

1 Minutes of the regular monthly meeting of the Planning Commission of the County of Henrico, Virginia,  
2 held in the Board Room of the County Administration Building in the Government Center at Parham and  
3 Hungary Springs Roads, Beginning at 9:00 a.m. Wednesday, September 25, 2002.

4

5 Members Present: Mr. Allen Taylor, P.E., C.P.C., Chairperson (Three Chopt)  
6 Mr. E. Ray Jernigan, C.P.C., Vice Chairperson (Varina)  
7 Mr. C. W. Archer, C.P.C. (Fairfield)  
8 Mr. Ernest B. Vanarsdall, C.P.C. (Brookland)  
9 Mrs. Lisa D. Ware (Tuckahoe)

10

11 Member Absent: Mr. Frank J. Thornton (Fairfield) Board of Supervisors  
12 Representative

13

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

27

28 Mr. Taylor - Good morning and welcome to the September Planning Commission meeting.

29

30 Mr. Vanarsdall - Good morning, Mr. Chairman.

31

32 Mr. Taylor - I don't see any members of the press here this morning. I did see Channel 12  
33 truck drive up this morning, and I am hoping that they are covering another noteworthy event in some  
34 other venue. Before we began today's agenda, I had the pleasure of discussing some achievements on  
35 the part of the Planning Staff. Yesterday afternoon I attended a ceremony for the County agencies that  
36 received awards from the National Association of County Official (NACO). I was especially pleased  
37 to note that Mr. Hazelett recognized the Planning Office. The Planning Office received three awards,  
38 which was really noteworthy because they were the only department that received three awards. The  
39 awards were received for the Sandston Commercial Area Plan, Lee Householder, Project Manager. I  
40 would like for Lee to stand please and take a round of applause (the audience applause). The other  
41 was the Microwave Path Projection Project, Jim Uzell, Project Manager. I would like Jim to stand  
42 (audience applause), and the Henrico Demographic Study by Seth Humphreys (audience applause).

43

44 Now those of us who works with the staff everyday, we know how diligently they work on developing  
45 Henrico County, but I think it's really gratifying and pleasing to see that there are teams recognized  
46 nationally, and on behalf of the Planning Commission I just want to offer my congratulations on their  
47 achievements. Thank you. Well done (applause by audience). And with that short announcement I will

48 turn the meeting over to our Director, Mr. Marlles.

49

50 Mr. Marlles - Thank you, Mr. Chairman. I would note that Mr. Thornton is not with us  
51 today. He did call me earlier in the week and did indicate that he would not be able to make the  
52 meeting, but otherwise, we do have a full quorum and of course can conduct business. We do have a  
53 rather long agenda today. We are starting off with requests for deferrals and withdrawals and we do  
54 have a number of those to cover. So, Mr. Wilhite, if you would proceed.

55

56 Mr. Wilhite - Thank you. Good morning to all Commission members and to everybody else  
57 who is in attendance today. On your handout there are six requests for deferrals and we have also  
58 become aware of two more in addition to those of this morning. The first one is on page three of your  
59 agenda.

60

61 **TRANSFER OF APPROVAL**

62

POD-51-99  
Gaskins Retirement Center

**Marie Casucci for Georgia Williams Assisted Living LLC:** Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code from South Gaskins Retirement LLC (Dr. Nazir Chauldhary) to Georgia Williams Assisted Living LLC. The 9.955-acre site is located along the west line of Gaskins Road (2400 Gaskins Road), approximately 500 feet south of Three Chopt Road on parcel 749-754-2538. The zoning is R-6C, General Residence District (Conditional). County water and sewer.  
**(Tuckahoe)**

63

64 Mr. Wilhite - On page 3 of your agenda, the staff requests deferral until November 20, 2002.

65

66 Mr. Taylor - Is there anyone in the audience in opposition to the deferral of the transfer of  
67 approval request for POD-51-99, Gaskins Retirement Center? No opposition, Mrs. Ware.

68

69 Mrs. Ware - All right, then I move that POD-51-99 be deferred to the November 20, 2002,  
70 meeting.

71

72 Mr. Vanarsdall - Second.

73 Mr. Taylor - The motion was made by Mrs. Ware and seconded by Mr. Vanarsdall to defer  
74 the transfer of approval request for POD-51-99, Gaskins Retirement Center. All in favor say aye...all  
75 opposed say nay. There being no opposition POD-51-99 is deferred until November 20, 2002.

76

77 The Planning Commission deferred the transfer of approval request for POD-51-99, Gaskins  
78 Retirement Center, to its November 20, 2002, meeting.

79

80 **SUBDIVISION & EXCEPTION**

81

Telegraph Run and a  
Resubdivision of Section C,  
Block B, Lot 22 and a  
**September 25, 2002**

**Wingate & Kestner for Commerce Company, LLC:** Request for approval of a conditional subdivision and an exception pursuant to Section 19-4(a) of the Henrico County Code requiring increased rear

Reserved for BMP Parcel  
(September 2002 Plan)

yard setbacks along Brook Road (U.S. Route 1) a major arterial roadway. The 6.15-acre site is located on the terminus of Connecticut Avenue, west of Telegraph Road on parcels 784-763-3921, 784-762-3895 and 784-763-4641. The zoning is R-2A, One-Family Residence District. County water and sewer. **(Fairfield) 15 Lots**

82

83 Mr. Wilhite -  
84 23, 2002.

On page 13 of your agenda, the applicant is requesting deferral until October

85

86 Mr. Taylor -

Is there anyone in the audience in opposition to the deferral of subdivision

87 Telegraph Run, Resubdivision of Section C? No opposition. Mr. Archer.

88

89 Mr. Archer -

Mr. Chairman, I move deferral of subdivision Telegraph Run and a

90 Resubdivision of Section C, Block B, Lot 22, until the October 23 meeting, at the applicant's request.

91

92 Mr. Vanarsdall -

Second.

93

94 Mr. Taylor-

The motion was made by Mr. Archer and seconded by Mr. Vanarsdall. All in

95 favor say aye...all oppose say nay. The motion passes.

96

97 At the request of the applicant, the Planning Commission deferred subdivision Telegraph Run and A

98 Resubdivision of Section C, Block B, Lot 22 and a Reserved for BMP Parcel (September 2002 Plan)

99 to its October 23, 2002, meeting.

100

100 **LIGHTING PLAN (Deferred from the July 24, 2002, Meeting)**

101

LP/POD-83-01  
The Lodge @ Hunton Park

**Foster & Miller, P.C. for Clarendon Associates, L.L.C.:** Request for approval of a lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code. The 30.00-acre site is located on the north line of Hunton Park Boulevard, approximately 1,200 feet east of Staples Mill Road (U.S. Route 33) on parcel 762-775-1005. The zoning is R-5C, General Residence District (Conditional) and G-1, Conservation District. **(Brookland)**

102

103 Mr. Wilhite - On page 17 of your agenda, the applicant is requesting deferral until October  
104 23, 2002.

105

106 Mr. Taylor - Is there anyone in the audience in opposition to the deferral of the lighting plan  
107 for LP/POD-83-01, The Lodge @ Hunton Park? No opposition. Mr. Vanarsdall.

108

109 Mr. Vanarsdall - I would like to ask Ms. News a question. Good morning, Ms. News. Do you  
110 think that you and them will be able to come to some conclusion by the 23<sup>rd</sup> of October or should we  
111 defer it for two months?

112

113 Ms. News - It's their intention to try to meet our requirements by the 23<sup>rd</sup>. We just have to  
114 come to a meeting of the minds on what they are.

115

116 Mr. Vanarsdall - Thank you. I move that LP/POD-83-01, The Lodge @ Hunton Park, be  
117 deferred to the 23<sup>rd</sup> of October at the applicant's request.

118

119 Mr. Jernigan - Second.

120

121 Mr. Taylor- The motion was made by Mr. Vanarsdall and seconded by Mr. Jernigan. All in  
122 favor say aye...all oppose say nay. The motion passes.

123

124 At the request of the applicant, the Planning Commission deferred the lighting plan for LP/POD-83-01,  
125 The Lodge @ Hunton Park to its October 23, 2002, meeting.

126

127 **SUBDIVISION (Deferred from the July 24, 2002 Meeting)**

128

Thomas Mill  
(July 2002 Plan)  
11868 Old Washington  
Highway

**Foster & Miller, P.C. for WWJ, LC and B & B Development Corporation:** The 78.60-acre site is located on the north line of Old Washington Highway between the Chickahominy River and the CSX Railroad across from Kellipe Road on parcels 772-779-6780, 773-777-3550 and part of 773-777-1078. The zoning is A-1, Agricultural District. County water and septic tank/drainfield. **(Brookland) 47 Lots**

129 Mr. Wilhite - On page 18 of your agenda, the applicant is requesting deferral until October  
130 23, 2002.

131

132 Mr. Taylor - Is there anyone in the audience in opposition to the deferral of Thomas Mill  
**September 25, 2002**

133 subdivision? No opposition. Mr. Vanarsdall.

134

135 Mr. Vanarsdall - We've got a lot of work to do on this one and we have a meeting on the 2<sup>nd</sup>. I  
136 move that Thomas Mill be deferred at the applicant's request to October 23.

137

138 Mr. Taylor - Second.

139

140 Mr. Taylor- The motion was made by Mr. Vanarsdall and seconded by Mr. Taylor. All in  
141 favor say aye...all oppose say nay. The motion passes.

142

143 At the request of the applicant, the Planning Commission deferred subdivision Thomas Mill (July 2002  
144 Plan) 11868 Old Washington Highway to its October 23, 2002, meeting.

145

#### 146 **SUBDIVISION**

147

Newstead Landing  
(A Resubdivision of Newstead  
Landing, Section A and a Portion of  
Newstead Farms)  
(September 2002 Plan)

**Engineering Design Associates for Newstead Landing L.C.:**  
The 52.7-acre site is located on the south line of Kingsland Road  
140 feet east of Osborne Landing (private road) on parcels 808-  
670-1962, 3363, 4865, 6169, 1028; 808-668-9806 and 809-668-  
6715. The zoning is A-1, Agricultural District. Private central water  
and central sewer system. **(Varina)**  
**30 Lots**

148

149 Mr. Wilhite - On page 24 of your agenda, the applicant is requesting deferral until October  
150 23, 2002.

151

152 Mr. Taylor - Is there anyone in the audience in opposition to the deferral of subdivision  
153 Newstead Landing? No opposition. Mr. Jernigan.

154

155 Mr. Jernigan - Mr. Chairman, I make a motion to defer Newstead Landing to October 23,  
156 2002, by request of the applicant.

157

158 Mr. Vanarsdall - Second.

159

160 Mr. Taylor- The motion was made by Mr. Jernigan and seconded by Mr. Vanarsdall All in  
161 favor say aye...all oppose say nay. The motion passes.

162

163 At the request of the applicant, the Planning Commission deferred subdivision Newstead Landing (A  
164 Resubdivision of Newstead Landing, Section A and a Portion of Newstead Farms) (September 2002  
165 Plan) to its October 23, 2002, meeting.

166

167 Mr. Wilhite - The last request for deferrals appears on page 37.

168

#### 169 **PLAN OF DEVELOPMENT**

170

POD-68-02  
Blackwood Retail  
**September 25, 2002**

**Balzer & Associates, Inc. for Richfield Associates, LLC:**  
Request for approval of a plan of development, as required by

Glen Eagles Shopping Center Chapter 24, Section 24-106 of the Henrico County Code to construct a 6,600 square foot building. The 0.90-acre site is located on the northwest corner of Ridgefield Parkway and Eagles View Drive in the Glen Eagles Shopping Center on part of parcel 740-750-0178. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Tuckahoe)**

171

172 Mr. Wilhite - The applicant is requesting deferral until November 20, 2002.

173

174 Mr. Taylor - Is there anyone in the audience in opposition to POD-68-02, Blackwood Retail  
175 Glen Eagles Shopping Center? No opposition. Mrs. Ware.

176

177 Mrs. Ware - Mr. Chairman, I move that POD-68-02, Blackwood Retail at Glen Eagles  
178 Shopping Center, be deferred to the November 20 meeting, at the applicant's request.

179

180 Mr. Archer - Second.

181

182 Mr. Taylor- The motion was made by Mrs. Ware and seconded by Mr. Archer. All in  
183 favor say aye...all oppose say nay. The motion passes.

184

185 At the request of the applicant, the Planning Commission deferred POD-68-02, Blackwood Retail @  
186 Glen Eagles Shopping Center to its November 20, 2002, meeting.

187

188 Mr. Wilhite - Mr. Chairman, we have two more cases with request for deferral made this  
189 morning. The first one is on page four.

190

191 **TRANSFER OF APPROVAL (Deferred from the July 24, 2002, Plan)**

192

POD-117-98  
Courtland @ Wyndham  
(POD-116-96 Revised)

**Anthony P. Renaldi, Vice President and Chief Financial Officer for Prospect Homes of Richmond, Inc.:** Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code from C. Richard Dobson Builders, Inc. to Prospect Homes of Richmond, Inc. The 4.9 acre site is located on the west line of Wyndham Park Drive at its intersection with Dominion Club Drive on parcel 740-776-1890. The zoning is RTHC, Residential Townhouse District (Conditional). **(Three Chopt)**

193

194 Mr. Wilhite - The applicant is requesting deferral until October 23, 2002.

195

196 Mr. Taylor - Is there anyone in the audience in opposition to the transfer of approval request  
197 for POD-117-98, Courtland @ Wyndham (POD-116-96 Revised)? There being no opposition I'll  
198 move deferral of POD-117-98 be deferred to October 23, at the applicant's request.

199

200 Mr. Vanarsdall - Second.

201

202 Mr. Taylor- The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall. All in  
203 favor say aye...all oppose say nay. The motion passes.

**September 25, 2002**

**-6-**

204

205 At the request of the applicant, the Planning Commission deferred the transfer of approval request for  
206 POD-117-98, Courtland @ Wyndham (POD-116-96 Revised) to its October 23, 2002, meeting.

207

208 Mr. Wilhite - The last request that we are aware of at this time is on page 46.

209

210 **PLAN OF DEVELOPMENT**

211

POD-62-02

Renaissance Hair & Spa –  
3217 – 3227 Skipwith Road

**Delta Engineers for Regency Hair Design:** 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, 4,996 square foot beauty facility. The 1.235-acre site is located at 3217-3227 Skipwith Road, approximately 250 feet south of Broad Street (U. S. Route 250) on parcels 761-754-0791, 1383 and 1572. The zoning is B-1C, Business District (Conditional). County water and sewer. **(Three Chopt)**

212

213 Mr. Wilhite - The staff is requesting deferral until October 23, 2002.

214

215 Mr. Taylor - Is there anyone in the audience in opposition to the deferral of POD-62-02,  
216 Renaissance Hair & Spa? No opposition. Therefore, I will move to defer POD-62-02, Renaissance  
217 Hair & Spa, to October 23, at the applicant's request.

218

219 Mr. Vanarsdall - Second.

220

221 Mr. Taylor- The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall. All in  
222 favor say aye...all oppose say nay. The motion passes.

223

224 The Planning Commission deferred POD-62-02, Renaissance Hair & Spa, 3217 – 3227 Skipwith  
225 Road, to its October 23, 2002, meeting.

226

226 Mr. Taylor - Mr. Wilhite, does that complete the requests for deferrals and withdrawals?  
227

228 Mr. Wilhite - Yes, sir.  
229

230 Mr. Marles - Mr. Chairman, the next item on the agenda is the Expedited Agenda. For the  
231 benefit of the audience, the items on the Expedited Agenda are items for which staff is recommending  
232 approval. The Planning Commission member for the district has no issues, and there is no known citizen  
233 opposition. If there is citizen opposition, these items can be taken off of the Expedited Agenda. Mr.  
234 Wilhite.  
235

236 Mr. Wilhite - The staff is aware of 20 items on the Expedited Agenda this morning. The first  
237 one appears on page two of your agenda.  
238

239 **TRANSFER OF APPROVAL**  
240

POD-95-82  
The Piano Gallery  
(Formerly Deep Run  
Veterinary)

**Jesse Parker:** Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code from Eilene P. Steinberg to Jesse R. and Peggy S. Parker. The .671-acre site is located on the south side of W. Broad Street (State Route 250) in the Deep Run Business Center on parcel 751-759-8451. The zoning is M-1C, Light Industrial District (Conditional).  
**(Three Chopt)**

241  
242 Mr. Taylor - Is there anyone in the audience in opposition to POD-95-82, The Piano Gallery  
243 on the Expedited Agenda. No opposition. Therefore, I will move approval of POD-95-82, The Piano  
244 Gallery on the Expedited Agenda.  
245

246 Mr. Jernigan - Second.  
247

248 Mr. Taylor- The motion was made by Mr. Taylor and seconded by Mr. Jernigan. All in  
249 favor say aye...all oppose say nay. The motion passes.  
250

251 The Planning Commission approved the transfer of approval request for POD-95-82, The Piano  
252 Gallery (Formerly Deep Run Veterinary) subject to the standard conditions previously approved and  
253 the following additional condition.  
254

255 1. The owner shall correct all deficiencies identified in the inspection report dated **August 19,**  
256 **2002**, prior to the issuance of a new certificate of occupancy.  
257  
258



258 **SUBDIVISION (Deferred from the August 15, 2002 Meeting)**

259

The Park at Twin Hickory  
Collector Roads – Old  
Nuckols Road  
(July 2002 Plan)

**Youngblood, Tyler & Associates, P.C. for HHHunt Corporation:** The 8.44 acre site is located on the west side of Nuckols Road across from the intersection of Nuckols Road and Opaca Lane on part of parcels 745-768-7374, 745-769-6845, 5071, 6789, 746-770-0619, 1492, 4038, 745-770-0962, 747-771-2430 and 3965. The zoning is A-1, Agricultural District, RTHC, Residential Townhouse District (Conditional), O-3C, Office District (Conditional), R-5AC, General Residence District (Conditional) and R-6C, General Residence District (Conditional). County water and sewer. **(Three Chopt) 0 Lots**

260

261 Mr. Wilhite - The next item is on page 5 of your agenda.

262

263 Mr. Taylor - Is there anyone in the audience in opposition subdivision The Park at Twin  
264 Hickory Collector Roads on the Expedited Agenda? No opposition. Therefore I will move the  
265 approval of The Park at Twin Hickory (July 2002 Plan).

266

267 Mr. Jernigan - Second.

268

269 Mr. Taylor- The motion was made by Mr. Taylor and seconded by Mr. Jernigan. All in  
270 favor say aye...all oppose say nay. The motion passes.

271

272 The Planning Commission granted conditional approval to The Park at Twin Hickory Collector Roads –  
273 Old Nuckols Road (July 2002 Plan), subject to the standard conditions attached to these minutes for  
274 subdivisions served by public utilities, the annotations on the plan and the following additional conditions:

275

276 12. The detailed plant list and specifications for the landscaping to be provided within the 25-foot-  
277 wide planting strip easement along both sides of Hickory Bend Drive shall be submitted to the  
278 Planning Office for review and approval prior to recordation of the plat.

279 13. The detailed plant list and specifications for the landscaping to be provided within the 25-foot-  
280 wide planting strip easement along both sides of Hickory Park Drive shall be submitted to the  
281 Planning Office for review and approval prior to recordation of the plat.

282 14. A County standard sidewalk shall be constructed along the west side of Hickory Bend Drive at  
283 such time as it is constructed.

284 15. A County standard sidewalk shall be constructed along the north side of Hickory Park Drive at  
285 such time as it is constructed.

286 16. Any necessary offsite drainage easements must be obtained prior to approval of the  
287 construction plan by the Department of Public Works.

288

- 288 17. The proffers approved as part of zoning case C-13C-02 shall be incorporated in this approval.  
289 18. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the  
290 maintenance of the common areas by a property owners association shall be submitted to the  
291 Planning Office for review. Such covenants and restrictions shall be in form and substance  
292 satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision  
293 plat.  
294 19. Traffic controls included signalization shall be provided in accordance with the requirements of  
295 the County Traffic Engineer.  
296 20. Turning lane improvements shall be provided in accordance with the requirements of the County  
297 Traffic Engineer.  
298

299 **TRANSFER OF APPROVAL**

300

POD-16-85  
Allstate Building  
4191 Innslake Drive

**Hirschler Fleischer for Staples Mill, L.C.:** Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code from Computer Management Sciences to Staples Mill, P.C. The 3.89-acre site is located along the north line of Innslake Drive, approximately 500 feet east of Cox Road on parcel 749-761-5569. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

301

302 Mr. Wilhite - The next item is on page seven of your agenda. There is a revised  
303 recommendation on the addendum.

304

305 Mr. Taylor - Is there anyone in the audience in opposition to the transfer of approval for  
306 POD-16-85, Allstate Building, on the Expedited Agenda? No opposition. Therefore, I will move  
307 approval of the transfer of approval request for POD-16-85, The Allstate Building and the addendum  
308 item regarding site deficiencies.

309

310 Mr. Vanarsdall - Second.

311

312 Mr. Taylor- The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall. All in  
313 favor say aye...all oppose say nay. The motion passes.

314

315 The Planning Commission approved the transfer of approval request for POD-16-85, Allstate Building  
316 – 4191 Innslake Drive, subject to the standard conditions previously approved and the following  
317 additional condition:

318

319 1. The site deficiencies, as identified in the inspection report dated September 23, 2002, shall be  
320 corrected or bonded by December 1, 2002.

321

321 **LANDSCAPE & LIGHTING PLAN**

322

LP/POD-20-02  
CVS-Town Center @  
Twin Hickory

**Purvis & Associates for The Rebkee Corporation and Retlaw 100, L.L.C.:** 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 1.64-acre site is located at the northwest corner of Nuckols Road and Twin Hickory Road in an existing shopping center on part of parcel 746-773-1046. The zoning is B-2C, Business District (Conditional) (**Three Chopt**)

323

324 Mr. Wilhite - The next item is on page 12 of your agenda. There is a revised  
325 recommendation on your addendum.

326

327 Mr. Taylor - Is there anyone in the audience in opposition to the landscape and lighting plan  
328 for LP/POD-20-02, CVS-Town Center @ Twin Hickory, on the Expedited Agenda? No opposition.  
329 Therefore, I move approval of LP/POD-20-02, CVS-Town Center @ Twin Hickory.

330

331 Mr. Jernigan - Second.

332

333 Mr. Taylor- The motion was made by Mr. Taylor and seconded by Mr. Jernigan. All in  
334 favor say aye...all oppose say nay. The motion passes.

335

336 The Planning Commission approved the landscape and lighting plan for LP/POD-20-02, CVS-Town  
337 Center @ Twin Hickory, subject to the standard conditions attached to these minutes for landscape and  
338 lighting plans, the annotations on the plan and the following additional condition:

339

340 6. Lighting shall be reduced to no more than a security level following the close of business  
341 operations.

342

343 **LANDSCAPE & LIGHTING PLAN**

344

LP/POD-41-00  
Hue Quang Buddhist Temple  
Hungary Road

**Tim Hahn for Richmond Buddhist Association:** 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 3.1-acre site is located at 8535 Hungary Road on the south line of Hungary Road, approximately 430 feet east of Everville Drive on parcel 763-760-6072. The zoning is A-1, Agricultural District. (**Brookland**)

345

346 Mr. Wilhite - The next item is on page 16 of your agenda.

347

348 Mr. Taylor - Is there anyone in the audience in opposition to LP/POD-41-00, Hue Quang  
349 Buddhist Temple, on the Expedited Agenda? No opposition. Mr. Vanarsdall

350 Mr. Vanarsdall - I move LP/POD-41-00, Hue Quang Buddhist Temple on Hungary Road be  
351 approved on the Expedited Agenda with the added condition No. 6.

352

353 Mr. Taylor - Second.

354

355 Mr. Taylor- The motion was made by Mr. Vanarsdall and seconded by Mr. Taylor. All in  
356 favor say aye...all oppose say nay. The motion passes.

357

358 The Planning Commission approved the landscape and lighting plan for LP/POD-41-00, Hue Quang  
359 Buddhist Temple on Hungary Road, subject to the standard conditions attached to these minutes for  
360 landscape and lighting plans, the annotations on the plan and the following additional condition:

361

362 6. Lighting shall be reduced to the minimum level required for security after the hours of operation.

363

364 **LANDSCAPE & LIGHTING PLAN**

365

LP/POD-11-98

West End Assembly of God

**Koontz-Bryant, P.C. for West End Assembly of God:** 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 19.62-acre site is located along the east line of Parham Road at the intersection of September Drive on parcels 753-736-065 and 753-737-3528 and 5629. The zoning is R-1, One-Family Residence District and R-3, One-Family Residence District (~~Three~~ **Chopt**) (**Tuckahoe**)

366

367 Mr. Wilhite - The next item is on page 23 of your agenda.

368

369 Mr. Taylor - Is there anyone in the audience in opposition to the landscape and lighting plan  
370 for LP/POD-11-98, West End Assembly of God, on the Expedited Agenda? No opposition. Mrs.  
371 Ware.

372

373 Mrs. Ware - I move that LP/POD-11-98, West End Assembly of God, be approved.

374

375 Mr. Vanarsdall - Second.

376

377 Mr. Taylor- The motion was made by Mrs. Ware and seconded by Mr. Vanarsdall. All in  
378 favor say aye...all oppose say nay. The motion passes.

379

380 The Planning Commission approved the landscape and lighting plan for LP/POD-11-98, West End  
381 Assembly of God, subject to the standard conditions attached to these minutes for landscape and  
382 lighting plans and the annotations on the plan.

383

383 **SUBDIVISION**

384

Pine Creek South  
(September 2002 Plan)

**Engineering Design Associates for Southside Community Development & Housing Corporation and Pinecreek, LLC:**  
The 55.76-acre site is located on the north line of Old Williamsburg Road, 200 feet west of Whiteside Court on parcels 831-715-9157, 832-717-6312, 833-715-0432, 932-717-6312 and 832-715-6872. The zoning is R-3C, One-Family Residence District (Conditional), R-4C, One-Family District (Conditional) and ASO (Airport Safety Overlay) District. County water and sewer.  
**(Varina) 50 Lots**

385

386 Mr. Wilhite - The next item is on page 25 of your agenda. On page three of your agenda  
387 there is a revised condition No. 12 and an added condition No. 20. The revised plans have already  
388 been handed out.

389

390 Mr. Taylor - Is there anyone in the audience in opposition to subdivision Pine Creek South  
391 (September 2002 Plan) on the Expedited Agenda? No opposition. Mr. Jernigan.

392

393 Mr. Jernigan - Mr. Chairman, I make a motion to approve subdivision Pine Creek South  
394 (September 2002 Plan).

395

396 Mr. Vanarsdall - Second.

397

398 Mr. Taylor- The motion was made by Mr. Jernigan and seconded by Mr. Vanarsdall. All in  
399 favor say aye...all oppose say nay. The motion passes.

400

401 The Planning Commission granted conditional approval to Pine Creek South (September 2002 Plan)  
402 subject to the standard conditions attached to these minutes for subdivisions served by public utilities  
403 and the following additional conditions:

404

405 12. Each lot zoned R-4 shall contain at least 8,000 square feet, exclusive of the flood plain areas  
406 and each lot zoned R-3 shall contain at least 11,000 square feet exclusive of the flood plan  
407 areas.

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

411 14. The plan must be redesigned to provide at least the 80-foot minimum lot width for Lots 19, 20  
412 and 21, Block A, required and as regulated by Chapter 24, of the Henrico County Code.

413 15. The proffers approved as part of zoning cases C-39C-02 and C-9C-97 shall be incorporated  
414 in this approval.

415 16. Prior to requesting final approval, the engineer shall furnish the Planning Staff a plan showing a  
416 dwelling situated on Lot 48, Block A to determine if the lot design is adequate to meet the  
417 requirements of Chapter 24, of the Henrico County Code.

418 17. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the  
419 maintenance of the common area by a homeowners association shall be submitted to the  
420 Planning Office for review. Such covenants and restrictions shall be in form and substance

421 satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision  
422 plat.  
423 18. Any necessary offsite drainage easements must be obtained prior to approval of the  
424 construction plan by the Department of Public Works.  
425 19. The detailed plant list and specifications for the landscaping to be provided within the 25-foot-  
426 wide planting strip easement along I-64 shall be submitted to the Planning Office for review and  
427 approval prior to recordation of the plat.  
428 20. The detailed plant list and specifications for the landscaping to be provided within the 20-foot  
429 radius landscape island located at the northern terminus of Road "A" shall be submitted to the  
430 Planning Office for review and approval prior to recordation of the plat.  
431

432 **SUBDIVISION**

433

New Market Place  
(September 2002 Plan)

**Engineering Design Associates for Robert F. Eberly, III and Elliott Properties, II:** The 5.077-acre site is located along the east line of New Market Road (State Route 5) and the south line of Wilderness Drive on parcels 801-703-3666, 7169 and 7934. The zoning is R-3, One-Family Residence District, B-1, Business District and O-1, Office District. County water and sewer. **(Varina) 15 Lots**

434

435 Mr. Wilhite - The next item is on page 26 of your agenda. On page 4 of your addendum  
436 there is an added condition No. 15, and you have already received a revised plan.  
437

438 Mr. Taylor - Is there anyone in the audience in opposition to New Market Place (September  
439 2002 Plan) on the Expedited Agenda? No opposition. Mr. Jernigan.  
440

441 Mr. Jernigan - Mr. Chairman, I make a motion to approve New Market Place (September  
442 2002 Plan) subdivision.  
443

444 Mr. Vanarsdall - Second.  
445

446 Mr. Taylor- The motion was made by Mr. Jernigan and seconded by Mr. Vanarsdall. All in  
447 favor say aye...all oppose say nay. The motion passes.  
448

449 The Planning Commission granted conditional approval to New Market Place (September 2002 Plan)  
450 subject to the standard conditions attached to these minutes for subdivisions served by public utilities,  
451 the annotations on the plan and the following additional conditions:  
452

453 12. Each lot shall contain at least 11,000 square feet.

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

456 14. A revised plan of development for New Market Convenience Store (parcel 701-703-3666)  
457 shall be submitted to the Planning Office for review and approval.

458 15. Lots 15 and 19, and Road B, as shown on the plan dated September 25, 2002, shall not be  
459 granted final approval until parcel 802-703-7934 is rezoned for residential use.  
460

461 **SUBDIVISION**

462

Estates at Willis Church  
(September 2002 Plan)

**Bay Design Group, P. C. for Moby, LLC and Wilton Development Corporation:** The 107.60-acre site is located along the east line of Willis Church Road (State Route 156) approximately 400 feet south of Glendale National Cemetery on parcel 851-684-9246. The zoning is A-1, Agricultural District. Individual Well and Septic Tank/Drainfield.  
**(Varina) 55 57 Lots**

463

464 Mr. Wilhite - The next item is on page 27 of your agenda. On page 4 of your addendum there  
465 is a revised recommendation and you also have a revised plan.

466

467 Mr. Taylor - Is there anyone in the audience in opposition to the Estates at Willis Church  
468 (September 2002 Plan) on the Expedited Agenda? No opposition. Mr. Jernigan.

469

470 Mr. Jernigan - Mr. Chairman, I make a motion to approve subdivision the Estates at Willis  
471 Church.

472

473 Mr. Vanarsdall - Second.

474

475 Mr. Taylor- The motion was made by Mr. Jernigan and seconded by Mr. Vanarsdall. All in  
476 favor say aye...all oppose say nay. The motion passes.

477

478 The Planning Commission granted conditional approval to the Estates at Willis Church (September  
479 2002 Plan) subject to the standard conditions attached to these minutes for subdivision not served by  
480 public utilities, the annotations on the plan and the following additional conditions:

481

482 11. Each lot shall contain at least 43,560 square feet, exclusive of the flood plain areas.

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

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

488 14. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the  
489 maintenance of the common area by a homeowners association shall be submitted to the  
490 Planning Office for review. Such covenants and restrictions shall be in form and substance  
491 satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision  
492 plat.

493 15. Before the final plat is recorded, the developer shall submit to the Planning Office a detailed  
494 report prepared by a qualified engineer specifying the removal of construction debris and other  
495 on-site refuse as well as proposed identification and treatment of debris burial pits that may exist  
496 on site. This report shall be reviewed by the Design Division of Public Works, and the Building  
497 Official and shall be made part of the construction plans approved by the subdivision.

498 16. All effort shall be made to minimize disturbance of any historic earthworks that may be  
499 discovered on site by the Department of Recreation and Parks.

500

501 **PLAN OF DEVELOPMENT**

502

POD-67-02  
Millspring Townes,  
Section 3

**Bay Design Group, P. C. for Wilton Development Corporation:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct 48, two-story townhouse units for sale. The 6.77-acre site is located along the west line of Hungary Spring Road, approximately 200 feet north of Olde West Drive on part of parcel 765-757-8865. The zoning is RTHC, Residential Townhouse District (Conditional) and C-1, Conservation District. County water and sewer.  
**(Brookland)**

503

504 Mr. Wilhite - The next item is on page 28 of your agenda.

505

506 Mr. Taylor - Is there anyone in the audience in opposition to POD-67-02, Millspring  
507 Townes, Section 3, on the Expedited Agenda? No opposition. Mr. Vanarsdall.

508

509 Mr. Vanarsdall - Mr. Chairman, I move POD-67-02, Millspring Townes, Section 3 be approved  
510 on the Expedited Agenda.

511

512 Mr. Taylor - Second.

513

514 Mr. Taylor- The motion was made by Mr. Vanarsdall and seconded by Mr. Taylor. All in  
515 favor say aye...all oppose say nay. The motion passes.

516

517 The Planning Commission approved POD-67-02, Millspring Townes, Section 3, subject to the  
518 standard conditions attached to these minutes for developments of this type, the annotations on the plan  
519 and the following additional conditions:

520

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

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

526 23. The limits and elevations of the 100-year frequency flood shall be conspicuously noted on the  
527 plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year floodplain must be  
528 labeled "Variable Width Drainage and Utility Easement." The easement shall be granted to the  
529 County prior to the issuance of any occupancy permits.

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

532 25. The proffers approved as a part of zoning case C-30C-01 shall be incorporated in this  
533 approval.

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

536 27. Deviations from County standards for pavement, curb or curb and gutter design shall be  
537 approved by the County Engineer prior to final approval of the construction plans by the



- 538 Department of Public Works.
- 539 28. The pavement shall be of an SM-2A type and shall be constructed in accordance with County  
540 standard and specifications. The developer shall post a defect bond for all pavement with the  
541 Planning Office - the exact type, amount and implementation shall be determined by the Director  
542 of Planning, to protect the interest of the members of the Homeowners Association. The bond  
543 shall become effective as of the date that the Homeowners Association assumes responsibility  
544 for the common areas.
- 545 29. Insurance Services Office (ISO) calculations must be included with the plans and contracts and  
546 must be approved by the Department of Public Utilities prior to the issuance of a building  
547 permit.
- 548 30. The unit house numbers shall be visible from the parking areas and drives.
- 549 31. The names of streets, drives, courts and parking areas shall be approved by the Richmond  
550 Regional Planning District Commission and such names shall be included on the construction  
551 plans prior to their approval. The standard street name signs shall be ordered from the County  
552 and installed prior to any occupancy permit approval.

553  
554 **PLAN OF DEVELOPMENT**  
555

POD-65-02  
Fairfield Inn & Suites  
9927 Mayland Drive

**Balzer & Associates, Inc. for Circuit City Stores, Inc. and  
Innkeeper Properties, Inc.:** Request for approval of a plan of  
development, as required by Chapter 24, Section 24-106 of the  
Henrico County Code to construct a three-story, 43,300 square  
foot, 83-room hotel. The 1.99-acre site is located at 9927  
Mayland Drive on part of parcel 751-758-4109. The zoning is M-  
1C, Light Industrial District (Conditional). County water and  
sewer. **(Three Chopt)**

556  
557 Mr. Wilhite - The next item is on page 35 of your agenda.

558  
559 Mr. Taylor - Is there anyone in the audience in opposition to POD-65-02, Fairfield Inn &  
560 Suites on the Expedited Agenda? No opposition. Therefore, I move approval of POD-65-02,  
561 Fairfield Inn & Suites.

562  
563 Mr. Vanarsdall - Second.

564  
565 Mr. Taylor- The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall. All in  
566 favor say aye...all oppose say nay. The motion passes.

567  
568 The Planning Commission approved POD-65-02, Fairfield Inn & Suites – 9927 Mayland Drive,  
569 subject to the standard conditions attached to these minutes for developments of this type, the  
570 annotations on the plan and the following additional conditions:

- 571  
572 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Planning Office for review  
573 and Planning Commission approval prior to the issuance of any occupancy permits.
- 574 23. The easements for drainage and utilities as shown on approved plans shall be granted to the  
575 County in a form acceptable to the County Attorney prior to any occupancy permits being  
576 issued. The easement plats and any other required information shall be submitted to the County

- 577 Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
- 578 24. The developer shall provide fire hydrants as required by the Department of Public Utilities and  
579 Division of Fire.
- 580 25. All repair work shall be conducted entirely within the enclosed building.
- 581 26. Outside storage shall not be permitted.
- 582 27. The proffers approved as a part of zoning case C-7C-81 shall be incorporated in this approval.
- 583 28. The developer shall install an adequate restaurant ventilating and exhaust system to minimize  
584 smoke, odors, and grease vapors. The plans and specifications shall be included with the  
585 building permit application for review and approval. If, in the opinion of the County, the type  
586 system provided is not effective, the Commission retains the rights to review and direct the type  
587 of system to be used.
- 588 29. The certification of building permits, occupancy permits and change of occupancy permits for  
589 individual units shall be based on the number of parking spaces required for the proposed uses  
590 and the amount of parking available according to approved plans.
- 591 30. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form  
592 acceptable to the County Attorney prior to final approval of the construction plans.
- 593 31. Deviations from County standards for pavement, curb or curb and gutter design shall be  
594 approved by the County Engineer prior to final approval of the construction plans by the  
595 Department of Public Works.
- 596 32. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the  
597 Henrico County Code.
- 598 33. Insurance Services Office (ISO) calculations must be included with the plans and contracts and  
599 must be approved by the Department of Public Utilities prior to the issuance of a building  
600 permit.
- 601 34. Approval of the construction plans by the Department of Public Works does not establish the  
602 curb and gutter elevations along the Henrico County maintained right-of-way. The elevations  
603 will be set by Henrico County.
- 604 35. The location of all existing and proposed utility and mechanical equipment (including HVAC  
605 units, electric meters, junction and accessory boxes, transformers, and generators) shall be  
606 identified on the landscape plans. All equipment shall be screened by such measures as  
607 determined appropriate by the Director of Planning or the Planning Commission at the time of  
608 plan approval.
- 609 36. Evidence of a joint ingress/egress, parking and maintenance agreement must be submitted to the  
610 Planning Office and approved prior to issuance of a certificate of occupancy for this  
611 development.

612  
613 **LANDSCAPE & LIGHTING PLAN**

614

LP/POD-84-01

Walgreen's – Nuckols Road  
and Twin Hickory Road

**Balzer & Associates, Inc. for G.H.K. Development Inc.:**

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 1.9-acre site is located on the northeast corner of Nuckols Road and Twin Hickory Road on an outparcel for a future shopping center on part of parcel 746-773-8345. The zoning is B-2C, Business District (Conditional) **(Three Chopt)**

615

616 Mr. Wilbite -

**September 25, 2002**

The next item is on page 39 of your agenda. On page 4 of your addendum

617 there is a revised recommendation and revised plans also attached.

618

619 Mr. Taylor - Is there anyone in the audience in opposition to the landscape and lighting plan  
620 for LP/POD-84-01, Walgreen's on Nuckols Road and Twin Hickory Road on the Expedited Agenda?  
621 No opposition. Therefore, I will move approval of LP/POD-84-01, Walgreen's at Nuckols Road and  
622 Twin Hickory Road.

623

624 Mr. Jernigan - Second.

625

626 Mr. Taylor- The motion was made by Mr. Taylor and seconded by Mr. Jernigan. All in  
627 favor say aye...all oppose say nay. The motion passes.

628

629 The Planning Commission approved the landscape and lighting plan subject to the standard conditions  
630 attached to these minutes for landscape and lighting plans, the annotations on the plan and the following  
631 additional condition:

632

633 6. Lighting shall be reduced to no more than a security level following the close of business  
634 operations.

635

635 **PLAN OF DEVELOPMENT**

636

POD-66-02  
Homeview Parking Lot  
Homeview Drive

**Balzer & Associates, Inc. for Coastal American Corporation:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a new parking lot for the West Tower Movie Theater across Homeview Drive. The 1.988-acre site is located on the eastern line of Homeview Drive, approximately 720 feet north of Broad Street (U.S. Route 250) on parcel 759-756-9275. The zoning is B-3C, Business District (Conditional).  
**(Brookland)**

637

638 Mr. Wilhite - The next item is on page 40 of your agenda.

639

640 Mr. Taylor - Is there anyone in the audience in opposition to POD-66-02, Homeview  
641 Parking Lot on Homeview Drive on the Expedited Agenda? No opposition. Mr. Vanarsdall.

642

643 Mr. Vanarsdall - I move approval of POD-66-02, Homeview Parking Lot.

644

645 Mr. Archer - Second.

646

647 Mr. Taylor- The motion was made by Mr. Vanarsdall and seconded by Mr. Archer. All in  
648 favor say aye...all oppose say nay. The motion passes.

649

650 The Planning Commission approved POD-66-02, Homeview Parking Lot – Homeview Drive, subject  
651 to the standard conditions attached to these minutes for developments of this type, the annotations on  
652 the plan and the following additional conditions:

653

654 23. A standard concrete sidewalk shall be provided along the northern side of the entrance.

655 24. The proffers approved as a part of zoning case C-11C-88 shall be incorporated in this  
656 approval.

657 25. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage  
658 plans.

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

661 27. Deviations from County standards for pavement, curb or curb and gutter design shall be  
662 approved by the County Engineer prior to final approval of the construction plans by the  
663 Department of Public Works.

664 28. Approval of the construction plans by the Department of Public Works does not establish the  
665 curb and gutter elevations along the Henrico County maintained right-of-way. The elevations  
666 will be set by Henrico County.

667

667 **PLAN OF DEVELOPMENT**

668

POD-72-99  
Westerre IV –  
Westerre Parkway

**Balzer & Associates, P.C. for Westerre Land Office Development, L.L.C. and Trammell Crow Company:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a four-story, 95,976 square foot office building. The 4.82-acre site is located along the south line of Westerre Parkway, approximately 1,100 south of W. Broad Street (U.S. Route 250) on part of parcel 749-759-7710. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

669

670 Mr. Wilhite - The next item is on page 41 of your agenda.

671

672 Mr. Taylor - Is there anyone in the audience in opposition to POD-72-99, Westerre IV on  
673 the Expedited Agenda? No opposition. Therefore, I move approval of POD-72-99, Westerre IV on  
674 Westerre Parkway on the Expedited Agenda.

675

676 Mr. Vanarsdall - Second.

677

678 Mr. Taylor- The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall. All in  
679 favor say aye...all oppose say nay. The motion passes.

680

681 The Planning Commission approved POD-72-99, Westerre IV – Westerre Parkway subject to the  
682 standard conditions attached to these minutes for developments of this type, the annotations on the plan  
683 and the following additional conditions:

684

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

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

691 25. Outside storage shall not be permitted.

692 26. The proffers approved as a part of zoning case C-8C-87 shall be incorporated in this approval.

693 27. The certification of building permits, occupancy permits and change of occupancy permits for  
694 individual units shall be based on the number of parking spaces required for the proposed uses  
695 and the amount of parking available according to approved plans.

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

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

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

704 31. The location of all existing and proposed utility and mechanical equipment (including HVAC

705 units, electric meters, junction and accessory boxes, transformers, and generators) shall be  
706 identified on the landscape plans. All equipment shall be screened by such measures as  
707 determined appropriate by the Director of Planning or the Planning Commission at the time of  
708 plan approval.  
709 32. The portion of Westerre Parkway along the frontage of the site shall be constructed prior to the  
710 issuance of any certificates of occupancy for this project.

711

## 712 SUBDIVISION

713

Hill Trace  
(September 2002 Plan)

**Goodfellow, Jalbert, Beard & Associates for Ella N. Greve and DEE Associates, L.L.C.:** The 6.85-acre site is located on the north line of Hungary Road approximately 400 feet west of Wilshire Drive on parcel 764-761-3240. The zoning is R2, One-Family Residence District. County water and sewer. **(Brookland) 11 Lots**

714

715 Mr. Wilhite - The next item is on page 43 of your agenda.

716

717 Mr. Taylor - Is there anyone in the audience in opposition to Hill Trace (September 2002  
718 Plan) on the Expedited Agenda? No opposition. Mr. Vanarsdall.

719

720 Mr. Vanarsdall - I move Hill Trace subdivision be approved on the Expedited Agenda.

721

722 Mr. Taylor - Second.

723

724 Mr. Taylor- The motion was made by Mr. Vanarsdall and seconded by Mr. Taylor. All in  
725 favor say aye...all oppose say nay. The motion passes.

726

727 The Planning Commission granted conditional approval to Hill Trace (September 2002 Plan) subject to  
728 the standard conditions attached to these minutes for subdivisions served by public utilities, the  
729 annotations on the plan and the following additional conditions:

730

731 12. Each lot shall contain at least 18,000 square feet, exclusive of the flood plain areas.

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

735 14. The detailed plant list and specifications for the landscaping to be provided within the 25-foot-  
736 wide planting strip easement along Hungary Road shall be submitted to the Planning Office for  
737 review and approval prior to recordation of the plat.

738 15. A County standard sidewalk shall be constructed along the north side of Hungary Road.

739 16. Any necessary offsite drainage easements must be obtained prior to approval of the  
740 construction plan by the Department of Public Works.

741

## 742 LIGHTING PLAN

743

LP/POD-35-01  
Gayton Baptist Church

**Folkes Electrical Construction Company, Inc. for Gayton Baptist Church:** Request for approval of a lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County

September 25, 2002

Code. The 11.75acre site is located along the east line of Gayton Road, approximately 1,200 feet south of W. Broad Street (U.S. Route 250) on parcel 732-761-7760. The zoning is A-1, Agricultural District (**Three Chopt**)

744

745 Mr. Wilhite - The next item is on page 48 of your agenda.

746

747 Mr. Taylor - Is there anyone in the audience in opposition to the lighting plan for LP/POD-35-01, Gayton Baptist Church on the Expedited Agenda? We do have opposition so lets....

749

750 Ms. Davis - We don't have opposition because I talked with the gentleman who is in charge of the lighting plan. I understand it's a standard lighting plan, but I just wanted to....

752

753 Mr. Taylor - Excuse ma'am. But would you please come down so that we can get your comments for the record, and please identify yourself.

755

756 Ms. Davis - My name is Eileen Davis and I live 3717 Bluelake Drive. My property backs up to Gayton Baptist Church. I spoke with the gentleman who is putting the lighting plan together and it looks like a pretty standard, has to be, lighting plan. I'm the only one here because everybody else couldn't be here at 9:00 o'clock in the morning, but we are all in agreement and we understand that the lighting plan is what it is. We just want to make sure that when the landscaping is reviewed, we are looking to have a maximum barrier because we are concerned about the glare in the lighting because of the topography of the land. The parking lot is kind of like a tree level to us. And we understand that the lights spill down and they are supposed to stop that spillage but other than a physical barrier with evergreens and berms and things like that, the lights, with the topography of the land, are not going to do that by themselves. That's all we want to say because when we come back for the landscaping piece... We do not want to stop it today because they have got a construction deadline and we don't want to cost the church money. Let them go ahead with the lighting, and we understand that is what it is. But, when we come back for the landscaping, we want to make sure that... The landscaping we think is going to solve the light problem more than the lighting itself. Okay. Thank you.

770

771 Mr. Taylor - Let me just say this about that issue. We worked very carefully with the church, we've worked somewhat with our landscape people and my understanding is that the church is very willing to do that. And when we work over the landscape plan, I think the first thing the staff will do is pay significant attention to that detail, and when that comes before us again at the landscaping plan phase, that will be another opportunity to review it and another opportunity for community involvement and community comments. So, what I would ask you to do.... I understand the sentiments and expectations of the church are to do all of that. I've talked to the architect, Mr. Duncan, several times, and I've talked to the Rectors of the church and they assure me that they will do everything they possibly can to landscape that so that the church is well screened and we will just have to assure that if you will take that as my assurance that that will receive a very good look and it gets to that stage.

781

782 Ms. Davis - Thank you.

783

784 Mr. Taylor - Are there any other objections to hearing LP/POD-35-01, Gayton Baptist Church on the Expedited Agenda? No other comments, therefore I move approval of LP/POD-35-01, Gayton Baptist Church on the Expedited Agenda.

787

788 Mr. Jernigan - Second.

789

790 Mr. Taylor- The motion was made by Mr. Taylor and seconded by Mr. Jernigan. All in  
791 favor say aye...all oppose say nay. The motion passes.

792

793 The Planning Commission approved the lighting plan for LP/POD-32-01, Gayton Baptist Church,  
794 subject to the standard conditions attached to these minutes for lighting plans and the annotations on the  
795 plan.

796

## 797 **LANDSCAPE PLAN**

798

LP/POD-31-01

Trigon Phase 2 and 1B and  
Revised Phase 1A

**Commonwealth Architects for Trigon Blue Cross, Blue  
Shield:** Request for approval of a landscape plan for Phase 2 and  
1B and revised Phase 1A, as required by Chapter 24, Sections 24-  
106 and 24-106.2 of the Henrico County Code. The 27.18-acre  
site is located at 2015 Staples Mill Road (U.S. Route 33) on  
parcels 775-737-4781, 2819 and 775-736-0484. The zoning is  
B-3, Business District and B-3C, Business District (Conditional).  
**(Brookland)**

799

800 Mr. Wilhite - The next item is on page 49 of your agenda.

801

802 Mr. Taylor - Is there anyone in the audience in opposition to the landscape plan for  
803 LP/POD-31-01, Trigon Phase 2 and 1B and Revised Phase 1A, on the Expedited Agenda? No  
804 opposition. Mr. Vanarsdall.

805

806 Mr. Vanarsdall - This project is going very nicely, thanks to Jim Strauss. I move that LP/POD-  
807 31-01, Trigon Phase 2 and 1B and Revised Phase 1A, be approved. I do have one question. What  
808 date do I use for these new prints, today's date?

809 Mr. Kennedy - Yes.

810

811 Mr. Vanarsdall - And we are going by the prints dated today. That's it.

812

813 Mr. Jernigan - Second.

814

815 Mr. Taylor- The motion was made by Mr. Vanarsdall and seconded by Mr. Jernigan. All in  
816 favor say aye...all oppose say nay. The motion carries.

817

818 The Planning Commission approved the landscape plan for LP/POD-31-01, Trigon Phase 2 and 1B  
819 and Revised Phase 1A, subject to the standard conditions attached to these minutes for landscape plans  
820 and the annotations on the plan.

821

## 822 **SUBDIVISION**

823

The Cottages @ Crossridge,  
Section 2 Revised and Section  
**September 25, 2002**

**Wingate & Kestner for Courtney Development, Inc.:** The  
15.9-acre site is located approximately 2000 feet from Staples Mill



3  
(September 2002 Plan)

Road (U.S. Route 33) and Hungary Road on part of parcel 768-764-1042. The zoning is R-5AC, General Residence District (Conditional). County water and sewer.  
**92 Lots (Brookland)**

824

825 Mr. Wilhite - The next item is on page 51 of your agenda. On page 5 of your addendum there  
826 is a revised plan attached to this.

827

828 Mr. Taylor - Is there anyone in the audience in opposition to the subdivision The Cottages @  
829 CrossRidge, Section 2 Revised and Section 3, on the Expedited Agenda? No opposition. Mr.  
830 Vanarsdall.

831

832 Mr. Vanarsdall - I move that The Cottages at CrossRidge, Section 2 Revised and Section 3  
833 (September 2002 Plan) be approved.

834

835 Mr. Jernigan - Second.

836

837 Mr. Taylor - The motion was made by Mr. Vanarsdall and seconded by Mr. Jernigan. All in  
838 favor say aye...all oppose say nay. The motion passes.

839

840 The Planning Commission granted conditional approval to subdivision The Cottages at CrossRidge,  
841 Section 2 Revised and Section 3 (September 2002 Plan) subject to the standard conditions attached to  
842 these minutes for subdivisions served by public utilities, the annotations on the plan and the following  
843 additional conditions:

844

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

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

849 14. The proffers approved as part of zoning cases C-17C-00 and C-10C-02 shall be incorporated  
850 in this approval.

851 15. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the  
852 maintenance of the common area by a homeowners association shall be submitted to the  
853 Planning Office for review. Such covenants and restrictions shall be in form and substance  
854 satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision  
855 plat.

856

#### 857 **SUBDIVISION**

858

The Cottages @ Crossridge,  
Section 4  
(September 2002 Plan)

**Wingate & Kestner for Courtney Development, Inc.:** The  
36.0-acre site is located approximately 2000 feet from Staples Mill  
Road (U.S. Route 33) and Hungary Road on part of parcel 768-  
764-1042. The zoning is R-5AC, General Residence District  
(Conditional). County water and sewer. 126 Lots (**Brookland**)

859

860 Mr. Wilhite - The next item is on page 52 of your agenda.

861

**September 25, 2002**

862 Mr. Taylor - Is there anyone in the audience in opposition to The Cottages @ CrossRidge,  
863 Section 4 on the Expedited Agenda? No opposition. Mr. Vanarsdall.

864

865 Mr. Vanarsdall - I move The Cottages at CrossRidge, Section 4 (September 2002 Plan) be  
866 approved.

867

868 Mr. Jernigan - Second.

869

870 Mr. Taylor- The motion was made by Mr. Vanarsdall and seconded by Mr. Jernigan. All in  
871 favor say aye...all oppose say nay. The motion passes.

872

873 The Planning Commission granted conditional approval to The Cottages at CrossRidge, Section 4  
874 (September 2002 Plan) subject to the standard conditions attached to these minutes for subdivisions  
875 served by public utilities, the annotations on the plan and the following additional conditions:

876

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

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

881 14. The proffers approved as part of zoning cases C-17C-00 and C-10C-02 shall be incorporated  
882 in this approval.

883 15. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the  
884 maintenance of the common area by a homeowners association shall be submitted to the  
885 Planning Office for review. Such covenants and restrictions shall be in form and substance  
886 satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision  
887 plat.

888

889 Mr. Wilhite - Our final case on the Expedited Agenda is on page 14. On page 2 of your  
890 addendum there is a revised caption and a revised plan.

891

## 892 **PLAN OF DEVELOPMENT & MASTER PLAN**

893

POD-72-02

The Cottages @ Crossridge,  
Section 3 and 4

**Wingate & Kestner for Courtney Development, Inc.:** Request for approval of a plan of development and master plan, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct 49 ~~43~~, single-family detached dwellings with zero lot lines on a 15.9 acre site and to permit the future construction of an additional 120 ~~126~~ single-family detached dwellings with zero lot lines on an adjoining 36 acre parcel. The site is located approximately 2000 feet from Staples Mill Road (U.S. Route 33) and Hungary Road on part of parcel 768-764-1042. The zoning is R-5AC, General Residence District (Conditional). County water and sewer. **(Brookland)**

894

895 Mr. Taylor - Is there anyone in the audience in opposition to POD-72-02, The Cottages @  
896 CrossRidge, Sections 3 and 4, on the Expedited Agenda? No opposition. Mr. Vanarsdall.

897

898 Mr. Vanarsdall - I move approval of POD-72-02, The Cottages at CrossRidge, Sections 3 and  
**September 25, 2002**

899 4 be approved on the Expedited Agenda.

900

901 Mr. Archer - Second.

902

903 Mr. Taylor- The motion was made by Mr. Vanarsdall and seconded by Mr. Archer. All in  
904 favor say aye...all oppose say nay. The motion passes.

905

906 The Planning Commission approved POD-72-02, The Cottages @ CrossRidge, Sections 3 and 4,  
907 subject to the standard conditions attached to these minutes for developments of this type, the  
908 annotations on the plan and the following additional conditions:

909

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

912 23. The subdivision plat for The Cottages @ CrossRidge shall be recorded before any building  
913 permits are issued.

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

916 25. A standard concrete sidewalk shall be provided along the north side of Hungary Road.

917 26. A standard concrete sidewalk shall be provided along the west side of Staples Mill Road.

918 27. The proffers approved as a part of zoning cases C-17C-00 and C-10C-02 shall be  
919 incorporated in this approval.

920 28. Prior to issuance of a building permit, the developer must furnish a letter from **Dominion**  
921 **Virginia Power** stating that this proposed development does not conflict with their facilities.

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

924 30. Deviations from County standards for pavement, curb or curb and gutter design shall be  
925 approved by the County Engineer prior to final approval of the construction plans by the  
926 Department of Public Works.

927 31. The pavement shall be of an SM-2A type and shall be constructed in accordance with County  
928 standard and specifications. The developer shall post a defect bond for all pavement with the  
929 Planning Office - the exact type, amount and implementation shall be determined by the Director  
930 of Planning, to protect the interest of the members of the Homeowners Association. The bond  
931 shall become effective as of the date that the Homeowners Association assumes responsibility  
932 for the common areas.

933 32. Insurance Services Office (ISO) calculations must be included with the plans and contracts and  
934 must be approved by the Department of Public Utilities prior to the issuance of a building  
935 permit.

936 33. Approval of the construction plans by the Department of Public Works does not establish the  
937 curb and gutter elevations along the Henrico County maintained right-of-way. The elevations  
938 will be set by Henrico County.

939 34. Approval of the construction plans by the Department of Public Works does not establish the  
940 curb and gutter elevations along the Virginia Department of Transportation maintained right-of-  
941 way. The elevations will be set by the contractor and approved by the Virginia Department of  
942 Transportation.

943 35. The conceptual master plan, as submitted with this application, is for planning and information  
944 purposes only. All subsequent detailed plans of development and construction plans needed to  
945 implement this conceptual plan may be administratively reviewed and approved and shall be

946 subject to all regulations in effect at the time such subsequent plans are submitted for  
 947 review/approval.  
 948 36. The location of all existing and proposed utility and mechanical equipment (including HVAC  
 949 units, electric meters, junction and accessory boxes, transformers, and generators) shall be  
 950 identified on the landscape plans. All equipment shall be screened by such measures as  
 951 determined appropriate by the Director of Planning or the Planning Commission at the time of  
 952 plan approval.  
 953

954 Mr. Marlles - Mr. Chairman, the next item on your agenda is Requests for Subdivision  
 955 Extensions of Conditional Approval. This information is presented to the Commission for informational  
 956 purposes only, and that report will also be presented by Mr. Wilhite.

957 Mr. Taylor - Mr. Wilhite.  
 958

959 Mr. Wilhite - There are five subdivisions being granted conditional extension by the Director  
 960 of Planning that appear on your agenda. If you have any questions on any of these I'll be happy to  
 961 answer.  
 962

963 **(FOR INFORMATIONAL PURPOSE ONLY)**  
 964

<b>Subdivision</b>	<b>Magisterial District</b>	<b>Original No. of Lots</b>	<b>Remaining Lots</b>	<b>Previous Extensions</b>	<b>Year(s) Extended</b>
<b>CrossRidge (August 2000 Plan)</b>	<b>Brookland</b>	<b>364</b>	<b>27</b>	<b>0</b>	<b>3 Years 8/24/05</b>
<b>Osborne Acres (August 1999 Plan)</b>	<b>Varina</b>	<b>17</b>	<b>17</b>	<b>2</b>	<b>1 Year 8/27/03</b>
<b>The Village @ Olde Colony Estates (August 2000 Plan)</b>	<b>Varina</b>	<b>135</b>	<b>75</b>	<b>1</b>	<b>3 Years 8/24/05</b>
<b>The Ponds @ Dandridge Farm (August 1999 Plan)</b>	<b>Three Chopt</b>	<b>44</b>	<b>13</b>	<b>2</b>	<b>1 Year 8/27/03</b>
<b>Lowell Woods (Sept. 2001 Plan)</b>	<b>Three Chopt</b>	<b>9</b>	<b>9</b>	<b>0</b>	<b>1 Year 9/24/03</b>

965  
 966 Mr. Taylor - Are there any questions of Mr. Wilhite on these subdivisions of extensional  
 967 approval? Thank you, Mr. Wilhite, well done. Mr. Secretary, the Commission is ready to go to our  
 968 regular agenda, if there is any regular agenda left. You've done such a good job of putting everything  
 969 on the Expedited Agenda.  
 970

971 Mr. Marlles - Mr. Chairman, the first case on our regular agenda that will be heard is on page  
 972 8 of your agenda.  
 973  
 974

974 **PLAN OF DEVELOPMENT & SPECIAL EXCEPTION**

975 **(Deferred from the July 24, 2002, Meeting)**

976

POD-54-02  
Summerdale Apartments -  
Newbridge Road

**Horton & Dodd, P. C. for F. W. Properties, LLC and Summerdale, L. P.:** Request for approval of a plan of development and a special exception for three-story buildings, as required by Chapter 24, Sections 24-106 and 24-116(c) of the Henrico County Code to construct 9, three-story apartment buildings (124 units total), 2, two-story apartment buildings, a one-story clubhouse, and a one-story maintenance building. The 9.659 acre site is located at 250 Newbridge Road at the intersection of Newbridge Road and Hawkes Lane on parcel 818-725-1306. The zoning is R-5, General Residence District. County water and sewer. **(Varina)**

977

978 Mr. Taylor - Is there anyone in the in the audience in opposition to POD-54-02,  
979 Summerdale Apartments on Newbridge Road? No opposition.

980

981 Mr. Cox - I would like to hear what's going on.

982

983 Mr. Taylor - Let us present the case. As we hear the case and after we hear the case, if you  
984 have any questions we will entertain your comments. Go ahead, Mr. Cooper.

985

986 Mr. Cooper - Good morning, Mr. Chairman, and members of the Commission. As you may  
987 recall, this plan was deferred at last month's, July's Planning Commission, meeting to allow the applicant  
988 more time to work with the surrounding community and address their concerns. Since the last Planning  
989 Commission meeting, a neighborhood meeting was held to discuss these outstanding issues. As of a  
990 result of this meeting, the applicant has agreed to reduce buildings four and five to two stories, which  
991 you will see in your revised plans that came out with the original packet. They have also agreed to  
992 construct a seven-foot-high privacy fence along the western property line, and they have agreed to  
993 include more tree save area along that same property line to provide a sufficient screening between the  
994 adjacent homeowners on Lowell Street and the proposed apartment complex. The applicant has also  
995 proposed a durable decorative aluminum fence similar to the appearance of a wrought-iron fence along  
996 Hawkes Lane and Newbridge Road, and at this time that satisfies the Planning staff's concern along that  
997 road. Because of the applicant's willingness to work with the community and staff on these outstanding  
998 issues, staff can recommend approval of the plan at this time. And, as a reminder, there is also a special  
999 exception request for three-story buildings.

1000

1001 Mr. Jernigan - Do we have to vote on the special exception separately?

1002

1003 Mr. Cooper - Yes, sir.

1004

1005 Mr. Taylor - Thank you very much, Mike. Now before we do that, the gentleman on the left  
1006 does that answer your question, sir?

1007

1008 Mr. Cox - Yes, it does, but I would still like to address the Commission.

1009

1010 Mr. Taylor - Please, if you would, come up to the podium and identify yourself and we will  
1011 be glad to hear your comments.

1012

1013 Mr. Cox - Yes, my name is Timothy Cox. I'm at 205 Lowell Street. I am very pleased  
1014 with the meeting and the results of the meeting. However, I do have, and I know this is not the place,  
1015 but the entrance onto Hawkes is still a concern because of the cut-thru traffic. Lowell Street is very  
1016 small and has a whole lot of traffic right now. I do not know if it is appropriate but I would like to ask  
1017 the Commission to give a recommendation for me to carry over to Traffic and the Fire Department to  
1018 talk to them about that.

1019

1020 Mr. Marles - Mr. Cox, we do have Todd Eure here today who is with the Public Work  
1021 Traffic Engineering Division, and he may be able to answer your question.

1022

1023 Mr. Jernigan - Let me ask you. What do you want them to do?

1024

1025 Mr. Cox - Well, it was proposed at one time, that they stated at the meeting, to put a  
1026 break-a-way gate or something up there. Our concern is the cut-thru traffic. Right now Lowell Street  
1027 is under 17 feet wide, especially in front of our house. When they developed that Bethdale subdivision  
1028 they opened up, it used to be a deadend, they opened up Hawkes Lane to improve it. Well, it didn't  
1029 improve our situation. Everybody in the subdivision still uses Lowell Street and Hawkes Lane just  
1030 provided a short cut for people cutting through to get back to the other apartments, to miss the light.  
1031 Like I said, they worked real well to reduce the building size and giving more tree save, and I'm real  
1032 pleased with our work there. I'm still very concerned about the traffic. We have kids and everything  
1033 on the street... Excuse me, are you waving at me?

1034

1035 Mr. Vanarsdall - No. Excuse me. I didn't mean to be rude I was trying to get Mr. Cooper's  
1036 attention to show us on the map on the screen where you are talking about.

1037

1038 Mr. Cox - Okay.

1039

1040 Mr. Vanarsdall - Show, Mr. Cooper, where you are speaking about.

1041

1042 Mr. Cooper - I believe he is talking about here (referring to map on screen). This is Lowell  
1043 Street that runs, here, it runs down and I believe, if I understand Mr. Cox correctly, the concern is the  
1044 traffic coming off of Nine Mile Road as opposed to coming to the intersection at Nine Mile and  
1045 Newbridge Roads, Mr. Cox is informing us that people tend to cut down Lowell Street off of Nine Mile  
1046 Road and then turn onto Hawkes Lane.

1047

1048 Mr. Cox - And with that entrance right there on Hawkes Lane, I think that just invites these  
1049 people up at this end to do that. Usually it's rush-hour traffic when the stop light backs them up and  
1050 Lowell Street is right there and it is an easy access. It's a very small street with kids playing on it. I  
1051 would just hate to invite more traffic.

1052

1053 Mr. Taylor - Mr. Cox, what is the speed limit along Lowell? Is there a speed limit posted?

1054

1055 Mr. Cox - Yes. They came out a few years back and posted a 25 mph speed limit.

1056

1057 Mr. Vanarsdall - It wouldn't make any difference.

1058

1059 Mr. Cox - It doesn't. And we have a pine tree that sort of slows them down but sort of  
1060 speeds them up. What they do is they speed up to beat the oncoming guy, because only one car can  
1061 pass at that particular point, safely. We have had people in the ditch where they didn't quite navigate  
1062 that correctly or wasn't aware of it.

1063

1064 Mr. Taylor - The pine tree I guess is on the side of the road and not in the middle of it.

1065

1066 Mr. Cox - Well, it's pretty much in the middle of the road if you look at it a certain way.  
1067 We had a real serious accident there one time. The car went through a couple of front yards and then  
1068 stopped at our neighbor's front porch. I know that can happen anywhere but it's just a real concern.  
1069 And, while we are talking about it, and if I can have some kind of recommendation from the  
1070 Commission, it might help me out with Traffic and the Fire Department. They talked about this entrance  
1071 and the Summerdale people were not for putting that there. They didn't want to do that. They  
1072 suggested putting a gate there, a break-a-way gate. Thank you.

1073

1074 Mr. Taylor - Thank you, Mr. Cox. We will hear from Mr. Eure and see what our prize-  
1075 winning staff can do for this one.

1076

1077 Mr. Eure - Good morning, Mr. Chairman, members of the Commission. I'm Todd Eure,  
1078 Henrico Traffic Engineering. I understand the concerns of Lowell Street. It is a street that really  
1079 doesn't meet current standards in terms of widths and shoulders and so forth. The dilemma we have in  
1080 this situation is the proposed entrances for the apartments. Our policy is if you have more than 82 units  
1081 we do require a second point of access in case the one access point gets blocked for whatever reason.  
1082 There is a need for a second point of access within the development. The logical place to put it within  
1083 this site was on Hawkes Lane. The entrance is very close to Newbridge. We would expect most of  
1084 the people coming out of the apartments would probably use the entrance on Newbridge and those that  
1085 would use the entrance on Hawkes. The majority of them should go out Newbridge and come in and  
1086 out that way. We are not saying that traffic will not increase on Lowell Street because of the result of  
1087 the apartments. Whether the second point of access has a large bearing on that, I would hate to have to  
1088 guess. There is no way we can prevent the traffic from using Lowell Street just as we can't prevent  
1089 other residents in the area that do not live on Lowell Street from using it if they so choose, it's a public  
1090 road.

1091

1092 Public Works does not have any plans for any major improvements on Lowell Street at this point in  
1093 time. I have requested the eastern road department to go through and look at the road and see if any  
1094 shoulder improvements and we are going to look at the tree issue that Mr. Cox mentioned to see if  
1095 that's in the right-of-way and it can be removed if that's what determined would be the safest thing to  
1096 do. There are some other apartments on the other side of Newbridge Road that has access to Hawkes  
1097 Lane so this is not necessarily a unique situation. So, I guess our recommendation is we do recommend  
1098 that the second point of access remain. We will do what we can as far as mitigating the impact on  
1099 Lowell Street. We can coordinate with VDOT and look at the intersection of Newbridge and Nine  
1100 Mile Roads and see if there are any safety or operational improvements they can do there that might  
1101 help reduce some of the traffic diverting to Lowell Street. Are there any questions?

1102

1103 Mr. Jernigan - Todd, do you think there is a possibility of a turn lane being put in there on  
1104 Newbridge Road.  
1105  
1106 Mr. Eure - On Newbridge for...  
1107  
1108 Mr. Jernigan - Have a turn in lane off of Nine Mile Road onto Newbridge Road. I think  
1109 probably the reason people are cutting through now is because they don't want to wait for the stop light.  
1110 So, if we had a turn lane maybe they could zip on through there.  
1111  
1112 Mr. Eure - We can look at that in conjunction with VDOT. I'm not sure of how much  
1113 right-of-way they have on the corner right there and if any right-of-way would be required. I know that  
1114 the County does owns some property pretty close to the corner, if not up to it.  
1115  
1116 Mr. Jernigan - I think the County owns that property now.  
1117  
1118 Mr. Eure - If that's the case, that would certainly simplify the right-of-way issue, and then I  
1119 guess the only issue would be who will pay for it, since it is not immediately adjacent to this  
1120 development, it would be difficult to require the developer to provide it. That's certainly one of the  
1121 suggestions we can look at in conjunction with VDOT.  
1122  
1123 Mr. Jernigan - Would you look into that for me please?  
1124  
1125 Mr. Eure - Yes, sir.  
1126  
1127 Mr. Taylor - Todd, another possibility that may help is the way that the development is  
1128 configured... You've got one entrance on Newbridge and one entrance on Hawkes. The way that this  
1129 plat shows on this particular slide, it looks like both of those entrances on Newbridge and Hawkes  
1130 require a hard 90 degree turn to get into the entrance. Is there a possibility that that entrance could be  
1131 faired back to allow a little bit more gentle transition of traffic so that they would be perhaps more  
1132 inviting to the occupants to use the Newbridge entrance or the Hawkes entrance to get in there more  
1133 easily.  
1134  
1135 Mr. Eure - That maybe be possible, particularly the one on Hawkes since that is, again,  
1136 primarily the second point of access. Do you angle it slightly?  
1137  
1138 Mr. Taylor - Yes, angle it slightly so that it is more congenial to use.  
1139  
1140 Mr. Eure - Sure, that would be an option.  
1141  
1142 Mr. Taylor - It might speed up traffic entering so you don't pause and everybody feels it slow  
1143 so they are looking for some way to avoid the system.  
1144  
1145 Mr. Eure - It's possible to put a sliding on it, but the only concern is if the angle of the  
1146 intersection gets to great then you run into sight obstructions when people are pulling out. They are at a  
1147 stop position and they are having to look at unusual angles which they may have a blind spot in their  
1148 vehicle. That's certainly an option.  
1149



1150 Mr. Taylor - Well, I think Mr. Cox would appreciate anything that we can do to ease traffic  
1151 through there.

1152

1153 Mr. Cox - If we are going to be talking to VDOT.... That Hawkes Lane turns into Yates  
1154 Lane, which is a very large street. You can't see it on this map but over to Pleasants, which is a main  
1155 thoroughfare, 35mph street. I think if you could open up Yates Lane to meet the other Yates Lane  
1156 where a quite a bit of development has occurred. I think eventually you are going to have to put a stop  
1157 light at Pleasants and Nine Mile Road because there are all kinds of accident. And, I think that would  
1158 encourage people to use a wider stretch of road that's more of a design to handle the traffic.

1159

1160 Mr. Taylor - Well, I think these are things that Traffic can look at.

1161

1162 Mr. Cox - And I would also like to keep the tree there because it does slow the traffic  
1163 down a little bit, like a speed bump. I'm not speaking against the tree.

1164

1165 Mr. Taylor - It's really good as long as everybody complies with the speed limit.

1166

1167 Mr. Cox - Yes. It works both ways, that's true, but most people that know about it will  
1168 slow down, they will give in. It might be a bit of a chicken match for a little bit.

1169

1170 Mr. Jernigan - That's a big tree.

1171

1172 Mr. Taylor - Okay. Are you satisfied at this point that Traffic can look into it?

1173

1174 Mr. Cox - Yes, sir. And I would like to have some kind follow-up on it too.

1175

1176 Mr. Taylor - I think the thing for you to do is make sure you provide Mr. Eure your name  
1177 and address, and as we go forward with this we can crank you in on it. Is that fair?

1178

1179 Mr. Cox - Yes, that's fair with me. Thank you very much.

1180

1181 Mr. Jernigan - Thank you.

1182

1183 Mr. Taylor - Is there anyone else that would like to speak on POD-54-02?

1184

1185 Mr. Hembrick - I have one question.

1186

1187 Mr. Taylor - Sir, if you would, come down to the podium and give us your name for the  
1188 record. We will be happy to hear your comments.

1189

1190 Mr. Hembrick - My name is Ralph Hembrick and I live 211 Lowell Street.

1191

1192 Mr. Taylor - Go ahead, Mr. Hembrick.

1193

1194 Mr. Hembrick - The street, not only is it narrow right there where the tree is but, at Nine Mile  
1195 Road and Lowell there is a lawnmower show plus a house that is very narrow right there as you come  
1196 into the street, which is fine with me too. I don't have anything against that specifically, it can stay like it

1197 is. There are streets that can be open up for that, and the children, I try to get them into my yard and  
1198 play. I'm wondering if that property behind me, they didn't want and they are saying that I can have. Is  
1199 that what you said? What she said is that there are streets.... You see that street coming in behind?

1200

1201 Mr. Taylor - Could you point that out on the map and show us where that is.

1202

1203 Mr. Hembrick - What do I use to do that? Oh, this.

1204

1205 Mr. Jernigan - Are you talking about Sullivan Avenue?

1206

1207 Mr. Hembrick - Yes, right here (referring to map on the screen).

1208

1209 Mr. Taylor - And that's a fairly narrow road, Sullivan Avenue?

1210

1211 Mr. Jernigan - It's not there, it's a paper road.

1212

1213 Mr. Hembrick - My property adjoins that. Since they said I could have this, isn't that what I  
1214 heard at the last meeting? Okay, now I will try to keep the kids off the street where I live. I've got  
1215 grandkids and they all play in my yard right now, with some of the neighbor's kids so that will give me a  
1216 larger area for them to ride their go-carts and mini bikes. Do you understand what I am saying?

1217

1218 Mr. Taylor - Not, exactly.

1219 Mr. Hembrick - What I said is they are going to put a privacy fence up... well this extra piece of  
1220 land they said I could have....

1221

1222 Mr. Jernigan - It's a paper road. Ms. Joyner, please. I'm trying to remember that meeting  
1223 and I believe that is a paper road, correct me if I'm wrong, and we were going to close the road and  
1224 each of you would get half but you were going to give him your half and run the seven-foot fence along  
1225 your property line. Am I correct?

1226

1227 Ms. Joyner - You are correct.

1228

1229 Mr. Taylor - Ma'am, if you would for the record, would you provide your name so that we  
1230 can pick it up when we do the minutes?

1231

1232 Ms. Joyner - Yes. I'm Lou Joyner with the Ripley Heatwole Company representing the  
1233 developer, Summerdale L.P.

1234

1235 Mr. Taylor - Thank you very much for your comment.

1236

1237 Mr. Hembrick - Thank you.

1238

1239 Mr. Taylor - Are there any other comments relative to POD-54-02, Summerdale  
1240 Apartments? No further comments. Mr. Jernigan.

1241

1242 Mr. Vanarsdall - I would just like to make one comment. When I'm looking at the zoning, I  
1243 don't think it will change now, this is R-5 zoning, right?

1244

1245 Mr. Jernigan - Yes, sir.

1246

1247 Mr. Vanarsdall - And no proffers or nothing. This is one of the old ones way back in the 60's.

1248

1249 Mr. Jernigan - Yes, 1966.

1250

1251 Mr. Vanarsdall - Well, we can't do anything about this one but I'll just say this for the public's  
1252 benefit. The time to catch these types of things is at the rezoning time. And also when we have a Land  
1253 Use Plan. We have a meeting in every district, throughout the County, several meetings and the public  
1254 is invited and you look on a Land Use Map and you find out what is proposed for that. I know this  
1255 won't help this morning but I just thought I'd throw that out. Just remember in the future the time to  
1256 address these issues is at rezoning. Thank you.

1257

1258 Mr. Jernigan - Thank you, Mr. Vanarsdall.

1259

1260 Mr. Taylor - Thank you Commissioner Vanarsdall. Are you ready for a motion  
1261 Commissioner Jernigan?

1262 Mr. Jernigan - I don't have to hear from Ms. Joyner today because I believe everybody is  
1263 pretty much up to speed on what went on here. We had a neighborhood meeting and I think it ended  
1264 up, it got a little lengthy, but everybody was happy when we walked out and I think the developer gave  
1265 up a little bit and the neighborhood gave up a little bit and when we walked out of there everybody was  
1266 all right. I do want to let people know, as Mr. Vanarsdall said, this is R-5 unconditional zoning and we  
1267 could have had a complex in there that met Code. But, Ms. Joyner's people were willing to work and  
1268 put up a quality development and that's what we are looking for. I think they bent over backwards.  
1269 They are putting up a vinyl fence along that property line, which we had originally talked about two  
1270 fences but cut it to one. So, I think this would be good for the County. I know we have some  
1271 problems back in that area and maybe with some lighting back there we can help address that situation  
1272 too.

1273

1274 Also, I want to add on the condition on Lowell Street, talking to Mr. Branch at the meeting, Mr. Donati  
1275 did instruct Public Works to do a study on your flooding problem down there in the ditches and they are  
1276 going to work on that now. It's going to take a couple of months it's not something that happens over  
1277 night but they are going to work on it and see if they can get that ditch situation straight back there.

1278

1279 So, Mr. Chairman, with that I'll make a motion. I guess we will have to make it on the Special  
1280 Exception first. So, I make a motion we allow Summerdale special exception for three stories.

1281

1282 Mr. Vanarsdall - Second.

1283

1284 Mr. Taylor - The motion was made by Mr. Jernigan and seconded by Mr. Vanarsdall. All in  
1285 favor say aye...all opposed say nay. The motion for the special exception for the three stories is  
1286 approved.

1287

1288 Mr. Jernigan - And, Mr. Chairman, I would like to make a motion to approve POD-54-02,  
1289 Summerdale Apartments at Newbridge Road, subject to the standard conditions for developments of  
1290 this type and the following additional conditions Nos. 23 through 35.

1291

1292 Mr. Vanarsdall - Second.

1293

1294 Mr. Taylor - The motion was made by Mr. Jernigan and seconded by Mr. Vanarsdall. All in  
1295 favor say aye...all opposed say nay. The motion carries.

1296

1297 The Planning Commission approved POD-54-02, Summerdale Apartments – Newbridge Road,  
1298 subject to the standard conditions attached to these minutes for developments of this type, the  
1299 annotations on the plan, and the following additional conditions:

1300

1301 23. The unit house numbers shall be visible from the parking areas and drives.

1302 24. The names of streets, drives, courts and parking areas shall be approved by the Richmond  
1303 Regional Planning District Commission and such names shall be included on the construction  
1304 plans prior to their approval. The standard street name signs shall be ordered from the County  
1305 and installed prior to any occupancy permit approval.

1306 25. The easements for drainage and utilities as shown on approved plans shall be granted to the  
1307 County in a form acceptable to the County Attorney prior to any occupancy permits being  
1308 issued. The easement plats and any other required information shall be submitted to the County  
1309 Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

1310 25. The developer shall provide fire hydrants as required by the Department of Public Utilities and  
1311 Division of Fire.

1312 26. Deviations from County standards for pavement, curb or curb and gutter design shall be  
1313 approved by the County Engineer prior to final approval of the construction plans by the  
1314 Department of Public Works.

1315 27. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage  
1316 plans.

1317 28. Insurance Services Office (ISO) calculations must be included with the plans and contracts and  
1318 must be approved by the Department of Public Utilities prior to the issuance of a building  
1319 permit.

1320 29. Approval of the construction plans by the Department of Public Works does not establish the  
1321 curb and gutter elevations along the Henrico County maintained right-of-way. The elevations  
1322 will be set by Henrico County.

1323 30. The location of all existing and proposed utility and mechanical equipment (including HVAC  
1324 units, electric meters, junction and accessory boxes, transformers, and generators) shall be  
1325 identified on the landscape plans. All equipment shall be screened by such measures as  
1326 determined appropriate by the Director of Planning or the Planning Commission at the time of  
1327 plan approval.

1328 31. The developer shall use best efforts to petition the County to vacate Sullivan Avenue and  
1329 adjacent Lots 1-6, Morrison Farms, Block A. Proof of the petition shall be submitted to the  
1330 Planning Office prior to final construction plan approval.

1331 32. Sullivan Avenue shall be constructed to County standards between Hawkes Lane and the  
1332 northern terminus of the right-of-way, including a cul-de-sac at the terminus, unless a waiver is  
1333 granted by the Director of Public Works or the petition to vacate the right-of-way is approved  
1334 by the Board of Supervisors.

1335 33. The perimeter of the property shall be landscaped in accordance with the perimeter buffer  
1336 requirement of the Multi-family guidelines.

1337 34. A seven-foot-high privacy fence shall be constructed along the western property line.

1338  
1339  
1340

1340 **PLAN OF DEVELOPMENT & ALTERNATIVE FENCE HEIGHT**

1341 **(Deferred from the July 24, 2002, Meeting)**

1342

POD-51-02

L. B. Smith Expansion –  
1345 Mountain Road  
(POD-60-95 Revised)

**Draper Aden Associates for Smith Land & Improvement Corporation:** Request for approval of a revised plan of development and alternative fence height plan, as required by Chapter 24, Sections 24-106 and 24-95(1)(6) of the Henrico County Code to expand a gravel parking area and construct a six-foot black vinyl clad chain link fence in a front yard with landscaping. The 3.96 acre site is located at 1345 Mountain Road on parcel 782-759-7585. The zoning is M-1, Light Industrial District. County water and sewer. **(Fairfield)**

1343

1344 Mr. Taylor - Is there anyone in the audience in opposition to POD-51-02, L. B. Smith  
1345 Expansion? No opposition. Mr. McGarry.

1346

1347 Mr. McGarry - Mr. Chairman, members of the Commission. There were two issues and both of them  
1348 have been resolved with the revised plan. The first one, the Department of Public Works has accepted  
1349 the phasing of the development as shown on the master plan and has postpone road improvements  
1350 along Mountain Road to a future phase. As such, staff has added condition No. 30 that's on your  
1351 addendum. It reads: "With construction of future improvements consistent with the Master Plan (Sheet  
1352 C-1), curb and gutter improvements along Mountain Road are required unless waived by the Director  
1353 of Public Works." The other issue has to do with the six-foot fence located in the front yard, and this  
1354 require an alternative fence height and that needs to be included in your motion. With that, staff can  
1355 recommend approval of the revised plan, plus conditions Nos. 23 through 30. I'll be happy to answer  
1356 any questions.

1357

1358 Mr. Taylor - Are there any questions of Mr. McGarry? No questions. Commissioner.

1359

1360 Mr. Archer - Well Mr. McGarry certainly worked hard on this with the applicant. And, as  
1361 Mr. Donati like to say "They've reached a good compromise. Everybody didn't go away happy but at  
1362 least they were equally mad." And added condition No. 30 kind of ties this altogether and makes it  
1363 workable as far as utilities are concern. So with that, I will move approval of POD-51-02, L. B. Smith  
1364 Expansion, subject to the staff's recommendations, added conditions Nos. 23 through 29 and added  
1365 additional condition No. 30 on this morning's addendum.

1366

1367 Mr. Vanarsdall - Second.

1368

1369 Mr. Taylor - Does that include the alternative fence height?

1370

1371 Mr. Archer - Do I have to make a separate motion or can I include it?

1372

1373 Mr. Taylor - You can add that to the motion.

1374

1375 Mr. Archer - Okay. Well, then I'll approve the six-foot alternative fence height.

1376

1377 Mr. Taylor - The motion was made by Mr. Archer and seconded by Mr. Vanarsdall.

1378 All in favor say aye...all opposed say nay. The motion carries.

1379

1380 Mr. Vanarsdall - Now you need the fence.

1381

1382 Mr. Archer - Well, I included it in the motion. Do I need to do it separately? The Chairman  
1383 said I could include it.

1384

1385 Mr. Marles - I tend to prefer it separately.

1386

1387 Mr. Archer - Then I move approval of the alternative fence height plan.

1388

1389 Mr. Vanarsdall - Second.

1390

1391 Mr. Taylor - The motion was made by Mr. Archer and seconded by Mr. Vanarsdall to  
1392 approve the alternative fence height plan. All in favor say aye...all opposed say nay. The motion  
1393 carries.

1394

1395 The Planning Commission approved POD-51-02, L. B. Smith Expansion – 1345 Mountain Road,  
1396 (POD-60-95 Revised) and the alternative fence height plan, subject to the standard conditions attached  
1397 to these minutes for developments of this type, the annotations on the plan, and the following additional  
1398 conditions:

1399

1400 23. The developer shall provide fire hydrants as required by the Department of Public Utilities and  
1401 Division of Fire.

1402 24. Outside storage shall not be permitted.

1403 25. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form  
1404 acceptable to the County Attorney prior to final approval of the construction plans.

1405 26. Deviations from County standards for pavement, curb or curb and gutter design shall be  
1406 approved by the County Engineer prior to final approval of the construction plans by the  
1407 Department of Public Works.

1408 27. Insurance Services Office (ISO) calculations must be included with the plans and contracts and  
1409 must be approved by the Department of Public Utilities prior to the issuance of a building  
1410 permit.

1411 28. Approval of the construction plans by the Department of Public Works does not establish the  
1412 curb and gutter elevations along the Henrico County maintained right-of-way. The elevations  
1413 will be set by Henrico County.

1414 29. All repair work shall be conducted entirely within the enclosed building.

1415 30. With construction of future improvements consistent with the Master Plan (Sheet C-1), curb  
1416 and gutter improvements along Mountain Road are required unless waived by the Director of  
1417 Public Works.

1418

#### 1419 **PLAN OF DEVELOPMENT**

1420

POD-70-02  
Welborne Office

**Foster & Miller, P.C. for Vasilios Konstantinakos and Helen Konstantinakos:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to convert an existing dwelling to an office use and to construct additional parking. The 0.28-acre site is located on the east line of

Welborne Drive, south of Weldon Drive at 1107 Welborne Drive on parcel 753-741-3086. The zoning is B-1, Business District. **(Tuckahoe)**

1421

1422 Mr. Taylor - Is there anyone in the audience in opposition to POD-70-02, Welborne Office?

1423 No opposition. Mr. Strauss.

1424

1425 Mr. Strauss - Thank you, Mr. Chairman. The staff doesn't have any additional information to  
1426 add at this point. The applicant wishes to convert the existing residence to an office and it is zoned to  
1427 allow for that. It is zoned B-1. After much discussion, and review of a preliminary plan, the engineer  
1428 submitted a revised plan of development that staff can recommend approval for. We are also  
1429 recommending Nos. 9 and 11 amended in order to address the landscaping issues that the  
1430 neighborhood was concerned with. We did get some calls from the neighborhood when the owner  
1431 removed some trees out front. The neighborhood would like to see some of that landscaping replaced,  
1432 of course. So we will be seeing the landscaping and lighting coming back to the Commission. That's  
1433 about it and with that I can take any questions you may have, and Mr. Spud Mistr is here representing  
1434 the applicant.

1435

1436 Mr. Taylor - Are there any questions for Mr. Strauss from the Commission?

1437

1438 Mrs. Ware - I have no questions.

1439

1440 Mr. Taylor - No questions. Mrs. Ware has worked it out.

1441

1442 Mrs. Ware - Well, actually I have to say that staff did a lot of work on this and so did Pat  
1443 O'Bannon and with that, I will recommend approval for POD-70-02, Welborne Office, subject to the  
1444 annotations on the plan, the standard conditions for developments of this type, Nos. 9 and 11 amended  
1445 and Nos. 23 through 34.

1446

1447 Mr. Vanarsdall - Second.

1448

1449 Mr. Taylor- The motion was made by Mrs. Ware and seconded by Mr. Vanarsdall. All in  
1450 favor say aye...all oppose say nay. The motion passes.

1451

1452 The Planning Commission approved POD-70-02, Welborne Office, subject to the standard conditions  
1453 attached to these minutes for developments of this type, the annotations on the plan and the following  
1454 additional conditions:

1455

1456 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Planning Office for review  
1457 and Planning Commission approval prior to the issuance of any occupancy permits.

1458 11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including depictions  
1459 of light spread and intensity diagrams, and fixture and specifications and mounting height details  
1460 shall be submitted for Planning Office review and Planning Commission approval.

1461 23. The easements for drainage and utilities as shown on approved plans shall be granted to the  
1462 County in a form acceptable to the County Attorney prior to any occupancy permits being  
1463 issued. The easement plats and any other required information shall be submitted to the County  
1464 Real Property Agent at least sixty (60) days prior to requesting occupancy permits.



- 1465 24. The developer shall provide fire hydrants as required by the Department of Public Utilities and  
 1466 Division of Fire.
- 1467 25. Outside storage shall not be permitted.
- 1468 26. All exterior lighting fixtures shall be designed and arranged so the source of light is not visible  
 1469 from the roadways or adjacent residential properties. The lighting shall be low intensity,  
 1470 residential in character, and the height or standards shall not exceed 15 feet.
- 1471 27. This business shall not remain in operation after midnight and no exterior signs shall remain  
 1472 lighted after (12:00 midnight - B-1 zone).
- 1473 28. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form  
 1474 acceptable to the County Attorney prior to final approval of the construction plans.
- 1475 29. Deviations from County standards for pavement, curb or curb and gutter design shall be  
 1476 approved by the County Engineer prior to final approval of the construction plans by the  
 1477 Department of Public Works.
- 1478 30. Storm water retention, based on the 50-10 concept, shall be incorporated into the drainage  
 1479 plans.
- 1480 31. Insurance Services Office (ISO) calculations must be included with the plans and contracts and  
 1481 must be approved by the Department of Public Utilities prior to the issuance of a building  
 1482 permit.
- 1483 32. Approval of the construction plans by the Department of Public Works does not establish the  
 1484 curb and gutter elevations along the Henrico County maintained right-of-way. The elevations  
 1485 will be set by Henrico County.
- 1486 33. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the Planning  
 1487 Office and approved prior to issuance of a certificate of occupancy for this development.
- 1488 34. The location of all existing and proposed utility and mechanical equipment (including HVAC  
 1489 units, electric meters, junction and accessory boxes, transformers, and generators) shall be  
 1490 identified on the landscape plans. All equipment shall be screened by such measures as  
 1491 determined appropriate by the Director of Planning or the Planning Commission at the time of  
 1492 plan approval.

1494 **PLAN OF DEVELOPMENT**

1495

POD-69-02  
 BJU Office Building –  
 Parham Road

**Koontz-Bryant, P.C. for Billy Upton and Ballou, Justice, Upton & Associates:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, 12,000 square foot office building. The 1.32-acre site is located at the southwest intersection of Parham Road and I-64 on parcels 756-751-1275 and 2085. The zoning is O-1C, Office District (Conditional). County water and sewer. **(Three Chopt)**

1496

1497 Mr. Taylor - Is there anyone in the audience in opposition to POD-69-02, BJU Office  
 1498 Building – Parham Road? No opposition. Good morning, Mr. Wilhite, again.

1499

1500 Mr. Wilhite - I would like to point out to you page two of your addendum. There is a revised  
 1501 recommendation. The concerns that staff had dealing with water quality requirements and a proffered  
 1502 open space calculation have been satisfied. On your addendum it explains that there is a proffer on the  
 1503 site that requires all buildings to be of residential character and that they should be primarily of brick and

1504 glass. Any other materials that the applicant would intend to use have to be specifically approved by the  
1505 Planning Commission. On the building being proposed here, there is a building material of PVC which  
1506 is a synthetic wood-like material being proposed above the windows and below the roof line by the  
1507 applicant. I do have a rendering on the screen of how this building would look. This is a view from  
1508 Parham Road (referring to picture on the screen). I'll be happy to answer any questions you may have.  
1509 Staff recommends approval of the site plan and if you accept the material, the PVC material, you will  
1510 have to specifically make that a part of your motion. The applicant is here and he does have a sample  
1511 of that material if you care to see it.

1512

1513 Mr. Taylor - Thank you, Mr. Wilhite.

1514

1515 Mr. Jernigan - Mr. Wilhite, where are they going to use the PVC?

1516

1517 Mr. Wilhite - The PVC would be where the white is shown above the windows and below  
1518 the roof. It is also used as roof trim, also on the pediment in the front and they mirrored that on the  
1519 back parking lot as well.

1520

1521 Mr. Jernigan - They are using it as a fascia board.

1522

1523 Mr. Wilhite - Yes. It's a substitute for wood.

1524

1525 Mr. Jernigan - Okay.

1526

1527 Mr. Taylor - Are there any questions of Mr. Wilhite by the Commission? Then I believe we  
1528 will hear from the applicant.

1529

1530 Mr. Archer - I would like to see the material. Could we see the material, Mr. Chairman?

1531

1532 Mr. Taylor - Well, I think, actually, on this particular one, I have gone over this case and Mr.  
1533 Kaechele had intense interest in it and I thought that Mr. Upton being an architect, this being his  
1534 building, this being his PVC that there is a modicum of education to be gained by looking at what the  
1535 construction trade now produces in terms of PVC. When I first heard about it I thought this would be a  
1536 type of plastic that would perhaps oxidize, craze or change color and I was a little skeptical of the issue  
1537 of PVC until Mr. Upton who is a partner in the architect firm came down to the Planning Office and  
1538 showed us both the elevations, which are before you now, which I hadn't seen before yesterday, as well  
1539 as the material he's proffering for use in the fascia board. And I just thought it might be a little bit  
1540 educational and a little bit opportunistic to have him describe what he's going to do. This particular site  
1541 is at the corner of I-64 and Parham Road. It has a very checkered history over a period time and tacky  
1542 buildings and trash and debris and finally everything was bulldozed. And I frankly think this is going to  
1543 be a prestigious development of that parcel. And I would ask him, if he would, just discuss it and teach  
1544 us about this new material called plank PVC.

1545

1546 Mr. Upton - I'm Bill Upton owner of this property and president of Ballou, Justice Upton  
1547 Architects and I appreciate the opportunity to be here. I know you are very busy so I will try to be  
1548 very brief. The history of this project, approximately five years ago, we had the property rezoned and  
1549 at the time that was completed and certain conditions were met, I took over the property and it was  
1550 such a mess. I think it was about seven truckloads of trash that I hauled away from the site, old washing

1551 machines, motorcycles just everything in the world was dumped behind the brick house that was on the  
1552 corner. So we cleaned that up and we cleaned up some of the underbrush and thicket and then we  
1553 started having lots of problems with vandals going into the home. They were putting graffiti on the walls,  
1554 starting fires everything you could think of. After working with that for awhile, we decided that it was  
1555 best to demolish that old brick home. Structurally, it was a good building but it wasn't suitable because  
1556 it was being vandalized. So, we demolished that building then we decided we wanted to build our office  
1557 here, and we were going to do that about five years ago but at that time we merged with another firm  
1558 and we didn't have time and I'll lease is running out with Innsbrook now. So, we are trying to construct  
1559 our office. And, of course, we are interested as architects to make sure that this building represents the  
1560 quality of our design. So, we want to be a very attractive building and, of course, we want to be a very  
1561 low maintenance building like everyone else.

1562

1563 The material that we are talking about is basically.... We would actually like for you to approve either  
1564 wood or this material, if you can do that. What we are proposing is this material, which is PVC but it is  
1565 very durable. It is not what you would think of what most people would think of when they think of  
1566 PVC.

1567

1568 Mr. Taylor - Would you just pass that up so that the Commissioners can see that (he's  
1569 referring to a sample of the PVC material)?

1570

1571 Mr. Upton - Yes. Most people and like myself, when you think of PVC you think of like  
1572 vinyl siding or some thin material. This is basically a stable material that we have used on \$25,000,000  
1573 buildings. The reason we are proposing to use it is because it is stable, dimensionally sound and we  
1574 believe according to the information that we have, and, of course, we've only used it for a few years,  
1575 that it will hold paint and look attractive for years to come. So, we believe this material is actually better  
1576 than what is normally used here which is wood, but either one could do the job. It's just a matter of  
1577 maintenance. So, we would propose that you accept this. And also while I'm here at the podium, I  
1578 would like to thank the staff and everyone on the Planning Commission especially Mr. Taylor. He took  
1579 several phone calls and met with us. And I know it's very time consuming you have lives and  
1580 businesses and stuff so I want to thank Mr. Taylor and the staff for helping us get to this point today and  
1581 we hope we can move forward. Thank you.

1582

1583 Mr. Taylor - Thank you, Mr. Upton. Are there any questions for Mr. Upton?

1584

1585 Mr. Archer - Mr. Upton, of this material do you know of any examples of where it's been  
1586 used before?

1587

1588 Mr. Vanarsdall - That's what I was going to ask.

1589

1590 Mr. Upton - We used it on Thomas Dale High School in Chesterfield County.

1591

1592 Mr. Archer - How many years ago was that?

1593

1594 Mr. Upton - It's been in place only a couple of years.

1595

1596 Mr. Archer - What is the attachment process, do you drill holes in it or screw it on?

1597

1598 Mr. Upton - You work it just about like wood. You saw it with a saw and you drill it. It's  
1599 basically a stable substitute for wood.  
1600  
1601 Mr. Archer - In time, do you know whether or not if it would oxidized and chalk up a little  
1602 bit?  
1603  
1604 Mr. Upton - Well it will be painted. Well, actually, it's design not to be painted but we  
1605 would paint it so it would be protected. But I believe that it would age nicely anyway.  
1606  
1607 Mr. Archer - Can it be manufactured in different colors or is it always that color?  
1608  
1609 Mr. Upton - This is the only color that I am aware of.  
1610  
1611 Mr. Archer - Okay.  
1612  
1613 Mr. Upton - And what we would do is drill it, attach it with screws and of course paint it, so  
1614 it is going to look like wood but hopefully it would be a lot less maintenance over the years.  
1615  
1616 Mr. Archer - Thank you, sir.  
1617  
1618 Mr. Upton - You are very welcome.  
1619  
1620 Mr. Vanarsdall- Did you say that you are going to paint it in the beginning or are you would paint  
1621 it....  
1622  
1623 Mr. Upton - No. We are going to paint it in the beginning because we think we will get a  
1624 crisper finish and we want it to look real nice.  
1625  
1626 Mr. Vanarsdall - Kevin, has Public Works ever seen this material before in the County?  
1627  
1628 Mr. Wilhite - I'm not sure if Public Works has seen the material. The only applications I'm  
1629 familiar with is used on some fences. Libbie Place uses this material as a fence but I was not aware of it  
1630 being incorporated into any building facades.  
1631  
1632 Mr. Vanarsdall - Well evidently they didn't have any problems with it or they wouldn't have  
1633 approved it.  
1634  
1635 Mr. Wilhite - Public Works?  
1636  
1637 Mr. Vanarsdall - Yes.  
1638  
1639 Mr. Wilhite - They didn't review it, this is a Planning application.  
1640  
1641 Mr. Vanarsdall - Okay. I just wondered. Is it holding up the fences that you have dealt with?  
1642  
1643 Mr. Wilhite - What I have seen out there at Libbie Place looks fine and of course that's only  
1644 been out there a few years. I don't think we have had any experience with it long term.

1645

1646 Mr. Upton - It's a fairly new material but based on our experience, we do have confidence  
1647 or obviously I wouldn't put it on my own building or recommend it if I didn't think it was a good  
1648 product.

1649

1650 Mr. Vanarsdall - Being in your business you would have run across it before.

1651

1652 Mr. Upton - I have a lot of confidence that it's a good material and we do believe that it is.

1653

1654 Mr. Vanarsdall - Thank you, I don't have any more questions.

1655 Mr. Jernigan - Mr. Upton, I have a question and I'm probably getting technical but I'm trying  
1656 to learn something here. You drill this and then screw it on.

1657

1658 Mr. Upton - You essentially work it just like you would wood, saw it with a circular saw,  
1659 drill, I think you can nail it as well but we would intend to screw it and countersink the screws, fill the  
1660 holes and finish it just like wood.

1661

1662 Mr. Jernigan - Okay. You answered my question because I was wondering if you plan....  
1663 What I'm looking at is....

1664

1665 Mr. Vanarsdall - What was that?

1666

1667 Mr. Jernigan - He's going to countersink it because I didn't know if he wanted to have on that  
1668 smooth finish have a protruding screw, so you would countersink it and then put a little filler and then  
1669 paint over it.

1670

1671 Mr. Upton - Yes.

1672

1673 Mr. Jernigan - Okay. I'm looking at the time factor too. I mean, it may take a little more time  
1674 to put this up but you won't have to worry about it rotting.

1675

1676 Mr. Upton - And it's more expensive than wood. It's actually not a shortcut it's more  
1677 expensive for us.

1678

1679 Mr. Jernigan - Okay. Thank you.

1680

1681 Mr. Upton - Yes, sir.

1682

1683 Mr. Taylor - Thank you, Mr. Upton. Are there any other questions from the  
1684 Commissioners? Thank you, sir, we appreciate you coming in and presenting the product.

1685

1686 Mr. Upton - Thank you, Mr. Taylor and the rest of the Commissioners, thank you.

1687

1688 Mr. Taylor - I believe that is it and we are ready for a vote. First I will move approval of the  
1689 addendum item to allow use of high-density PVC fascia in addition to glass as an exterior building  
1690 material.

1691

1692 Mr. Jernigan - Second.

1693

1694 Mr. Taylor - The motion was made by Mr. Taylor and seconded by Mr. Jernigan to allow  
1695 the application of PVC fascia. All in favor say aye...all opposed say nay. The motion carries.

1696

1696 The Planning Commission approved to allow PVC fascia material on the building for POD-69-02, BJU  
1697 Office Building – Parham Road.

1698

1699 Mr. Taylor - Now going to the basic motion, I will move for approval of POD-69-02, BJU  
1700 Office Building, subject to the standard conditions for developments of this type, additional comments  
1701 Nos. 23 through 31 and the addendum item.

1702

1703 Mr. Jernigan - Second.

1704

1705 Mr. Taylor - The motion was made by Mr. Taylor and seconded by Mr. Jernigan. All in  
1706 favor say aye...all opposed say nay. The motion carries.

1707

1708 The Planning Commission approved POD-69-02, BJU Office Building – Parham Road, subject to the  
1709 standard conditions attached to these minutes for developments of this type, the annotations on the plan  
1710 and the following additional conditions:

1711

1712 23. The easements for drainage and utilities as shown on approved plans shall be granted to the  
1713 County in a form acceptable to the County Attorney prior to any occupancy permits being  
1714 issued. The easement plats and any other required information shall be submitted to the County  
1715 Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

1716 24. The developer shall provide fire hydrants as required by the Department of Public Utilities and  
1717 Division of Fire.

1718 25. Outside storage shall not be permitted.

1719 26. The proffers approved as a part of zoning case C-21C-93 shall be incorporated in this  
1720 approval.

1721 27. The certification of building permits, occupancy permits and change of occupancy permits for  
1722 individual units shall be based on the number of parking spaces required for the proposed uses  
1723 and the amount of parking available according to approved plans.

1724 28. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form  
1725 acceptable to the County Attorney prior to final approval of the construction plans.

1726 29. Deviations from County standards for pavement, curb or curb and gutter design shall be  
1727 approved by the County Engineer prior to final approval of the construction plans by the  
1728 Department of Public Works.

1729 30. Insurance Services Office (ISO) calculations must be included with the plans and contracts and  
1730 must be approved by the Department of Public Utilities prior to the issuance of a building  
1731 permit.

1732 31. The location of all existing and proposed utility and mechanical equipment (including HVAC  
1733 units, electric meters, junction and accessory boxes, transformers, and generators) shall be  
1734 identified on the landscape plans. All equipment shall be screened by such measures as  
1735 determined appropriate by the Director of Planning or the Planning Commission at the time of  
1736 plan approval.

1737

1738

1738 **PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION**

1739

POD-71-02  
Tom Leonard's at  
Brookhollow

**TIMMONS for Brookhollow of Virginia, Inc. and Mr. Thomas P. Leonard:** Request for approval of a plan of development and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code to construct a two-story, 17,661 ~~17,096~~ square foot retail grocery building with a 9,817 ~~6,421~~ square foot outdoor garden center. The 6.29-acre site is located along the north line of Brookriver Drive and the south line of Interstate 64, approximately 650 feet north of W. Broad Street (U.S. Route 250) on part of parcels 743-762-6518 and 4109. The zoning is M-1C, Light Industrial District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

1740

1741 Mr. Taylor - Is there anyone in the audience in opposition to POD-71-02, Tom Leonard's at  
1742 Brookhollow? No opposition. Mr. Wilhite.

1743

1744 Mr. Wilhite - You were just recently handed out a revised site plan and revised architectural  
1745 elevations. The building itself has increased in size; it has gone from 17,096 square feet to 17,661  
1746 square feet. Also, the garden center has increased in size from 6,421 to 9,817 square feet and that is  
1747 reflected on the revised plan. There were also some changes to the loading areas in the rear and also  
1748 some parking was rearranged. The revised plan does note on there that there is a request for a  
1749 transitional buffer deviation adjacent to I-64 in the rear. The Code requires a Transitional Buffer 50  
1750 there. The applicant has requested a reduction to a 30-foot minimum buffer. Staff can support that  
1751 deviation with the condition that supplemental planting may be added at time of landscape plan approval  
1752 based on how much existing vegetation is saved back there.

1753

1754 As in the last case, this particular case has proffer requirements dealing with architectural materials being  
1755 used. The applicant is proposing cedar siding across the front façade of the building and partially on the  
1756 side façade. This would require specific Planning Commission approval based on the proffers of the  
1757 Brookhollow zoning cases. The applicant is here and we do have a sample board if you care to see the  
1758 materials and colors being proposed. Also, on the handout there is a revised condition dealing with  
1759 outside storage. The original condition read: "Outside storage shall not be permitted" and we revised  
1760 that to include "except within the garden center enclosure." Also, there is an added condition No. 33  
1761 on the addendum. This was offered by the applicant and it states: "Any building additions shall be similar  
1762 in architectural treatment and materials to achieve a harmonious façade with the building approved  
1763 herein." Staff is in a position to recommend approval of the site plan. A separate motion is required for  
1764 the transitional buffer deviation and the motion for any approval would have to include specific citing of  
1765 the use of cedar siding if the Planning Commission so desires that material to be used. I'll be happy to  
1766 answer any questions you may have at this time.

1767

1768 Mr. Taylor - Are there any questions of Mr. Wilhite? I believe on this particular one, Mr.  
1769 Wilhite, Mr. Kaechele has been involved in this, I have been involved in this and while this is in  
1770 Brookhollow it is in the rear of Brookhollow, to the extreme rear, and next to Capital Flooring and it  
1771 actually will have a line of buildings or some other structures in front of this. So, the use of wood  
1772 material has been discussed with the staff, with Mr. Kaechele and on significant investigation we feel that



1773 that is adequate material in there for this type of building. So, I would like to start out by moving  
1774 approval of the transitional buffer in the rear of the building from 50 feet to 30 feet.

1775

1776 Mr. Vanarsdall - Second.

1777

1778 Mr. Taylor - The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall with  
1779 regard to the transitional buffer reduction from 50 feet to 30 feet. All in favor say aye...all opposed say  
1780 nay. The motion carries.

1781

1782 The Planning Commission approved the reduction for the transitional buffer deviation for POD-71-02,  
1783 Tom Leonard's at Brookhollow from 50 feet to 30 feet.

1784

1785 Mr. Taylor - Next I would like to move for approval which is material that would include the  
1786 use of cedar siding and roofing. Is there a second?

1787

1788 Mr. Jernigan - Let me ask one thing. This is plank cedar and not T-111?

1789

1790 Mr. Taylor - No.

1791

1792 Mr. Wilhite - We have a sample of it here if you care to see it.

1793

1794 Mr. Taylor - This will be high-grade cedar consistent with the architectural quality of other  
1795 Tom Leonard's stores.

1796

1797 Mr. Jernigan - I'll second the motion, Mr. Chairman.

1798

1799 Mr. Taylor - All right. Thank you, sir. The motion was made by Mr. Taylor and seconded  
1800 by Mr. Jernigan to approve the use of cedar siding and roofing. All in favor say aye...all opposed.  
1801 There being no opposition, the use of cedar siding and roofing is approved in case POD-71-02, Tom  
1802 Leonard's at Brookhollow.

1803

1804 The Planning Commission approved the use of cedar siding and roofing material for POD-71-02, Tom  
1805 Leonard's at Brookhollow.

1806

1807 Mr. Taylor - Next, I will move for approval of POD-71-02, subject to the standard  
1808 conditions for developments of this type, additional conditions Nos. 23, 24, No. 25 revised, Nos. 26  
1809 through 32 and added condition No. 33 that "any building additions shall be similar in architectural  
1810 treatment and materials to achieve a harmonious façade with the building approved herein." We have  
1811 added that at the staff to allow for an addition for seasonal activity and expansion of the building on the  
1812 site given that it is a financial success.

1813

1814 Mr. Vanarsdall - Mr. Chairman, we revised No. 26 and not No. 25.

1815

1816 Mr. Taylor - Yes, that is correct.

1817

1818 Mr. Conclin - Mr. Chairman, if I could just make a point of clarification.

1819

1820 Mr. Taylor - Mr. Condlin, you certainly may.  
1821

1822 Mr. Vanarsdall - You remind me a lot of Bill Axselle.  
1823

1824 Mr. Andy - Mr. Chairman, and members of the Commission, I think that was a compliment.  
1825 I had talked to Mr. Wilhite before about Condition No.26 requires outside storage to be enclosed.  
1826 There are provisions within the Code that do allow for outsales along the sidewalk area, if the right  
1827 things, applications and approvals come forward. I just wanted to clarify this would not preclude, this  
1828 condition would not preclude or prohibit, assuming we get those approvals for outside sales. Often  
1829 what you see at the grocery store are flowers and things of that nature out on the sidewalk. Again, if we  
1830 meet all Code requirements, otherwise. I just wanted to clarify that point. I believe that is what we had  
1831 talked about.  
1832

1833 Mr. Vanarsdall - While you are there, Andy, and I am serious on this, what kind of grocery store  
1834 is this?  
1835

1836 Mr. Condlin - This is going to be a high-end fresh farmer's market type of grocery store. It is  
1837 going to be bringing in produce, fish, dairy.  
1838

1839 Mr. Vanarsdall - Is it an independent?  
1840

1841 Mr. Condlin - Absolutely. There are three, I believe it is three Stu Leonards, which I believe  
1842 is Tom Leonard's Dad. Tom Leonard living here in Richmond, but Stu Leonard's that are a  
1843 phenomenal success. They have actually been ranked No. 15 of the top 100 stores to work at in the  
1844 United States, which they claim is 17 spots better than Ukrop's. They don't mind saying that. They are  
1845 a phenomenal success up in the Northeast and this is going to be a scaled down version, but as Mr.  
1846 Taylor alluded to, they are leaving space open to expand both to the right and to the left of the building.  
1847

1848 Mr. Vanarsdall - They will obviously be looking for other locations if this one is successful.  
1849

1850 Mr. Condlin - Well, right now it depends on who you talk to, but this, Tom Leonard being  
1851 somewhat of a son, so he lives here in Richmond, and he's got a lot of experience in the grocery store  
1852 business. He actually worked for Ukrop's and worked for Joe's Market in helping develop that design.  
1853  
1854

1855 Mr. Vanarsdall - That was what I was thinking, that it would be like Joe's Market.  
1856

1857 Mr. Condlin - It will be a little bit different because it is going to be a little bit more higher  
1858 volume and more fresher produce. That is really the idea, to get fresher and the west end is certainly a  
1859 good market, I think.  
1860

1861 Mr. Vanarsdall - I hope you guys do well.  
1862

1863 Mr. Condlin - Thank you.  
1864

1865 Mr. Taylor - Thank you, Mr. Condlin, and thank you for the comments and effort and we do  
1866 appreciate your new haberdasher. I think what I will do, Mr. Director, if I might, I am going to start

1867 over with the motion that was on the floor, that I will move approval of POD-71-02 with standard  
1868 conditions for developments of this type and Conditions Nos. 23, 24, 25 Revised, 26 Revised through  
1869 32, and added Condition No. 33.

1870

1871 Mr. Jernigan - I will second it, Mr. Chairman.

1872

1873 Mr. Taylor - Motion made by Mr. Taylor and seconded by Mr. Jernigan. All in favor say  
1874 aye. All opposed say no. The motion passes.

1875

1876 The Planning Commission approved POD-71-02, Tom Leonard's at Brookhollow, subject to the  
1877 standard conditions attached to these minutes for developments of this type, the annotations on the plan  
1878 and the following additional conditions:

1879

1880 23. The easements for drainage and utilities as shown on approved plans shall be granted to the  
1881 County in a form acceptable to the County Attorney prior to any occupancy permits being  
1882 issued. The easement plats and any other required information shall be submitted to the County  
1883 Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

1884 24. The developer shall provide fire hydrants as required by the Department of Public Utilities and  
1885 Division of Fire.

1886 25. A standard concrete sidewalk shall be provided along the north side of Brookriver Drive.

1887 26. Outside storage shall not be permitted, except within the garden center enclosure.

1888 27. The proffers approved as a part of zoning cases C-74C-94, C-4C-96 C-31C-97 and C-64C-  
1889 98 shall be incorporated in this approval.

1890 28. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form  
1891 acceptable to the County Attorney prior to final approval of the construction plans.

1892 29. Deviations from County standards for pavement, curb or curb and gutter design shall be  
1893 approved by the County Engineer prior to final approval of the construction plans by the  
1894 Department of Public Works.

1895 30. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b) of the  
1896 Henrico County Code.

1897 31. Insurance Services Office (ISO) calculations must be included with the plans and contracts and  
1898 must be approved by the Department of Public Utilities prior to the issuance of a building  
1899 permit.

1900 32. The location of all existing and proposed utility and mechanical equipment (including HVAC  
1901 units, electric meters, junction and accessory boxes, transformers, and generators) shall be  
1902 identified on the landscape plans. All equipment shall be screened by such measures as  
1903 determined appropriate by the Director of Planning or the Planning Commission at the time of  
1904 plan approval.

1905 33. Any building additions shall be similar in architectural treatment and materials to achieve a  
1906 harmonious façade with the building approved herein.

1907

## 1908 **PLAN OF DEVELOPMENT**

1909

POD-63-02  
Waffle House  
5414 Williamsburg Road  
(POD-77-93 Revised)  
**September 25, 2002**

**TIMMONS for Goochland/West Creek L.P. and Northlake  
Foods Inc.:** 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, 1961 square foot restaurant. The 0.63 acre

site is located at 5414 Williamsburg Road (U. S. Route 60) on parcel 820-714-1062. The zoning is B-3, Business District and ASO, (Airport Safety Overlay) District. County water and sewer. **(Varina)**

1910  
1911 Mr. Taylor - Is there anybody in the audience opposed to POD-63-02? No opposition that  
1912 I see. Mr. McGarry.  
1913  
1914 Mr. Vanarsdall - The only way you could be opposed to Waffle House is if you never ate there.  
1915  
1916 Mr. Taylor - Mr. McGarry.  
1917  
1918 Mr. McGarry - This Waffle House will replace an existing Waffle House at 5406 Williamsburg  
1919 Road, which is only three building away. The only outstanding issue is the color of the brick, which the  
1920 client has requested. Staff can recommend approval subject to standard conditions plus conditions  
1921 Nos. 23 through 30. I will be happy to answer any questions.  
1922  
1923 Mr. Taylor - Any questions for Mr. McGarry from the Commission?  
1924  
1925 Mr. Jernigan - Did you speak to Derrick after I had talked to him? Did he call you?  
1926  
1927 Mr. McGarry - Not recently, no, sir.  
1928  
1929 Mr. Taylor - Is this going to be a portion of the Overlay District there in the Sandston Area?  
1930  
1931 Mr. Jernigan - It is in the Overlay District, I believe. Would you come up please?  
1932  
1933 Mr. Taylor - If you would sir, please identify yourself in the microphone for the record.  
1934  
1935 Mr. Johnson - Mr. Chairman and members of the Commission, Derrick Johnson with  
1936 TIMMONS, representing Northlake Foods, Inc. and Waffle House in this matter. With respect to the  
1937 brick and the colors in this rendering, the brick that we would like to use on this would be of a red  
1938 nature, dark in nature, sort of matching what is at the entrance to the airport as far as the brick sign there  
1939 that identifies the airport. That is kind of what the architect has tried to portray in this rendering. It will  
1940 match and be in conformance with the, I guess the canopy we have there, and it should look very good  
1941 as far as in the neighborhood and fit into what is in there, so that is what we discussed, and I spoke with  
1942 Mr. Jernigan a couple of days ago concerning this matter. I'd be happy to answer any questions you  
1943 may have.  
1944  
1945 Mr. Jernigan - Are they looking to change what they have been doing through the years? Are  
1946 they looking to change the concept of the buildings, they've had to go to something like this?  
1947  
1948 Mr. Johnson - Not necessarily concept. They have different patterns as far different bricks  
1949 and different colors that they do. This one is a slightly different in color of the brick than the existing one  
1950 on Williamsburg Road that was built about five years ago. That is further up the street.  
1951  
1952 Mr. Jernigan - Yes, that is a light brick.  
1953

1954 Mr. Johnson - Correct. More of a tan. This one is a little bit more red in nature and we think it  
1955 befits the area and blending in with the area that is there.  
1956  
1957 Mr. Jernigan - And I noticed that the canopy is of a different design, too.  
1958  
1959 Mr. Johnson - Correct. The canopy...  
1960  
1961 Mr. Jernigan - As I told you on the phone, I am OK with it. You are a half a mile from the  
1962 entrance and what, and I am OK with you doing a darker brick. What I am just saying is, "Don't  
1963 worry about the airport gates. Make sure that the canopy matches good with the brick that you are  
1964 going to use."  
1965  
1966 Mr. Johnson - Correct, and we understand that. We want it to look good also.  
1967  
1968 Mr. Jernigan - OK.  
1969  
1970 Mr. Taylor - Just one question, Mr. Johnson, because as I look at this elevation drawing, the  
1971 brick that is on my screen is a varigated color. It is not going to be one uniform shade?  
1972 Mr. Johnson - My understanding is that it will be. I do have Mr. Richard Higginbotham, who  
1973 represents Northlake Foods, that has come in from Tampa, who may be able to address that, but my  
1974 understanding is a red brick in nature that is one solid color.  
1975  
1976 Mr. Taylor - One solid color, not as we see here on the screen in front of us, which is kind of  
1977 a varigated color.  
1978  
1979 Mr. Johnson - I don't know if this rendering really gives it justice. It is a – it is not a solid dark  
1980 brick – it is a lighter colored brick.  
1981  
1982 Mr. Taylor - And the top banding, is that going to be E.I.F.S. or is that a different color  
1983 brick, which is above the Waffle House sign?  
1984  
1985 Mr. Johnson - As far as the parapet edge, as far as that, that is not a brick design. My  
1986 understanding is that is of a lighter color to contrast with the brick, and to try to define where the top of  
1987 that is.  
1988  
1989 Mr. Taylor - Material to be brick or E.I.F.S. or concrete cement? Do you have an idea?  
1990  
1991 Mr. Johnson - I am not sure. Mr. Higginbotham probably can address that a little bit better. I  
1992 am not sure.  
1993  
1994 Mr. Taylor - OK, that is OK. We will go on.  
1995  
1996 Mr. Jernigan - Thank you, Mr. Johnson.  
1997  
1998 Mr. Taylor - Thank you, sir. We don't need to hear from him.  
1999  
2000 Mr. Jernigan - Would you come up, please?

2001

2002 Mr. Taylor - Oh, you do. Thank you, sir. If you would, when you reach the podium, if you'd  
2003 give us name we'd appreciate it.

2004

2005 Mr. Higginbotham - Yes, my name is Richard Higginbotham, and I work with Northlake Foods, our  
2006 corporate offices in Tampa, Florida. Yes, I am sorry the rendering does not really represent exactly  
2007 what we are doing there. It was done by an architect down in the Florida area. The brick we intend to  
2008 use, again, would be very similar to the entrance that was done there for the new entrance, for the  
2009 airport. Keeping it pretty much a red brick to the dark side, not to the light side; not very variegated  
2010 here. The material on top is an E.I.F.S. that is covered – what we really tried to do there is not too  
2011 much to emphasize it but tone it back into the regular mortar look that is in the brick, so not to really  
2012 emphasize it too much, but to tone it down basically, run it along with the brick mortar, so the color of  
2013 that top portion would be the same as the mortar color, that is the intent.

2014

2015 Mr. Jernigan - Mr. Higginbotham, the gates at the airport now are multicolored. They are not  
2016 a solid color. Are you planning on using a brick; is each brick going to be the same color, or are you  
2017 going to have variation?

2018

2019 Mr. Higginbotham - A little variation. There will be a red, but probably to the darker side. Red and  
2020 maybe – again, very similar. I know the CEO and the President of the company. We are very taken  
2021 with that entrance look and that was the best example that we had that was local.

2022

2023 Mr. Jernigan - OK. That is all I have. I do have one more question. The Waffle House you all  
2024 are abandoning, are you going to tear that down?

2025

2026 Mr. Higginbotham - We don't have the right to tear it down. We will de-identify it. The owner of  
2027 that building is the same owner that has the hotel, so we don't have the right to tear it down.

2028

2029 Mr. Jernigan - OK. I didn't know if you owned that property or not, so you are a tenant  
2030 there?

2031

2032 Mr. Higginbotham - That is correct.

2033

2034 Mr. Jernigan - OK. Thank you.

2035

2036 Mr. Taylor - Are there any more questions? Any more comments? I think that is it, Mr.  
2037 Jernigan.

2038

2039 Mr. Jernigan - Mr. Chairman, I make a motion to approve POD-63-02, Waffle House, at  
2040 5414 Williamsburg Road, subject to the annotations on the plans, the standard conditions for  
2041 developments of this type, and the following additional conditions, Nos. 23 through 30.

2042

2043 Mr. Vanarsdall - Second.

2044

2045 Mr. Taylor - Motion made by Mr. Jernigan and seconded by Mr. Vanarsdall. All in favor  
2046 say aye. All opposed say no. The motion passes.

2047 The Planning Commission approved POD-63-02, Waffle House, 5414 Williamsburg Road, subject to

2048 the annotations on the plans, the standard conditions attached to these minutes for developments of this  
2049 type and the following additional conditions:

2050

2051 23. The developer shall provide fire hydrants as required by the Department of Public Utilities and  
2052 Division of Fire.

2053 24. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form  
2054 acceptable to the County Attorney prior to final approval of the construction plans.

2055 25. Deviations from County standards for pavement, curb or curb and gutter design shall be  
2056 approved by the County Engineer prior to final approval of the construction plans by the  
2057 Department of Public Works.

2058 26. Insurance Services Office (ISO) calculations must be included with the plans and contracts and  
2059 must be approved by the Department of Public Utilities prior to the issuance of a building  
2060 permit.

2061 27. Approval of the construction plans by the Department of Public Works does not establish the  
2062 curb and gutter elevations along the Henrico County maintained right-of-way. The elevations  
2063 will be set by Henrico County.

2064 28. Approval of the construction plans by the Department of Public Works does not establish the  
2065 curb and gutter elevations along the Virginia Department of Transportation maintained right-of-  
2066 way. The elevations will be set by the contractor and approved by the Virginia Department of  
2067 Transportation.

2068 29. The location of all existing and proposed utility and mechanical equipment (including HVAC  
2069 units, electric meters, junction and accessory boxes, transformers, and generators) shall be  
2070 identified on the landscape plans. All equipment shall be screened by such measures as  
2071 determined appropriate by the Director of Planning or the Planning Commission at the time of  
2072 plan approval.

2073 30. The canopy on the building shall be maintained in presentable fashion at all times. If any portion  
2074 of the canopy becomes frayed, faded, split or torn, it shall be promptly replaced.

2075

2076 **LANDSCAPE PLAN**

2077

LP/POD-60-01  
Virginia Eye Institute

**TIMMONS for Virginia Eye Institute:** 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 2.68-acre site is  
located along the south line of Huguenot Road, approximately 1,100  
feet west of River Road on part of parcel 761-731-0519. The  
zoning is B-1, Business District and O-1, Office District  
(**Tuckahoe**)

2078

2079 Mr. Marles - Staff report will be given by Mr. Jim Strauss.

2080

2081 Mr. Taylor - Good morning, Mr. Strauss.

2082

2083 Mr. Strauss - Good morning. There does not look like any opposition to me.

2084

2085 Mr. Taylor - Is there any opposition to LP/POD-60-01? No opposition. Mr. Strauss.

2086

2087 Mr. Strauss - Thank you, Mr. Chairman. This plan probably could have gone Expedited, but

**September 25, 2002**

2088 we did have some last minute questions from the neighbors across the street, and I have been working  
2089 out these issues with planting along the parking area with the applicant, Mr. Luigi Mignardi is here today  
2090 from TIMMONS. They prepared the landscape plan. At this point, we are in complete agreement.  
2091 They are going to add some planting across the parking lot at the front, and with that I can take any  
2092 other questions that you've got. I might add that the lighting is in for administrative. We are going to be  
2093 coordinating this landscape effort with the lighting this month, so that is about it. I will take any  
2094 questions that you may have or you can ask Mr. Mignardi any questions if you like.

2095

2096 Ms. Ware - We talked about this the other day, and they are increasing around the front  
2097 where the concern was, so I am OK with it. All right. I recommend approval of LP/POD-60-01,  
2098 Virginia Eye Institute, subject to the annotations on the plans, and the standard conditions for landscape  
2099 plans.

2100

2101 Mr. Vanarsdall - Second.

2102

2103 Mr. Taylor - Motion made by Ms. Ware and second by Mr. Vanarsdall to approve  
2104 LP/POD-60-01, Virginia Eye Institute. All in favor say aye. All opposed say no. The motion passes.

2105

2106 The Planning Commission approved Landscape Plan for LP/POD-60-01, Virginia Eye Institute, subject  
2107 to the annotations on the plans and the standard conditions for landscape plans.

2108

## 2109 **PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION**

2110

POD-7-01

Fair Oaks Baptist Church  
Addition – E. Nine Mile  
Road

**Keith & Associates for Fair Oaks Baptist Church:** Request for approval of a plan of development and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 106.2(3) of the Henrico County Code to add a new sanctuary and enlarge the fellowship hall of the existing church. The 2.0 acre site is located at 1701 E. Nine Mile Road (State Route 33) adjacent to Jackson Street on parcels 156-D-19, 20 and 156-C-6, 9 13 and 16. The zoning is B-3C, Business District, (Conditional) and ASO (Airport Safety Overlay) District. County water and septic tank/drainfield. (**Varina**)

2111

2112 Mr. Marlles - The staff report will be given by Mr. Kennedy.

2113

2114 Mr. Taylor - Is anybody in the audience opposed to POD-7-01? Mr. Kennedy.

2115

2116 Mr. Kennedy - Mr. Commissioner and members of the Commission, this has been a very trying case  
2117 for the church. It has been held over for almost two years now and they have finally resolved a whole  
2118 bunch of issues. Primarily what happened was that part of the property that was encompassed by this,  
2119 for the church's future addition that they were trying to acquire for that parking and their addition, was  
2120 owned by somebody else. They were under contract to purchase and the person died, so they weren't  
2121 actually able to complete the sale, so they had to hold up until they actually had complete ownership  
2122 because that tied in to closing the street, and ally which cross the site. They have now accommodated  
2123 that, so that is what really held it up for the year and a half that it has taken to get before the  
2124 Commission, so it really wasn't staff's concerns. It really had to do more with acquiring property and



2125 closing the street, but I didn't want to give you any idea that because we held up this 2001 case that the  
2126 church had anything other than good intentions with this development. They are proposing a 6,000 sq.  
2127 ft., little over 6,000 sq. ft. addition for a new sanctuary, and a fellowship hall. The existing sanctuary will  
2128 be converted to classroom space and office space. Staff can recommend approval. There is a  
2129 transitional buffer deviation also required. This is kind of also an unusual case. The property was zoned  
2130 residential. Churches are permitted in a residential zoning district. There would ordinarily be no  
2131 transitional buffer between it and the adjoining residential property. But because the church is actually  
2132 on property zoned business, it requires a 35 ft. transitional buffer, which is kind of extreme, considering  
2133 the low intensity of the use that the church has, and the fact that it is a permitted use ordinarily in a  
2134 residential district. What the church has agreed to is to provide a fence between them and the  
2135 residential property to the rear and provide transitional buffering equivalent to the 10 ft. transitional  
2136 buffer. Staff recommends approval of both the transitional buffer deviation and the request for the POD  
2137 approval.

2138

2139 Mr. Jernigan - What size buffer?

2140

2141 Mr. Kennedy - Ten feet.

2142

2143 Mr. Jernigan - And what height fence?

2144

2145 Mr. Kennedy - Six feet high. We can recommend approval of both and we need two separate  
2146 motions.

2147

2148 Mr. Jernigan - Yes. OK. Well, we spoke the other day and I think staff is happy with everything, so  
2149 we will just go ahead and make a motion here. I don't guess ya'll wanted to say anything, did you? If  
2150 you do, you can come on up. I didn't want to take that away from you.

2151

2152 Mr. Vanarsdall - You lost your voice a while ago when I scared you.

2153

2154 Mr. Jernigan - All right, Mr. Chairman, I make a motion on POD-7-01 to have a transitional  
2155 buffer deviation to 10 ft. with the addition of a 6-ft. fence on the property line.

2156

2157 Mr. Vanarsdall - Second.

2158

2159 Mr. Taylor - Motion by Mr. Jernigan and seconded by Mr. Vanarsdall. All in favor say aye.  
2160 All opposed say no. The motion passes.

2161

2162 The Planning Commission approved the 10-foot transitional buffer with a six-foot fence as a deviation to  
2163 the 35-foot transitional buffer for POD-7-01, Fair Oaks Baptist Church Addition – E. Nine Mile Road.

2164

2165 Mr. Jernigan - Mr. Chairman, I make a motion to approve POD-7-01, Fair Oaks Baptist  
2166 Church Addition – E. Nine Mile Road, subject to the annotations on the plans, the standard conditions  
2167 for developments of this type, and the following additional conditions Nos. 23 through 31.

2168

2169 Mr. Vanarsdall - Second.

2170

2171 Mr. Taylor - Motion by Mr. Jernigan and second by Mr. Vanarsdall. All in favor say aye.

2172 All opposed say no. The motion passes.

2173

2174 The Planning Commission approved POD-7-01, Fair Oaks Baptist Church Addition, East Nine Mile  
2175 Road, subject to the annotations on the plans, the standard conditions attached for developments of this  
2176 type, and the following additional conditions:

2177

2178 23. The easements for drainage and utilities as shown on approved plans shall be granted to the  
2179 County in a form acceptable to the County Attorney prior to any occupancy permits being  
2180 issued. The easement plats and any other required information shall be submitted to the County  
2181 Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

2182 24. The entrances and drainage facilities on Nine Mile Road (State Route 33) shall be approved by  
2183 the Virginia Department of Transportation and the County.

2184 25. A notice of completion form, certifying that the requirements of the Virginia Department of  
2185 Transportation entrances permit have been completed, shall be submitted to the Planning Office  
2186 prior to any occupancy permits being issued.

2187 26. The developer shall provide fire hydrants as required by the Department of Public Utilities and  
2188 Division of Fire.

2189 27. Any necessary off-site drainage and/or water and sewer easements must be obtained in a form  
2190 acceptable to the County Attorney prior to final approval of the construction plans.

2191 28. Deviations from County standards for pavement, curb or curb and gutter design shall be  
2192 approved by the County Engineer prior to final approval of the construction plans by the  
2193 Department of Public Works.

2194 29. Insurance Services Office (ISO) calculations must be included with the plans and contracts and  
2195 must be approved by the Department of Public Utilities prior to the issuance of a building  
2196 permit.

2197 30. Approval of the construction plans by the Department of Public Works does not establish the  
2198 curb and gutter elevations along the Virginia Department of Transportation maintained right-of-  
2199 way. The elevations will be set by the contractor and approved by the Virginia Department of  
2200 Transportation.

2201 31. The location of all existing and proposed utility and mechanical equipment (including HVAC  
2202 units, electric meters, junction and accessory boxes, transformers, and generators) shall be  
2203 identified on the landscape plans. All equipment shall be screened by such measures as  
2204 determined appropriate by the Director of Planning or the Planning Commission at the time of  
2205 plan approval.

2206

2207

2207 **TRANSFER OF APPROVAL**

2208

POD-129-85  
Shannon Station Shopping  
Center

**Crenshaw Realty Company for Shannon, LC:** Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code from Crenshaw-Singleton Properties to Shannon, LC. The 2.62-acre site is located at the intersection of Shrader Road and Longford Drive on parcel 763-756-8388. The zoning is B-1C, Business District (Conditional). County water and sewer. **(Brookland)**

2209

2210 Mr. Marles - The staff report will be given by Mr. Cooper.

2211

2212 Mr. Cooper - Good morning, again.

2213

2214 Mr. Taylor - Good morning, Mr. Cooper. Since there is no one in the audience, I would  
2215 presume that there is no one in the audience that is opposed to POD-129-85. If there is someone  
2216 sleeping in the seats or behind the seats, speak now or we will proceed. Proceed.

2217

2218 Mr. Cooper - OK. At the time of the inspection, there were some substantial site deficiencies  
2219 found at the Shannon Station Shopping Center, particularly there was a lot of missing and dead  
2220 landscaping, and the applicant has recently had approved an addition to this shopping center, and  
2221 included in that was some revised landscaping. The applicant has also expressed their desire not to  
2222 replace the site deficiencies, or the missing landscaping in this inspection report because they have  
2223 expressed a desire to come back with a revised landscape plan for the entire shopping center at a later  
2224 date. Staff has concerns with this because of the fact that they may not ever come back with a  
2225 landscape plan, and therefore, we would have the same problem. Therefore, staff has added conditions  
2226 stating that the dead or missing landscaping as listed in the inspection report shall be replaced by  
2227 December 1 of this year unless a revised landscape plan is submitted prior to that time. And  
2228 additionally, all of the other site deficiencies listed in the inspector's report will be corrected by October  
2229 31, 2002. And the applicant has posted a bond to cover the site deficiencies, so with these conditions,  
2230 staff can recommend approval at this time.

2231

2232 Mr. Taylor - Any other questions for Mr. Cooper?

2233

2234 Mr. Vanarsdall - Did you find out about the trash rack?

2235

2236 Mr. Cooper - I put a call into Public Works and I had not heard back from them as of  
2237 yesterday afternoon. To my knowledge, they had intended to put it in, but I will find out for you and  
2238 follow up with you on that.

2239

2240 Mr. Vanarsdall - Kevin, did you find out anything on your end of it? I will explain to you all what  
2241 we are doing in a minute.

2242

2243 Mr. Wilhite - Sir, I did review the building permit and did talk to the applicant yesterday. He  
2244 has agreed to revise the elevations and provide at least a minimum of 50% brick on the side of the  
2245 building, so I think that took care of a lot of concerns.

2246

2247 Mr. Vanarsdall - OK, thank you. This is a request for a Transfer of Approval which seems kind  
2248 of funny. They have owned it a long time, and just got around to doing this. Is that right?

2249

2250 Mr. Cooper - Yes, sir. They have actually owned it since 1997.

2251

2252 Mr. Vanarsdall - And back in March they knew about these discrepancies, have done nothing  
2253 about it, and have been very difficult to deal with, and now we have an administrative request for  
2254 additional building, and they have not done the Crime Study that Kim Vann and Police recommended.  
2255 We haven't heard back on the trash rack from Public Works, which I talked to Lee Priestas back in  
2256 January of this year about this. I talked to the Crenshaws about this in January and Kevin and I talked  
2257 about 50% brick, and they sent in plans with all siding and no brick. I am not ready today to approve  
2258 this until they can get their shop straight, and if they want to meet with me, they can. So I would defer  
2259 for 30 days to October 23, and I see there is nobody here to represent them anyway. I move Case  
2260 POD-129-85 be deferred to October 23, 2002, at my deferral.

2261

2262 Mr. Taylor - Second. Motion made by Mr. Vanarsdall and seconded by Mr. Taylor to  
2263 defer POD-129-85, Shannon Station Shopping Center, to October 23, 2002, at the Commissioner's  
2264 request. All in favor say aye. All opposed say no. The motion passes.

2265

2266 The Planning Commission deferred Transfer of Approval, POD-129-85, Shannon Station Shopping  
2267 Center, to its meeting on October 23, 2002.

2268

2269 Mr. Vanarsdall - Mike, I appreciate your working with it, because I know you had a hard time,  
2270 because I know I did when I dealt with it.

2271

2272 Mr. Mariles - Mr. Chairman, the next item on your agenda is the approval of minutes for the  
2273 June 26, 2002 meeting and the July 24, 2002 meeting.

2274

2275 **APPROVAL OF MINUTES: June 26, 2002 and July 24, 2002 Minutes**

2276

2277 Mr. Taylor - I will move approval of the minutes - are there any corrections of the minutes  
2278 by Commission of June 26, 2002 or July 24, 2002? No corrections. So I will move approval of the  
2279 minutes for June 26 and July 24, 2002.

2280

2281 Mr. Vanarsdall - Second.

2282

2283 Mr. Taylor - Motion made by Mr. Taylor and seconded by Mr. Vanarsdall. All in favor say  
2284 aye. All opposed say no. The motion passes. The minutes are approved.

2285

2286 The Planning Commission approved the minutes of June 26, 2002 and July 24, 2002 of the Planning  
2287 Commission.

2288

2289 **AMENDMENT TO THE HENRICO 2010 LAND USE PLAN MAP: The Planning**  
2290 **Commission will consider an amendment to the Henrico 2010 Land Use Plan Map to**  
2291 **designate an area generally from the City of Richmond on the north, C & O Railroad and**  
2292 **Commonwealth of Virginia property on the east, Almond Creek on the south, and the James**  
2293 **River on the west as an Urban Mixed Use Development Area (UMU).**

September 25, 2002

-60-

2294

2295 Mr. Marlles - Mr. Chairman, the next item on your agenda is a public hearing on a Proposed  
2296 Amendment to the Henrico 2010 Land Use Plan. This is an amendment to designate an area generally  
2297 from the City of Richmond on the north to the C&O Railway and Commonwealth of Virginia Property  
2298 on the east, Almond Creek on the south, and the James River on the west, as an urban mixed-use  
2299 development area. As I'm sure the Commission will recall, I believe it was back in August, the  
2300 Commission and Board recommended approval of a new zoning classification of Urban Mixed Use  
2301 District. This particular site, the Rocketts Landing site is the first application that has been received  
2302 since that new zoning classification was adopted by the Board and recommended by the Commission.  
2303 You might recall that the first step in the process is for the applicant or the developer to file for  
2304 amendment of the Land Use Plan. If this Land Use Plan amendment is approved by the Planning  
2305 Commission and the Board then that basically clears the way for the applicant to file for the rezoning  
2306 and provisional use permit request. So, this is, again, one of the first applications we've had under this  
2307 new zoning classification and Mr. Coleman will give the staff report.

2308

2309 Mr. Coleman - Thank you, Mr. Marlles. As Mr. Marlles alluded to the Board of Supervisors recently  
2310 amended the Zoning Ordinance and Comprehensive Plan to include provisions for urban mixed use  
2311 development. While these provisions are intended to encourage high quality development, they provide  
2312 regulatory flexibility not otherwise available in the zoning ordinance. Therefore, this request to amend  
2313 the land use plan to designate the selected area as an Urban Mixed Use Development, or UMU Area,  
2314 must be considered carefully.

2315

2316 The Land Use Plan currently recommends the selected area for Heavy Industry and Environmental  
2317 Protection Area, and the properties are zoned M-2 and M-3. The area includes a combination of  
2318 vacant industrial property and existing businesses including Vulcan Materials, the IMTT Fuel Oil  
2319 Terminal, S.B. Cox, and Virginia Rigging.

2320

2321 A portion of the selected area has been proposed for the Village at Rocketts Landing project. This  
2322 project extends for one mile along the riverfront and would redevelop approximately 10 acres in the  
2323 City of Richmond and 32.5 acres in the County of primarily older industrial property into a pedestrian  
2324 oriented, mixed use development.

2325

2326 In the County, the project proposes "mixed use residential and commercial areas" - including offices,  
2327 townhomes, condominiums, apartments, senior housing, and neighborhood retail. As proposed,  
2328 Rocketts Landing could only proceed in the County utilizing the provisions for urban mixed use  
2329 development.

2330

2331 In the City, Rocketts Landing proposes a waterfront park with a promenade along the James River,  
2332 berths and boarding facilities for water vessels including the Annabel Lee, and offices, retail shops,  
2333 restaurants, apartments, and entertainment venues.

2334

2335 Development within the UMU area must be compatible with surrounding land uses. The selected area  
2336 is bordered to the north by the City. The adjacent properties in the City are also primarily older  
2337 industrial sites and several are included in the Rocketts Landing proposal.

2338

2339 C & O Railroad lines provide a distinct geographic boundary to the east. Buffering within the UMU  
2340 area from the impacts of the railway lines is one element to consider in creating the high quality design

2341 expected with urban mixed use development.

2342

2343 The area is bordered to the south by Almond Creek. The historic Tree Hill Farm (approximately 500  
2344 acres) lies to the south of the creek. Tree Hill Farm is one of eleven properties in the County listed on  
2345 the Virginia and National Historic Registers. While Almond Creek provides a natural buffer for Tree  
2346 Hill Farm, the high quality design expected within the UMU area should respect the importance of the  
2347 Tree Hill Farm property.

2348

2349 The James River provides the western boundary. Existing uses in the area make minimal use of the  
2350 River and do not encourage public access to this valuable natural asset. Redevelopment within the  
2351 UMU area would provide a rare opportunity to increase public access to and enjoyment of the river,  
2352 enhance the river's panoramic views, and offer more residential, commercial, and recreational  
2353 opportunities than currently exist.

2354

2355 Development within the UMU area must be served by necessary transportation facilities. Old Osborne  
2356 Turnpike, or State Route 5, is a Minor Arterial on the County's MTP. The area is less than 2 miles  
2357 from interchanges with Interstate 95, Interstate 64, and the Downtown Expressway (State Route 195).

2358

2359 The area is also about 1.5 miles from Main Street Station located in the City. Main Street Station is a  
2360 historic facility in the midst of a multi-million dollar, multi-phase redevelopment into a transportation hub  
2361 concentrating inter-city rail and bus services, GRTC Transit bus service, tour bus service, airport  
2362 shuttles, and taxicabs at a central location.

2363

2364 Redevelopment within the UMU area would introduce opportunities to include the James River and  
2365 Kanawha Canal in the transportation linkage and connect to the existing Canal Walk in the City.

2366

2367 Development within the UMU area must have adequate infrastructure. The selected area is adequately  
2368 served by public water and sewer. The multi-step review process required by urban mixed use  
2369 development provisions provides the opportunity to plan for and construct necessary public  
2370 improvements.

2371

2372 The history of the area dates back to the early 1600's. Several historical figures are linked to the area  
2373 including Christopher Newport, Captain John Smith, Chief Powhatan, Pocahontas, Lord Cornwallis,  
2374 Benedict Arnold, the Marquis de Lafayette, and Abraham Lincoln.

2375

2376 State Route 5, (Old Osborne Turnpike) is a Virginia Byway and another historic resource. Several  
2377 buildings and sites of historic significance lie along this route.

2378

2379 The UMU designation is intended to encourage high quality development and provides the opportunity  
2380 to rediscover and bring attention to the historic assets in the area.

2381

2382 The area is designated as a Scenic Corridor on the Land Development Guide. Scenic Corridors are  
2383 Special Strategy Areas associated with roads or rivers requiring special consideration due to their scenic  
2384 or historic nature. The proposed UMU map designation is consistent with the Land Development  
2385 Guide.

2386

2387 The UMU designation is intended to encourage reinvestment in older industrial areas and brownfield

2388 sites. The proposed Rocketts Landing project has been admitted into the Virginia Department of  
2389 Environmental Quality (DEQ) Voluntary Remediation Program (VRP) as a brownfield site.

2390

2391 In summary, industrial uses have existed within the selected area for over a century, however the area is  
2392 underutilized as industrial property and includes vacant land and buildings and brownfield sites, which  
2393 are impediments to redevelopment. The existing uses do not draw attention to the historic assets or  
2394 enhance the scenic beauty of the James River.

2395

2396 Approval of the UMU designation will encourage high quality, unified development plans with consistent  
2397 architectural themes and development standards. The UMU designation will support additional public  
2398 access to the James River and provide an opportunity to promote the history of the area.  
2399 Redevelopment will be compatible with adjacent properties. There is sufficient infrastructure in place to  
2400 support redevelopment activity, and transportation improvements can be integrated with existing  
2401 transportation facilities. This is an appropriate area to encourage urban mixed use development, and the  
2402 area is consistent with the provisions set forth in the recently adopted Urban Mixed Use Development  
2403 Guidelines. The UMU designation provides an opportunity to support redevelopment that is not  
2404 possible in the current Heavy Industry designation. Staff supports this amendment to the land use plan,  
2405 and recommends the Planning Commission approve this amendment. I'll be happy to answer any  
2406 questions.

2407

2408 Mr. Taylor - Are there questions for Mr. Coleman? This is a major step forward in  
2409 recognizing a part of the City that is historic and greatly in need of being renovated and upgraded and  
2410 developed. So, it really becomes the gateway for that part of Richmond. Accordingly, I will move to  
2411 amend the 20/10 Land Use Plan to designate the area generally referred to as Rocketts Landing from  
2412 the City of Richmond on the north, the C&O Railroad, and Commonwealth of Virginia property on the  
2413 east, Almond Creek on the south and the James River on the west as an Urban Mixed Use  
2414 Development Area.

2415

2416 Mr. Jernigan - I'll second, Mr. Chairman.

2417

2418 Mr. Taylor - The motion was made by Mr. Taylor and seconded by Mr. Jernigan to amend  
2419 the 20/10 Land Use Plan to designate the area generally referred to as Rocketts Landing as an Urban  
2420 Mix Use Development area. All in favor say aye...all opposed say nay. There being no opposition the  
2421 amendment is approved.

2422

2423 The Planning Commission approved the amendment for the 20/10 Land Use Plan to designate the area  
2424 generally referred to as Rocketts Landing as an Urban Mix Use Development area to the Board.

2425

2426 Mr. Vanarsdall - Mr. Secretary, do you have anything?

2427

2428 Mr. Marles - Yes, sir, I do. I am passing out a brochure on the new Commercial Assistance  
2429 Team that has been appointed by the County Manager actually several months ago. This was also an  
2430 addition to the Urban Mix Use District was another one of the recommendations that was a part of the  
2431 Comprehensive Revitalization Strategy that the Board and the Commission were briefed on back in  
2432 May of 2001. This particular team is a Department Head level team and the purpose of this team really  
2433 is to work with property owners and developers of older commercial structures or sites in the County  
2434 where there are issues involved with meeting the standards of our development regulations. I think a

2435 perfect example of where this team comes in is if you are working with a developer or property owner  
2436 on an older commercial structure that is running into conflicts with one or more of our agencies because  
2437 of our development requirements in our zoning ordinance or other development ordinances, that would  
2438 be a perfect example of a situation to refer to the Commercial Assistance Team. I'm serving as  
2439 chairman of this team for the present year. Hopefully, we are going to rotate that in the future. But, if  
2440 you are working with someone that you think would be a candidate for the Commercial Assistance  
2441 Team, you can refer them to myself. These brochures have been distributed to commercial brokers  
2442 around the County. We have made a couple of presentations where this particular team has been  
2443 described. And, again, I just wanted to make sure that the Commission is aware of it. Again, another  
2444 one of those recommendations that's being implemented as part of the County's Comprehensive  
2445 Revitalization Strategy.

2446

2447 The next item I just want to remind the Commission, hopefully you received a copy of the brochure of  
2448 the 26<sup>th</sup> Annual Virginia Institute for Planning Commission members, which is going to be held from  
2449 October 13 through 15 in Lynchburg at the Holiday Inn Select. If you did not receive a copy of the  
2450 brochure, I do have a copy. I know Mrs. Ware is planning on attending. I will probably attend one of  
2451 those days, but if you are interested in attending, you need to let Melba Mitchell or Bill Michie, our  
2452 business supervisor, know fairly quickly.

2453

2454 One note I would pass on to you. I think all of you have met Mike Chandler at one time or another.  
2455 Mike recently took advantage of the buyout offer that the Extension Service offered. He is still going to  
2456 remain associated with the Institute but he is no longer working for Virginia Tech. I'm sure he is  
2457 planning on being active, but he is no longer with Virginia Tech now.

2458

2459 Mr. Vanarsdall - I had heard that and I was wondering if he was going to continue with this.

2460

2461 Mr. Marles - He is, yes sir.

2462

2463 Mr. Vanarsdall - I have an announcement. It's sort of a self announcement that you haven't  
2464 heard or read about or probably would never run into anyone, but I want to thank everybody who  
2465 voted for the lady in the APA voting from Belview, Washington. She won and my intention to vote for  
2466 her was not to get any kind of an office, but I was put on the APA Board to represent the, not the  
2467 Planning Commission, what do they call it? It's for anybody that is selected or appointed. So, I've  
2468 been appointed for that for a year to represent this in this district two. I think that covers DC,  
2469 Maryland, Virginia, Georgia, South Carolina. I got a nice letter from the president of APA and he said  
2470 that the other people have not been chosen yet, but I'll be getting a roster soon. I met the postman  
2471 everyday for a week and that was back in June and it hasn't come yet. So, I was very proud of that  
2472 and I thank you all.

2473

2474 Everybody - Congratulations, Mr. Vanarsdall (Applause).

2475

2476 Mr. Vanarsdall - If you have any complaints you want the conferences to lean toward the  
2477 Planning Commissioners and Board members, let me know and I'll take it to the next meeting. I asked  
2478 her how much time this involved and she said "three conference calls a year throughout the United  
2479 States and then you would have to come to the conferences early." We have been going to the  
2480 conferences early anyway so that's not a problem.

2481



2482 Mr. Archer - That's what they told me when I got on this Commission.  
2483

2484 Mr. Vanarsdall - I'd like to tell this story. I was asked by Dick Glover to be on the Planning  
2485 Commission and I naturally wanted to know how much time it would take. He said about 20 hours a  
2486 week. I spent 60 hours on the first case after I took the job (members laughing). Oh, and the other  
2487 thing I wanted to tell you. I will not be at the December Planning Commission meeting. That will be  
2488 December 18.  
2489

2490 Mr. Marlles - Mr. Chairman, I did think of one thing. I do want to recognize the Community  
2491 Development staff. I guess you can tell by the length of the agenda that this was a very challenging  
2492 month and I think by the number of cases that were on the Expedited Agenda, I think the staff worked  
2493 very hard to try to expedite that agenda and they did a very good job (Applause from the Commission).  
2494

2495 Mr. Taylor - I share that sentiment and I know that everyone of the Commissioners shares it  
2496 because of the hard work that you do in doing these cases and also advising the Commissioners of  
2497 those cases that have quirks, kinks or trouble. With that known we are able to focus in on the ones that  
2498 have those difficulties, and frankly it's to your benefit and to everybody's benefit that you are able to  
2499 adjudicate those cases that go on the Expedited Agenda because I think that the people who are in the  
2500 public sector or in the private sector they appreciate the candor that they can get in working with the  
2501 staff and it gives us a greater overview of less chance for error, less chance for oversight, the ability to  
2502 include things that we need within those projects from the planning standpoint as you see them. And I  
2503 think in the long run, not only does it simplify and shorten these meetings, but I think it dramatically  
2504 improves the cases and the issues in the case that if we see these quickly here we might miss them, but  
2505 the staff is diligently in seeing them and fixing them and I congratulate you. And, again, I want to  
2506 commend the staff on a well deserved NACO Award and I will ask for another round of applause for a  
2507 job well done (members applauding). And, if there is no further business before the Commission, we  
2508 will adjourn at 11:16 a.m. Thanks to the hard work of the staff.  
2509

2510 Mr. Jernigan - Second.  
2511

2512 Mr. Taylor - The motion was made by Mr. Taylor and seconded by Mr. Jernigan to adjourn  
2513 the meeting at 11:16 a.m. And thanks again to the hardworking staff.  
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2515 On a motion by Mr. Taylor and seconded by Mr. Jernigan, the Planning Commission adjourned its  
2516 September 25, 2002, meeting at 11:16 a.m.  
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Allen Taylor, P.E., C.P.C., Chairman

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John R. Marlles, ACIP, Secretary