139 Mr. Loving - Yes, ma'am.
1140

1141 Mrs. Wade - This also gets drainage from other places, from the shopping center and
1142 up above.
1143

1144 Mr. Loving - Correct. We intend on landscaping the area along Rutgers Road heavily.
1145 You will see that on the landscape plan when it comes in.
1146

1147 Mrs. Wade - Will there still be some trees left in the rear part between you and
1148 Worthington Hills?

1149 Mr. Loving - Yes, ma'am. We have a rendering, if you would like to see it, of the
1150 site. We have a BMP rendering and we also have a rendering of the site.
1151

1152 Mrs. Wade - Are these remaining roots or new trees?
1153

1154 Mr. Loving - There is a good stand of existing trees that's going to be along
1155 Worthington Hills that we are not going to get into with our slopes. Then we will supplement
1156 that with additional trees.
1157

1158 Mrs. Wade - And will that be protected in some way?
1159

1160 Mr. Loving - Protected as far as what?
1161

1162 Mrs. Wade - The tree save area.
1163

1164 Mr. Loving - Yes, ma'am.
1165

1166 Mrs. Wade - Who is responsible for seeing that these things are not intruded upon,
1167 when you have a tree protection area? Who is responsible for implementing that?
1168

1169 Mr. Loving - The developer.
1170

1171 Mr. West - I'm Junie West with TIMMONS. As far as I understand the tree
1172 protection plan is fenced off and that's a requirement with the Environmental Inspector, that's
1173 my understanding, prior to clearing. Public Works can better address that.
1174

1175 Mrs. Wade - They come out and mark it with, as I said earlier, with yellow tape or
1176 sometimes orange.
1177

1178 Mr. West - It's looks like that crime tape almost, you know, that big orange fencing.
1179

1180 Mrs. Wade - Do you intend to use orange?
1181

1182 Mr. West - Yes.
1183

1184 Mrs. Wade - That isn't always used. If you use the orange fencing then that's okay,
1185 but if you use the yellow tape, then somebody needs to make sure that that's not violated.
1186

1187 Mr. West - It should be a continuous barrier. What happened in the past, the reason
1188 those get cleared is you would go out there and flag trees for clearing and they would pass that
1189 invisible barrier. The purpose of the construction fence is to actually prevent, but it won't
1190 stop a bulldozer but it will give you a visible physical barrier and that's a pretty definitive line,
1191 or just a continuous line whether it's the yellow tape or the fence. Our surveyors will flag the

1192 clearing limits for them to implement that protection.

1193

1194 Mrs. Wade - Yes, I realize that is what is suppose to happen every time, but we have
1195 had too many cases where something goes wrong.

1196

1197 Mr. West - Oh, yes. I know. The guy with the bulldozer typically don't have as
1198 much care as we do right now, I understand that.

1199

1200 Mrs. Wade - But somebody needs to be responsible for him, and that's seems to be
1201 where the breakdown is in the process. Everybody points down the line to the bulldozer
1202 operator.

1203

1204 Mr. West - If an area was cleared that was not supposed to be cleared, it would be
1205 my opinion that the plans do not conform at that point and the developer would have to
1206 reinstall that vegetation. Now, if I were the developer I would lean heavily to the contractor
1207 for violating....

1208

1209 Mrs. Wade - But then your existing trees are gone.

1210

1211 Mr. West - I understand, but I don't know of any full proof system other than what
1212 we are using currently.

1213

1214 Mrs. Wade - Sometimes the neighbors have to run out and try to interfere with the
1215 bulldozer. Anyway, I just wanted to refresh your course on what it is that happens. But, you
1216 do understand the necessity for a lot of buffering on the Rutgers Road side (Mr. West nods his
1217 head in agreement)? Was there anything new in what we got today? You handed out another
1218 plan. I may have gotten plans earlier that....

1219

1220 Mr. Whitney - No, I don't think there is anything new, but I do need to clarify one
1221 thing on your staff plan. There might be some confusion here. The title says CVS and
1222 Goodyear at Lauderdale Square. The Goodyear is not a part of this approval. The asterisk
1223 that's on the pad to the south of CVS, there's a note under the annotations is that this approval
1224 requested for building for a pad for a future retail. They haven't decided what that will be at
1225 this time. They are just going to construct the pad and the related improvements around that.

1226

1227 Mrs. Wade - As I understand, under B-2, they have to have a PUP to put an
1228 automobile service or tire changes in there.

1229

1230 Mr. Whitney - That is correct. At the staff/developer's conference we pointed that out
1231 to them. So, they have decided to remove that from the approval.

1232

1233 Ms. Dwyer - Is it unconditional B-2?

1234

1235 Mr. Whitney - Yes, it is.
1236

1237 Mrs. Wade - Yes. Oh, no, it's B-2C, according to the agenda.
1238

1239 Mr. Whitney - Yes, B-2C, Business District Conditional.
1240

1241 Ms. Dwyer- Is the utility easement, the 16-foot utility easement, does that run across
1242 the front property line along Lauderdale, Mr. Whitney?
1243

1244 Mr. Whitney - On which sheet are you referring?
1245

1246 Ms. Dwyer - The first one.
1247

1248 Mrs. Wade - What does No. 31 revised refers?
1249

1250 Ms. Dwyer- Ten, 27, 98. (Mr. Whitney approached the podium) That's going to
1251 limit the landscaping in that front buffer.
1252

1253 Mrs. Wade - It sounds that way.
1254

1255 Mr. Whitney - Yes. That's the existing sanitary sewer that runs through the front of
1256 CVS and it does run perpendicular through the transitional buffer along Rutgers Drive. So, it
1257 will limit the planting there.
1258

1259 Ms. Dwyer - Limit planting along Lauderdale in particular.
1260

1261 Mr. Whitney - Not so much Lauderdale, I think more so on Rutgers, but it is near the
1262 corner of that intersection.
1263

1264 Mrs. Wade - Okay, I see. Eight-inch sanitary sewer, is that the one?
1265

1266 Mr. Whitney - Yes.
1267

1268 Ms. Dwyer - The reason I was asking about the conditions, I was wondering if there's
1269 any, it appears that there is no extra buffering that was required by any condition, we seem to
1270 have the minimum.
1271

1272 Mr. Whitney - There is a proffered 10-foot buffer along Lauderdale, which they have
1273 provided for 11 feet from the property line to face to curb in the parking lot. So, they meet
1274 that proffered condition.
1275

1276 Mrs. Wade - The sanitary sewer though seems to go along in the road in Rutgers.
1277

1278 Mr. Whitney - Yes. It comes through Broadford Subdivision, it crosses Rutgers into
1279 the site of CVS and then cross Lauderdale through the area which will be used for the BMP,
1280 or adjacent to the BMP.
1281
1282 Mrs. Wade - But, there is something that runs up and down Rutgers, but it appears to
1283 be in the road.
1284
1285 Mr. Whitney - That's correct.
1286
1287 Mrs. Wade - This is across the road from RTH here. That RTH is not considered
1288 adjacent?
1289
1290 Mr. Whitney - The parcel on the west side of Lauderdale?
1291
1292 Mrs. Wade - Yes.
1293
1294 Mr. Whitney - That is zoned RTHC.
1295
1296 Mrs. Wade - Yes, I see that it. But, that wouldn't effect the landscape strip on the B-
1297 2 at all?
1298
1299 Mr. Whitney - I don't know the answer to that.
1300
1301 Mrs. Wade - I know it's a border six-lane road that...
1302
1303 Mr. Whitney - Well, the 25-foot landscape buffer is proffered. I can check, but I think
1304 that may exceed transitional buffer requirements, if that is what you are referring to.
1305
1306 Mrs. Wade - I'm looking now, since this came up again, about the 10 feet in the front
1307 which is across from RTH. Does that make any difference?
1308
1309 Mr. Loving - The right-of-way should break that transitional buffer requirement, the
1310 six lanes, Lauderdale Drive. That's why the 25-foot landscape buffer is not required in front
1311 of our site. It's just a 10-foot requirement required.
1312
1313 Mrs. Wade - Is there some exception, then, for the wider road? The gasoline station
1314 appears to have a wider one.
1315
1316 Mr. Whitney - It's been indicated that the right-of-way for Lauderdale is greater than 80
1317 feet. So, what Mr. Loving said about the transitional buffer not applying would be the case
1318 here.
1319
1320 Mrs. Wade - So, the cut off is 80, then?

1321 Mr. Whitney - Yes, ma'am.
1322
1323 Mrs. Wade - That's sort of what I was assuming. Okay. Thank you.
1324
1325 Mr. Archer - Are there any further questions? Would you like to hear from the
1326 applicant, Mrs. Wade?
1327
1328 Mrs. Wade - No. Okay. I move POD-100-98, CVS Pharmacy at Lauderdale Square
1329 (POD-93-97 and POD-85-90 Revised), and this is the latest revised plan, be approved subject
1330 to the standard conditions, the annotations on the plan, No. 9 amended, No. 31 amended as it
1331 appears on the addendum and Nos. 23 through 32 with No. 31 amended, I move it be
1332 approved.
1333
1334 Mr. Vanarsdall - Second.
1335
1336 Mr. Archer - The motion was made by Mrs. Wade and seconded by Mr. Vanarsdall.
1337 All in favor say aye...all oppose say nay. The motion passes.
1338
1339 The Planning Commission approved POD-100-98, CVS Pharmacy at Lauderdale Square
1340 (POD-93-97 and POD-85-90 Revised), subject to the standard conditions attached to these
1341 minutes, the annotations on the plans, and the following additional conditions:
1342
1343 **9. AMENDED** - A detailed landscaping plan shall be submitted to the Planning Office for
1344 review and Planning Commission approval prior to the issuance of any occupancy permits.
1345 **23.** The easements for drainage and utilities as shown on approved plans shall be granted to the
1346 County in a form acceptable to the County Attorney prior to any occupancy permits being
1347 issued.
1348 **24.** The limits and elevations of the 100-year frequency flood shall be conspicuously noted on
1349 the plat and construction plans and labeled "Limits of 100 Year Floodplain." Dedicate
1350 floodplain as a "Variable Width Drainage & Utility Easement."
1351 **25.** The developer shall provide fire hydrants as required by the Department of Public Utilities
1352 in its approval of the utility plans and contracts.
1353 **26.** Any necessary off-site drainage easements must be obtained in a form acceptable to the
1354 County Attorney prior to final approval of the construction plans by the Department of
1355 Public Works.
1356 **27.** Deviations from County standards for pavement, curb or curb and gutter design shall be
1357 approved by the County Engineer prior to final approval of the construction plans by the
1358 Department of Public Works.
1359 **28.** A standard concrete sidewalk shall be provided along the east side of Lauderdale Drive.
1360 **29.** Insurance Services Office (ISO) calculations must be included with the utilities plans and
1361 contracts and must be approved by the Department of Public Utilities prior to the issuance
1362 of a building permit.
1363

1364

1365 30. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
1366 Planning Office and approved prior to issuance of a certificate of occupancy for this
1367 development.

1368 31. Prior to final approval of construction plans, the developer must furnish a letter from
1369 Virginia Power and Bell Atlantic stating that this proposed development, including the
1370 construction and landscaping of the BMP, does not conflict with their facilities.

1371 32. In the event of any traffic backup which blocks the public right-of-way as a result of
1372 congestion caused by the drive-up facilities, the owner/occupant shall close the drive-up
1373 facilities until a solution can be designed to prevent traffic backup.

1374

1375 **SUBDIVISION (Deferred from the October 15, 1998, Meeting)**

1376

**Canterbury on the
James
(August 1998 Plan)**

**Koontz-Bryant, P.C. for Wilton Development
Corporation: The 19.86-acre site is located on the southwest
corner of River Road and Parham Road on parcel 125-A-18A.
The zoning is R-1, One-Family Residence District. County
water and sewer. (Tuckahoe) 11 Lots**

1377

1378 Mr. Archer - Is there anyone in the audience in opposition to Canterbury on the
1379 James? We do have opposition. Thank you, sir. We will get right to you. Mr. Whitney.

1380

1381 Mr. Whitney - Thank you, Mr. Chairman. This case was deferred twice. The reason
1382 for that was the neighbors adjoining this subdivision were curious more than anything. Two
1383 meetings were held, one which I attended. The developer has offered some information and
1384 items that he is going to include in the restrictive covenants and deed restrictions on the lots in
1385 this subdivision. With that, staff has revised condition No. 15, which is on your addendum.
1386 It will be a 25-foot planting strip easement along River Road. In addition to that, there are
1387 common areas that are associated with this subdivision. Staff would like to see a landscape
1388 plan for the planting strip easement and the common areas prior to the recordation of the plat.
1389 With that, staff can recommend approval of this subdivision, and I will take any questions you
1390 that you may have.

1391

1392 Mr. Archer - Thank you, Mr. Whitney. Are there any questions of Mr. Whitney by
1393 Commission members?

1394

1395 Ms. Dwyer - Mr. Whitney, there has been some discussion about this road that will
1396 serve these homes being a private road. Has that been addressed by staff?

1397

1398 Mr. Whitney - The applicant has asked that question of staff for some time now. Staff
1399 continues to respond that we have no avenue for them to go with a private road. All lots must
1400 front on a public street, which connects to a public street. That is a code requirement.

1401

1402 Ms. Dwyer - Have you received a copy of a letter from Mr. Wilton to the neighbors
1403 who borders on this property, making commitments about buffers and those kinds of things?

1404

1405 Mr. Whitney - Yes, I have. Mr. Wilton came by the office yesterday and provided me
1406 copies of those letters, which I have placed in the file.

1407

1408 Ms. Dwyer - One of those deals with the private road which I think we made clear in
1409 our meetings with the neighbors, and clear on the record here today, is not something
1410 approved of at this point, certainly. And, we know of no avenue in which that could be
1411 accomplish other than perhaps a variance through Zoning Appeals, but not through this
1412 process.

1413

1414 Mr. Whitney - That's absolutely correct, Ms. Dwyer.

1415

1416 Ms. Dwyer - There is also a commitment for a 50-foot area designated as a tree
1417 preservation area, and that would be along the, I guess, roughly, the western border.

1418

1419 Mr. Whitney - Yes. The western border, which is the creek there as the property line,
1420 that would be lots 1 through 7.

1421

1422 Ms. Dwyer - On mine, it looks like one through six, but lot seven is Mr. Wilton's.
1423 Do you have the plat marked in red and green?

1424

1425 Mr. Whitney - That was faxed to me, yes. It's in the file.

1426

1427 Ms. Dwyer - But at any rate, is that something we should make as an annotation on
1428 the plan or is that something that would be a matter of private agreement between the
1429 developers and the neighbors.

1430

1431 Mr. Whitney - The Planning Commission can attach any conditions to the subdivision
1432 that they feel are necessary. Right now it's been offered as an assurance from the developer to
1433 the neighbors that it will be included as a private agreement.

1434

1435 Ms. Dwyer - That will appear as a restrictive covenant in the deed. So, this would be,
1436 then, the promise for additional landscaping that's marked in green on my copy. I'll leave this
1437 with you for the file, since you've got a faxed copy you may want this color coded copy.
1438 There is an agreement for additional evergreen plantings and for this 50-foot tree save area.
1439 There's a commitment by the developer to do that and that will be, then, a part of this private
1440 agreement between the neighbors and the developer. Is that correct?

1441

1442 Mr. Whitney - Yes, that is correct.

1443

1444 Mrs. Wade - Where is the 50-foot tree save, I mean generally?
1445

1446 Mr. Whitney - As far as the green area, Ms. Dwyer, I think there is some reference to a
1447 retaining wall that may be located in there. It would be letter No. 3, I believe, in the letter to
1448 the Baldwins. There is still a lot of design to be done on that road and we don't know what's
1449 going to be left there for landscaping but it has been offered by the developer, when that is
1450 determined, what's left to be landscaped, but they will provide that on their landscape plan.
1451

1452 Ms. Dwyer - What were you saying, Mrs. Wade?
1453

1454 Mrs. Wade - I was just wondering... you referred to a 50-foot tree save area. Where
1455 is that?
1456

1457 Ms. Dwyer - That's not on the plan, that's just a letter we received from the developer
1458 making a commitment to the neighbors.
1459

1460 Mrs. Wade - Where will it be?
1461

1462 Ms. Dwyer - It will be along Lots 1, 2, 3, 4, 5 and 6, on my copy.
1463

1464 Mrs. Wade - In the rear, then.
1465

1466 Mr. Whitney - Yes. It will be in the 50-foot rear yard, it will be a tree save area.
1467

1468 Mrs. Wade - And it's identified as common area in the power easement.
1469

1470 Mr. Whitney - Commonwealth Gas and Virginia Power have easements that would be
1471 part of that common area, yes.
1472

1473 Ms. Dwyer - There are actually three common areas toward the front. I believe that's
1474 really occupied by easements, primarily, but, also, it is not large enough for a lot.
1475

1476 Mrs. Wade - And the 11 lot owners will be responsible then.
1477

1478 Ms. Dwyer - Yes. The last comment that I have, or item that I want some
1479 clarification on, is we have indicated that grading for all lots effected by the road construction,
1480 cuts and fills, will be done, and, also, that the developer will show slope grades on all lot
1481 grading plans. So, it is my understanding that for each lot that comes in, there it will have to
1482 be a grading plan produced for that lot. And that also, the County is working, as I understand
1483 from Mr. Bandura, the County is working with the developer to have a drainage and grading
1484 plan for the entire site because this has such extreme topography.

1485 Mr. Whitney - Yes. The construction plans for the road, they will show all of the cuts
1486 and fills. At that point in time, we will see what affect that will have on the lots. When they
1487 come in with building permits, then there will be individual grading plans for each lot, as a
1488 recommendation from the Department of Public Work's design engineer.

1489

1490 Ms. Dwyer - Then in addition to that, I think we are looking at a drainage plan for the
1491 entire site, as my understanding.

1492

1493 Mr. Whitney - That will be a part of the construction plans for the road construction.

1494

1495 Ms. Dwyer - And, I just mentioned that for the assurance of the neighbors who have
1496 been interested in those issues, the purpose of the drainage and grading plan for the whole site
1497 is we want to preserve as many trees as possible but we also want to make sure that the
1498 drainage is managed and handled appropriately.

1499

1500 Mr. Whitney - I think if there are any specifics on that, Mr. Koontz may be able to
1501 answer something on that. But, the ultimate aim here is to see that no lot drains water onto
1502 another lot, which could become a potential problem. I believe through the construction plan,
1503 the design engineer will be looking at that and any potential for runoff being a problem; we
1504 will address that at that time as well as the individual lot grading plans.

1505

1506 Ms. Dwyer - Thank you.

1507

1508 Mrs. Wade - Has there been any reaction from the developer, on the comment from
1509 Recreation and Parks that's on here?

1510

1511 Mr. Whitney - There was an indication that the location that Recreation & Parks put on
1512 our map was incorrect. Apparently, it's further to the west, these sites, possibly on the
1513 Gottwalds' property. And, there has been no further discussion on that for some time when
1514 that was clarified.

1515

1516 Mrs. Wade - Thank you.

1517

1518 Mr. Whitney - Are there any further questions?

1519

1520 Mr. Archer - All right. We had someone in opposition. Would you please come
1521 forward at this time?

1522

1523 Mr. Wilson - Good morning, Mr. Chairman, members of the Commission. My name
1524 is Jack Wilson. I'm an attorney with the law firm of Hunton & Williams. I'm here this
1525 morning representing Mr. and Mrs. Floyd Gottwald who are the western adjoining neighbor to
1526 this proposed subdivision. The Gottwalds, the representatives, have had some meetings with
1527 Mr. Wilton and those communications have been good and the dialogue has been forthcoming.

1528 I would also like to thank Ms. Dwyer for her interest and involvement in this case. But,
1529 nonetheless, at this point I know the Gottwalds are still opposed to this subdivision because of
1530 some of the issues that have been raised thus far this morning. We know that your discretion
1531 at this point is limited and many of these issues will be addressed during the final plat approval
1532 process but we wanted to bring these again and raise them this morning, since this is the only
1533 opportunity for a public hearing.

1534

1535 There really are four concerns that the Gottwalds have. The first is the screening and the
1536 buffering issues. As you can see on the plat, this subdivision is really, the proposed
1537 subdivision, is in between the Gottwalds' property and some extensive utility easements and
1538 the Willey Bridge. The removal of the trees that will be necessary for this subdivision as well
1539 as the drainage that will have to be included, cause some concerns on the screening issues as
1540 well as the sound buffering issues that the Gottwalds currently enjoy. The 50-foot tree save
1541 provision might go to ameliorate some of those concerns but at this point the Gottwalds still
1542 have some reservations as to whether that will be sufficient to maintain the screening and the
1543 sound buffering they currently enjoy. The second concern that the Gottwalds have deals with
1544 the drainage. As Ms. Dwyer mentioned that the topography in this area is pretty steep and it
1545 drains towards, in many cases, to the Gottwalds' property. So, they are concerned that with
1546 the development of that particular parcel, what the impact will be on their land in terms of
1547 drainage and what the characteristics of that runoff might be. So, that is an additional concern
1548 that they would want to address during the final approval process.

1549

1550 The third concern just deals with the general transportation concerns. That is a very tight,
1551 congested, little portion of River Road in the addition of this subdivision and the additional
1552 traffic that might create poses some concerns. Generally, because of the topography of this
1553 particular parcel and the grade of it, there is some concern about visibility coming out of that
1554 subdivision because of the utility of facilities that are there where the entrance to the
1555 subdivision would be. So, they have some concerns about that. And, then, the fourth concern
1556 just deals with the viability of the project. There are some concerns that the Gottwalds have
1557 that this is less than an attractive parcel and because of its proximity to these high-power
1558 facilities, as well as the Willey Bridge, that the plan of the developer, in terms of a price range
1559 and the ability to sell lots, may not be realized, and that therefore the economic viability of
1560 this project may be questioned and that also, then, to the extent that those fears come true,
1561 cause some concern for general property value in that area. Those are the four primary
1562 concerns that the Gottwalds would ask me to raise this morning and to indicate that they would
1563 then follow through as we go through the final plat approval process. Thank you very much.

1564

1565 Mr. Archer - Are there any questions of the gentleman?

1566

1567 Ms. Dwyer - I would like for the applicant to address your concerns.

1568

1569 Mr. Wilson - Okay. Thank you.

1570

1571 Mr. Koontz - Good morning, Mr. Chairman, members of the Planning Commission.
1572 My name is Greg Koontz with Koontz-Bryant. I represent the applicant. I think Mr. Wilton
1573 has worked really hard to try to resolve some of the questions that adjacent owners have had
1574 on this project. Ms. Dwyer was actually at one of those meetings where we tried to set up a
1575 meeting with all of the adjacent owners to go over these issues. Just in response to some of
1576 the ones that were brought up here this morning. The 50-foot buffer that Mr. Wilton has
1577 proposed in between these two subdivisions, it is not typical that you go buffering from
1578 residential to residential but he is willing to offer to try to maintain all of the existing trees in
1579 between these two subdivisions. The drainage issue, all the drainage on this property basically
1580 will be picked up in the road. All the road drainage will be piped all the way down and the
1581 property line between the Gottwalds and all of the adjacent property is the creek. So,
1582 basically, none of the water can really run over onto their property to do anything. It basically
1583 is going to be piped all the way down to the property line, which is a creek at the James River
1584 floodplain. So, it's not really something that can go over and bother anybody. There's all
1585 these areas over there. There is 50 to 100 foot of elevation difference because it's fairly hilly
1586 and the creek is right at the bottom, so I don't think drainage is really any kind of problem at
1587 all.

1588

1589 Ms. Dwyer - At what point will the water that's picked up along the roadway is going
1590 to be placed into the creek?

1591

1592 Mr. Koontz - It's all the way down between Lot No. 6 and Lot No. 7. It goes down
1593 that property line where the floodplain comes across, so it comes out all the way down there
1594 close to the bottom.

1595

1596 Ms. Dwyer - So there won't be any additional water hitting that point if this is going
1597 to be piped there instead of flowing there.

1598

1599 Mr. Koontz - Well, basically, what we have to meet there is we have to meet a MS19
1600 calculation. I don't think I can legitimately say that there is no more water but we have to
1601 meet the State's criteria that we have an adequate outfall at that point, and, all our preliminary
1602 indications show that that can be easily met there. It's about 60-acre drainage area that comes
1603 from all the way across River Road. It includes a lot of property that is not a part of this
1604 project. It comes down through that portion. I mean, it's a fairly defined channel going down
1605 through there.

1606

1607 The transportation issues, I mean, we realize we have to meet all of the sight distance
1608 requirements, all the ones required by the County up at the front entrance and that will just be
1609 a part of the construction plans when that gets turned in that we meet all those. We have
1610 already met with the Director of Public Works to go over the grades on the proposed roads.
1611 We have met with the Director and Chief Design Engineer, Mr. Amos. He has reviewed the
1612 preliminary plan and profile. We have a letter in our file concerning what issues they want us
1613 to address on the construction plans. So, we know what our requirements are and we have

1614 done enough preliminary engineering to feel like those can be met.

1615

1616 I think the last issue that was brought up, as far as the viability of the project. I think Mr.
1617 Wilton has enough confidence in this project that he is planning on locating his own personal
1618 residence there. I mean, at this time he is planning on building on the last lot down at the
1619 lower end of the road. I think that's something that's a part of the developers risk, that
1620 doesn't really seem to be something that should be an issue as far as get this tentative
1621 approval, really. But, I'm more than willing to answer any other questions.

1622

1623 Ms. Dwyer - In speaking with Mr. Bandura, and I think you spoke with him in the
1624 last meeting we had with the neighbors about the drainage plan for the entire site, and that's
1625 something you are working with him on, is that correct?

1626

1627 Mr. Koontz - Yes, ma'am. As far as part of the construction plans, we have to submit
1628 this (referring to his rendering). That drainage sheet is one of the sheets that is in the complete
1629 construction set. A couple of times you are talking about an overall grading plan. Basically,
1630 what we have is we will have a road design plan that shows the grading required for the road
1631 itself, but the grading for the individual lots, since these are going to be some pretty large
1632 houses, typically, these will all be done by an architect or have landscape architects involved
1633 with each house. That's why we suggested that an individual grading plan be submitted with
1634 each house because I think anything we try to do now there maybe individual trees on lots that
1635 certain people want to try to save around their house and actually build their house around
1636 certain characteristics on the lot. So, those will be submitted at the time of building permit,
1637 for the individual lots and the clearing limits on that lot will be shown on that grading plan.

1638

1639 Ms. Dwyer - Will there also be a grading plan for the entire site? The concern that I
1640 had had, certainly we want the grading plans for each individual lot, but we didn't want a lot
1641 up hill to have their grading plan and then be dumping water onto a lot below, so we should be
1642 looking at these lots as a total. The grading would be permitted on the site as a whole so that
1643 we could accomplish several things. One. Make sure that the drainage plan made sense for
1644 the entire site but also so that we can save as many trees as possible and not end up having to
1645 cut down a lot of trees in one area because of a drainage situation.

1646

1647 Mr. Koontz - The grading that we will show will be basically for the road because I
1648 don't think you can actually show a grading plan for the individual lots until you know what
1649 the house shapes are going to be and where they actually are going to be (The tape stops
1650 at this point).

1651

1652 Mr. Koontz - Mr. Whitney brought up one point. There was one swale that we did
1653 discuss at that meeting where we are providing a pipe that goes to the back of that lot.

1654

1655 Ms. Dwyer - Is that lot 9?

1656

1657 Mr. Koontz - Right. It goes between Lot 9 and Lot 10 that we would have an inlet at
1658 the rear of that particular lot and the actual grading of Lot 10, when that comes in, we are
1659 providing them where they can connect to so that they bring in that house plan and show their
1660 lot grading, they will have a place to put their drainage to protect lots 9, 8 and seven.

1661

1662 Ms. Dwyer - Thank you.

1663

1664 Mr. Archer - Are there any other questions for Mr. Koontz from the Commission?

1665 Thank you, sir.

1666

1667 Ms. Dwyer - I wonder if I could call on Mr. Eure to comment on the additional traffic
1668 and the visability coming out from the purposed subdivision road.

1669

1670 Mr. Eure - Good morning. My name is Todd Eure, the assistant traffic engineer.
1671 With respect to the sight distance at entrance point, as Mr. Koontz indicated, they are required
1672 to meet the minimum sight distance, the requirements the County has for that location based
1673 on the speed limit with River Road. It appears with the preliminary plan that they should have
1674 no problem meeting that sight distance. With respect to the additional traffic, with the 11
1675 proposed lots, the total estimated daily traffic generated by the subdivision would be about 110
1676 vehicle trips per day. That's over the course of a whole day. That's not what we consider a
1677 significant impact on overall traffic on River Road.

1678

1679 Mrs. Wade - Mr. Eure, will there be a signal light at the head of the ramp up from
1680 Parham to River Road at any time?

1681

1682 Mr. Eure - Yes, ma'am. There are plans for a signal at that location independent of
1683 this subdivision, of course. The actual signal plans have been design. I think the equipment is
1684 on order and I think what we are waiting on is some minor road improvements along River
1685 Road right through there, before that's installed. That will help traffic in that general corridor
1686 overall, significantly.

1687

1688 Mrs. Wade - Thank you.

1689

1690 Ms. Dwyer - We have had several meetings. We have walked the roadway with the
1691 neighbors and we had a meeting last week. I don't believe the Gottwalds were represented or
1692 in attendance in the most recent meeting when we had the drainage engineer discuss in detail
1693 the plans and what he would require the developer to do to insure that the drainage would not
1694 create any kind of a problem on adjacent property owners. I think that if there is concern
1695 remaining on the part of the adjacent property owners, they are welcomed to continue to have
1696 contact with the County as this subdivision proceeds and for each phase of the process they can
1697 be kept aware of that and if they have any concerns they are welcomed to express them at that
1698 time. The developer has appeared to have gone above and beyond what is required by
1699 ordinance and, again, what our task is here today is to review the subdivision plan to make

1700 sure that it complies with all of the legal requirements for subdivisions and it appears from the
1701 testimony and from staff's recommendation that it in fact does comply. The developer has
1702 gone beyond that and has agreed to reserve a 50-foot area adjacent to the property owners to
1703 the west and has agreed to preserve trees in excess of four inches in diameter along that
1704 roadway to help address some of the screening and buffering issues. He has also agreed to add
1705 landscaping in certain areas, and, again, that will be somewhat dependent on the field
1706 conditions and how the roadway is constructed and what limitations that might impose. But,
1707 he has agreed to do those two things to try to address the buffering, screening, noise issues.
1708 As Mr. Eure indicated, the transportation issues, there is adequate sight distance and the
1709 additional traffic that will be generated by the subdivision is not considered to be significant.
1710 In terms of the economic viability of the area, that's really not an issue we are permitted to
1711 consider at this point in reviewing the case. So, I would encourage the Gottwalds and other
1712 adjacent property owners to keep in touch with the County as this proceeds, the development,
1713 and express any concerns they have to the County officials and they will address them as best
1714 they can. They are aware of, particularly the drainage questions, and I believe, from speaking
1715 with Mr. Bandura, and the representations that he has made in our various meetings, they will
1716 be very careful in their review and insure that there is no excess drainage or runoff onto the
1717 adjacent property owner's property. That having been said, I move the approval of
1718 subdivision Canterbury on the James (August 1998 Plan) subject to the annotations on the
1719 plans, the standard conditions for subdivisions served by public utilities, and the additional
1720 conditions Nos. 12 through 16, with condition No. 15 being revised on our agenda to include
1721 common areas within the landscape plan.

1722

1723 Mrs. Wade - Second.

1724

1725 Mr. Archer - The motion was made by Ms. Dwyer and seconded by Mrs. Wade. All
1726 those in favor say aye...all oppose say nay. The motion passes.

1727

1728 The Planning Commission approved subdivision Canterbury on the James (August 1998 Plan),
1729 subject to the standard conditions for subdivisions served by public utilities, the annotations on
1730 the plan and the following additional conditions:

1731

1732 12. Prior to requesting recordation, the developer shall furnish a letter from Virginia Power
1733 and Commonwealth Gas stating that this proposed development does not conflict with
1734 its facilities.

1735 13. Each lot shall contain at least 25,000 square feet, exclusive of floodplain areas.

1736 14. The limits and elevation of the 100-year frequency flood shall be conspicuously noted
1737 on the plat and construction plans and labeled "Limits of 100 Year Floodplain."

1738 Dedicate floodplain as a "Variable Width Drainage & Utility Easement."

1739 15. The detailed plant list and specifications for the landscaping to be provided within the
1740 25-foot-wide planting strip easement along River Road and common areas shall be
1741 submitted to the Planning Office for review and approval prior to recordation of the
1742 plat.

1743 16. Any necessary off-site drainage easements must be obtained prior to final approval of
1744 the construction plans by the Department of Public Works.

1745

1746 **The Planning Commission Took A Break At this Time**

1747

1748 **PLAN OF DEVELOPMENT & SPECIAL EXCEPTION**

1749 **(Deferred from the October 15, 1998, Meeting)**

1750

**POD-77-98
Park West**

**Balzer & Associates, Inc. for D. O. Allen Homes Inc.:
Request for approval of a plan of development and special
exception as required by Chapter 24, Sections 24-2, 24-12, 24-13.3
and 24-106 of the Henrico County Code to construct a zero lot line
development for seniors with a private non-commercial recreation
center. The 23.21-acre site is located on the south line of Hungary
Road approximately 150 feet east of Lanver Lane on parcels 49-A-
19, 20 and part of parcel 49-A-18. County water and sewer.
(Brookland)**

1751

1752 Mr. Archer - Is there anyone in the audience in opposition to POD-77-98, Park West?

1753 We do have opposition. Thank you, sir. We will get to you in a moment. Mr. Wilhite.

1754

1755 Mr. Wilhite - This case has been deferred a few times; most recently to allow the
1756 developer to address some concerns, a list of concerns, given by the adjacent property owner.

1757 In response to that, there are four additional conditions that are recommended to be added to
1758 this case. That's being handed out to you, currently. I will note that among these conditions,

1759 No. 32, the developer has agreed to limit the hours of site development activity, not building
1760 construction, but site development. The activity hours are 7:00 a.m. to 6:00 p.m. Monday

1761 through Saturday and also would not allow any site development activities taking place on
1762 Sunday. Another concern expressed was about tree preservation for this project. They are

1763 required with plans for signatures to have a full tree protection plan available. The developer
1764 has indicated that their intent is to maximize the tree save in the buffer areas and in the

1765 common areas accept for that which is absolutely necessary for construction. The way the site
1766 is laid out and the grading necessary for the single-family lot there does not appear to be many

1767 opportunities for tree save in those areas. Staff can recommend approval of this site plan. I'd
1768 be happy to answer any additional questions you may have.

1769

1770 Mr. Archer - All right. Are there any questions of Mr. Wilhite by Commission
1771 members?

1772

1773 Mr. Zehler - Was there any opposition?

1774

1775 Mr. Archer - Yes, there was opposition. Do you have any questions, Mr. Vanarsdall?

1776

1777 Mr. Vanarsdall - No, sir.
1778
1779 Mr. Archer - Would you like to hear from the applicant, sir?
1780
1781 Mr. Vanarsdall - Yes, sir.
1782
1783 Mr. Archer - Is the applicant present?
1784
1785 Mr. Conlin - Mr. Chairman and members of the Planning Commission. I'm Andy
1786 Conlin from Williams Mullins. I know this case has been before you a few times. I will
1787 address any questions you may have or, if you like, I will wait in hear those opposition, to
1788 hear their concerns and address everything at one time.
1789
1790 Mr. Archer - Okay, Mr. Conlin. All right. Will the opposition come forward please.
1791
1792 Mr. Moore - Mr. Chairman and Planning Commission members. My name is Dan
1793 Moore. I reside at 9206 Crystalwood Lane, also known as Lot 20, Block A, Section K of
1794 West Manor Subdivision. Since the case was continued from September 22, 1998, I have
1795 received some correspondence from Mr. Conlin regarding some of the conditions that I
1796 suggested as an adjacent property owner that be placed upon this project, before it gets started
1797 for construction. Apparently there was a misprint in one number of the phone number here he
1798 had for me and we have not communicated until this morning approximately 9:00 a.m. He
1799 subsequently advised me that he had talked with Mr. Wilhite and that they felt that some of the
1800 conditions or suggested conditions could be addressed and I think Mr. Wilhite did summarize
1801 those for you. My original suggestions on this were that any trees six inches or larger in
1802 diameter be saved on the site and flagged basically. Based upon Mr. Wilhite's comments, a
1803 few moments ago, this may not be possible on the interior of the property along the buffer
1804 areas, of course, they would try to maintain as many as possible. Another concern that I had
1805 was the stockpile and the materials within 500 feet of the southern and western property lines.
1806 This is where the housing developments abuts this project. The condition that came back,
1807 basically, was that the Department of Public Works would locate these and they felt that would
1808 be appropriate. Well, not too far from my property and abutting this property now is a
1809 development going on called United Methodist Church there. And they in fact stockpiled the
1810 topsoil for the whole project within about roughly ten feet of the property line for this site
1811 here, and this creates additional loading and unloading right up near the houses. This is one of
1812 the reasons I requested that it be set back 500 feet. The hours of operation, I think are
1813 certainly reasonable and what the counter proposal was from, rather from 8:00 a.m. to 6:00
1814 p.m. They okayed 7:00 a.m. to 6:00 p.m., so certainly, that would, I think would be as
1815 reasonable as possible for development of this magnitude. The comment about a water truck
1816 to a lay dust indicated that they would basically conform to that. I think the criteria is set forth
1817 from the Department of Public Works primarily. Erosion and sediment control standards
1818 should address that.
1819

1820 Now, the question about the landscaping being installed prior to the issuance of the certificate
1821 of use and occupancy, they were apparently not in favor of that and I think it was mentioned to
1822 me that what would happen if you try to get a certificate of occupancy in February. Well, the
1823 site is going to have irrigation. Why the plantings or the greenery, evergreens, can't be put in
1824 is beyond me. I still don't understand that. No surety bonds. I would request that no surety
1825 bonds be accepted by the Director of Planning. I realize that, and it's been a standard in the
1826 past, that these types of bonds be put in place in lieu of installation of a particular item on the
1827 site. These lots are rather small and certainly are not going to contain a lot of landscaping
1828 items due to the site coverage and the zero lot line, so I still don't understand why that can't be
1829 accomplished. My last request was for a 10-foot-high masonry wall to be constructed along
1830 the southern property line. This, in fact, would buffer this site from the adjacent straight R-3
1831 zoned property. I think Mr. Conlin indicated that no they were not going to do that. So, I
1832 would ask for consideration of these seven conditions, at least two of them have been
1833 addressed I think by what Mr. Wilhite has put together this morning, but this will, in fact,
1834 give us some protection during construction and we appreciate your consideration on that.
1835 Thank you. Those are all of the questions that I have, unless there are any questions.

1836

1837 Mr. Archer - Are there any questions of Mr. Moore by Commission members? Thank
1838 you, sir. All right, Mr. Vanarsdall.

1839

1840 Mr. Vanarsdall - Do you want to address each one of those concerns we didn't
1841 take or recommend?

1842

1843 Mr. Conlin - Yes, sir, if I may. Again, I'm Andy Conlin. With respect to the.... and
1844 I think Kevin addressed the tree issue. If you know, this property was used as farm land and
1845 most of the trees are within the buffer area and we are going to save all trees within the buffer
1846 area and certainly retain as much otherwise that's not within the buffer area, which is a
1847 minimum at best. In addition, we are going to submit and required to submit a tree protection
1848 plan. To address the other issue, with respect to landscaping, the landscaping plan that we are
1849 proposing for this property, as well as irrigated and sodded lawns as heavy landscaping. This
1850 landscaping that we are talking about is in a house by house, not the buffer areas or the other
1851 landscaping along the roads, but on a house by house and our concern was if someone is
1852 closing, depending on when the closing is, the standard is that that particular landscaping may
1853 not be available that they want for that particular tree, or I know what the standard is for
1854 landscaping based on conversations with engineers is that sometimes the time of year, you just
1855 can't put in the appropriate landscaping that you want to put in. What we have put in as a
1856 condition, we have addressed that by saying that we will either install it or bond it off to
1857 guarantee that the landscaping would be installed. I think that's the practice in Henrico and
1858 that's what we are willing to abide by and agree to as a condition. I think that's reasonable to
1859 expect to not have to hold up a closing of a home or to occupy because a particular tree or
1860 other landscaping may not be available. I believe that we have addressed the issue with
1861 respect to stockpiling in the fact that we will have the location approved by the Department of
1862 Public Work for the stockpiling of the site construction material, the earth and works. They

1863 will locate the best place. They aren't sure exactly where that can go but obviously the intent
1864 is not to put it right up to the property line but to find the best place for the erosion control and
1865 to be approved by the Department of Public Works. I believe the other concerns he
1866 mentioned, the hours of construction activity. We didn't want to, as Mr. Moore suggested, to
1867 limit the hours of all construction activities from 8:00 a.m. to 6:00 p.m. because as you know
1868 at sometimes interior housework or the construction of homes would not even impact on
1869 adjacent neighbors because you obviously wouldn't hear anything inside the home necessarily,
1870 otherwise it would be controlled by the County noise ordinance. We felt that the greatest
1871 impact on existing neighborhoods would be the site construction activity which, again, we
1872 have tried to limit. That normally occurs on Sundays and otherwise would be limited from
1873 7:00 a.m. to 6:00 p.m. on the remainder of the week. And, I believe the last item he
1874 provided was the surety bonds for any required POD items will not be accepted. Again, as
1875 normal construction activity bonds are sometimes required just because of the timing of how
1876 construction works. I apologize to Mr. Moore but the number that he gave me, as he wrote
1877 down, as he said, I sent him a letter of the deferral and we tried to call him before hand to talk
1878 about the issues. I got a call yesterday, late afternoon, from someone who called me back
1879 saying I been leaving messages for Mr. Moore and Mr. Moore didn't live there. So, I
1880 apologize for that but I believe we have addressed his concerns to the extent possible of the
1881 extent reasonable. I'd be happy to address any questions or concerns you may have at this
1882 time.

1883

1884 Mr. Archer - Thank you, Mr. Conlin. Are there any questions for Mr. Conlin?

1885

1886 Mrs. Wade - Could you tell us a little bit more about the County's noise ordinance,
1887 Mr. Conlin?

1888

1889 Mr. Conlin - I've looked for that and I didn't pull that and bring that with me, but
1890 that's what I understand what the Planning Office normally is not concerned with the
1891 construction activity for residential. Kevin can find it now but this is no worse than any other
1892 construction that's going to go on. We don't feel like it's going to impact on them. I don't
1893 know how late it runs from but obviously the construction that we are going to be doing here
1894 is not going beyond dark. And, our concern is that we limit the specific hours that during the
1895 summertime we may have to go back to finish up something that is required beyond 6:00 p.m.

1896

1897 Ms. Dwyer - What is planned for the common areas shown on the plan?

1898

1899 Mr. Bender - I'm John Bender with D.O. Allen Homes. The common area that's
1900 shown at the left of the entrance as you come in, is going to be a community building and pool
1901 for the residents of the area. The remaining common area will be open space, passive use.

1902

1903 Ms. Dwyer - I see two what appear to be open space common area.

1904 Mr. Bender - Can I see your plan? I don't have a plan here to look at. You may be
1905 looking at the area where the BMP is going, but I'm not sure. Okay. This area over in here,
1906 these are wetlands and BMP. Here is the BMP and this is protected wetlands (referring to the
1907 renderings).

1908

1909 Ms. Dwyer - What's that going to look like? What are the aesthetics of that?

1910

1911 Mr. Bender - We are required by the County that the BMP be at a marsh state. This is
1912 what they require, I believe, and the wetlands will just be undisturbed-planted area. I believe
1913 within the requirements of what, Jeff can you come up here and speak to what the
1914 requirements are? I think we are limited in what we can do because plantings will dry up
1915 wetlands. Jeff, I'm I more or less correct on that?

1916

1917 Mr. Staubb - I'm Jeff Staubb from Balzer & Associates. Yes. The wetlands, there
1918 are no trees out there now that exist and they don't plan to disturb it at all. There will be
1919 plantings around the BMP to screen it but the wetlands will remain as they are, which is
1920 basically an open space marsh type which will also reflect the way the BMP will stand.

1921

1922 Ms. Dwyer - Will it be grassy and mowed or will it there be cattails growing in it?

1923

1924 Mr. Staubb - It won't be mowed, it will just be, basically, yes, a grassy marsh.

1925

1926 Mr. Bender - It will look kind of like it does now.

1927

1928 Mr. Koontz - We still do have buffer behind this area running in here, so this is our
1929 planted buffer. It will be left natural and also will be supplemented. And, then, also there
1930 will be tree planting along here in the front of the BMP for the aesthetics along the back of the
1931 lots that are going to be created interior on our project.

1932

1933 Mr. Staubb - That's a 20-foot buffer.

1934

1935 Ms. Dwyer - So, what do you expect you will be putting in the 20-foot buffer to
1936 buffer the neighborhood?

1937

1938 Mr. Koontz - Well, there are existing trees there now and we have submitted a
1939 landscaping plan and the staff has it, for supplemental shrubs and trees. I can't recall the plant
1940 types.

1941

1942 Mr. Staubb - Mostly evergreens in there.

1943

1944 Ms. Dwyer - That you will add?

1945

1946 Mr. Stub - Yes, that we will add.

1947 Ms. Dwyer - So, this is not really useable by the people who will live here, then, for
1948 recreational purposes like walking or....
1949

1950 Mr. Stub - Right.
1951

1952 Ms. Dwyer - How about this other common area, could that be used for walking or
1953 picnicking?
1954

1955 Mr. Stub - This is a wetlands area also.
1956

1957 Mr. Koontz - The common areas that are for use are over in this area here, where we
1958 have a recreational building and pool. The entire project will have sidewalks on both sides of
1959 all streets for the entire project.
1960

1961 Ms. Dwyer - Thank you.
1962

1963 Mr. Archer - Are there any other questions?
1964

1965 Mrs. Wade - Did you find the noise ordinance, Mr. Wilhite?
1966

1967 Mr. Wilhite - Yes. The noise ordinance is in Chapter 10 of the County Code, Section
1968 10-71 through 73 and it's enforced by the Police Department.
1969

1970 Mrs. Wade - Basically, what does it provides?
1971

1972 Mr. Zehler - You can't make loud noises.
1973

1974 Mr. Wilhite - It states: It shall be unlawful for any person to create any unreasonable
1975 loud disturbing and unnecessary noise in the County. Noise at such character and intensity and
1976 duration as to be detrimental to the life or health of any person or to unreasonably disturb or
1977 annoy the quite comfort or repose of any person is hereby prohibited. And, it addresses
1978 different types of noise individually horns, and signaling devices on vehicles. I was trying to
1979 look for a section that dealt with construction specifically. I don't see a specific section that
1980 deals with construction activity but it does deals with horns and signaling devices on vehicles,
1981 radios, musical instruments, noisy animals, the effect of vehicle or loads, steam whistles,
1982 noisy exhaust, creations of noise near schools, courts or hospitals, loading or unloading boxes,
1983 peddlers and hockers etc. Specifically, whether or not it deals with construction activity, I
1984 can't answer that question.
1985

1986 Mrs. Wade - Well, it starts out saying unnecessary so I suppose that would come
1987 under the necessary category.

1988 Mr. Wilhite - Once, again, the Planning Office does not enforce this section of the
1989 ordinance, it is enforced by Police.
1990
1991 Mrs. Wade - I know my neighbors have been getting up at 7:00 a.m. now for, so
1992 many of them are retired, for some weeks.
1993
1994 Mr. Wilhite - Certain noises, it specifies times between 7:00 a.m. and 12:00 midnight
1995 or 12:00 midnight to 7:00 a.m.
1996
1997 Mrs. Wade - Oh. Okay.
1998
1999 Mr. Archer - Are there any further questions of Mr. Wilhite?
2000
2001 Mrs. Wade - Thank you, Mr. Wilhite.
2002
2003 Mr. Archer - All right, Mr. Vanarsdall.
2004
2005 Mr. Vanarsdall - Mr. Moore, I apologize for having the wrong phone number and
2006 in the beginning having to delay it because of your notice that was sent to you incorrectly.
2007 The Planning staff reviewed Mr. Moore's suggestions and then the Planning staff with the
2008 developers, Mr. Conlin, had several meetings and they came up with these four, which I think
2009 is good. For the landscaping we are going to bring it back. We already have No. 9 amended
2010 on here and also the lighting. With that I will make a motion that POD-77-98, Park West, be
2011 approved with the annotations on the plan, the standard conditions for developments of this
2012 type, Nos. 9 and 11 amended and conditions Nos. 23 through 29 and then we have added the
2013 four conditions, at Mr. Moore's request, and those are conditions Nos. 30, 31, 32 and 33.
2014 So, the conditions would be from Nos. 9 and 11 amended through 33.
2015
2016 Mr. Wilhite - Thirty-four.
2017
2018 Mr. Vanarsdall - I'm sorry, 34.
2019
2020 Mrs. Wade - Did you say 34?
2021
2022 Mr. Vanarsdall - Yes. Where is No. 34?
2023
2024 Mr. Wilhite - I'm sorry, that's my fault, 33. I can't count.
2025
2026 Mr. Vanarsdall - Okay. That's my motion.
2027
2028 Mr. Zehler - Second.

2029 **Mr. Archer -** The motion was made by Mr. Vanarsdall and seconded by Mr. Zehler.
2030 **All in favor say aye...all oppose say nay. The motion passes.**

2031

2032 **The Planning Commission approved POD-77-98, Park West, subject to the standard conditions**
2033 **attached to these minutes the annotations on the plans and the following additional conditions:**

2034

2035 **9. AMENDED - A detailed landscaping plan shall be submitted to the Planning Office**
2036 **for review and Planning Commission approval prior to the issuance of any occupancy**
2037 **permits.**

2038 **11. AMENDED - Prior to the installation of the site lighting equipment, a plan including**
2039 **depictions of light spread and intensity diagrams and fixture mounting height details**
2040 **shall be submitted for Planning Office review and Planning Commission approval**

2041 **23. The subdivision plat for Park West shall be recorded before any building permits are**
2042 **issued.**

2043 **24. The developer shall provide fire hydrants as required by the Department of Public**
2044 **Utilities in its approval of the utility plans and contracts.**

2045 **25. Any necessary off-site drainage easements must be obtained in a form acceptable to the**
2046 **County Attorney prior to final approval of the construction plans by the Department of**
2047 **Public Works.**

2048 **26. Insurance Services Office (ISO) calculations must be included with the utilities plans**
2049 **and contracts and must be approved by the Department of Public Utilities prior to the**
2050 **issuance of a building permit.**

2051 **27. Approval of the construction plans by the Department of Public Works does not**
2052 **establish the curb and gutter elevations along the Henrico County maintained right-of-**
2053 **way. The elevations will be set by Henrico County.**

2054 **28. The developer shall share in the cost of any future signalization of the entrance from**
2055 **this development onto Hungary Road.**

2056 **29. An additional fire hydrant shall be located at the median island at the Sand Cedar Drive**
2057 **entrance to this development unless otherwise required by the Division of Fire or the**
2058 **Department of Public Utilities at the time of Utilities plan approval.**

2059 **30. The location of the stockpiling of site construction material shall be approved by the**
2060 **Department of Public Works.**

2061 **31. During site construction, dust control shall be maintained by use of a water truck as**
2062 **needed in accordance with Section 3.39 of the Virginia Erosion and Sediment Control**
2063 **Standards.**

2064 **32. Hours of site development activity shall be limited from 7:00 a.m. to 6:00 p.m.**
2065 **Monday through Saturday. No site development activity shall take place on Sunday.**

2066 **33. All landscaping items required for each structure shall be installed or bonded prior to**
2067 **he issuance of any Certificate of Use and Occupancy by the Building Official for that**
2068 **structure.**

2069 PLAN OF DEVELOPMENT

2070

**POD-101-98
Trampton Center-
Office/Warehouse**

Engineering Design Associates for P&T Associates: Request for approval of plan of development and transitional buffer deviation as required by Chapter 24, Sections 24-106 and 106.2 of the Henrico County Code to construct a one-story 27,104 square foot office warehouse. The 2.1 acre site is located along the east line of Trampton Road approximately 200 feet north of Audubon Drive on parcels 163-5-G-1 and 6 and part of parcels 163-A-19G and 19D. The zoning is M-1C, Light Industrial District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. (Varina)

2071

2072 **Mr. Archer -** Is there anyone in the audience in opposition to POD-101-98, Trampton
2073 **Center - Office/Warehouse? No opposition. Mr. McGarry.**

2074

2075 **Mr. McGarry -** Mr. Chairman, your approval will do two things. First a transitional
2076 **buffer deviation is going to be required for the fence material. The standard transitional buffer**
2077 **screen is normally an eight-foot masonry wall. The applicant wants an eight-foot wooden**
2078 **fence. This is the reason for the deviation request. The wooden fence would be consistent**
2079 **with what is currently existing on the eastern perimeter of the Airport Center East development**
2080 **as evidenced up there by POD-59-92 and, basically, located behind all those lots fronting**
2081 **Meroyne Drive. Staff can recommend approval of this transitional buffer deviation. The second**
2082 **thing is, under the rezoning case in 1989, there is a proffer No. 5 that says: The Planning**
2083 **Commission must approve exterior materials if they are painted fluted block or they are**
2084 **painted split block, and since that is what is proposed for this case, that needs to be apart of**
2085 **your motion. With that, staff recommends approval subject to the annotations on the plans,**
2086 **the standard conditions for developments of this type, and conditions Nos. 23 through 30. I'd**
2087 **be happy to answer any questions.**

2088

2089 **Mr. Archer -** Thank you, Mr. McGarry. Are there any questions of Mr. McGarry by
2090 **the Commission?**

2091

2092 **Mr. Zehler -** Would you repeat No. 5 again?

2093

2094 **Mr. McGarry -** Proffer No. 5, basically, doesn't permit painted fluted block or split face
2095 **block unless the Planning Commission specifically approves that at the time of plan of**
2096 **development. Since that is requested at this plan of development, they have the right to ask**
2097 **for it and the Commission would need to include that in its motion.**

2098

2099 **Mr. Zehler -** Couldn't we make that a condition?

2100

2101 **Mr. McGarry -** If you approve the plans with the architectural that you have, the

2102 architecturals are labeled painted fluted block, painted split block. By your approval, I think
2103 you are including it by reference to the plans.

2104

2105 Mr. Zehler - So we don't have to make a special motion for it?

2106

2107 Mr. McGarry - It really doesn't need a special condition, no.

2108

2109 Mr. Zehler - Have you ever seen painted split face block?

2110

2111 Mr. McGarry - Probably. I don't have any feel for it one way or the other.

2112

2113 Ms. Dwyer - Why would it be painted, normally split face is (unintelligible).

2114

2115 Mr. Zehler - I talked to the engineer yesterday and his response was when they mix
2116 the mortar they put the color in it, it bleeds onto the block. That was his response. Especially
2117 in the cold wintertime, which we are coming on now. They have to add something to the
2118 mortar so that it won't freeze and it will bleed onto this split face block. That's why they
2119 won't paint it, but the applicant is here and we can get her to respond to that.

2120

2121 Mr. Archer - Okay. We will hear from the applicant. Are there any more questions

2122 of Mr. McGarry?

2123

2124 Ms. Isaac - I'm Lorraine Isaac, Engineering Design Associates.

2125

2126 Mr. Archer - Good morning, Ms. Isaac.

2127

2128 Ms. Isaac - Good morning.

2129

2130 Mr. Zehler - In response to the painted split block....

2131

2132 Ms. Isaac - There is a bleeding problem and the paint, of course, covers any
2133 bleeding from the mortar. This material is also consistent with what is being done on N & W,
2134 which is adjacent to this property.

2135

2136 Ms. Dwyer - Explain this bleeding problem, if you could.

2137

2138 Ms. Isaac - I can't give you any details on it, other than there is a bleeding problem.

2139

2140 Ms. Dwyer - So, what color is the mortar?

2141

2142 Ms. Isaac - I'm not sure what color the mortar is proposed. The building is to be
2143 painted in, I believe, two shades of gray to blend with N & W, which is adjacent to the site.

2144

2145 Ms. Dwyer - I just wonder why we would paint the split block because usually that
2146 looks better unpainted, you don't have to worry about peeling it in the future.
2147

2148 Ms. Isaac - In this case, it is more a more expensive process to paint it, but it's a
2149 preventative measure.
2150

2151 Ms. Dwyer - Could you use a darker color split face block?
2152

2153 Mr. Zehler - See, that's where I understand the problem is. My understanding is I
2154 believe they mix a chlorine or something in the mortar in the wintertime to keep it from
2155 freezing. The darker the color the more noticeable it is when it bleeds.
2156

2157 Ms. Dwyer - Do you think it might be the reason they use a lighter color?
2158

2159 Mr. Zehler - I don't believe there's that many options in color you can get in split
2160 face.
2161

2162 Ms. Dwyer - Wouldn't it bleed on the paint?
2163

2164 Ms. Isaac - The paint would seal it.
2165

2166 Mr. Zehler - The paint seals it so it won't bleed. I had a long discussion with Mr.
2167 Nelson yesterday.
2168

2169 Mrs. Wade - I've heard people talking about painting it but I often wondered why
2170 (unintelligible).
2171

2172 Mr. Zehler - I have a similar case, and I think I'm correct when I say, when they do
2173 color split face one of the ways they do is to mix the color in at the time the blocks are formed
2174 or leave them neutral, which is great, and this option would be the opposite of that and that
2175 would be to paint it after the process.
2176

2177 Ms. Dwyer - But, if you mix the color in while the blocks are being formed then you
2178 would never have to think about the paint peeling, fading, or becoming unsightly.
2179

2180 Mr. Archer - But, I think this is where the bleeding comes in, I suppose.
2181

2182 Ms. Dwyer - And we are not being given very much information about the bleeding
2183 process.
2184

2185 Mr. Zehler - It bleeds white. I understand it's the chlorine they mix in the mortar to
2186 keep it from freezing in the wintertime.
2187

2188 Ms. Dwyer - Well, can't they use white split face then?
2189

2190 Mr. Archer - So, it's a wintertime problem.
2191

2192 Mr. Zehler - Gray is the color they want because N & W Salvage, which is already
2193 existing, they want to try in blend in with them and the rest of the neighborhood. That is their
2194 purpose.
2195

2196 Ms. Isaac - The unpainted block also absorbs moisture and there is a leaching
2197 problem with it and by painting it you can create a barrier from that absorption into the
2198 structure itself.
2199

2200 Mrs. Wade - It isn't going to be highly visible back here anyway.
2201

2202 Mr. Zehler - That was another consideration I had. It's pretty much in the compound
2203 of an existing industrial park. I did have one question though. I have concerns about, there is
2204 a gap in-between our fencing, which there is another parcel in-between where the fence stops
2205 off at the end of Meroyne Drive there that we did with N & W Salvage. I really don't have a
2206 problem with this parcel being fenced, but I have a problem if its going to be gapped. Now,
2207 are we going to continue the existing fence from another parcel, which I understand the
2208 property owner is here today?
2209

2210 Ms. Isaac - Yes.
2211

2212 Mr. Zehler - And, who would also agree. I just want to get you on record to agree to
2213 continue that fence all the way through the back of that project that backs up to the R-3.
2214

2215 Ms. Isaac - Yes. I've got some pictures for the other Planning Commission
2216 members. I know you are familiar with the fence, they may not be. The existing fence, there
2217 is a portion of it that's ten feet tall and it's parallel to Meroyne, and I believe it's Drive. When
2218 N & W Salvage came in, and I believe some of you were on the Commission then, Mr. Moyer
2219 wanted a fence and so an eight-foot section was built between N & W and Mr. Moyer's
2220 property where it makes a turn back towards Meroyne. Mr. Brooks (parlict?) the developer of
2221 this project is proposing that this fence be extended in lieu of a wall and it would be consistent
2222 with the other developments in Airport Center East. He has agreed to extend the fence from
2223 where it stops now between N & W Salvage and Mr. Moyer's property along the back of N &
2224 W Salvage and along his property.
2225

2226 Mr. Zehler - Is this the fence we are seeing in the pictures?
2227

2228 Ms. Isaac - Part of what you are seeing in the pictures is part of the ten-foot section
2229 and I think there is one of the eight-foot section. We would be continuing the same fence at
2230 the eight foot height along the entire boundary between the residential to south of the property.

2231

2232 Mr. Zehler - And it would, basically, be the same style that we see in the pictures?

2233

2234 Ms. Isaac - And we would have continuity in that you would have the same type
2235 of... I mean, it will be newer but it's the same fence that is existing and was approved with the
2236 original rezoning for Airport Center East.

2237

2238 Mr. Zehler - I have no other questions, Mr. Chairman.

2239

2240 Mr. Archer - All right. Are there any other questions of Ms. Isaac by any of the other
2241 Commission members?

2242

2243 Mr. Zehler - Mr. Chairman, I move approval of POD-101-98, Trampton Center -
2244 Office/Warehouse. I move for the POD and the transitional buffer deviation along with the
2245 standard conditions for developments of this type, and the additional conditions Nos. 23
2246 through 30, which will also include the painting of the fluted block and split face block.

2247

2248 Mrs. Wade - Second.

2249

2250 Mr. Archer - The motion was made by Mr. Zehler and seconded by Mrs. Wade. All
2251 in favor say aye...all oppose say nay. The motion passes.

2252

2253 The Planning Commission approved POD-101-98, Trampton Center - Office/Warehouse,
2254 subject to the standard conditions attached to these minutes, the annotations on the plans, the
2255 transitional buffer deviation, and the following additional conditions:

2256

2257 23. The developer shall provide fire hydrants as required by the Department of Public
2258 Utilities in its approval of the utility plans and contracts.

2259 24. Any necessary off-site drainage easements must be obtained in a form acceptable to the
2260 County Attorney prior to final approval of the construction plans by the Department of
2261 Public Works.

2262 25. Deviations from County standards for pavement, curb or curb and gutter design shall
2263 be approved by the County Engineer prior to final approval of the construction plans by
2264 the Department of Public Works.

2265 26. Insurance Services Office (ISO) calculations must be included with the utilities plans
2266 and contracts and must be approved by the Department of Public Utilities prior to the
2267 issuance of a building permit.

2268 27. Approval of the construction plans by the Department of Public Works does not
2269 establish the curb and gutter elevations along the Virginia Department of Transportation
2270 maintained right-of-way. The elevations will be set by the contractor and approved by
2271 the Virginia Department of Transportation.

2272 28. The easements for drainage and utilities as shown on approved plans shall be granted to
2273 the County in a form acceptable to the County Attorney prior to any occupancy permits

2274 being issued.
2275 29. The certification of building permits, occupancy permits and change of occupancy
2276 permits for individual units shall be based on the number of parking spaces required for
2277 the proposed uses and the amount of parking available according to approved plans.
2278 30. Prior of issuance of a building permit, the developer must furnish a letter from Virginia
2279 Power stating that this proposed development does not conflict with their facilities.

2280

2281 **LANDSCAPE & LIGHTING PLAN (Deferred from the September 22, 1998, Meeting)**

2282

**LP/POD-111-97
Tuckaway Child
Care II**

Balzer & Associates: Request for approval of a landscape and lighting plan as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 3.55-acre site is located on Barony Crescent Drive approximately 400 feet West of Church Road on parcel 57-A-74N. The zoning is O-2C, Office District (Conditional). (Three Chopt)

2283

2284 Mr. Archer - Is there any one in the audience in opposition to LP/POD-111-97,
2285 Tuckaway Child Care II, landscape and lighting plan? We do have opposition. We will get to
2286 you in a moment, sir. Mr. Strauss.

2287

2288 Mr. Strauss - Thank you, Mr. Chairman. Staff received a revised landscape and
2289 lighting plan for this project last Wednesday, which was prepared after a meeting with the
2290 homeowners of Barony Woods Subdivision. The landscape architect, the Planning
2291 Commissioner, and myself met with the neighbors and we arrived at a landscape plan that I
2292 feel has resolved most of the issues the neighbors had. We had some opposition this morning,
2293 Mr. Sexton was here. He lives at 1112 on Woodburn Court. I believe we were successful on
2294 working a deal out in the hallway here which will result in an additional annotation for the
2295 landscape plan. Basically, the issue was the 10-foot transitional buffer required at the southern
2296 property line of this project. Neighbors had over the years planted their own planting and in
2297 some cases planting occurred on the Tuckaway Day Care site. The day care owner wanted to
2298 provide a fence for pedestrian traffic control. He wanted to put it as close to the property line.
2299 The issue was working out a location where the fence and the landscape planting (that the
2300 ordinance requires) in a way that made the neighbors happy, and made the owner happy. The
2301 issues have been resolved with the placement of a six-foot board on board fence, which I
2302 might add is not required by the ordinance. This is something that the homeowners wanted
2303 and the owner was amenable to providing. The fence will be located between four and ten feet
2304 from the property line and would preserve the existing landscaping that's there. In addition,
2305 there are supplemental plantings which have been worked out by the landscape architect and
2306 the neighbors on a per lot basis across the property line. That, basically, is the strategy for
2307 resolving the issues. The neighbors are in agreement. I understand Mr. Sexton is in
2308 agreement provided that the planting at the rear of Lot, well, actually street address 1112;
2309 would consist of evergreen shrubs that are a minimum of four to five feet in height with a
2310 three and a half foot on-center spacing. If I missed that, I'll ask Jennifer or Mr. Sexton to

2311 correct me on that. I believe I have it correct. That would be an additional annotation for the
2312 landscape plan. The lighting plan, basically, provides for concealed source fixtures. They are
2313 limited by the rezoning case proffer No. 6 to a 20-foot maximum height. They are 400-watt
2314 super metal halide. We also have two wall packs which are 100 watt. They are metal halide.
2315 There are only two at the front of the building. I've added the annotation to the lighting plan
2316 that they be shielded, based on problems we have had in the past, with Barony Village and
2317 unshielded wall packs. So, based on these additional annotations, staff can recommend
2318 approval of the landscape and lighting plan and I'll be happy to answer any questions you may
2319 have. Jennifer Ellis is here from Balzer. She is the landscape architect. She can answer
2320 questions as well. And, I believe, if Mr. Sexton is happy with this latest annotation, he may
2321 not need to speak at all. Thank you.

2322

2323 Mr. Archer - Thank you, Mr. Strauss. Are there any questions of Mr. Strauss by
2324 Commission members?

2325

2326 Mrs. Wade - Now, did they get it worked out at the ends because I know the people at
2327 the top and the bottom of the street had different needs?

2328

2329 Mr. Strauss - My recollection on that evening that if the fence was all one type they
2330 would be satisfied and that is what I believe we have now at this juncture.

2331

2332 Mrs. Wade - Most of this problem came about because the site, Barony, was scalped
2333 of virtually of all of its trees every where. It was completely wooded and then they took
2334 everything down. Fortunately, the neighbors who live on the cul-de-sac back there have done
2335 a lot of planting on their own, inside their own yards, and so they have a good start on the
2336 screen that the fence would help protect them.

2337

2338 Mr. Strauss - Is that a question?

2339

2340 Mrs. Wade - No.

2341

2342 Mr. Strauss - Do we need to hear from Mr. Sexton?

2343

2344 Mr. Archer - Mr. Sexton, is that a negative nod?

2345

2346 Mr. Sexton - I'm fine.

2347

2348 Mr. Archer - All right. Thank you.

2349

2350 Mrs. Wade - Good. Does the applicant have any additional comments?

2351

2352 Ms. Ellis - I'm Jennifer Ellis from Balzer, the landscape architect, and we are okay
2353 with all of the annotated changes.

2354

2355 Mrs. Wade - It says approximately four feet to ten feet off of the property line, are
2356 you working with the neighbors on that?

2357

2358 Ms. Ellis - The fence is being constructed and it wavered a little off of the four feet
2359 and that's part of our discussions. Whether that has to be changed on the plan, the neighbors
2360 are okay with the fence location.

2361

2362 Mrs. Wade - Where it is now? Of course, there is a certain risk involved with putting
2363 the fence up before the plan is approved.

2364

2365 Ms. Ellis - Right.

2366

2367 Mrs. Wade - I know they have had a lot of discussion and input from the neighbors so
2368 I think their wishes were fairly clear. I think that's all. Thank you. I know Mr. Sexton has
2369 been following this carefully, and if he is satisfied then it must be fine. Thank you.

2370

2371 Mr. Archer - All right, Mrs. Wade.

2372

2373 Mrs. Wade - I move that the landscape and lighting plan for LP/POD-111-97,
2374 Tuckaway Child Care II, be approved subject to the revised plan, which we just received, all
2375 the annotations on that, which I think includes everything we to know. The lights will be
2376 shielded so there won't be spillover into the residential area. So, I move that it be approved
2377 with the standard conditions.

2378

2379 Mr. Zehler - Second.

2380

2381 Mr. Archer - The motion was made by Mrs. Wade and seconded by Mr. Zehler. All
2382 in favor say aye...all oppose say nay. The motion passes.

2383

2384 The Planning Commission approved the landscape and lighting plan for LP/POD-111-97,
2385 Tuckaway Child Care II, subject to the standard conditions for landscape and lighting plans
2386 and the annotations on the plans.

2387

2388 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

2389

POD-103-98

**Eckerd Drug Store--
Staples Mill Road and
Hungary Road**

**Clough, Harbour, and Associates, LLP. for The Board of
American Missions of the Lutheran Church in America and
Freestate Construction: Request for approval of plan of
development and lighting plan as required by Chapter 24, Section
24-106 of the Henrico County Code to construct a 11,200,
12,363 square foot retail drug store with a drive-thru window.**

The 4.2 acre site is located on the southeast corner of Staples Mill Road (U. S. Route 33) and Hungary Road, on parcel 50-5-F-52. The zoning is B-2C, Business District (Conditional). County water and sewer. (Brookland)

2390

2391 Mr. Archer - Is there anyone in the audience in opposition to POD-103-98, Eckerd
2392 Drug Store - Staples Mill Road and Hungary Road? No opposition. Mr. Wilhite.

2393

2394 Mr. Wilhite - Mr. Chairman, there is an aerial photo that appears on your screen for
2395 this site. In addition, you are being handed out a revised site plan and staff has a few
2396 comments to make on that. First of all, the building size is increasing from 11,200 as shown
2397 on your caption to 12,363. This includes a mezzanine area within the building itself. The
2398 revised site plan, due to the way the proffers are written, there is a need for a proposed
2399 sanitary sewer extension to run along, adjacent to the right-of-way of Hungary Spring Road
2400 along the eastern boundary of this project. Normally, we would see this put within the street
2401 pavement, however, there is a recently completed widening of this road and in order for us not
2402 to come in there and have to rip out the pavement that has just been put down, would mean the
2403 need for the sanitary sewer to run within the buffer areas of the proffer, which can be done,
2404 and if specifically approved by the Planning Commission. This would be an easement line of a
2405 width of the maximum 20 feet maybe 15 feet. That does require specific approval. Also, due
2406 to proffers, the methods of screening the trash dumpster and also the HVAC equipment have
2407 to be specifically approved by the Planning Commission. Staff has not seen those details until
2408 this morning. The applicant has brought them with him to the meeting. He will need to show
2409 those to you.

2410

2411 Also, the lighting plan that was submitted for approval, staff had asked for some additional
2412 information that has not been provided and therefore, as an agreement between staff and the
2413 applicant, they are pulling that request off and it will be up to the Planning Commission to
2414 allow staff to do it administratively or have it come back before you separately. Staff can
2415 recommend approval of the revised site plans per the annotations.

2416

2417 Mr. Vanarsdall - Mr. Wilhite, why was the building increased in square footage?

2418

2419 Mr. Wilhite - There was a mezzanine area within the building that was not calculated
2420 into the square footage, and we didn't find that until the staff/developers meeting and with that
2421 calculation it comes to 12,363. The footprint of the building is not changing.

2422

2423 Mr. Vanarsdall - Well, this is not in any kind of violation from the zoning to increase the
2424 building because the zoning was 11,200 square foot building?

2425

2426 Mr. Wilhite - I'm not aware of any proffer requirement for that.

2427 Mr. Vanarsdall - Well, all I'm saying is, this is not the plan submitted when we rezoned
2428 the property two buildings were going to be on the property, one was 7,500 square feet and
2429 one was going to be 11,200 square feet. Now, they have come back with 12,363, I mean if
2430 that doesn't hurt the site or anything it doesn't matter to me as a Commissioner.

2431

2432 Mr. Wilhite - I would have to refer back to the proffers, just to double check, to make
2433 sure there was no violation to the proffered conditions.

2434

2435 Mr. Vanarsdall - I don't think it was on the proffer as....

2436

2437 Mr. Wilhite - There was a conceptual site plan and this particular area fits the
2438 conceptual site plan. I don't require square footage being specifically limited.

2439

2440 Mr. Vanarsdall - That might be something you may want to look at and if there isn't a
2441 problem then that's okay.

2442

2443 Mrs. Wade - But, there is another building to go on here, isn't it?

2444

2445 Mr. Vanarsdall - Yes.

2446

2447 Mr. Wilhite - There are plans for a future building. However, they do show a BMP
2448 on the site.

2449

2450 Mr. Vanarsdall - The future building, was it 7,500 square foot building?

2451

2452 Mr. Wilhite - There were two buildings. The conceptual plan is in the zoning case,
2453 which I do not have here. We will double check the proffers to make sure there are no proffer
2454 violations here.

2455

2456 Mr. Vanarsdall - So, in other words, we are not running into any problems by increasing
2457 the square footage?

2458

2459 Mr. Wilhite - In my review I did not catch a problem but I will be happy to double
2460 check this to make sure.

2461

2462 Mr. Vanarsdall - All right. Thank you.

2463

2464 Mr. Zehler - Kevin, on the 30-foot landscape buffer, is that to be natural in state? I
2465 see that you have a large trees on this site. Are we going to preserve any of these trees?

2466

2467 Mr. Wilhite - Which one is that?

2468

2469 Mr. Zehler - It looks almost like a ring around the property. It's got a 30-foot

2470 landscape buffer.

2471

2472 Mr. Wilhite - On landscape buffer C?

2473

2474 Mr. Zehler - Yes. Well, actually, you can almost draw a ring around the property.

2475 Is that going to be natural in state with the existing trees or is that to be planted?

2476

2477 Ms. Dwyer - Well, buffer "D" is designated as a natural buffer.

2478

2479 Mrs. Wade - So, is "A."

2480

2481 Ms. Dwyer - And "B" is just landscaping and "C" looks like landscape.

2482

2483 Mr. Wilhite - It is labeled as a landscape buffer. I don't believe there is any removal
2484 of trees shown in that area, other than for the drive itself.

2485

2486 Mrs. Wade - "C" is on Staples Mill, right?

2487

2488 Mr. Zehler - I would just hate to see them clear cut that site because based on the
2489 picture that we are looking at there as some nice trees in there.

2490

2491 Mr. Wilhite - We had annotated the plan to make sure they maximize the tree save on
2492 the site. There is a large amount of right-of-way from the property line to the street for future
2493 widening. We have also said to maintain as much landscaping within that buffer area and as
2494 much existing vegetation within that buffer area as possible.

2495

2496 Mr. Zehler - We just see so many sites like this and then they go in there and clear it.
2497 Everything is gone, and they plant it back, but there are a lot of existing trees that could
2498 remain on the site.

2499

2500 Ms. Dwyer - Natural buffer "A" in its entirety is going to remain treed?

2501

2502 Mr. Wilhite - Natural buffer "A" would remain treed except there is a request to run
2503 that sanitary sewer easement adjacent to the right-of-way. We did that because it appears that
2504 some vegetation was already removed with the widening of Hungary Springs Road in that
2505 area, and that location would minimize any additional vegetation being removed.

2506

2507 Ms. Dwyer - Is buffer "A" so large because the BMP is in there?

2508

2509 Mr. Wilhite - There are some wetlands shown in there but the original conceptual plan
2510 also showed this area as remaining as a buffer.

2511 Mrs. Wade - I think some of this is because this was a sensitive site here, and I'm
2512 sure there was neighborhood involvement in the zoning case, and I imagine ample buffers
2513 were provided. Ernie could better tell us about that. This site has been up before for business
2514 and not been approved.

2515

2516 Ms. Dwyer - It's a little different from the CVS we saw over off Lauderdale, in terms
2517 of buffers.

2518

2519 Mrs. Wade - Well, yes, a little difference circumstances.

2520

2521 Mr. Archer - All right. Are there any further questions? We didn't have opposition,
2522 did we?

2523

2524 Mr. Vanarsdall - No.

2525

2526 Mr. Archer - Mr. Vanarsdall, do you need to hear from the applicant?

2527

2528 Mr. Vanarsdall - I don't need to hear from the applicant, unless he has something to add.

2529

2530 Mr. Barlow - Good morning, everybody. My name is Dave Barlow from Clough,
2531 Harbour & Associates. I do have the revised architectural elevation with me that shows the
2532 HVAC equipment, which I know the Commission would be interested in seeing.

2533

2534 Mr. Archer - Thank you, sir. Are there any questions?

2535

2536 Mr. Barlow - I don't know how well it's coming out on your screen, but you can see
2537 the various elevations on the building, and the architect has highlighted in dotted lines where
2538 the HVAC equipment would fall, based on the layout of the building. You are not seeing this
2539 as a line of sight, this is if you are looking just at it. So, in reality, if someone is six feet high
2540 looking up at the building they are really not going to see piece of the HVAC equipment.
2541 According to this, really the only spot you will see the equipment, if you were standing at eye
2542 level with the parapet, is on the front elevation. You will see a little box that stands next to
2543 that piece that says Eckered, that would stick about a foot and a half on top. But, again, as I
2544 said it's not a line of sight view and we have talked to Kevin and we can provide a line of
2545 sight review per staff's input.

2546

2547 Mr. Archer - All right. Thank you, sir. Are there any questions?

2548

2549 Mr. Vanarsdall - I don't have any.

2550

2551 Mr. Archer - Thank you, sir.

2552

2553 Mr. Barlow - Okay.

2554 Mr. Archer - All right, Mr. Vanarsdall.
2555
2556 Mr. Vanarsdall - I move POD-103-98, Eckerd Drug Store - Staples Mill Road and
2557 Hungary Road, be approved with the standard conditions for developments of this type, the
2558 annotations on the plans, this will not include the lighting plan, however. We will bring the
2559 lighting plan back. Number 9 amended, number 11 amended and Nos. 23 through 34.
2560
2561 Ms. Dwyer - Second.
2562
2563 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Ms. Dwyer.
2564 All in favor say aye...all oppose say nay. The motion passes.
2565
2566 The Planning Commission approved POD-103-98, Eckerd Drug Store - Staples Mill Road and
2567 Hungary Road, subject to the standard conditions attached to these minutes, the annotations on
2568 the plan, and the following additional conditions:
2569
2570 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Planning Office
2571 for review and Planning Commission approval prior to the issuance of any occupancy
2572 permits.
2573 11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including d
2574 depictions of light spread and intensity diagrams and fixture mounting heights details
2575 shall be submitted for Planning Office review and Planning Commission approval.
2576 23. The right-of-way for widening of Hungary Road as shown on approved plans shall be
2577 dedicated to the County prior to any occupancy permits being issued. The right-of-way
2578 dedication plat and any other required information shall be submitted to the County
2579 Real Property Agent at least 60 days prior to requesting occupancy permits.
2580 24. The easements for drainage and utilities as shown on approved plans shall be granted to
2581 the County in a form acceptable to the County Attorney prior to any occupancy permits
2582 being issued.
2583 25. The entrances and drainage facilities on Staples Mill Road (U.S. Route 33) shall be
2584 approved by the Virginia Department of Transportation and the County.
2585 26. A notice of completion form, certifying that the requirements of the Virginia
2586 Department of Transportation entrances permit have been completed, shall be submitted
2587 to the Planning Office prior to any occupancy permits being issued.
2588 27. The developer shall provide fire hydrants as required by the Department of Public
2589 Utilities in its approval of the utility plans and contracts.
2590 28. Any necessary off-site drainage easements must be obtained in a form acceptable to the
2591 County Attorney prior to final approval of the construction plans by the Department of
2592 Public Works.
2593 29. Deviations from County standards for pavement, curb or curb and gutter design shall
2594 be approved by the County Engineer prior to final approval of the construction plans by
2595 the Department of Public Works.
2596 30. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b)

- 2597 of the Henrico County Code.
- 2598 31. In the event of any traffic backup which blocks the public right-of-way as a result of
2599 congestion caused by the drive-up (teller/delivery) facilities, the owner/occupant shall
2600 close the drive-up (teller/delivery) facilities until a solution can be designed to prevent
2601 traffic backup.
- 2602 32. Insurance Services Office (ISO) calculations must be included with the utilities plans
2603 and contracts and must be approved by the Department of Public Utilities prior to the
2604 issuance of a building permit.
- 2605 33. Approval of the construction plans by the Department of Public Works does not
2606 establish the curb and gutter elevations along the Henrico County maintained right-of-
2607 way. The elevations will be set by Henrico County.
- 2608 34. Approval of the construction plans by the Department of Public Works does not
2609 establish the curb and gutter elevations along the Virginia Department of Transportation
2610 maintained right-of-way. The elevations will be set by the contractor and approved by
2611 the Virginia Department of Transportation.

2612

2613 Mr. Archer - Just before we do this last case, the Secretary has asked that we take a
2614 moment to review the, what we are able to do with the GIS System. Mr. Secretary, I'll let
2615 you handle this.

2616

2617 Mr. Marles - Thanks a lot, Mr. Chairman, I appreciate your indulgence. Since this is
2618 the last case that we actually have with GIS information, I was going to ask staff to just
2619 demonstrate a few of the capabilities of this new GIS system. Al, so if you would just take a
2620 few minutes and just briefly run through those.

2621

2622 Mr. Frauenfelder - Thank you, John. My name is Al Frauenfelder, the County's GIS
2623 coordinator and I just want to take a couple of minutes to show you some of the functions that
2624 we will have in the future with the GIS system. The reason why we are only seeing two cases
2625 today is because we only have a limited area in the County that has been covered with the GIS
2626 system. We do have some fairly powerful capabilities. This aerial photo that you have in
2627 here, we will have for the entire County. So, we will be able to see any area in the County
2628 the same way. I'll be able to pan the image around and the image will redisplay and I can also
2629 zoom in closer and you can see the retail on the screen. You can see a lot of markings on the
2630 road. You will be able to see individual manholes, etc. Another important capability is that
2631 we will be able to make measurements. I can take this tool here and measure the distance
2632 between this median here and this median here (referring to picture on the screen). If you
2633 look in the bottom left corner of the screen, you will see that the length is shown in there as
2634 being 87. As I move the cursor you can see that the size actually changes. We can also
2635 measure areas. We can select this tool here, and if I wanted to measure the area of this triangle
2636 here, if I get a little closer to the triangle I'd be able to measure the area of that triangle by
2637 simply clicking on it and as I go along you can see, again, at the bottom left corner of the
2638 screen, it recalculates the area for that triangle. In this particular case, the triangle is about
2639 1000 square feet. So, again, I can zoom in and zoom out, turn the image around and take a

2640 look at different alternatives. From the picture here you can actually see individual trees.
2641 This photograph was taken in February so the trees that still have the leaves on them are
2642 evergreens and there are some deciduous trees that have drop its leaves.

2643

2644 Besides the photography, we have developed a series of layers of aerial photographs, or data
2645 from the aerial photographs. Those layers include the delineation of trees so whenever we have
2646 a tree area we can delineate it. Beyond that, we can calculate the area. For example, if I click
2647 on the area of the case we are looking at it will give me the area in square feet. So, in this
2648 particular area for trees, it's about 176,000 square feet of tree cover. We can also put the
2649 transportation layers in here. Another important layer is the topography and this is actually
2650 two feet contours. Let me turn this image off. Okay. What I have done is took the image
2651 from underneath, and you can see some of the map data, and you can see the contour lines in
2652 there, those are two foot contours for the entire County, showing the elevation for the entire
2653 County. Let me turn that off. We can look at parking areas. And, again, we can calculate
2654 the square footage of any parking area by just clicking on it and that particular parking area is
2655 37,531 square feet. I can turn hydrographic, in this particular case it's our streams that are
2656 shown in blue and it can also show bodies of water like ponds and creeks and lakes and so on,
2657 and individual driveways, individual driveways to individual properties and finally, building
2658 outlines. So, we can zoom in into a particular area and now you can see.... Here you will see
2659 an aerial photograph displaying and then on top of the aerial photograph we will see all of the
2660 layers I just clicked on. That's how they overlay. So, again, we can calculate square footage
2661 for a particular building by simply clicking on it. This particular building I click on is 1,800
2662 square feet. Now, that's the footprint of it. If it is a two-story building it will be twice that
2663 square footage but we see there is the actual footprint of the building and we can make the
2664 same calculations for the driveway, 1,396 square feet of the driveway.

2665

2666 So, as you can see, we will have very powerful capabilities. I just overlaid the topography so
2667 that you can get a sense of the level of detail and the level of accuracy that we have. And, of
2668 course, not only do we have the air photography, but the information itself that makes up each
2669 one of these features I just described here. If you have any questions, I'd be glad to answer.

2670

2671 Mr. Zehler - Can you go back to the original screen, when you first started.

2672

2673 Mr. Frauenfelder - Yes, sir.

2674

2675 Mr. Zehler - Can you tell me how many trees are on that parcel?

2676

2677 Mr. Frauenfelder - If I had the time, I could sit down here and count them. As you will
2678 remember, in February we had at times where there were some floods. We had a lot of rain in
2679 February of this year. So, these photographs were taken in-between flood events and this just
2680 happened to be a very bright sunny day, a good day for aerial photos.

2681

2682 Mr. Marlles - Thank you, Al.

2683

2684 Mr. Vanarsdall - Very good.

2685

2686 Mr. Archer - All right, Mr. Secretary, I believe we have one more case.

2687

2688 **LANDSCAPE & LIGHTING PLAN**

2689

LP/POD-7-98

Stillman Office Building (POD-96-96 Revised)

Shipp and Wilson, Inc. for Duma and Associates: Request for approval of a landscape and lighting plan as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 1.4-acre site is located at the northwest corner of Mayland Drive and Stillman Parkway on part of parcel 48-A-70G. The zoning is M-1C, Light Industrial District (Conditional). (Three Chopt)

2690

2691 Mr. Vanarsdall - This morning when this came us we had opposition.

2692

2693 Mr. Archer - Yes. This was removed from the Expedited Agenda.

2694

2695 Mrs. Wade - The opposition had to leave. I think they have worked it out here. Let's give Ms. News an opportunity to speak.

2697

2698 Mr. Archer- Is there any opposition? No opposition. Ms. News.

2699

2700 Ms. News - Existing trees shown to remain on the approved POD along Mayland Drive, in the 20-foot proffered landscape buffer, have been removed during the clearing of this site. The applicant has proposed plantings meeting the requirements of the 25-foot transitional buffer along Mayland to replace these trees and is providing shrubs to supplement the existing trees remaining in the required transitional buffer along Stillman Parkway. The applicant has agreed to increase the size of the shade trees along Mayland to 3 1/2 inch caliper and substitute three oaks for the honey locusts to also compensate for the unauthorized clearing. A narrow planting strip at the base of the building, facing Mayland, is proposed to be removed by the applicant due to a lack of appropriate width for planting material. The applicant has suggested that perhaps planters with upright plant material may be a better solution, and has indicated that four planters could be provided along this building face. The light poles proposed meet the proper heights and a condition has been added in the addendum to address the proffer requirement for reduction to security lighting levels. Staff recommends approval of this plan.

2713

2714 Mr. Archer - All right. Are there any questions of Ms. News?

2715

2716 Mrs. Wade - Do we have an additional something about security lighting or it was just mentioned?

2718

2719 Ms. News - Yes. There is a condition on your addendum, which was left off of the
2720 first agenda, that covers reduction of the lighting to security levels at the close of business.
2721

2722 Ms. Dwyer - Where was the unauthorized clearing?
2723

2724 Ms. News - There was a 20-foot proffered landscape strip along Mayland Drive and
2725 the approved POD showed existing trees to remain in that strip, but they were cleared.
2726

2727 Mrs. Wade - So, we are satisfied now, Ms. News.
2728

2729 Ms. News - The opposition that was voiced this morning, we talked with them during
2730 the break and her request was to increase the size of the trees along Mayland and to change
2731 some of the species to incorporate some oaks, which the applicant has agreed to do.
2732

2733 Mrs. Wade - Who was representing the townhouses of Pemberton Green, which you
2734 know has been following this area of Mayland very carefully. Did Ms. Kelly want to....
2735

2736 Ms. Kelly - (Unintelligible, she was not at the mike and wasn't picked up clearly on
2737 the recorder)
2738

2739 Mrs. Wade - And everything is okay. Ms. Kelly, with Shipp and Wilson indicates
2740 that they are in agreement with the proposal. So, I would move that the landscape and lighting
2741 plan for.... Do they have any wall packs in here?
2742

2743 Ms. News - They do have wall mounted fixtures, one on each side of the building. It
2744 is a shoebox type fixture, cut off, it's a completely metal opaque fixture. It looks like there is
2745 one at each door around the building, 175 watts.
2746

2747 Mrs. Wade - Thank you. I move LP/POD-7-98, Stillman Office Building, landscape
2748 and lighting plan be approved, subject to the standard conditions, the revised plan with the
2749 larger trees and slightly different species and condition No. 5 that appears on the addendum. I
2750 move it be approved.
2751

2752 Ms. Dwyer - Second.
2753

2754 Mr. Archer - The motion was made by Mrs. Wade and seconded by Ms. Dwyer. All
2755 in favor say aye...all oppose say nay. The motion passes.
2756

2757 The Planning Commission approved the landscape and lighting plan for LP/POD-7-98,
2758 Stillman Office Building (POD-96-96 Revised), subject the standard conditions for landscape
2759 and lighting plans and the following additional condition:
2760

2761 5. Parking lot lighting shall be reduced to no more than a security level following the
2762 close of business conducted on the property.

2763

2764 Mr. Archer - All right, Mr. Secretary, where are we?

2765

2766 Mr. Marles - The next item on the agenda, is a Resolution. Mr. Merrithew will give
2767 the staff representation.

2768

2769 **RESOLUTION:** Initiation of a Major Thoroughfare Plan Amendment - MTP-3-98 -the
2770 proposed extension of Edgefield Street north of North Road

2771

2772 Mr. Merrithew - Did Mr. Silber hand out the copy of the Resolution?

2773

2774 Mr. Archer - Yes.

2775

2776 Mr. Merrithew - Thank you. This is great being here during the daylight hours. Some of
2777 you may recall rezoning case C-15C-98, which is Easy Living Company, or Easy Living Inc.
2778 represented by Clement Tingley, rezoning 30 acres of property on North Road, 87 lots. That
2779 case "breezed" through the Board after several months and was approved. Mr. Tingley is now
2780 proceeding with this request to amend the Major Thoroughfare Plan (MTP) to eliminate an
2781 extension of Edgefield Street, north of North Road. We think that there is reason to consider
2782 his concerns about extending that road. We also know that there is an existing alternative to
2783 that road being designated on the MTP. There is another road that serves the same purpose.
2784 So, with that I would ask that you move the resolution to initiate the plan amendment and we
2785 will try to put it on your December public hearing agenda.

2786

2787 Ms. Dwyer - Is the other road, Chamberlayne and Crenshaw, provide....

2788

2789 Mr. Merrithew - I believe Crenshaw is, correct, yes.

2790

2791 Mr. Archer - Mr. Merrithew, I can remember viewing this a little bit more intently
2792 when this case was first brought to us, I think it was probably about a year ago, it does seem
2793 reasonable to allow the request. So, if a motion is in order, then and I move that the
2794 resolution be adopted.

2795

2796 Mr. Zehler - Second.

2797

2798 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr. Zehler. All
2799 in favor say aye...all oppose say nay. The motion passes.

2800

2801 Mr. Merrithew - Thank you. We will try to get it in December. All this resolution does
2802 is get us started on the review.

2803

2804 The Planning Commission approved the resolution to initiate the Major Thoroughfare Plan
2805 amendment MTP-3-98, the proposed extension of Edgefield Street north of North Road.

2806

2807 Mr. Archer - Okay. I think the next item on the agenda is the approval of the
2808 minutes. I do have two words I need to change. On page 24, line 892, at the end of the
2809 sentence I think I said "are you rearranging." On page 71, line 2738, I think that should read,
2810 "Unless the Commissioners don't want a day off."

2811

2812 Mrs. Wade - Is this July or August minutes?

2813

2814 Mr. Archer - This is the August minutes.

2815

2816 Mr. Vanarsdall - Is that all you have, Mr. Chairman?

2817

2818 Mr. Archer - That's all I have.

2819

2820 Mr. Vanarsdall - Now, continuing on to page 78, line 3057. This is a real coincidence.
2821 The name of the church is Good Shepherd United Methodist Church.

2822

2823 Mr. Archer - Mr. Vanarsdall, are you on the August minutes?

2824

2825 Mr. Vanarsdall - No. These are the July 28 minutes. Anyway, it says that... The
2826 question was if we could ask the Board to vacate the street between two houses. And, by
2827 coincidence the name of the people that would get half of it is Shepherd, and the name of the
2828 church is Good Shepherd. So, someone assumed that half of it would go to the Good
2829 Shepherd but instead it will go to the Shepherds.

2830

2831 Mr. Archer - That could have some historical significance.

2832

2833 Mr. Vanarsdall - That's all I have.

2834

2835 Ms. Dwyer - I move approval of the July 28 and August 25, 1998 minutes as
2836 corrected.

2837

2838 Mr. Zehler - Second.

2839

2840 Mr. Archer - The motion was made by Ms. Dwyer and seconded by Mr. Zehler for
2841 the adoption of the July and August minutes. All in favor say aye...all oppose say nay. The
2842 motion passes.

2843

2844 The Planning Commission approved the July 28 and August 25, 1998, minutes subject to the
2845 corrections that were called in and those stated in these minutes.

2846

2847 Mr. Archer - Mr. Secretary, I believe you have an announcement.

2848

2849 Mr. Marles - Yes, I do have two quick announcements, Mr. Chairman. First of all,
2850 for the Commission's information, the third and last public work shop on our update to the
2851 Open Space, Recreation and Parks Plan will be this evening at the eastern government center.
2852 The informal open house will start at 6:00 p.m. and the formal portion of the meeting will
2853 start at 7:00 p.m. Also, I wanted to make sure that the Commission the correspondence
2854 related to the work session with the Board tomorrow. This is scheduled to run from 5:30 p.m.
2855 to 6:00 p.m. in the third floor Manager's Conference Room. I have gotten an indication from
2856 a number of the Commission members that they will not be able to attend, and that's fine. It
2857 is intended to be more of an update on the status on the work that is being done by staff and
2858 consultants. I do have copies of one of the two handouts that will be discussed tomorrow. For
2859 those members of the Commission that are not able to make it feel free to give me a call. This
2860 particular handout that I am passing out now is actually a proposed amendment to the Land
2861 Use Plan element of the Comprehensive Plan. Staff will also be reviewing a summary of the
2862 proposed ordinance tomorrow. So, I will get those out to you if you are not able to attend
2863 tomorrow. And, again, if you have any questions or suggestions or comments on those drafts,
2864 and unable to attend tomorrow's work session, please give me a call.

2865

2866 Mr. Archer - Thank you, Mr. Secretary. Is there any other business to bring before
2867 the Commission?

2868

2869 Mr. Vanarsdall - Yes, sir. If we keep getting any more of these and thicker minutes, we
2870 are going to have to go to a larger envelope.

2871

2872 Mr. Zehler - I move to adjourn, Mr. Chairman.

2873

2874 Mr. Archer - Second. The motion was made to adjourn by Mr. Zehler and seconded
2875 by Mr. Archer. This meeting is adjourned.

2876

2877 On a motion by Mr. Zehler and seconded by Mr. Archer, the Planning Commission adjourned
2878 it's meeting at 12:20 p.m.

2879

2880

2881

2882

2883

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

2884

2885

2886

2887

2888

John R. Marles, AICP Secretary