

1 Minutes of the regular monthly meeting of the Planning Commission of the County of  
2 Henrico, Virginia, held in the Board Room of the County Administration Building in the  
3 Government Center at Parham and Hungary Springs Roads, Beginning at 9:00 a.m.  
4 Wednesday, April 27, 2005.

5  
6 Members Present: Mr. Ernest B. Vanarsdall, C.P.C., Chairperson  
7 (Brookland)  
8 Mr. C. W. Archer, C.P.C., Vice Chairperson (Fairfield)  
9 Mr. Tommy Branin (Three Chopt)  
10 Ms. Bonnie-Leigh Jones (Tuckahoe)  
11 Mr. E. Ray Jernigan, C.P.C. (Varina)  
12 Mr. David A. Kaechele, (Three Chopt) Board of  
13 Supervisors Representative  
14 Mr. Randall R. Silber, Director of Planning, Secretary  
15

16 Others Present: Mr. David D. O'Kelly, Jr., Assistant Director of Planning  
17 Ms. Leslie A. News, CLA, Principal 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. Tony Greulich, County Planner  
25 Mr. Todd Eure, Traffic Engineer  
26 Ms. Diana B. Carver, Recording Secretary  
27

28 **Mr. David A. Kaechele, the Board of Supervisors Representative, abstains on all**  
29 **cases unless otherwise noted.**  
30

31 Mr. Vanarsdall - Ladies and gentlemen, the Planning Commission will now come  
32 to order. We welcome everyone here, Planning Commissioners and staff. I will turn  
33 the meeting over to Randy Silber, who is the Secretary and Director of Planning.  
34

35 Mr. Silber - Yes, sir, Mr. Chairman. Thank you. Welcome to everyone. All  
36 of the members of the Commission are present this morning. We do have a quorum  
37 and we can conduct business. The first item on the agenda would be to review the  
38 deferrals and withdrawals. I don't believe we have any withdrawals. It looks as  
39 though we have three deferrals. Ms. News, can you tell us about those, please.  
40

41 Ms. News - Yes, sir. Good morning, Mr. Chairman, members of the  
42 Commission. We've got two deferrals on our list. I am aware that there may be one  
43 more. The first deferral is found on Page 3 of your agenda. It is located in the Three  
44 Chopt District.

45  
46  
47

## LANDSCAPE PLAN

LP/POD-84-04      **McKinney & Company for Highwoods Properties LLC:**  
Highwoods Plaza – Request for approval of a phase one landscape plan, as required  
Phase One            by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico  
County Code. The 1.0-acre site is located at the southwest  
corner of Cox Road and Sadler Place on parcels 750-766-3162,  
750-765-0494 and 749-765-7952. The zoning is UMUC (Urban  
Mixed Use) District (Conditional). **(Three Chopt)**

48  
49  
50  
51

Ms. News -            The applicant is requesting a deferral until the May 12, 2005  
meeting. This is the zoning meeting.

52  
53  
54

Mr. Vanarsdall -      Anyone in the audience in opposition to the deferment of POD-  
84-04 in the Three Chopt District? No opposition. Mr. Branin.

55  
56  
57

Mr. Branin -            Mr. Chairman, I recommend that LP/POD-84-04 be deferred at  
the applicant's request.

58  
59

Mr. Archer -            Second.

60  
61  
62

Mr. Vanarsdall -      Motion made by Mr. Branin and seconded by Mr. Archer. All in  
favor say aye. All opposed say no. The motion passes.

63  
64  
65

At the request of the applicant, the Planning Commission deferred LP/POD-84-04,  
Highwoods Plaza, Phase One, to its meeting on May 12, 2005.

66  
67  
68

Ms. News -            The next request is on Page 14 of your agenda and is located in the  
Brookland District. The applicant is requesting a deferral until the May 25, 2005 meeting.

69  
70

## PLAN OF DEVELOPMENT

POD-29-05              **Draper Aden Associates for HCA Health Services of**  
Childrens' Choice Daycare      **Virginia, Inc. and Centex Concord:** Request for  
@ Henrico Doctor's              approval of a plan of development, as required by  
Hospital – E. Parham Road      Chapter 24, Section 24-106 of the Henrico County Code,  
(POD-14-00 Revised)              to construct a 9,807 square foot day care facility to be  
located on the site of an existing hospital. The 2.12-acre  
site is located at Henrico Doctor's Hospital, 7700 E.  
Parham Road on the north line of E. Parham Road  
approximately 600 feet east of its intersection with  
Shrader Road on part of parcel 764-754-6996. The  
zoning is O-3, Office District. County water and sewer.

(Brookland)

71

72 Mr. Vanarsdall - Anyone in opposition to POD-29-05 in the Brookland District?  
73 No opposition to the deferment? I move that POD-29-05 be deferred to May 25, 2005,  
74 at the applicant's request.

75

76 Mr. Archer - Second.

77

78 Mr. Vanarsdall - Motion made by Vanarsdall and seconded by Mr. Archer. All in  
79 favor say aye. All opposed say no. The motion passes.

80

81 At the request of the applicant, the Planning Commission deferred POD-29-05,  
82 Childrens' Choice Daycare @ Henrico Doctor's Hospital - E. Parham Road (POD-14-  
83 00 Revised), to its meeting on May 25, 2005.

84

85 Ms. News - I understand the Commission has a request to add on page 7 of  
86 the agenda.

87

88 **PLAN OF DEVELOPMENT (Deferred from the March 30, 2005 Meeting)**

89

POD-19-05  
Cesare's Restaurant @ New  
Market Square Shopping  
Center - New Market Road  
(POD-84-96 Revised)

**Balzer & Associates, Inc. for Citizens & Farmers  
Bank and Richard K. Perkins:** Request for approval  
of a revised plan of development for a shopping center  
as required by Chapter 24, Section 24-106 of the  
Henrico County Code, to construct a one-story, 4,461  
square foot restaurant. The 1.20-acre site is located at  
the southwest intersection of New Market Road and  
Strath Road in the New Market Square Shopping  
Center on parcels 815-686-1020 and 8284. The zoning  
is B-1C, Business District (Conditional). County water  
and sewer. **(Varina)**

90

91 Mr. Jernigan - I make a motion to defer POD-19-05, Cesare's Restaurant @  
92 New Market Square Shopping Center, to the May 25, 2005 POD meeting, by request  
93 of the Commission.

94

95 Mr. Archer - Second.

96

97 Mr. Vanarsdall - Motion made by Mr. Jernigan and seconded by Mr. Archer. All  
98 in favor say aye. All opposed say no. The motion passes.

99

100 The Planning Commission deferred POD-19-05, Cesare's Restaurant @ New Market  
101 Square Shopping Center, to its May 25, 2005 meeting.

102

103 Ms. News - That is all that staff has.

104

105 Mr. Silber - Any other deferrals at this time? Next on the agenda would be  
106 those items up for consideration on the expedited agenda, and the expedited agenda are  
107 items placed on more or less a consent agenda. These are items that staff has reviewed  
108 the plans, and there are no outstanding issues that staff is aware of. The applicant is  
109 agreeable to all of the conditions and annotations on the plans, and the Commission  
110 member from that district is comfortable with the request. We place it on the expedited  
111 agenda so it can be approved without significant discussion. If there is any opposition  
112 or concerns associated with anything on the expedited agenda, it would come off the  
113 agenda and be heard in the order it is found on the full agenda. So, with that, I  
114 understand we have approximately five items on the expedited agenda.

115

116 Ms. News - Yes, Mr. Secretary. That is correct. The first item is on page 9  
117 of your agenda and is located in the Brookland District.

118

119 **SUBDIVISION**

120

Landmark Road – **Balzer & Associates, Inc. for Tommy Pruitt:** The 0.452-acre  
Phase Two (A site for public road dedication is located at the northern  
Dedication of a terminus of existing Landmark Road on parcel 770-756-3352.  
Second Extension of The zoning is M-1, Light Industrial District. **(Brookland) 0**  
Landmark Road, **Lot**  
North of E. Parham  
Road)  
(April 2005 Plan)

121

122 Mr. Vanarsdall - Is anyone in the audience in opposition to this case, Landmark  
123 Road, in the Brookland District? I move Landmark Road, Phase Two, be approved on  
124 the expedited agenda as recommended by staff, with annotations on the plans, standard  
125 conditions for subdivisions and additional condition No. 8.

126

127 Mr. Jernigan - Second.

128

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

131

132 The Planning Commission granted conditional approval to Landmark Road – Phase  
133 Two (A Dedication of a Second Extension of Landmark Road, North of E. Parham  
134 Road) (April 2005 Plan) subject to the annotations on the plans, the standard conditions  
135 attached to these minutes for subdivisions served by public utilities and the following  
136 additional condition:

137

138 8. Construction plans for POD-16-05, Landmark Road Office Condos, must be  
139 approved prior to recordation of the plat.

140 Ms. News - The next item is on page 15 of your agenda and located in the  
141 Tuckahoe District, POD-30-05.

142

143 **PLAN OF DEVELOPMENT**

144

POD-30-05  
Wachovia Financial Center  
@ John Rolfe Place – 11821  
Ridgefield Parkway  
(POD-37-04 Revised)

**Koontz-Bryant, P.C. for John Rolfe Commons, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 4,500 square foot commercial bank with drive through lanes. The 1.0-acre site is located within an existing office development on the south line of Ridgefield Parkway, approximately 300 feet west of the intersection of Ridgefield Parkway and John Rolfe Parkway on part of parcel 736-750-3663. The zoning is O-2C, Office District (Conditional). County water and sewer.  
**(Tuckahoe)**

145

146 Mr. Vanarsdall - In the Tuckahoe District, POD-30-05, Wachovia Financial Center  
147 on Ridgefield Parkway. Is anyone in opposition to this case? No opposition. Ms.  
148 Jones.

149

150 Mrs. Jones - Mr. Chairman, I move that POD-30-05, which is POD-37-04  
151 Revised, Wachovia Financial Center at John Rolfe Place, be approved on the expedited  
152 agenda, subject to the annotations on the plans, the standard conditions for  
153 developments of this type and additional conditions Nos. 23 through 33.

154

155 Mr. Jernigan - Second.

156

157 Mr. Vanarsdall - Motion made by Ms. Jones and seconded by Mr. Jernigan. All  
158 in favor say aye. All opposed say no. The motion passes.

159

160 The Planning Commission approved POD-30-05, Wachovia Financial Center @ John  
161 Rolfe Place – 11821 Ridgefield Parkway (POD-37-04 Revised), subject to the standard  
162 conditions attached to these minutes for developments of this type, and the following  
163 additional conditions:

164

165 23. The site, including paving, pavement markings, signage, curb and gutter,  
166 dumpster screens, walls, fences, lighting and other site improvements shall be  
167 properly maintained in good condition at all times. Any necessary repairs shall be  
168 made in a timely manner.

169 24. The easements for drainage and utilities as shown on approved plans shall be  
170 granted to the County in a form acceptable to the County Attorney prior to any  
171 occupancy permits being issued. The easement plats and any other required

- 172 information shall be submitted to the County Real Property Agent at least sixty  
 173 (60) days prior to requesting occupancy permits.
- 174 25. The developer shall provide fire hydrants as required by the Department of  
 175 Public Utilities and Division of Fire.
- 176 26. Outside storage shall not be permitted.
- 177 27. The proffers approved as a part of zoning cases C-46C-97 and C-66C-88 shall  
 178 be incorporated in this approval.
- 179 28. Any necessary off-site drainage and/or water and sewer easements must be  
 180 obtained in a form acceptable to the County Attorney prior to final approval of  
 181 the construction plans.
- 182 29. Deviations from County standards for pavement, curb or curb and gutter design  
 183 shall be approved by the County Engineer prior to final approval of the  
 184 construction plans by the Department of Public Works.
- 185 30. In the event of any traffic backup which blocks the public right-of-way as a  
 186 result of congestion caused by the drive-up teller facilities, the owner/occupant  
 187 shall close the drive-up teller facilities until a solution can be designed to  
 188 prevent traffic backup.
- 189 31. Insurance Services Office (ISO) calculations must be included with the plans and  
 190 contracts and must be approved by the Department of Public Utilities prior to  
 191 the issuance of a building permit.
- 192 32. Evidence of a joint ingress/egress and maintenance agreement must be submitted  
 193 to the Department of Planning and approved prior to issuance of a certificate of  
 194 occupancy for this development.
- 195 33. The location of all existing and proposed utility and mechanical equipment  
 196 (including HVAC units, electric meters, junction and accessory boxes,  
 197 transformers, and generators) shall be identified on the landscape plans. All  
 198 equipment shall be screened by such measures as determined appropriate by the  
 199 Director of Planning or the Planning Commission at the time of plan approval.

200  
 201 Ms. News - Next is POD-32-05 (POD-6-86 and POD-17-03 Revised) Crown  
 202 BMW – Service Bay Addition.

203  
 204 **PLAN OF DEVELOPMENT**

205 POD-32-05 Crown BMW – Service Bay Addition - 8710 W. Broad Street (POD-6-86 and POD-17-03 Revised)	<b>E. D. Lewis &amp; Associates, P.C. for ASTAR ASB          VA1, LLC and RER Properties, LLC:</b> Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a twelve (12) service bay addition totaling 7,320 square feet. The 9.0-acre site is located on the north line of W. Broad Street (U.S. Route 250), approximately 250 feet west of N. Skipwith Road on parcels 760-755-5474 and 760-756-7631. The zoning is B-3, Business District, B-3C, Business District
--	---

(Conditional), O-2C, Office District (Conditional) and C-1C, Conservation District (Conditional). County water and sewer. **(Brookland)**

206

207 Mr. Vanarsdall - Is anyone in opposition to POD-32-05, Crown BMW – Service  
208 Bay Addition in the Brookland District? Are you in opposition or do you want to ask a  
209 question? Come on down.

210

211 Mr. Woodward - I am George Woodward, Darnell Road, which is close to that  
212 property. I just wanted to know if what they are doing, if it is the same thing they were  
213 trying to do last October or was there any change from it?

214

215 Mr. Vanarsdall - No. This is an addition to the body shop.

216

217 Mr. Woodward - Body shop. Right. Same size addition, nothing has changed on  
218 that?

219

220 Mr. Vanarsdall - Everything is the same. But you will never see it for that wall.

221

222 Mr. Woodward - Have you seen the wall?

223

224 Mr. Vanarsdall - Yes, it is 10 feet in some areas and 12 in the other. I have never  
225 seen one like it.

226

227 Mr. Woodward - You probably never will either.

228

229 Mr. Vanarsdall - The only difference is that they have to keep the doors closed and  
230 have all of that covered.

231

232 Mr. Woodward - Right. We are not really in opposition. I just wanted to make  
233 sure that there was nothing different or nothing changed. We didn't know if there were  
234 more bays added or square footage.

235

236 Mr. Vanarsdall - Same thing. I appreciate you coming. Thank you. I move that  
237 POD-32-05 be recommended for approval on the expedited agenda, subject to the  
238 annotations on the plans, the standard conditions for developments of this type and  
239 additional conditions Nos. 23 through 34.

240

241 Mr. Branin - Second.

242

243 Mr. Vanarsdall - Motion made by Mr. Vanarsdall and seconded by Mr. Branin.  
244 All in favor say aye. All opposed say no. The motion passes.

245

246 The Planning Commission approved POD-32-05, Crown BMW – Service Bay Addition  
247 – 8710 W. Broad Street (POD-6-86 and POD-17-03 Revised), subject to the standard  
248 conditions attached to these minutes for developments of this type, the annotations on  
249 the plans, and the following additional conditions:  
250

- 251 23. The site, including paving, pavement markings, signage, curb and gutter,  
252 dumpster screens, walls, fences, lighting and other site improvements shall be  
253 properly maintained in good condition at all times. Any necessary repairs shall be  
254 made in a timely manner.
- 255 24. The easements for drainage and utilities as shown on approved plans shall be  
256 granted to the County in a form acceptable to the County Attorney prior to any  
257 occupancy permits being issued. The easement plats and any other required  
258 information shall be submitted to the County Real Property Agent at least sixty  
259 (60) days prior to requesting occupancy permits.
- 260 25. The developer shall provide fire hydrants as required by the Department of  
261 Public Utilities and Division of Fire.
- 262 26. Employees shall be required to use the parking spaces provided at the rear of the  
263 building(s) as shown on the approved plans.
- 264 27. All repair work shall be conducted entirely within the enclosed building.
- 265 28. Outside storage shall not be permitted except for vehicles.
- 266 29. The proffers approved as a part of zoning cases C-40C-04, C-17C-85 and C-  
267 52C-86 shall be incorporated in this approval.
- 268 30. Any necessary off-site drainage and/or water and sewer easements must be  
269 obtained in a form acceptable to the County Attorney prior to final approval of  
270 the construction plans.
- 271 31. Deviations from County standards for pavement, curb or curb and gutter design  
272 shall be approved by the County Engineer prior to final approval of the  
273 construction plans by the Department of Public Works.
- 274 32. Storm water retention, based on the 50-10 concept, shall be incorporated into  
275 the drainage plans.
- 276 33. Insurance Services Office (ISO) calculations must be included with the plans and  
277 contracts and must be approved by the Department of Public Utilities prior to  
278 the issuance of a building permit.
- 279 34. The location of all existing and proposed utility and mechanical equipment  
280 (including HVAC units, electric meters, junction and accessory boxes,  
281 transformers, and generators) shall be identified on the landscape plans. All  
282 equipment shall be screened by such measures as determined appropriate by the  
283 Director of Planning or the Planning Commission at the time of plan approval.  
284

285 Ms. News - Next on page 22 of your agenda, located in the Varina District, is  
286 POD-34-05, The Village @ Osborne – Zero Lot Line Dwellings.

287 **PLAN OF DEVELOPMENT**  
288

POD-34-05 **Foster & Miller, P.C. for FTF, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a zero lot line, single family residential subdivision of 64 homes. The 41.758-acre site is located at 7101 Osborne Turnpike, approximately 4,500 feet north of Burning Tree Road on parcels 802-696-9269 and 803-696-6866. The zoning is R-5AC, General Residence District (Conditional). County water and sewer. **(Varina)**

289  
290 Ms. News - Before we proceed with this case, I'd like to mention that in your  
291 agenda, the condition No. 9 says 9. Revised. It should read 9. Amended Revised. It is  
292 our typical condition requiring the landscape plan to come back to the Commission, but  
293 we've added a stipulation that it would come back before construction plan approval in  
294 accordance with the proffers.

295  
296 Mr. Jernigan - It is Amended?

297  
298 Ms. News - It is 9 Amended Revised.

299  
300 Mr. Vanarsdall - It is in the Varina District, the Village @ Osborne. Is there any  
301 opposition to this case? No opposition, Mr. Jernigan.

302  
303 Mr. Jernigan - Mr. Chairman, I move for approval of POD-34-05, The Village  
304 @ Osborne, on the expedited agenda, subject to the annotations on the plans, the  
305 standard conditions for developments of this type, and the following additional  
306 conditions, No. 9 Amended Revised, No. 11 Amended, and conditions Nos. 23 through  
307 33.

308  
309 Mr. Archer - Second.

310  
311 Mr. Vanarsdall - Motion made by Mr. Jernigan and seconded by Mr. Archer. All  
312 in favor say aye. All opposed say no. The motion passes.

313  
314 The Planning Commission approved POD-34-05, The Village @ Osborne, subject to  
315 the annotations on the plans, the standard conditions attached to these minutes for  
316 developments of this type, and the following additional conditions:

317  
318 9. **AMENDED/REVISED** - A detailed landscaping plan shall be submitted to the  
319 Department of Planning for review and Planning Commission approval **prior to**  
320 **approval of the construction plans, per proffer 12b.**

- 321 11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan  
322 including depictions of light spread and intensity diagrams, and fixture and  
323 specifications and mounting height details shall be submitted for Department of  
324 Planning review and Planning Commission approval.
- 325 23. The site, including paving, pavement markings, signage, curb and gutter,  
326 dumpster screens, walls, fences, lighting and other site improvements shall be  
327 properly maintained in good condition at all times. Any necessary repairs shall be  
328 made in a timely manner.
- 329 24. The developer shall provide fire hydrants as required by the Department of  
330 Public Utilities and Division of Fire.
- 331 25. The proffers approved as a part of zoning case C-56C-03 shall be incorporated  
332 in this approval. With each building permit submitted, the builder shall provide  
333 proper documentation addressing required exterior building material  
334 specifications, building elevation orientation and garages.
- 335 26. Any necessary off-site drainage and/or water and sewer easements must be  
336 obtained in a form acceptable to the County Attorney prior to final approval of  
337 the construction plans.
- 338 27. Deviations from County standards for pavement, curb or curb and gutter design  
339 shall be approved by the County Engineer prior to final approval of the  
340 construction plans by the Department of Public Works.
- 341 28. Approval of the construction plans by the Department of Public Works does not  
342 establish the curb and gutter elevations along the Henrico County maintained  
343 right-of-way. The elevations will be set by Henrico County.
- 344 29. Roof edge ornamental features that extend over the zero lot line, and which are  
345 permitted by Section 24-95(i)(1), must be authorized in the covenants.
- 346 30. Eight-foot easements for construction, drainage, and maintenance access for  
347 abutting lots shall be provided and shown on the POD plans.
- 348 31. Building permit request for individual dwellings shall each include two (2)  
349 copies of a layout plan sheet as approved with the plan of development. The  
350 developer may utilize alternate building types providing that each may be  
351 located with the building footprint shown on the approved plan. Any deviation  
352 in building footprint or infrastructure shall require submission and approval of  
353 an administrative site plan.
- 354 32. The subdivision plat for The Village @ Osborne shall be recorded before any  
355 building permits are issued.
- 356 33. The easements for drainage and utilities as shown on approved plans shall be  
357 granted to the County in a form acceptable to the County Attorney prior to any  
358 occupancy permits being issued. The easement plats and any other required  
359 information shall be submitted to the County Real Property Agent at least sixty  
360 (60) days prior to requesting occupancy permits.

361  
362 Ms. News- The last request is on page 24 of your agenda and is located in  
363 the Three Chopt District.

364 **PLAN OF DEVELOPMENT**  
365

366 **POD-35-05 Bay Design Group, P.C. for Merchants, LLC and**  
367 **The Townes @ Deep Run – Willbrook Associates:** Request for approval of a plan  
368 **Ridgefield Parkway** of development, as required by Chapter 24, Section 24-  
106 of the Henrico County Code, to construct seven  
(7), two-story, townhouse units. The 1.41-acre site is  
located on the north side of Ridgefield Parkway, east  
of its intersection with Turtle Creek Drive and  
Flintwood Drive on parcel 745-752-4031. The zoning  
is R-5, General Residence District. County water and  
sewer. **(Three Chopt)**

366  
367 Mr. Vanarsdall - Anyone in the audience in opposition to POD-35-05, The Townes  
368 at Deep Run, in the Three Chopt District? No opposition. Mr. Branin.

369  
370 Mr. Branin - Mr. Chairman, I move that POD-35-05, The Townes @ Deep  
371 Run, be approved on the expedited agenda, subject to the standard conditions for  
372 developments of this type, with amended condition No. 9 and additional conditions  
373 Nos. 23-37.

374  
375 Mr. Jernigan - Second.

376  
377 Mr. Vanarsdall - Motion made by Mr. Branin and seconded by Mr. Jernigan. All  
378 in favor say aye. All opposed say no. The motion passes.

379  
380 The Planning Commission approved POD-35-05, The Townes @ Deep Run –  
381 Ridgefield Parkway, subject to the annotations on the plans, the standard conditions  
382 attached to these minutes for developments of this type, and the following additional  
383 conditions:

- 384  
385 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department  
386 of Planning for review and Planning Commission approval prior to the issuance  
387 of any occupancy permits.
- 388 23. The site, including paving, pavement markings, signage, curb and gutter,  
389 dumpster screens, walls, fences, lighting and other site improvements shall be  
390 properly maintained in good condition at all times. Any necessary repairs shall be  
391 made in a timely manner.
- 392 24. The unit house numbers shall be visible from the parking areas and drives.
- 393 25. The names of streets, drives, courts and parking areas shall be approved by the  
394 Richmond Regional Planning District Commission and such names shall be  
395 included on the construction plans prior to their approval. The standard street  
396 name signs shall be ordered from the County and installed prior to any occupancy  
397 permit approval.

- 398 26. The subdivision plat for The Townes at Deep Run shall be recorded before any  
399 building permits are issued.
- 400 27. The right-of-way for widening of Ridgefield Parkway as shown on approved  
401 plans shall be dedicated to the County prior to any occupancy permits being  
402 issued. The right-of-way dedication plat and any other required information  
403 shall be submitted to the County Real Property Agent at least sixty (60) days  
404 prior to requesting occupancy permits.
- 405 28. The easements for drainage and utilities as shown on approved plans shall be  
406 granted to the County in a form acceptable to the County Attorney prior to any  
407 occupancy permits being issued. The easement plats and any other required  
408 information shall be submitted to the County Real Property Agent at least sixty  
409 (60) days prior to requesting occupancy permits.
- 410 29. The developer shall provide fire hydrants as required by the Department of  
411 Public Utilities and Division of Fire.
- 412 30. A standard concrete sidewalk shall be provided along the north side of  
413 Ridgefield Parkway.
- 414 31. Any necessary off-site drainage and/or water and sewer easements must be  
415 obtained in a form acceptable to the County Attorney prior to final approval of  
416 the construction plans.
- 417 32. Deviations from County standards for pavement, curb or curb and gutter design  
418 shall be approved by the County Engineer prior to final approval of the  
419 construction plans by the Department of Public Works
- 420 33. The pavement shall be of an SM-2A type and shall be constructed in accordance  
421 with County standard and specifications. The developer shall post a defect bond  
422 for all pavement with the Department of Planning - the exact type, amount and  
423 implementation shall be determined by the Director of Planning, to protect the  
424 interest of the members of the Homeowners Association. The bond shall  
425 become effective as of the date that the Homeowners Association assumes  
426 responsibility for the common areas. Prior to the issuance of the last Certificate  
427 of Occupancy, a professional engineer must certify that the roads have been  
428 designed and constructed in accordance with County standards.
- 429 34. Storm water retention, based on the 50-10 concept, shall be incorporated into  
430 the drainage plans.
- 431 35. Insurance Services Office (ISO) calculations must be included with the plans and  
432 contracts and must be approved by the Department of Public Utilities prior to  
433 the issuance of a building permit.
- 434 36. Approval of the construction plans by the Department of Public Works does not  
435 establish the curb and gutter elevations along the Henrico County maintained  
436 right-of-way. The elevations will be set by Henrico County.
- 437 37. The location of all existing and proposed utility and mechanical equipment  
438 (including HVAC units, electric meters, junction and accessory boxes,  
439 transformers, and generators) shall be identified on the landscape plans. All  
440 equipment shall be screened by such measures as determined appropriate by the  
441 Director of Planning or the Planning Commission at the time of plan approval.

442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453

Mr. Silber - Next on the agenda would be consideration of some extension of conditional subdivision approval. You will note on the agenda there are two categories of extensions. The first requires Planning Commission approval. The second is simply for informational purposes. The second one, Glendale Estates, will be handled administratively. It does require Planning Commission action to extend the conditional subdivision for White Oak Forest (April 1999 Plan).

**SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL:  
FOR PLANNING COMMISSION APPROVAL**

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended Recommended
White Oak Forest (April 1999 Plan)	Varina	61	9	5	1 Year 4/26/06

454  
455  
456  
457

**INFORMATIONAL PURPOSES ONLY**

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended Recommended
Glendale Estates (April 2004 Plan)	Varina	33	3	0	1 Year 4/26/06

458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477

Ms. Goggin - Good morning.

Mr. Vanarsdall - Good morning. Is anyone in the audience in opposition to White Oak Forest (April 1999 Plan)?

Mr. Silber - Ms. Goggin, can you tell us about that subdivision?

Ms. Goggin - This subdivision is up for its sixth extension. The reason that it has taken so long is they are at the point of construction plan approval, but we are pending FEMA flood plain information, and until that information is provided back to the County, the County cannot sign construction plans to allow bonding to take place to record additional subdivisions. As soon as FEMA information comes back, construction plans can go forward.

Mr. Silber - This does require action by the Planning Commission.

Mr. Jernigan - I am ready to make a motion. Mr. Chairman, I move for extension of White Oak Forest Subdivision (April 1999 Plan), for a period of one year, in the Varina District.

478  
479 Mr. Archer - Second, Mr. Chairman.  
480  
481 Mr. Vanarsdall - Motion by Mr. Jernigan and second by Mr. Archer. All in favor  
482 say aye. All opposed say no. The motion passes.  
483  
484 The Planning Commission approved conditional extension of time for White Oak Forest  
485 Subdivision (April 1999 Plan) to April 26, 2006.  
486  
487 Mr. Silber - Is there anything that the Commission needs to be aware of on  
488 Glendale Estates?  
489  
490 Ms. Goggin - No. They are working out wetlands information as well as FEMA  
491 information, so that is holding them up, also.  
492  
493 Mr. Vanarsdall - Thank you, Ms. Goggin.  
494  
495 Mr. Vanarsdall - Good morning, Ms. News, again.  
496  
497 **TRANSFER OF APPROVAL**  
498

POD-91-86 **William D. Redd for Brandywine Grande C, L.P.:**  
Britton's Hill Warehouse - Request for transfer of approval as required by Chapter  
Britton's Hill Drive 24, Section 24-106 of the Henrico County Code from  
R. F. & P. Corporation to Brandywine Grande C, L.P.  
The 6.5-acre site is located on the east line of Britton's  
Hill Drive, approximately 300 feet north of Bethlehem  
Road on parcel 776-741-3441 and part of 776-741-  
5348. The zoning is M-1, Light Industrial District.  
County water and sewer. **(Brookland)**

499  
500 Ms. News - Good morning, Mr. Chairman. I would like to point out that on  
501 the Addendum there is a revision to the caption. It should be actually transferred from  
502 R.F.& P. Corporation to Brandywine Grande C, L.P. We have made that correction in  
503 the caption. Several issues are being addressed with this transfer of approval as  
504 documented in the staff plan and conditions. Your addendum contains a fully revised  
505 set of conditions from the original agenda as well as a new annotated plan. Several  
506 issues have been addressed and resolved with this plan, including placement of an  
507 emergency generator, placement and screening details for dumpster and future  
508 dumpsters, parking lot and road circulation improvements and boring of a new utility  
509 line to preserve an existing buffer. In addition, we are also correcting site deficiencies  
510 related to the original POD. The applicant has indicated they are in agreement with the  
511 conditions as proposed. Staff recommends approval of this transfer of approval subject  
512 to the annotations on the revised plan, the conditions in the addendum and the

513 applicant's several representatives are here to address any questions you may have, as  
514 well as I would be happy to answer any questions.

515 Mr. Vanarsdall - Any questions for Ms. News from Commission members?  
516

517 Mr. Silber - Ms. News, do we have any idea as to when the driveway  
518 improvements would be made?  
519

520 Ms. News - I spoke with the Director of Public Works and he expected that  
521 they would be completed near the end of the summer.  
522

523 Mr. Silber - By the end of the summer?  
524

525 Mr. Vanarsdall - I don't need to hear from the applicant unless Mr. Kidd would  
526 like to say something.  
527

528 Mr. Ed Kidd - Good morning, Mr. Chairman and members of the Commission.  
529 My name is Ed Kidd. Very briefly, for the applicant, the only comment I wanted to  
530 make was I talked to Dave O'Kelly yesterday afternoon, and on Condition No.3, we  
531 agreed to insert the word **final** before **certificate of occupancy**.  
532

533 Mr. Vanarsdall - They put it on my copy. I thought it would be on the other ones.  
534

535 Mr. Kidd - Right. It is not on the one...  
536

537 Mr. Vanarsdall - Instead of prior to issuance of any certificate, it should be final  
538 certificate.  
539

540 Mr. Kidd - Yes, sir.  
541

542 Mr. Vanarsdall - On No. 3. Thank you, Ed. I want to thank Ed Kidd and Pete  
543 from Kelstrom and Lee and Jean McGraw from Central and Bill Redd from Kelstrom  
544 and Lee, because I know you all thought it was going to be a struggle, but we got  
545 through it and I appreciate your help. I want to thank Dave O'Kelly for guiding us  
546 along and I want to thank Leslie for all the things she did yesterday and reading the  
547 new plans and deciphering them and figuring out what was what. Now he has another  
548 question and me another condition.  
549

550 Ms. News - Excuse me, Mr. Chairman.  
551

552 Mr. Vanarsdall - What happened?  
553

554 Ms. News - I see where **final certificate of occupancy** was inserted in the  
555 wrong place in the addendum, and I see what he is pointing out now. It was put into  
556 No. 4 instead of No. 3, so we will make that correction. On Condition No. 3 it should

557 be “prior to issuance of a final certificate of occupancy, instead of “any” certificate  
558 of occupancy” and take it out of No. 4.

559

560 Mr. Vanarsdall - All right. Thank you. I move that POD-91-86, Transfer of  
561 Approval, Britton’s Hill Warehouse – Britton’s Hill Drive, be approved with the  
562 annotations on the plans, continued compliance with the conditions of the original POD  
563 and added conditions Nos.1 through 8.

564

565 Mr. Branin - Second.

566

567 Mr. Vanarsdall - I guess we’ll have to change four, right?

568

569 Mr. Silber - Changes will have to be made to No.3 and 4.

570

571 Ms. News - Yes, I will take out the “final.” That should continue to say  
572 “any” on No. 4 and it will say “final” on No. 3.

573

574 Mr. Vanarsdall - I think I should add that we are going by what is on the  
575 addendum, all the conditions on the addendum.

576

577 Ms. News - They will replace the conditions in the agenda completely, and  
578 we will revise No. 3 and No. 4 to fix that.

579

580 Mr. Vanarsdall - Motion made by Vanarsdall and seconded by Mr. Branin. All in  
581 favor say aye. All opposed say no. The motion passes.

582

583 The Planning Commission approved the transfer of approval request for POD-91-86,  
584 Britton’s Hill Warehouse – Britton’s Hill Drive, subject to the new owner’s agreement  
585 for continued compliance with conditions of the original POD as well as compliance  
586 with the following additional conditions:

587

- 588 1. All conditions of approval for POD-91-86 shall remain in full force and effect.
- 589 2. **REVISED** - The letter dated **April 18, 2005**, from Brandywine Realty Trust, shall  
590 be incorporated in this approval, and all improvements **including road and**  
591 **driveway modifications** shall be completed and inspected prior to issuance of ~~any~~  
592 **a final** certificate of occupancy for the Central Sterile Facility.
- 593 3. **REVISED** - The staff plan, dated **April 27, 2005**, as annotated, shall be  
594 incorporated in this approval, and all improvements shall be completed and  
595 inspected prior to issuance of a final certificate of occupancy for the Central Sterile  
596 Facility.
- 597 4. Five sets of plans incorporating staff’s annotations shall be submitted to the  
598 Department of Planning for review and approval prior to the issuance of any  
599 certificate of occupancy for the Central Sterile Facility.

- 600 5. **ADDED** –Dumpsters shall be serviced and parking lot maintenance, including  
601 cleaning and leaf blowing, except for emergency services inclusive of snow  
602 removal, shall occur on the site between the hours of 7:00 am through 7:00 p.m.  
603 Monday through Saturday only. Dumpster servicing and site maintenance including  
604 cleaning and leaf blowing shall not occur on Sundays. The doors for the dumpsters  
605 shall be kept closed.
- 606 6. **ADDED** - A sign directing visitor and employee vehicular egress from the property  
607 to the southernmost entrance to Britton Hill Road shall be provided on site. Show  
608 the location on the revised plan.
- 609 7. **ADDED** - Employee and visitor parking, to the extent practicable, shall be  
610 directed away from the vicinity of the northern driveway entrance until such time  
611 as the road improvements have been completed.
- 612 8. **ADDED** - Any trees, shrubs, or fencing in the landscape buffer on Britton’s Hill  
613 Road which may be damaged due to the installation of the new sanitary sewer line,  
614 shall be immediately replaced with materials of similar size and quality.

615  
616 **SUBDIVISION ALTERNATIVE FENCE HEIGHT PLAN**  
617

<p>Stone Mill Subdivision  –Staples Mill Road and  Old Springfield Road</p>	<p><b>Engineering Design Associates for Mojave, LLC:</b>  Request for approval of an alternative fence height plan, as  required by Chapter 24, Sections 24-106 and 24-106.2 of  the Henrico County Code. The 8.120-acre site is located  along the eastern side of Staples Mill Road (U.S. Route  33), approximately 1,000 feet north of the intersection of  Staples Mill Road and Mountain Road on parcels 761-771-  2932 and 6141. The zoning is R-2AC, One-Family  Residence District (Conditional). <b>(Brookland)</b></p>
---	--

618  
619 Mr. Cooper - Good morning, members of the Commission. This subdivision was  
620 conditionally approved by this Commission on April 21 of last year. Since that time, the  
621 applicant has continued to proceed through the subdivision process, and as part of that  
622 process, the applicant has provided a plan for the proposed entrance feature along Staples  
623 Mill Road. This feature includes substantial landscaping and a masonry wall, which is  
624 shown on the plan submitted to you. The wall details are on page 2. You will notice on  
625 your first sheet that the wall extends into what is the front yard of Lot 15, Block A.  
626 Because the wall is greater than 42 inches in height at that location, alternative fence  
627 height approval is required by this Commission. All reviewing agencies are satisfied with  
628 this plan and, therefore, staff recommends approval of this alternative fence height plan.  
629 The applicant is here today and he’d be happy to answer any questions and I will be as  
630 well.

631  
632 Mr. Vanarsdall - Any questions for Mr. Cooper? I know the applicant is here, but I  
633 don’t need to hear from him. I know this disappoints Mr. McKinney. If there are no

634 objections, I move that Stone Mill Subdivision alternative fence height plan be accepted  
635 and approved.

636  
637 Mr. Archer - Second, Mr. Chairman.

638  
639 Mr. Vanarsdall - Motion made by Mr. Vanarsdall and seconded by Mr. Archer. All  
640 in favor say aye. All opposed say no. The motion passes.

641  
642 The Planning Commission approved the alternative fence height plan for Stone Mill  
643 Subdivision subject to the standard conditions attached to these minutes for landscape  
644 plans and the annotations on the plans.

645  
646 **PLAN OF DEVELOPMENT**

647  
POD-23-05  
Wal-Mart Supercenter @  
Parham Plaza Shopping  
Center-  
1504 N. Parham Road  
(POD-7-69 Revised)

**VHB for Parham Development Company:** Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to demolish part of an existing shopping center and construct a one-story with a mezzanine, 115,455 square foot retail/grocery facility. The 13.1-acre site is located on the west line of N. Parham Road (State Route 73), approximately 275 feet north of Quioccasin Road (State Route 157) and on the north line of Quioccasin Road, approximately 1,200 feet west of N. Parham Road on parcel 753-745-5901. The zoning is B-2, Business District. County water and sewer. **(Tuckahoe)**

648  
649 Mr. Vanarsdall - Is anyone in the audience in opposition to Wal-Mart? Not many  
650 people are in opposition to Wal-Mart. No opposition.

651  
652 Ms. Goggin - Good morning, again. The revised plan was handed out to you just  
653 now. The plan revisions address the outstanding issues with the original staff plan in your  
654 packet. The changes between the two plans are as follows: First, the building is 1,685  
655 sq. ft. smaller than originally proposed. Second, the main Parham Road entrance has  
656 been redesigned to allow traffic to flow interrupted to the front of the shopping center.  
657 Three, the building entrance has been relocated from the left side so as not to conflict with  
658 the redesigned entrance drive aisle. Additionally, additional parking adjacent to the  
659 southeastern Quioccasin Road entrance has been provided. This parking opportunity has  
660 become available as the applicant is negotiating with the County to acquire or at least  
661 utilize the excess right-of-way for parking. Between the site alterations, building  
662 reduction and additional parking spaces, the project meets the parking requirement for the  
663 shopping center. Per condition No. 37 and the annotations on the revised plan, staff  
664 recommends a sidewalk along the site to Parham Road due to the County's policy about

665 the location near public facilities. The applicant has requested that the sidewalk  
666 recommendation is waived due to existing site conditions. Staff has also expressed  
667 concern with the possibility that delivery trucks may try to use Quioccasin Road for  
668 delivery maneuvers. Wal-Mart has assured staff that all maneuvers will take place on site  
669 and has agreed to a condition to insure that this is going to happen.

670  
671 Staff can recommend approval of the revised plan as annotated, conditions Nos. 23  
672 through 31 and 33 through 37 in the agenda, and additional conditions 38, 39 and 40 in  
673 the handout agenda. I will be happy to answer any questions the Commission may have.  
674 The applicant has representatives here, engineering as well as the property owner, and  
675 Wal-Mart representatives.

676  
677 Mr. Kaechele - Just as a point of information, is part of the original building being  
678 salvaged here?

679  
680 Ms. Goggin - Yes, sir. Approximately 80,000 square feet is being retained. The  
681 old Hills/K-Mart is what is being demolished and Wal-Mart is building a new building on  
682 that pad site of the old big box.

683  
684 Mr. Vanarsdall - I have a couple of questions. One says the police suggest no pay  
685 phones should be located at the facility. Is that going to happen?

686  
687 Ms. Goggin - I have not heard from the applicant as to whether they intended...

688  
689 Mr. Vanarsdall - I think that is important. Is the applicant here?

690  
691 Ms. Goggin - Yes, they are.

692  
693 Mr. Vanarsdall - And I have another question if I can find it. We are adding No. 38  
694 from the addendum - All delivery and truck traffic maneuvering shall only take place on  
695 the property. Additionally, the County right-of-way will not be used for maneuvering at  
696 any time. Who would be able to enforce what they did back there, maneuvering the  
697 trucks? Is somebody going to stand back there all day and watch them?

698  
699 Ms. Goggin - Well, hopefully, we will not be seeing these complaints or calls that  
700 this is happening. If it does happen, it will have to be enforced through the conditions of  
701 the POD and I believe the Police Department may get involved as it is a public right-of-  
702 way.

703  
704 Mr. Silber - Mr. Vanarsdall, the issue here is that staff is concerned that there  
705 may be truck traffic attempting to get into the loading area or unloading area, and backing  
706 and pulling forward somewhat onto Quioccasin, a public right-of-way, and obviously we  
707 won't have someone back there attempting to enforce it 24 hours a day, but if we find  
708 there is traffic being impeded on Quioccasin, we will bring it to the attention of Wal-Mart.

709

710 Mr. Vanarsdall - OK. The other thing is the sidewalk. I went out there this morning  
711 and, first of all, there is no path anywhere in front of it all the way from the bank there  
712 now, I think it is SunTrust, used to be Crestar, from that bank all the way down to Buttons  
713 and Bows, a long ways across the street from the, I think it is Hardees, there is no  
714 sidewalk, no evidence of anyone ever using a path. I can't imagine who would use a  
715 sidewalk, and I stepped from the curb to the tree and from the curb to the tree, and I don't  
716 understand other than the library being down the street, why would you even recommend  
717 a sidewalk? It is up to Ms. Jones, but just to me it is useless. I have always liked  
718 sidewalks, where sidewalks made some sense. This one makes no sense. You'll have to  
719 take down five beautiful trees in one section and three or four in another one. I just don't  
720 see who is going to get any benefit out of it. If I was a woman with a baby or man with a  
721 baby, I wouldn't want to push it along the sidewalk and that has got a long fall that they  
722 said that they said they'd have to put up a railing, so the bottom line is they take down the  
723 trees and put up a sidewalk and a railing for whom?

724

725 Mr. Silber - Well, Mr. Vanarsdall, I understand your position and I think in this  
726 particular situation the construction of a sidewalk along here does have some engineering  
727 challenges. Where staff is coming from is that as development occurs and redevelopment  
728 occurs along our major corridors, we do believe that it is important to provide for the  
729 pedestrian movement. There are currently no sidewalks on either side of this. However,  
730 as development occurs and redevelopment occurs, I think that we will be encouraging the  
731 construction of sidewalks so that we can allow for safe pedestrian movement. We have  
732 witnessed people actually walking in the right lane of Parham Road trying to move to  
733 Regency and other shopping areas in this vicinity, so I think a sidewalk does, in fact,  
734 provide for improved safety movement for people walking along Parham Road.

735

736 Mr. Vanarsdall - You talking about safety? Do you know how fast those cars come  
737 down by that sidewalk, and there is not enough space to put it to start with. I respectfully  
738 disagree with you. I just can't imagine even recommending it other than it is near the  
739 library and it is a policy. It is not a Code. We can waive it.

740

741 Mr. Silber - Yes, sir. I understand where you are coming from, but I think in  
742 this case, I think that not having a sidewalk here is not going to be a political issue. I  
743 think staff is attempting to get sidewalks where we can. We realize the trees in this case  
744 would have to be removed and new trees planted, and I understand your position, and I  
745 respect that. I think in this case if there is not going to be a sidewalk, that is fine. I think  
746 in the long run we need to be looking more towards providing for pedestrians. This may  
747 not be the place to start.

748

749 Mr. Vanarsdall - I think that is all of the questions I have.

750

751 Ms. Jones - I'd like to just make sure that we are clear about parking. Part of  
752 that is still under negotiation.

753

754 Ms. Goggin - Yes. The County and the applicant are working together to either  
755 acquire or lease or some other necessary agreement so that that little excess triangle of  
756 land at that southeastern corner can be utilized for parking.

757

758 Ms. Jones - And as the parking, with the addition of that triangle of land, meet  
759 the four per thousand formula?

760

761 Ms. Goggin - It exceeds it by 13 spaces for the overall shopping center, and I am  
762 sure they could lose a couple of spaces, but we hope that doesn't happen.

763

764 Ms. Jones - That really was my major concern. We can't go forth with a  
765 project without sufficient parking, certainly not for a Wal-Mart Store, so I am happy that  
766 is working out.

767

768 Mr. Silber - Ms. Jones, they have worked hard to meet the parking. They have  
769 provided for it. Ms. Goggin, I do have a question on Condition No. 39. It speaks to  
770 entering into the necessary agreements with the County to utilize excess property and that  
771 condition says excess right-of-way. I think in this particular case it is not right-of-way. It  
772 is excess property that the County owns. I would suggest that maybe we modify that to  
773 say "utilize excess County property adjacent to Quiocassin Road" and I would suggest we  
774 take out "right-of-way along" and insert "County property adjacent to." I believe this is  
775 property that at one point was owned by the County as part of its depot. When they sold  
776 that for Regency Mall, and the construction of Quiocassin left this little small triangular  
777 piece of property that is owned by the County, and I think there are efforts being made to  
778 have that transferred or bought by Wal-Mart for additional parking.

779

780 Mr. Branin - Ms. Goggin, there is also a bank that fits in that parking lot that is  
781 standing right now. Do you know what is going to come of that?

782

783 Ms. Goggin - It is not going to be anything except a couple of parking spaces.

784

785 Mr. Branin - They are going to take that out?

786

787 Ms. Goggin - The bank is going to be removed and...

788

789 Mr. Branin - That will help with the parking.

790

791 Ms. Goggin - Definitely. They have actually decreased the building footprint on  
792 the site with the demolition of the existing store and the bank.

793

794 Mr. Branin - And how far down does this building come down on the movie  
795 store there?

796

797 Ms. Goggin - No, sir. The movie store is part of the shopping center that is to  
798 remain.  
799  
800 Mr. Branin - OK.  
801  
802 Mr. Jernigan - Christine, one thing on the addendum. Maybe you said it but I  
803 didn't hear it, No. 32. Is it still deleted?  
804  
805 Ms. Goggin - It is still deleted.  
806  
807 Mr. Vanarsdall - Are there any more questions? Ms. Jones, you may not want to  
808 hear from the applicant, but I would like to ask him about the telephone.  
809  
810 Ms. Jones - That would be fine.  
811  
812 Mr. Archer - Is the applicant present?  
813  
814 Ms. Goggin - They are over there.  
815  
816 Mr. Vanarsdall - Come on down to the mike and state your name. I have a question  
817 and I want to tell you my reason.  
818  
819 Mr. Wiggley - Good morning, Planning Commissioners. I am Steve Wiggley with  
820 VHB.  
821  
822 Mr. Vanarsdall - My concern is that the Police are suggesting no telephones or public  
823 phone, but there are no conditions or anything that says whether you are going to do it or  
824 not.  
825  
826 Mr. Wiggley - I have inquired with the architects for Wal-Mart and I have been  
827 assured that there are no phones proposed in front of the Wal-Mart store.  
828  
829 Mr. Jernigan - That doesn't mean that there won't be any.  
830  
831 Mr. Wiggley - There will not be any.  
832  
833 Mr. Vanarsdall - I will tell you why I am concerned about that. We had one at  
834 PetSmart, not the new one but the old one. And what people do is, they are going to  
835 make a short call, so they park the car in the Fire Lane, and the short call turns out to be  
836 15, 20 or 30 minutes, and soon as that car is gone, another one is there. There is no end  
837 to it. It is like having an ATM in the lane. People are not going to take long, so they are  
838 not going to take long enough to park in the parking space, so they go beside the curb, and  
839 there is a Fire Lane, and they use the ATM, so what it is, it is nothing but a nuisance. It  
840 gives the Police heartburn, and I found out in dealing with them, we have two more places

841 that did this and I found out in dealing with them that the Police had one lady writing  
842 tickets for the entire County, but she is going to be out at Virginia Center Commons, and  
843 two minutes later she will be out at Short Pump writing tickets, so the reason I am asking  
844 that is so we don't have to continue the nuisance.

845

846 Mr. Wiggley - Well, I can assure you that nor does Wal-Mart want to impede the  
847 safety access to the building.

848

849 Mr. Vanarsdall - They put theirs inside.

850

851 Mr. Wiggley - I believe there are some inside, but not on the exterior of the  
852 building.

853

854 Mr. Vanarsdall - Thank you.

855

856 Mr. Wiggley - You are welcome.

857

858 Ms. Jones - Mr. Chairman, may I just ask one more thing about the sidewalk of  
859 staff? It is my understanding that there is really no way to conserve the request for a  
860 sidewalk to a later date. It is now or never?

861

862 Mr. Silber - Yes, ma'am. I think it would be hard to impose that on future  
863 development of this property. I think we can consider it with each development that comes  
864 along and future redevelopment of this shopping center.

865

866 Mr. Vanarsdall - I didn't know if that was legal or not.

867

868 Ms. Jones - In those terms and having walked this quite a while last evening,  
869 my concern for safety as well as for the engineering required to put a sidewalk at this  
870 location, a four foot sidewalk, I feel just the proximity to Parham Road and slope  
871 immediately adjacent to that down into the parking lot is a huge problem. I wish I could  
872 work it out otherwise. I will always be in favor of sidewalks except in cases where it  
873 makes no sense and this is one of those times. I'd like to ask that Condition No. 37 be  
874 stricken.

875

876 Mr. Silber - OK. I believe the addendum also notes that Condition No. 32  
877 would be deleted as well.

878

879 Mr. Vanarsdall - Do you want to make your motion, Ms. Jones?

880

881 Ms. Jones - Let's see if I can do this with all of our conditions squared away.  
882 I'd like to make a motion that POD-23-05, Wal-Mart Supercenter @ Parham Plaza  
883 Shopping Center, be approved with the conditions as set forth in addition to the  
884 annotations on the plan, standard conditions for developments of this type, and the

885 additional conditions Nos. 23 through 40 with deletion of 32 and 37, and with condition  
886 39 added and amended, and Nos. 38 and 40 on the addendum, as added.

887

888 Mr. Jernigan - Second.

889

890 Mr. Vanarsdall - Motion made by Ms. Jones and seconded by Mr. Jernigan. All in  
891 favor say aye. All opposed say no. The motion passes.

892

893 The Planning Commission approved POD-23-05, Wal-Mart Supercenter @ Parham Plaza  
894 Shopping Center – 1504 N. Parham Road (POD-7-79 Revised), subject to the annotations  
895 on the plan, the standard conditions attached to these minutes for developments of this  
896 type and the following additional conditions:

897

898 23. The site, including paving, pavement markings, signage, curb and gutter,  
899 dumpster screens, walls, fences, lighting and other site improvements shall be  
900 properly maintained in good condition at all times. Any necessary repairs shall be  
901 made in a timely manner.

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

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

909 26. Employees shall be required to use the parking spaces provided at the rear of the  
910 building(s) as shown on the approved plans.

911 27. Outside storage shall not be permitted.

912 28. The developer shall install an adequate restaurant ventilating and exhaust system  
913 to minimize smoke, odors, and grease vapors. The plans and specifications  
914 shall be included with the building permit application for review and approval.  
915 If, in the opinion of the County, the type system provided is not effective, the  
916 Commission retains the rights to review and direct the type of system to be  
917 used.

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

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

924 31. The loading areas shall be subject to the requirements of Chapter 24, Section  
925 24-97(b) of the Henrico County Code.

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

- 929 32. Approval of the construction plans by the Department of Public Works does not  
 930 establish the curb and gutter elevations along the Henrico County maintained  
 931 right-of-way. The elevations will be set by Henrico County.
- 932 33. The location of all existing and proposed utility and mechanical equipment  
 933 (including HVAC units, electric meters, junction and accessory boxes,  
 934 transformers, and generators) shall be identified on the landscape plans. All  
 935 equipment shall be screened by such measures as determined appropriate by the  
 936 Director of Planning or the Planning Commission at the time of plan approval.
- 937 34. No merchandise shall be displayed or stored outside of the building(s) or on  
 938 sidewalk(s).
- 939 35. A standard County sidewalk shall be provided on the west line of Parham Road.
- 940 36. All delivery and truck traffic maneuvering shall only take place on the property.  
 941 Additionally, the County right-of-way will not be used for maneuvering at any  
 942 time.
- 943 37. The applicant shall enter into the necessary agreements with the County to  
 944 utilize excess County property adjacent to Quioccasin Road for parking prior to  
 945 construction plan approval.
- 946 38. Building materials and colors submitted with the building permit will be in  
 947 substantial conformance with the staff architectural elevations.

948  
 949  
 950

**PLAN OF DEVELOPMENT**

POD-27-05  
 River Road Church, Baptist  
 Parking Addition –  
 8 N. Ridge Road  
 (POD-114-98 Revised)

**Hulcher & Associates, Inc. and River Road Church,  
 Baptist, Trustees:** Request for approval of a plan of  
 development, as required by Chapter 24, Section 24-  
 106 of the Henrico County Code, to construct a 53-  
 space parking lot addition. The 0.66-acre site is located  
 on the west line of N. Ridge Road, approximately 600  
 feet north of River Road on parcel 757-734-4720 and  
 part of 757-734-4606. The zoning is R-1, One-Family  
 Residence District. County water and sewer.  
**(Tuckahoe)**

951  
 952  
 953  
 954  
 955

Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-27-05,  
 River Road Church, Baptist, in the Tuckahoe District? We do have opposition. Thank  
 you. Ms. Goggin, go ahead.

956  
 957  
 958  
 959  
 960  
 961  
 962

Ms. Goggin - This request is to expand an existing church parking lot onto a lot  
 that is currently or most recently used as a residence. When this plan was submitted,  
 staff recommended and the applicant agreed to provide a six-foot fence and plantings  
 equivalent to a 10-foot transitional buffer along the north and western property lines of  
 the new parking lot to help soften the impact this development will have on adjacent  
 neighbors. The church held a meeting with its immediate neighbors in March,  
 obviously, prior Planning Commission, to explain their proposal and to get feed back

963 from their neighbors. At this meeting concerns with existing and additional water  
964 runoff and fence materials were raised.

965

966 To insure that their existing and proposed parking lots don't flood adjacent properties,  
967 the church is installing curb and gutter in the parking lot for both the new and existing  
968 developments. During this meeting the neighbors impacted the most, by this proposal,  
969 requested a brick wall for quality and to stay with the same materials that the church  
970 has used for its building and HVAC screen. Staff asked the church to consider the  
971 request for brick instead of wood, but the six-foot wooden fence and plantings exceed  
972 the County Code requirements. The applicant has provided photos of the fence to how  
973 they wish to build and I will put that up now. This is a photo, provided by the  
974 applicant, of the style fence that they are proposing to build for this new parking lot.  
975 And the applicant also provided a conceptual landscape plan, which was just handed out  
976 to you this morning. This was put together by the church within the last week to show  
977 the quantity and the type of screening that they are proposing to help this blend in with  
978 the neighborhood.

979

980 Staff amended conditions Nos. 9 and 11 in the agenda which would require the  
981 landscape, lighting and fence plan to return to the Planning Commission for review and  
982 approval prior to installation. This would allow the neighbors and the church to have  
983 additional time and opportunity to work out the details as to lighting height, planting  
984 materials and if there is a fence, possibly fence materials. As we saw, we have some  
985 opposition to this request and they are here and I'm sure that they would like to speak  
986 and we also have representatives from the church and the engineer that are here to  
987 answer any questions that the Commission may have of them.

988

989 Mr. Vanarsdall - Are there any questions by Commission members? No questions.  
990 All right, is the applicant here?

991

992 Mr. Hines - Yes, sir. My name is Malcom Hines and I'm chair of the  
993 building and property counsel at River Road Church Baptist. As you have heard, we  
994 have met both in a meeting and individually with the neighbors surrounding the  
995 property and we are most anxious to be good neighbors and address concerns that they  
996 have. The first thing I think was mentioned was the preference for a brick wall versus  
997 a wooden fence. We would love to do a brick wall but it's seven times more expensive  
998 than a wooden fence and we are not able to afford to do that at the present time.

999

1000 The fence that we proposed was just that a proposal simply to illustrate that we want to  
1001 build and architecturally designed, attractive, fence. I received this morning a list of  
1002 things that some of the things that some of the neighbors had submitted and one of the  
1003 things that they said is that they didn't like the lattice on top of the fence. They  
1004 apparently want the wooden solid fence to go the entire six feet. We don't have a  
1005 problem with that. This is simply a proposal and we have indicated all along that we  
1006 would seek their input on the design of the fence. The location of the fence, as shown

1007 on our plans as being just inside of the property line, and we understand that there has  
1008 been a request that we move the fence in 10 feet and put planting on the outside of the  
1009 fence. We are not in favor of this for several reasons, not the least of which is, that we  
1010 would have no way to maintain the plantings. The plantings would be on our property  
1011 and would certainly require maintenance as they grew, and we would have no way to  
1012 get to them short of having the adjoining landowners deed us easements to cross their  
1013 property to maintain them. We think that that is not a feasible solution. In fact, if it  
1014 came to that we would probably drop our suggestion that there be a fence and we would  
1015 just go with plantings, which our landscape architect has presented and it is a hedge of  
1016 arborvitae which would eventually make a substantial barrier there. Our whole reason  
1017 for suggesting a fence in the first place was that it would provide immediate relief to  
1018 the neighbors and we wouldn't have to wait several years for the plantings to grow up.  
1019 If they are interested in the landscape screening, we are certainly in favor of that and  
1020 plan to do that.

1021  
1022 They also mentioned that they would like the lot to be gated. Well, it is not presently  
1023 gated and that would present an undue burden to us. We don't see how we could do  
1024 that and they also mentioned increase Police presence and other security measures. I  
1025 would suggest that's something that the Public Safety Division would want to look at. I  
1026 spoke to Col. Doug Middleton, Assistant Chief of Police, and he was not aware of any  
1027 reports. During our meeting, several neighbors reported that strange going on's  
1028 occurred in our parking lot at 2:00 and 3:00 a.m. in the morning. This is something  
1029 that we weren't aware of and, of course, is not in favor of at all. We weren't aware of  
1030 it but in my conversation with the Police Department, they had no reports whatsoever  
1031 of any such occurrences and said that they would be certainly responsive to any such  
1032 reports from any of the neighbors. So, I think the Public Safety Division would be able  
1033 to respond to those concerns. As far as I can tell, we have addressed all of their  
1034 concerns. There is also concern about the lighting. All of the lighting that we have  
1035 done in the past, and proposed to do, would meet all of the County requirements for  
1036 light emittance. And as I understand it, the proposal that is before you now, we would  
1037 have to come back before you with a specific lighting plan. So, that really don't  
1038 impacts what we are here to talk about today. Unless there are further questions from  
1039 members of the Commission, I think that's it.

1040  
1041 Mr. Vanarsdall - I want to ask you a question.

1042  
1043 Mr. Hines - Yes, sir.

1044  
1045 Mr. Vanarsdall - If you leave that latticework on top, how high does that makes the  
1046 fence, do you know?

1047  
1048 Mr. Hines - Well, the fence is six feet and it would be five if... If the fence  
1049 that we propose....

1050

1051 Mr. Vanarsdall - It wouldn't be over seven feet?  
1052  
1053 Mr. Hines - It would not be over seven feet. No, sir.  
1054  
1055 Mr. Vanarsdall - That's okay. Now, the other thing is, why would you have a gate  
1056 in it?  
1057  
1058 Mr. Hines - Why would we have a gate?  
1059  
1060 Mr. Vanarsdall - Yes.  
1061  
1062 Mr. Hines - Well, we wouldn't have a gate. We are not proposing any  
1063 additional ingress. This new parking lot would be an extension of our existing parking  
1064 lot in the present ingress/egress off of Ridge Road and then one ingress/egress on River  
1065 Road would remain as they are now. We are not changing the public access at all.  
1066  
1067 Mr. Vanarsdall - There is a house right next door.  
1068  
1069 Mr. Hines - That is correct, yes, sir.  
1070  
1071 Mr. Vanarsdall - And the fence would run towards another fence.  
1072  
1073 Mr. Hines - Well it would run to the back property line adjacent to that house  
1074 and then it would run across the back of the lot. And I'll concern there would....  
1075  
1076 Mr. Vanarsdall - Is there a tool shed or something back there?  
1077  
1078 Mr. Hines - Yes, sir. And the folks that live there expressed a concern that  
1079 someone pulling into a parking space at night, there is a slight uphill grade, that the  
1080 headlights might shine into their second floor window. We hadn't originally thought  
1081 about putting a fence there. And, when we looked at it we agreed that that might  
1082 possibly be the case, so we decided to bring the fence around the corner and across the  
1083 back as well.  
1084  
1085 Mr. Vanarsdall - This wooden fence is going to beautiful when you put it up.  
1086 Have you ever thought about having some way to power wash it later and stain it or  
1087 something to make it....  
1088  
1089 Mr. Hines - Oh, yes, sir. We are certainly not opposed to that. We feel like  
1090 we have a beautiful church campus and anything that we do we would want to maintain  
1091 it and keep it as aesthetically pleasing as possible.  
1092  
1093 Mr. Vanarsdall - We want to see you do that to because Mrs. O'Bannon is a  
1094 member of the church.

1095

1096 Mr. Hines - That's correct.

1097

1098 Mrs. Jones - Mr. Hines, may I ask about the fencing. As it goes around the  
1099 property line for the new part of the parking lot, it would come to an abrupt halt. Is  
1100 there anything that the church has planned to extend that along the property line, back  
1101 up to River Road? Will you extend the fence at all or have you considered it?

1102

1103 Mr. Hines - Well, the fence will start, Mrs. Jones, the fence will start on the  
1104 River Road.... No, excuse me, not River Road. The River Road side is basically  
1105 already fenced. All of those property owners at some point in time have put up fences  
1106 on their property. We don't really have any fence that I'm aware of. All of those  
1107 fences are owned and maintained by the property owners.

1108

1109 Mrs. Jones - Correct.

1110

1111 Mr. Hines - And that's a longstanding thing that goes back about 50 or 60  
1112 years. We didn't originally plan to put it across the back of that lot except that in  
1113 response to concerns that light might shine in those windows, we put it across that 100  
1114 or foot so line to alleviate that problem. But, no ma'am, we don't plan to take it any  
1115 farther than that.

1116

1117 Mr. Vanarsdall - Are there any more questions? Thank you.

1118

1119 Mr. Hines - Thank you.

1120

1121 Mr. Vanarsdall - Now we will take the opposition. Come down and state your  
1122 name and we will be glad to deal with what you have to say.

1123

1124 Mr. Sanderson - Mr. Chairman and members of the Commission, staff. My name  
1125 is Jim Sanderson. I am the adjacent property owner on the north side of this parking  
1126 lot. My address is 200 Ridge Road. Obviously, we would be the one that's most  
1127 effected by this intrusion. The church has been most courteous and informative as well  
1128 as a particular member of the staff, Christina. The church has pretty much kept us  
1129 informed as to how they are going to proceed.

1130

1131 My remarks that I made at the meeting are pretty much the same remarks that I will  
1132 make to this Commission this morning. River Road Baptist Church, as some of you are  
1133 aware, is probably one of the most architecturally correct and dignified and distinctive  
1134 churches in all of Henrico County. Just to remind you all, particularly those of you all  
1135 who are not in our district, here is a picture of the church. River Road Baptist Church  
1136 when it was started in 1950 even the first structure that was built on that property still  
1137 stands. It was a fireplace, an outdoor fireplace, with the most elaborate cooking  
1138 devices known to man. It's beautiful as well as the church. My posture and my wife's

1139 posture is the fact that we are in retirement and we are planning to sell our house and  
1140 obviously this parking lot is imposing on the value of our property. And I speak from  
1141 experience from professionalism. I have been a real estate broker for more than 42  
1142 years, and I'm from the 5<sup>th</sup> generation of my family being in the building business in  
1143 Richmond.

1144

1145 What we would like to see, and I only have two requests. What we would like to see is  
1146 a brick wall. A brick wall that is in keeping with the existing architecture. You've  
1147 been shown a picture of a pressured treated yellow pine fence. I've seen it. I've taken  
1148 pictures of it and I have those with me. As a friend of mine, who has been a plumber  
1149 and millwork business since 1909 would say, pressure-treated pine is scrap crap. It  
1150 requires maintenance, constant maintenance. You cannot paint it until it has been at  
1151 least exposed to the element for nine months. And painting is a constant maintenance  
1152 with pressure-treated pine. If it were a better grade of wood, or some other wood that  
1153 was more resistant, you wouldn't have that problem. Brick, I mean every now and  
1154 then you might get algae or fungus and that's because it's north facing, and that's  
1155 power washed. As far as the maintenance of landscaping, the area that would have to  
1156 be maintained, if the fence or wall is put on the side of the parking lot rather than right  
1157 against our property, is their property. The 10-foot easement or planting space is their  
1158 property. It is not our property. They can just walk right around. If you look at the  
1159 site plan you can see that. It's not that they would have to come on our property to  
1160 maintain the landscaping. So, they have shown you all a 10-foot space for the wall and  
1161 for the landscaping. Our request is that the wall be on the parking lot side. It's not  
1162 necessarily for our convenience. But, the big problem is the lighting. And if I show  
1163 you a picture, which I'm going to do, you will be shocked because we have to look at  
1164 that 24 hours a day. We have to look at that, at night, all night. And it will shock you,  
1165 the amount of light that's generated from the existing parking lot, which is adjacent to  
1166 our property. This was taken last night (referring to pictures he's passing to the  
1167 Commission).

1168

1169 Now, the thing about the wall as opposed to a fence. Every single structure on the  
1170 campus at that church is brick. Every wall at that church is brick. They even put a  
1171 brick wall around the heating plant. Now the only distraction of that heating plant is  
1172 the fact that the gate is made out of pressure-treated pine, it's not painted. And it is  
1173 already beginning to warp in this color. It could have been painted. It's been there for  
1174 three or four years and it has not been painted. So, our desire is simply that they  
1175 continue their commitment to the architecture, integrity and character of the existing  
1176 church buildings and structures. The second thing we want, in regard to the wall, is we  
1177 want it placed on the parking lot, adjacent to the parking lot, not adjacent to our  
1178 property. And another reason for that, and I have pictures to show you also of other  
1179 brick walls in the immediate community. They can use the wall to install lights in the  
1180 wall that will shine directly into the parking lot and it would not light the neighboring  
1181 properties. This is a commercial property (referring to the pictures), but the brick wall  
1182 at Rite Aid Pharmacy, which is only a couple blocks away, has lights in the wall.

1183 Also, the other thing that we would like to see, if they are going to use lighting use  
1184 landscape lighting. It is low lighting so the light only reflects and illuminates the  
1185 parking lot itself. If you put the wall adjacent to the parking lot, then that's where the  
1186 lighting will be. The people that comes to church, I'm not a member of this church,  
1187 my daughter is, my oldest sister is and brother-in-law are members, but when you go to  
1188 church and you pull up in a parking lot, you get out of the car and you go in the  
1189 church. You come out of the church, you get in your car and you go home. So, they  
1190 won't be looking at the landscaping, we will. So, that's another reason that we would  
1191 like the landscaping on the outside of the property that's adjacent to our property.

1192

1193 So, I guess the second thing that we are concerned about is the lighting. And you can  
1194 see from the pictures that I have given you how it interferes or disrupts anybody's life.  
1195 Our neighborhood is changing. Our neighborhood is changing to young families with  
1196 children, and there are a number of property owners here who have that type of family  
1197 and they are going to speak to other issues of which they have those sort of concerns  
1198 that particularly effect them and effect the whole neighborhood. Thank you.

1199

1200 Mr. Vanarsdall - Mr. Sanderson, let me ask you a question. You are definitely  
1201 against the wooden fence of seven feet high.

1202

1203 Mr. Sanderson - It's not the height challenge, it's the type of material.

1204

1205 Mr. Vanarsdall - Okay. Now also while you are standing there I would like to ask  
1206 Ms. News a question. Ms. News, there is a condition on the case that says it will have  
1207 to come back for lighting and landscaping. Now, Ms. News, if this came back, No. 11  
1208 is on here amended, and it comes back to you do you look at what's there now, the  
1209 lights that he showed us a picture of, and change any of that or can you just approve  
1210 additions?

1211

1212 Ms. News - We would have to go back. I'm not sure how that lighting was  
1213 approved to begin with, whether the Commission approved it or if it was a staff  
1214 approval. We can always entertain any kind of revisions to that lighting.

1215

1216 Mr. Vanarsdall - I doubt if anybody approved it, that far back. Did you say it was  
1217 1950?

1218

1219 Mr. Sanderson - No, sir. That was when the church started. The revisions to that  
1220 parking lot was done when the new educational building was built, which I think was  
1221 about six years ago, in 1999.

1222

1223 Mr. Vanarsdall - I was just trying to find out from her, she's the expert, what  
1224 authority we have to change what's there, if they church wanted it changed. I don't  
1225 know if they want it changed.

1226

1227 Ms. News - There was a POD approval for the existing parking lot in 1998  
1228 and the lighting was submitted to staff, not the Planning Commission. And, yes, we  
1229 can always go back and re-look at that if the applicant wishes us to.  
1230

1231 Mr. Vanarsdall - Thank you, Mr. Sanderson.  
1232 Mr. Jernigan - Mr. Sanderson, I have a question for you. I know that you are in  
1233 objection to the materials used. Have you seen.... We have had a couple of cases come  
1234 through that had the drop-in concrete panels with brick columns. Are you familiar with  
1235 those? Would that be something that's acceptable?  
1236

1237 Mr. Sanderson - Yes, sir. That was a suggestion that I made to the church. I  
1238 made that suggestion to the church at the meeting.  
1239

1240 Mr. Jernigan - With the drop-in panels?  
1241

1242 Mr. Sanderson - I didn't suggest drop-in panels, I suggested masonry with a stucco  
1243 finish.  
1244

1245 Mr. Jernigan - What they had, and we have a couple of cases with a 10 or 15  
1246 foot span and they put brick columns up and then these concrete pre-made concrete  
1247 panels just slides down in it. And it is nice. Ernie, do you remember those? Would  
1248 you be acceptable to something like that?  
1249

1250 Mr. Sanderson - Yes, if the texture and the detail of those concrete sections were  
1251 architecturally attractive. I mean, I have friends who are in that business and they are  
1252 mostly commercial, although we use it in residential. They can pattern those panels  
1253 any number of ways.  
1254

1255 Mr. Jernigan - They have a texture to them. Kind of like a stucco texture.  
1256

1257 Mr. Sanderson - Yes. Some of them have brush texture and some have a raised  
1258 texture.  
1259

1260 Mr. Vanarsdall - It doesn't require a large base as a wall does is what Mr. Jernigan  
1261 is saying. If you were here when we started, the gentleman asked earlier on another  
1262 case about the changes of the wall. That's what that is it's 10 feet and then 12. We are  
1263 just suggesting things. It will be up to the church what they want to do.  
1264

1265 Mr. Sanderson - Right. Thank you.  
1266

1267 Mr. Vanarsdall - That's a good point, Mr. Jernigan. Who else wants to speak?  
1268

1269 Mr. Kaechele - Have they already ruled out the landscaping as an alternative,  
1270 somebody?

1271  
1272 Mr. Hines - Mr. Chairman, may I speak to that?  
1273  
1274 Mr. Vanarsdall - Well, we still have some opposition, so why don't you wait until  
1275 they talk. Come on down. We will finish with that and then we will come back for  
1276 your rebuttal.  
1277 Mr. Urquhart - Good morning, my name is Doug Urquhart.  
1278  
1279 Mr. Vanarsdall - I didn't catch your name.  
1280  
1281 Mr. Silber - What is your last name?  
1282  
1283 Mr. Urquhart - Doug Urquhart.  
1284  
1285 Mr. Silber - Would you spell that please.  
1286  
1287 Mr. Urquhart - It's U R Q U H A R T. And I live directly, I guess it's east,  
1288 across Ridge Road. If you look out my front windows you look directly at the existing  
1289 house. In a perfect world, and I requested the house, that the project not be approved.  
1290 But I understand that that is not going to happen, so I ask that the church does  
1291 everything that it can to make it as appealing to the neighborhood as possible. I  
1292 brought my house 12 years ago for \$125,000.00. I think my real estate taxes were  
1293 about \$800.00. The house will probably sell today, the lot would sell today for  
1294 \$350,000.00 maybe, and the real estate taxes has gone up three times maybe. I have a  
1295 hard time understanding how this is not going to impact my property value. So, if it is,  
1296 I would ask that it impact it as small as possible and that the church incur some of that  
1297 cost.  
1298  
1299 When I purchased my property the church has the parking lot as it exists now, except  
1300 that it didn't have the cooling tower. I'm not sure if it had the lighting, I can't  
1301 remember that. And the church didn't have its pre-school, which is a great pre-school  
1302 and I'm glad that they are providing that service in the community. But, there is a  
1303 tremendous amount of traffic at certain times during the day to and from the pre-school  
1304 which is anticipated. And when the church does that, they changed who they really are  
1305 because they go from being a church on Sunday and maybe Wednesday nights and  
1306 weddings and stuff and they become a facility that has a tremendous amount of traffic  
1307 everyday of the week. And when we met with the church they expressed their  
1308 appreciation for the community but they also explained how happy they were with the  
1309 pre-school and how they were able to pay off their note, which was a substantial note  
1310 two or three years early because of how well everything had been received and was  
1311 going. And so I hear their need to adhere to a fiscal conservative budget and do this.  
1312 However, this isn't some area that has low property values. This is a high-end part of  
1313 Henrico County. And a church in this area is not a poor church. They have the means  
1314 and the ability if they need too to fund substantial projects as they showed with their

1315 pre-school. There were able to get the funding for that and provide for it. So, I'm  
1316 asking the church to step up and do this at the high level that Mr. Sanderson was saying  
1317 that the architectural integrity has. I would like to see a wall around the church.

1318

1319 In a residential community safety is not provided by Henrico County it is provided by  
1320 the residents in that area. If you don't take care of your property there's going to be  
1321 problems no matter what the County does. This facility has no residents on it, and they  
1322 are just expanding it and making it bigger. The University of Richmond had its own  
1323 security force. They have that because they have large areas that are vacant for long  
1324 periods of time. This church is simply just expanding their area that's going to be  
1325 vacant. Vacant areas attract problems. So, my idea, or what I would like to see, I  
1326 would like to see the church to address that. There are lots of ways that they can do it  
1327 but I am not going to sit here and explain it all, but I think if a wall, not only helps  
1328 maintain my property value but it also helps secure an area.

1329

1330 Mr. Vanarsdall - Where is your house?

1331

1332 Mr. Urquhart - Directly across the street. So, if you go across Ridge Road it  
1333 looks at it.

1334

1335 Mr. Vanarsdall - Okay. And you mentioned a wall around the church. They are  
1336 not going to put a wall around the church. They are just going to put up one wall, or  
1337 one fence.

1338

1339 Mr. Urquhart - I understand that, but at this forum I would just like to say....

1340

1341 Mr. Vanarsdall - Was the day care center there when you moved across the street?

1342

1343 Mr. Urquhart - No.

1344

1345 Mr. Vanarsdall - But the church was.

1346

1347 Mr. Urquhart - The church was.

1348

1349 Mr. Vanarsdall - All right. Thank you.

1350

1351 Mr. Urquhart - Thank you.

1352

1353 Mr. Vanarsdall - Anyone else wants to speak? Yes, sir, come on down.

1354

1355 Mr. Silber - Members of the Commission let me just remind you and this  
1356 gentleman as he comes forward. I probably should have announced this earlier, I  
1357 didn't realize there was so much conversation regarding this proposal, but the Planning  
1358 Commission does have a policy of trying to limit the amount of time we spend on any

1359 individual case. There is a 10-minute policy of presentation both by the applicant,  
1360 some of which time can be reserved by the applicant for rebuttal. The Commission  
1361 typically likes to have the opposition to try to keep their comments to about 10 minutes  
1362 and we are well into that. So, when you speak keep in mind the time sensitivity,  
1363 please.

1364  
1365 Mr. Waldruff - I'll be brief.

1366  
1367 Mr. Vanarsdall - I apologize for us not, like Mr. Silber said, not announcing this  
1368 earlier we didn't have any idea that we were going to have this much discussion. So,  
1369 fine, go ahead.

1370  
1371 Mr. Waldruff - My name is Bob Waldruff and I live at 101 Gaymont Road. The  
1372 church is literally in my backyard. I've lived here for 31 years so I have a lot of  
1373 history and knowledge of being a neighbor of that church. First of all, the pre-school I  
1374 think it is a great situation. My wife has worked there 25 years so I am all in favor of  
1375 that. As far as the wall, I didn't know about the wall. I would be just thrilled to death  
1376 just to have a wooden wall behind my property. But, my main comment is that our  
1377 property sits about six feet below where the church parking lot currently exist and we  
1378 are at the end of the hill for all of River Road and Gaymont. Everything flows down  
1379 that hill to our property and I just want to be sure that the County, Public Works,  
1380 drainage, everybody is well aware of that situation and takes all of that into  
1381 consideration when this project is completed because runoff from that whole area will  
1382 dramatically affect my property. Thank you.

1383  
1384 Mr. Vanarsdall - Thank you. Are there any questions for Mr. Waldruff?

1385  
1386 Mrs. Jones - I think it might be helpful to note that there is a, and staff might  
1387 want to elaborate, but there is a provision for curb and gutter.

1388  
1389 Ms. Goggin - Yes. Curb and gutter is being provided along the edge of the  
1390 existing and new parking lot to... Basically, right now there isn't curb and gutter on a  
1391 majority of the existing parking lot and with this proposal they would install curb and  
1392 gutter around the existing and the new to make sure that water is channeled to drop  
1393 inlets and such to make sure that it doesn't flood adjacent properties.

1394  
1395 Mr. Branin - So, this curb and gutter would address his current problem.

1396  
1397 Ms. Goggin - At least from the church's parking lot runoff. It wouldn't help if  
1398 he lives at a low point compared to his neighbors.

1399  
1400 Mr. Branin - He's catching the water from Gaymont and from everywhere else  
1401 as well but from the parking lot it would actually improve his current condition?

1402

1403 Ms. Goggin - Yes, sir.  
1404  
1405 Mr. Branin - Okay.  
1406  
1407 Mrs. Jones - Mr. Chairman, I believe there is someone else.  
1408  
1409 Mr. Vanarsdall - Someone else? Okay. Come on down. You will be the last one.  
1410  
1411 Mrs. Brokenbrough - My name is Janice Brokenbrough and I live directly behind the  
1412 proposed lot and there are several issues that Mr. Hines mentioned that I want to bring  
1413 up. We do want to be good neighbors to the church. They are good neighbors to us.  
1414 But there are some issues. We have small children and there are some children next  
1415 door to us. There are children on the other side of Mr. Sanderson. We are very  
1416 interested in having a fence put up. We are okay if it is not brick at our house,  
1417 however, I am concern if the fence that is being put up if it is not taken care of in a few  
1418 years as Mr. Sanderson said if it needed work, I would be concerned about our side of  
1419 the fence. But, I'm interested in the fence for several reasons. First of all, as Mr.  
1420 Hines said, because lights will come into our property. Second of all because I think it  
1421 would provide some security. I'll shed has been broken into several times. There have  
1422 been some issues about people being in the lot, in the existing lot, in the middle of the  
1423 night when church is not in session. And then also it would prevent some of the noise  
1424 from Ridge Road coming into our property. As far as the fence goes, a wooden fence  
1425 is fine with me. I would prefer that it not be lattice topped because people could then  
1426 see in our yard and I would rather have some privacy, like I said, with small children.  
1427  
1428 I am very concerned about the lighting. As Mr. Sanderson said, it is very bright. You  
1429 are all welcomed to come to my house at night and look at the lighting. And right now  
1430 we have substantial screening from trees but as those trees are torn down because of the  
1431 lot, if there is lighting, that's in the existing lot, it is very bright and it would be in our  
1432 entire upstairs of our house. Even with the existing shades that we have, it's hard to  
1433 keep that light out. If there is lighting put in, I also would prefer low lighting and we  
1434 would just like to have a say.... Right now I know Mr. Hines said that it wouldn't be  
1435 lighting but when lighting does become installed, we would like, as I said, and it is well  
1436 because it does impacts us.  
1437  
1438 The gates that Mr. Hines mentioned earlier, the way that I understand it, the lot that is  
1439 proposed, there is not an entrance into this proposed lot from Ridge Road, but there is  
1440 to their two entrances from the existing lot. Mr. Hines has said that there will not be  
1441 traffic in that lot with the exception of Sundays, funerals or any kind of church activity.  
1442 So, what we have asked is that that lot be chained off or gated, not from Ridge Road  
1443 but from the existing parking lot. So, that no one is going into that lot when the church  
1444 is not in session. And, as I look at the lot, it is usually very crowded, especially on big  
1445 holiday, but a lot of times the lot doesn't seems to be always full. It's a long way from  
1446 the end of the existing lot to the church. So, I think that people do park in the lot on

1447 the south side of River Road, on the other side of River Road instead of parking all the  
1448 way near us. So, if there were gates there, it wouldn't impact normal day-to-day  
1449 activity with the church. And then also we would prefer as much landscape screening  
1450 as possible between Ridge Road and the parking lot so that it can cut down on some of  
1451 the noise as well as some screening between our house and the parking lot. We would  
1452 prefer that. I don't know if that is an option or not.

1453  
1454 And then, finally, we would really like to see either increase Police presence or some  
1455 kind of security measures established because as we mentioned there is activity going  
1456 on at night. My husband witness it a couple of weeks ago and neither we nor Mr.  
1457 Hines believe that it was church related. We feel like with the neighborhood having so  
1458 many children in it, and with all the stuff that we hope is not going on there, we would  
1459 like to have some security there.

1460  
1461 Mr. Vanarsdall - Than you, Mrs. Brokenbrough. Don't move, I have a question  
1462 for you. Has any of this activity ever been reported to the County?

1463  
1464 Mrs. Brokenbrough - I don't know. My husband did not know the number to call. He  
1465 didn't want to call the emergency number.

1466  
1467 Mr. Vanarsdall - Do you know your supervisor's name?

1468  
1469 Mrs. Brokenbrough - Pat O'Bannon.

1470  
1471 Mr. Vanarsdall - Yes.

1472  
1473 Mrs. Brokenbrough - I told her. I talked to her actually.

1474  
1475 Mr. Vanarsdall - Okay. Now the other question is any of you who spoke did you  
1476 contact the Planning Office after you were notified? Did you know this was coming  
1477 up? You must have because you are here. Did any of you contact the Planning Office.

1478  
1479 Mrs. Brokenbrough - I didn't know that you were supposed to.

1480  
1481 Mr. Vanarsdall - That's all I wanted. Thank you. We have run out of time and I  
1482 believe there was one more hand that was raised. If you make it short. We don't want  
1483 to cut you off in the middle of the path.

1484  
1485 Mrs. Blunt - Thank you. I live between the Brokenbroughs and the Waldruffs,  
1486 and I'm Mrs. Anne Blunt, 103 Gaymont Road. The lighting suits me fine. The porch  
1487 light is a little bright. I would love any landscaping that could be left and if there is a  
1488 wall I would appreciate it. And I love the curb and gutter because I've needed that for  
1489 a long, long, time. I have a big drainage problem. That's all. Thank you.

1490

1491 Mr. Vanarsdall - Thank you. Would you like a rebuttal?  
1492

1493 Mr. Hines - I would certainly try to be brief, Mr. Chairman. I would like to  
1494 point out that it is my understanding that a fence is not required by County Code.  
1495 There is no fence of any of the property line currently between the church and any of  
1496 the adjoining neighbors other than that which the neighbors have erected at their own  
1497 expense. We were putting up the fence as a good will measure towards those  
1498 neighbors. I've also looked at other churches in the area. No other church, that I am  
1499 aware of, has a fence, other than a border of shrubbery and trees. We are very  
1500 amenable to that in lieu of a fence and I think if the fence were not allowed to be put on  
1501 the property line, we definitely would not want the fence because we couldn't maintain  
1502 the shrubbery. We would either want to put the fence on the property line or eliminate  
1503 the fence and put in a hedgerow that would grow up and make a boundary between the  
1504 two.  
1505

1506 Mr. Sanderson mentioned that salt-treated or pressure-treated wood being sup par. I  
1507 understand that he is a lumbar broker and I think that we have indicated to him that if  
1508 he could get us some cypress or some other upscale wood, we would be more than  
1509 happy to accommodate that request. So, we are not wedded to salt-treated. We are  
1510 also not wedded to the lattice at the top. And I just want to make a couple of  
1511 corrections. Number one. Someone mentioned the pre-school. That's been in  
1512 operation since 1972.  
1513

1514 Mr. Vanarsdall - What's been....  
1515

1516 Mr. Hines - The pre-school that someone made reference to has been in  
1517 existing since 1972. The existing lighting was installed in 1957 on the existing parking  
1518 lot. It was upgraded under a plan of development in 1998 at which time we installed  
1519 more substantial lamp post and lamps, and at that time we underwent scrutiny by your  
1520 Commission and your staff to make sure that the light emittance met the requirements  
1521 and as I understand it we would still come back with a formal lighting plan that that  
1522 would not be a part of this preceding today. Thank you very much.  
1523

1524 Mr. Sanderson - Mr. Chairman, I have to say one rebuttal.  
1525

1526 Mr. Vanarsdall - Mr. Sanderson, you will have to be brief. We have gone way  
1527 over the limit.  
1528

1529 Mr. Sanderson - It's only a photograph that I would like to show you. That's all.  
1530 This is there screen on their property.  
1531

1532 Mr. Vanarsdall - Mrs. Jones, it is up to you now.  
1533

1534 Mrs. Jones - Mr. Chairman, in the interest of full disclosure, I should say that  
1535 I live on University Drive and these are my neighbors. My children attended the pre-  
1536 school and in the 70's and the 80's and I am very well aware of drainage issues. Also,  
1537 I am aware of the relationship between churches and neighborhoods. It's a very unique  
1538 kind of relationship, and this church is certainly a beautiful facility and our homes are  
1539 nice ones. And I think we all want to maintain a good working relationship. There are  
1540 a lot of issues here which relates to opinion and preferences and I think we can all work  
1541 this out. It will require another meeting or two, it will require some more discussion  
1542 and it will require some real specifics when we get down to types of lights, types of  
1543 fencing. I would prefer, and I would ask, if the applicant would be willing to defer to  
1544 May 25, so that we have an opportunity to really go through this very specifically once  
1545 more. I have not been involved in this, since I am new to the Commission, and I  
1546 would rather have an opportunity to be very specific with those involved and to try to  
1547 make a suggestion at the moment. Would you be willing to defer?  
1548

1549 Mr. Hines - Well, I guess we have no choice.  
1550

1551 Mr. Vanarsdall - You have a choice of either deferring it, being denied or  
1552 something else, or us deferring it. You have plenty of choices.  
1553

1554 Mrs. Jones - Thank you, Mr. Hines.  
1555

1556 Mr. Hines - We will defer it.  
1557

1558 Mrs. Jones - We all have choices. With that being said, Mr. Chairman, I  
1559 move....  
1560

1561 Mr. Archer - Mrs. Jones, excuse me for interrupting but may I just interject  
1562 something?  
1563

1564 Mrs. Jones - Yes.  
1565

1566 Mr. Archer - And this is simply because I have seen occurrences come up like  
1567 this before. When considering your fence be very careful and think it through all the  
1568 way. Fences have two sides to them. Things occur on both sides of the fence and the  
1569 people on the other side don't know what's going on. So, think about that very  
1570 carefully. I've seen incidences where fences had been put up and people wish that they  
1571 had never seen them after they had been put up. So, there are good reasons for having  
1572 a fence and good reasons for not having a fence and somewhere in between is where I  
1573 think you all need to meet. I just wanted to caution those people out there that they  
1574 may think they want a fence and they may want to think it through a little more  
1575 carefully. I just thought I would interject that before you close the discussion.  
1576

1577 Mrs. Jones - Thank you.

1578  
1579 Mr. Vanarsdall - And also I think you want to ask all these people to get together  
1580 with you don't you?  
1581  
1582 Mrs. Jones - Absolutely.  
1583  
1584 Mr. Vanarsdall - And since you know everybody, you know how to get in touch  
1585 with them.  
1586  
1587 Mrs. Jones - Yes, I do and they know how to get in touch with me.  
1588  
1589 Mr. Vanarsdall - All right. You can go on with your motion.  
1590  
1591 Mrs. Jones - Yes. Mr. Chairman, I would like to move that POD-27-05,  
1592 River Road Church Baptist, Parking Addition, be deferred to the May 25, 2005,  
1593 meeting of the Planning Commission, by request of the applicant.  
1594  
1595 Mr. Jernigan - Second.  
1596  
1597 Mr. Vanarsdall - The motion was made by Mrs. Jones and seconded by Mr.  
1598 Jernigan. All in favor say aye...all opposed say nay. The ayes have it. The motion  
1599 passes. Thank each one of you for coming and speaking.  
1600  
1601 Mr. Silber - May we hold on to these photographs that have been provided to  
1602 us?  
1603  
1604 Mr. Sanderson - Yes.  
1605  
1606 Mr. Silber - Thank you.  
1607  
1608 Pursuant to the applicant's request, the Planning Commission deferred POD-27-05,  
1609 River Road Church, Baptist, Parking Addition, to its May 25, 2005, meeting.

1610 **PLAN OF DEVELOPMENT & SPECIAL EXCEPTION**  
1611

1612 POD-33-05  
1613 First Union Baptist Church  
1614 Expansion – Dill Road

**Hulcher & Associates, Inc. for First Union Baptist Church:** Request for approval of a plan of development and special exception for height limitations, as required by Chapter 24, Sections 24-106 and 95(a)l(a), of the Henrico County Code, to construct a one-story, 9,000 square foot, 808 seat, sanctuary addition to an existing church with a 90 foot spire. The 12.4-acre site is located on the northern side of Dill Road, approximately 400 feet west of the intersection of Dill Road and Martin Avenue on parcels 799-734-5133, 4721, 1233 and 4178. The zoning is R-4, One-Family Residence District. County water and sewer. **(Fairfield)**

1612  
1613 Mr. Vanarsdall - It seems to be Baptist church day doesn't it? That's all right with  
1614 me. Is there anyone in the audience in opposition to POD-33-05, First Union Baptist  
1615 Church Expansion, in the Fairfield District? No opposition. Mr. Cooper.

1616  
1617 Mr. Cooper - Good morning, Mr. Chairman and members of the Commission.  
1618 A revised site plan and floor plan was handed out to you this morning. Staff has some  
1619 concerns for the original plan submitted. Most importantly, that they lacked the  
1620 required amount of parking to meet the proposed seating within the church. The  
1621 applicant has since revised his floor plan, which was handed out to you this morning,  
1622 and you will note that it includes the elimination of the second floor balcony for the  
1623 time being. With the elimination of the balcony and the fixed seating that will be  
1624 located within that balcony, they are now able to meet the required parking on site.  
1625 Should the applicant decide to construct that balcony in the future, they would need  
1626 additional parking. Staff has annotated that on the revised plan, again that was handed  
1627 out to you this morning and the applicant is in agreement with such. The revised site  
1628 plan handed to you this morning reflects some required improvements along Dill Road,  
1629 which are at the request of the Department of Public Works. One thing to note, along  
1630 those road improvements would be curb and gutter and the installation of a sidewalk  
1631 along the property line. Staff is satisfied with both this revised site plan and with the  
1632 revised floor plan.

1633  
1634 The remaining matter is in regard to the proposed steeple. The applicant is proposing a  
1635 90-foot-high steeple where the Code only permits a steeple of 50 feet in height without  
1636 a special exception granted by this Planning Commission. The steeple is shown in your  
1637 original architectural plans and as you are aware staff makes no recommendations in  
1638 regards to special exceptions. The applicant and their representative are here today to  
1639 discuss that matter further, and I will also be happy to answer any questions you may  
1640 have at this time.

1641  
1642  
1643 Mr. Archer - Mr. Cooper, since you and I talked, you have not had any phone  
1644 calls from anyone, have you?  
1645  
1646 Mr. Cooper - No, sir. I only received one call from a lady who lives on  
1647 Brentwood Road. Her concern at that time, as you may or may not know, we can  
1648 show you the aerial photo, on Brentwood Road in this area, here, you can see that the  
1649 road has never been improved to its fullest extent. There is a barricade out there and  
1650 her concern after speaking with some of her neighbors, she indicated they just did not  
1651 want to see Brentwood Road extended into the church and opened up. I indicated to  
1652 her that the church is only intending to use and improve two existing points of ingress  
1653 and egress off of Dill Road. There are no plans for an extension of Brentwood Road.  
1654  
1655 Mr. Archer - OK. Thank you.  
1656  
1657 Mr. Cooper - Yes, sir.  
1658  
1659 Mr. Vanarsdall - Do you need to hear from the applicant?  
1660  
1661 Mr. Archer - I don't believe so. Mr. Secretary, we need two separate motions,  
1662 do we not?  
1663  
1664 Mr. Silber - Yes. That is correct.  
1665  
1666 Mr. Archer - OK. Sir, you need to come down.  
1667  
1668 Mr. Harrison - Mr. Chairman, members of the Commission. My name is  
1669 William Henry Harrison, the architect for the church. I just wanted to correct that the  
1670 steeple height is 101 feet, not 90 feet, and that was the only change I wanted to make.  
1671  
1672 Mr. Vanarsdall - I know it was 90, so now it is 101?  
1673  
1674 Mr. Harrison - Well, it has always been 101 from the actual grade.  
1675  
1676 Mr. Silber - So, the request is for 101 feet, not 90 feet?  
1677  
1678 Mr. Harrison - That is correct.  
1679  
1680 Mr. Silber- As with any special exception, it is incumbent upon the applicant  
1681 to present their reasoning and logic for requesting the special exception. I think in this  
1682 particular case you should let the Commission know why this is needed.  
1683  
1684 Mr. Harrison - Well, it is aesthetic. I brought a panel here to illustrate the  
1685 steeple height as we have it proposed. That is the 50 foot line right there, and then the

1686 steeple actually extends up some 51 feet to the top, and, obviously, it is part of the  
1687 aesthetics of the church. They have an existing steeple that is currently 52 feet height,  
1688 so it is actually above the requirement.  
1689  
1690 Mr. Vanarsdall - Not but two feet higher.  
1691  
1692 Mr. Harrison - That is right. But if we were to not have the steeple or observe  
1693 the 50 foot height, obviously the only thing we could put would be a small cross that  
1694 would be almost invisible.  
1695  
1696 Mr. Vanarsdall - The steeple looks pretty. Doesn't it?  
1697  
1698 Mr. Harrison - Yes, sir.  
1699  
1700 Mr. Vanarsdall - We don't have any over. When we make an exception, we don't  
1701 have any limit as to how high we can approve it, do we? Within reason?  
1702  
1703 Mr. Silber - Within reason. I guess my concern is, I thought we had this  
1704 listed on the application as a tower steeple up to 90 feet, so I am not sure how this  
1705 became taller.  
1706  
1707 Mr. Vanarsdall - It is 11 over.  
1708  
1709 Mr. Silber - There is no opposition today to the special exception, so I think  
1710 the Planning Commission could hear this, but I am perplexed as to how we thought it  
1711 was 90 feet when in fact it is 101.  
1712  
1713 Mr. Vanarsdall - Did you know it was 101?  
1714  
1715 Mr. Archer - No, I didn't. All of my notes say 90.  
1716  
1717 Mr. Jernigan - Randy, that doesn't affect the advertisement, does it?  
1718  
1719 Mr. Silber - I don't think so. Mr. Cooper, what does the application show?  
1720  
1721 Mr. Archer - Yes, if we did it, we'd have to advertise it again.  
1722  
1723 Mr. Vanarsdall - I don't think anybody in the audience would be in...  
1724  
1725 Mr. Cooper - The application did read 90 foot church spire.  
1726  
1727 Mr. Vanarsdall - That is what was on our write up.  
1728  
1729 Ms. Jones - Has something changed on the grade that adds this extra 11 feet?

1730  
1731 Mr. Harrison - Well, there is a slight grade increase, because we provide a little  
1732 more height to the pad of the building, but nothing significant. It is just the actual  
1733 height of the steeple we are showing is 101 from the bottom of the grade.  
1734  
1735 Mr. Archer - Was the submitted request was for 90 feet? Is that what I am  
1736 hearing, Mr. Secretary?  
1737  
1738 Mr. Silber - The request was for 90 feet.  
1739  
1740 Mr. Archer - We advertised it at 90 feet and we stipulated 90 feet in the  
1741 advertisement.  
1742  
1743 Mr. Silber - It is not advertised, per se, Mr. Archer, but notice letters that  
1744 went out did indicate it the special exception was 90 feet.  
1745  
1746 Mr. Jernigan - Randy said it wasn't in the paper at 90 feet.  
1747  
1748 Mr. Silber - Well, a POD is not advertised in the newspaper, but the notice  
1749 letters that went out did show it at 90 feet.  
1750  
1751 Mr. Archer - That is what I meant to say when I said advertised.  
1752  
1753 Mr. Vanarsdall - If we are not in violation of anything, what difference does the 11  
1754 feet mean?  
1755  
1756 Mr. Silber - I think what I would suggest the Commission could do, as a  
1757 possibility, is simply recognize that what has been presented before you today is a  
1758 request to exceed the 90 feet. You are asking for 101 feet. I think you need to give  
1759 that consideration. It is a plan of development and a special exception to have a tower  
1760 go up taller than that which is required or allowed by the Ordinance. I think in this  
1761 case that I am comfortable with the Planning Commission acting on this, with a clear  
1762 indication that your recommendation or your approval is based on the actual height of  
1763 101 feet.  
1764  
1765 Mr. Archer - OK. Thank you, Mr. Secretary. I don't have any particular  
1766 problem with it, to be honest with you, if no one has come forward to complain about  
1767 it. There are taller steeples that I have seen around the area.  
1768  
1769 Mr. Vanarsdall - They don't have any problem. They may not want to look at it!  
1770  
1771 Mr. Archer - Would any of you all happen to be church members over there?  
1772 The structure does seem to be significant. It is beautiful. I have never objected to tall  
1773 church steeples personally, because I think they add a certain ambience to the

1774 atmosphere other than communication towers and big trees. So, unless somebody else  
1775 on the Commission has an objection or a problem with it, I will move to grant the  
1776 special exception for the church tower being at 101 feet.

1777

1778 Mr. Jernigan - Second.

1779

1780 Mr. Vanarsdall - Motion made by Mr. Archer and second by Mr. Jernigan. All in  
1781 favor say aye. All opposed say no. The ayes have it. The motion is passed.

1782

1783 The Planning Commission approved the Special Exception for POD-33-05, First Union  
1784 Baptist Church Expansion – Dill Road.

1785

1786 Mr. Archer - I move that POD-33-05, First Union Baptist Church Expansion,  
1787 subject to the annotations on the plan, the staff recommendations, and the additional  
1788 conditions Nos. 23 through 31.

1789

1790 Mr. Jernigan - Second.

1791

1792 Mr. Vanarsdall - Motion made by Mr. Archer and seconded by Mr. Jernigan. All  
1793 in favor say aye. All opposed say no. The ayes have it. The motion passes.

1794

1795 The Planning Commission approved POD-33-05, First Union Baptist Church  
1796 Expansion, subject to the annotations on the plan, the standard conditions attached to  
1797 these minutes for developments of this type, and following additional conditions:

1798

1799 23. The site, including paving, pavement markings, signage, curb and gutter,  
1800 dumpster screens, walls, fences, lighting and other site improvements shall be  
1801 properly maintained in good condition at all times. Any necessary repairs shall be  
1802 made in a timely manner.

1803 24. The easements for drainage and utilities as shown on approved plans shall be  
1804 granted to the County in a form acceptable to the County Attorney prior to any  
1805 occupancy permits being issued. The easement plats and any other required  
1806 information shall be submitted to the County Real Property Agent at least sixty  
1807 (60) days prior to requesting occupancy permits.

1808 25. The developer shall provide fire hydrants as required by the Department of  
1809 Public Utilities and Division of Fire.

1810 26. A standard concrete sidewalk shall be provided along the north side of Dill  
1811 Road.

1812 27. Any necessary off-site drainage and/or water and sewer easements must be  
1813 obtained in a form acceptable to the County Attorney prior to final approval of  
1814 the construction plans.

1815 28. Deviations from County standards for pavement, curb or curb and gutter design  
1816 shall be approved by the County Engineer prior to final approval of the  
1817 construction plans by the Department of Public Works.

- 1818 29. Insurance Services Office (ISO) calculations must be included with the plans and  
1819 contracts and must be approved by the Department of Public Utilities prior to  
1820 the issuance of a building permit.
- 1821 30. Approval of the construction plans by the Department of Public Works does not  
1822 establish the curb and gutter elevations along the Henrico County maintained  
1823 right-of-way. The elevations will be set by Henrico County.
- 1824 31. The location of all existing and proposed utility and mechanical equipment  
1825 (including HVAC units, electric meters, junction and accessory boxes,  
1826 transformers, and generators) shall be identified on the landscape plans. All  
1827 equipment shall be screened by such measures as determined appropriate by the  
1828 Director of Planning or the Planning Commission at the time of plan approval.  
1829

1830 **SUBDIVISION**  
1831

Brilland  
(April 2005 Plan)

**Koontz-Bryant, P.C. for Greenwood Development:**  
The 12.03-acre site proposed for a subdivision of 35 single-family homes is located at 1880 Mountain Road opposite Nicewood Road on parcels 779-763-5601, 4314 and 780-763-3438 and 0826. The zoning is R-4, One-Family Residence District. County water and sewer. **(Fairfield) 35 Lots**

- 1832
- 1833 Mr. Vanarsdall - Is anyone in the audience in opposition to Brilland in the Fairfield  
1834 District? No opposition. Hardly anyone left.  
1835
- 1836 Mr. McGarry - She is an abutting neighbor and they have she interest.  
1837
- 1838 Mr. Vanarsdall - Good morning, Mr. McGarry.  
1839
- 1840 Mr. McGarry - Good morning, Mr. Chairman, members of the Commission.  
1841 The engineer has agreed to meet the annotations on the plans for the subdivision and  
1842 they were to extend the lot lines for lots 19 to 24 back to Greenwood Road and  
1843 eliminate the common area that they wanted to have. That placed the wetlands in the  
1844 lots and not on a common area. Secondly, a staff annotation asked for right-of-way to  
1845 meet the future extension at Greenstone Place and they have agreed to that.  
1846
- 1847 Staff can recommend approval subject to the annotations on the plan, standard  
1848 conditions for subdivisions served by Public Utilities, and additional conditional No.  
1849 12. I will be happy to answer any questions.  
1850
- 1851 Mr. Archer - Mr. McGarry, there is not opposition. Were there questions  
1852 from someone?  
1853
- 1854 Mr. McGarry - I think she is an abutting property owner.

1855  
1856 Ms. Melton - Good morning. My name is Charlotte Melton. My husband,  
1857 James and I, have been adjacent to this property since 1956, so we are quite interested  
1858 in what is happening. We knew that it would eventually occur, because we ourselves  
1859 were unable to secure the land, so we knew somebody else would. I do have several  
1860 questions that I would like to ask you this morning. They are not in opposition to the  
1861 procedure, but from the center of the entrance of the subdivision, what is the required  
1862 footage for cutting in for cars entering the subdivision, because I am interested in how  
1863 that is going to impact the front of my property, and how I will be able to enter  
1864 Mountain Road, which is overwhelmed right now with cars.  
1865  
1866 Mr. Silber - We do have a representative from Public Works and Todd Eure is  
1867 here. Perhaps he can help us with answering that question.  
1868  
1869 Mr. Vanarsdall - Good morning, Todd.  
1870  
1871 Mr. Eure - Good morning. My name is Todd Eure with Public Works. I  
1872 haven't been up here for a while. If I understand her question, you want to know how  
1873 wide the road is going to be widened adjacent to the subdivision.  
1874  
1875 Ms. Melton - My question was from the center of the entrance to the  
1876 subdivision....  
1877  
1878 Mr. Eure - With the subdivision plan, they will be widening Mountain Road  
1879 from the property line, which would be the back of the lot to the east, all the way  
1880 across the property, and they will be widening Mountain Road as part of this project.  
1881 The ultimate section from Mountain Road through there is 52 feet, so that is going to  
1882 be 26 feet from existing center-line of the roadway. The current road that is out there  
1883 is, the ultimate right of way is 66, but the... face of curb will be at 52 feet, 26 from the  
1884 center line, which is.  
1885  
1886 Ms. Melton - From the center of Mountain Road or center of....  
1887  
1888 Mr. Eure - The center of Mountain Road. From the center of the subdivision  
1889 entrance, it will be widened on both sides for the full width of the property.  
1890  
1891 Mr. Silber - Mr. Eure, I think her question might be, if you look at lot No. 1,  
1892 I believe that Ms. Melton's property is the east or below lot No. 1, and I think her  
1893 concern might be there is probably going to be some widening across the frontage of  
1894 Mountain Road for lot 1. What will that widening be and will there be any widening in  
1895 front of her property?  
1896  
1897 Mr. Eure - Right. From that property line to the center of the proposed  
1898 subdivision, there will be widening based on the ultimate section of Mountain Road.

1899 From that property line east across your property, they will taper back. They will need  
1900 to taper back to the existing pavement on what is called a two to one taper, which  
1901 means it will tie back into the existing edge of pavement from a short distance across  
1902 your property.

1903  
1904 Ms. Melton - That is what we wanted to know.

1905  
1906 Mr. Eure - Sure.

1907  
1908 Ms. Melton - Does this property line here, when you drop in for these people  
1909 to have automotive entrance into that subdivision, I want to know how far back onto my  
1910 property here you are going to be extended?

1911  
1912 Mr. Eure - What the precise distances are, I don't know. I will ask the  
1913 engineer.

1914  
1915 Ms. Melton - That really doesn't help me at all. If you go the full distance here  
1916 to there, is that ample space for a drop in?

1917  
1918 Mr. Archer - She is talking about an entrance lane.

1919  
1920 Mr. Silber - Mr. Eure, there is not going to be any right of way taken from  
1921 her property.

1922  
1923 Mr. Eure - They are not taking your property. They will work within the  
1924 existing right-of-way, but where the pavement is going to tie back in exactly to the  
1925 existing may come across a part of your property and without sitting down and looking  
1926 at it, I can't tell you exactly what that distance is.

1927  
1928 Mr. Jernigan - I think that maybe she needs to realize that she doesn't own all  
1929 the way to the road. I think just that little bit of easement there, they may come across  
1930 that, but that is not going to impact your property beyond the easement.

1931  
1932 Ms. Melton - We were concerned because if you could see further on that map,  
1933 you'd see that there is a drastic curve there, and, if, in fact, you cut in there to make a  
1934 de-acceleration lane, I just hope it would begin at the entrance, that they get on the  
1935 property line and then at the center of the entrance to the subdivision. I have looked at  
1936 that other de-acceleration lane on the road. I know it is been.....with the property  
1937 involved, which means the cut in would begin here.

1938  
1939 Mr. Silber - Ms. Melton, the way this would work is for the lot that is  
1940 proposed with this development, they will be providing a turn lane across that frontage.  
1941 They will not be impacting the front of your property whatsoever as far as the property  
1942 that you own. They cannot come in and take some of your property for that turn lane.

1943 What they might have to do is widen the existing pavement slightly to create that turn  
1944 lane, but it will be within the County's existing right-of-way. It will not be on your  
1945 property. It will not impact your property at all, but there may be some road  
1946 improvements, perhaps, that go across the front of your property, but it is not on your  
1947 property. It is within the existing right-of-way.

1948  
1949 Mr. Eure - And the purpose of that widening is to transition the pavement so  
1950 it is not in an abrupt position. It is typically not in use as a travel lane, sort of extra  
1951 pavement off to the side, and also helps the drainage sort of flow in the right direction  
1952 so that it doesn't come on your property, but it gets picked up by the subdivision  
1953 drainage.

1954  
1955 Ms. Melton - You say it will not be used as a travel lane? Will it be used as a  
1956 parking lane?

1957  
1958 Mr. Eure - No.

1959  
1960 Mr. Jernigan - You can't park there.

1961  
1962 Mr. Eure - That is not a location we would permit parking. We wouldn't  
1963 post it automatically for No Parking, but if there was a demonstrated problem out there,  
1964 it would be posted.

1965  
1966 Ms. Melton - The problem would have to demonstrate itself before you put up  
1967 No Parking signs?

1968  
1969 Mr. Eure - Typically, yes, because it is an actual travel lane, and we don't  
1970 routinely post travel lanes for No Parking, because otherwise we'd have signs all over  
1971 the place, but if there was a problem with it, we would address it and have it posted.

1972  
1973 Mr. Silber - Mr. Eure, I think it is more accurately stated, I think, it would be  
1974 illegal to park in a travel lane or a turn lane.

1975  
1976 Mr. Eure - Correct.

1977  
1978 Mr. Vanarsdall - I think she is asking you, can you or would you put the sign up  
1979 first?

1980  
1981 Mr. Silber - I don't see a need to put up a sign saying No Parking for a  
1982 through lane.

1983  
1984 Mr. Eure - That is sort of like putting up a No Parking sign on Broad Street.  
1985 It is illegal to do it. They are not needed for enforcement purposes. They are there  
1986 supplemental...

1987  
1988 Mr. Vanarsdall - I was just asking.  
1989  
1990 Ms. Melton - I thought I should ask that question because there is another  
1991 subdivision adjacent to me on the opposite side, and people do park there. Now,  
1992 fortunately, the turn there is strong enough so that I can see beyond that point and be  
1993 careful when I am entering the highway, but on the western side, it is more abrupt and,  
1994 therefore, I would have to take more caution and, hopefully, there would be no cars  
1995 through there to interfere. One additional question: Is there a way that I may become  
1996 aware of when the preparation of the land will begin? The removal of the trees. I  
1997 mean it is absolutely all trees in there, and I am going to miss my owls and my birds  
1998 and my everything else that I have been looking at for so long, but I would like to know  
1999 if there is a way that I could find out.  
2000  
2001 Mr. Silber - That really will depend on the timing of the subdivider or the  
2002 developer of the property. If this is approved today. This is what is called a tentative  
2003 or conditional subdivision approval, they then will have to submit final plans. They  
2004 will then have to submit their recordation plat and their construction plans. My guess  
2005 would be that they probably would not be any sooner than three or four months from  
2006 now, at the earliest. We can have the applicant address the timing, if you'd like.  
2007  
2008 Mr. Archer - Does that answer your question, Ms. Melton?  
2009  
2010 Ms. Melton - Yes, it did. I appreciate that.  
2011  
2012 Mr. Vanarsdall - Thank you.  
2013  
2014 Mr. Miller - Good morning. I am Dorin Miller with Koontz-Bryant. I am the  
2015 Civil Engineer. The applicant couldn't be here. I think your assumption on the timing  
2016 would be Fall to Spring construction schedule. As you know, this is the conditional  
2017 approval process. We have to go through the construction drawings, which will take a  
2018 couple of months for that approval, but just based on normal timing, I would believe  
2019 that Fall to Spring was going to be the construction schedule. Another thing is those  
2020 lots along her property, most of those are very, very deep and with our design, the way  
2021 we design streets like this, that we keep those things pretty much at grade so we will  
2022 not be clearing all that much along the property, so she will have a good little buffer to  
2023 keep her trees. Any questions?  
2024  
2025 Mr. Archer - She is nodding approval at that, Mr. Miller. Thank you, sir.  
2026  
2027 Mr. Vanarsdall - Anyone else?  
2028  
2029 Mr. Archer - I don't have anything else.  
2030

2031 Mr. Vanarsdall - All right. I will entertain a motion.

2032

2033 Mr. Archer - Mr. Chairman, I move approval of Subdivision Brilland (April  
2034 2005 Plan), subject to the annotations on the plans, the standard conditions for  
2035 subdivisions served by public utilities and additional condition 12.

2036

2037 Mr. Branin - Second.

2038

2039 Mr. Vanarsdall - Motion made by Mr. Archer and seconded by Mr. Branin. All in  
2040 favor say aye. All opposed say no. The ayes have it. The motion passes.

2041

2042 The Planning Commission granted conditional approval to subdivision Brilland (April  
2043 2005 Plan), subject to the standard conditions attached to these minutes for subdivisions  
2044 served by public utilities, the annotations on the plans, and the following additional  
2045 condition:

2046

2047 12. The detailed plant list and specifications for the landscaping to be provided within  
2048 the 25-foot-wide planting strip easement along Mountain and Greenwoods Roads  
2049 shall be submitted to the Department of Planning for review and approval prior to  
2050 recordation of the plat.

2051

## 2052 **PLAN OF DEVELOPMENT**

2053

POD-31-05  
Grayson Hill, Section 3 –  
N. Gaskins Road and  
Derbyshire Road

**E. D. Lewis & Associates, P.C. for Gaskins Centre,  
LC:** Request for approval of a plan of development, as  
required by Chapter 24, Section 24-106 of the Henrico  
County Code, to construct 67, two-story and three-  
story townhouse units for sale. The 17.514-acre site is  
located on the northeast corner of N. Gaskins Road and  
Derbyshire Road on part of parcel 745-740-9892. The  
zoning is RTHC, Residential Townhouse District  
(Conditional). County water and sewer. **(Tuckahoe)**

2054

2055 Mr. Vanarsdall - Good morning, Mr. Wilhite. Is there anyone in the audience in  
2056 opposition to Grayson Hill, Section 3? No opposition.

2057

2058 Mr. Wilhite - This is the final subdivision of this development, final POD  
2059 coming before the Planning Commission. Staff has completed its review of the layout  
2060 shown and it is in substantial conformance with the zoning exhibit, as part of Zoning  
2061 Case C-35C-04. The annotations that the staff had that pertain to intrusions of  
2062 subdivision lots into required buffers and setbacks, these are easily fixable without  
2063 moving the buildings whatsoever. We had one comment dealing with the retaining wall  
2064 behind the block of units at the southeast corner of this property. It is our  
2065 understanding from the engineer that this wall is going to be removed. The one issue

2066 that had been remaining was the construction of retaining walls on the lots on each side  
2067 of the entrance at the intersection of North Gaskins Road and Castile Road. The  
2068 topography is such in cutting those entrances that they'd have to construct retaining  
2069 walls on the lots. We have met with the applicant yesterday afternoon, trying to come  
2070 up with a better solution and could not identify a solution that way that was practical.  
2071 There is no violation in the Code, so I think we can accept what is being shown on the  
2072 plans. I would just like to note that there are no changes to any of the architectural  
2073 plans that have been approved for this project, however, there is one revision to a  
2074 condition that appears on your agenda that staff would like to recommend and that is  
2075 Condition No. 25 dealing with the provision of sidewalks, specifically along the north  
2076 side of Derbyshire Road. Construction of the sidewalk is covered by a proffered  
2077 condition that says it would only be constructed up to the point of existing curb and  
2078 gutter along Derbyshire. From that point on to the east, it would be a paved pedestrian  
2079 pathway, so we would recommend that we add the verbiage at the very end "in  
2080 accordance with Proffer No. 13 of Zoning Case C-35C-04. With that, staff can  
2081 recommend approval of the plan.

2082

2083 Mr. Vanarsdall - Any questions for Mr. Wilhite? Ms. Jones, do you want to hear  
2084 from the applicant.

2085

2086 Ms. Jones - I am well satisfied and I would like to move forward. I move  
2087 that POD-31-05, Grayson Hill, Section 3, be approved subject to the annotations on the  
2088 plans, standard conditions for developments of this type and conditions No. 9 and 11  
2089 Amended and 23 through 34, including the revision of No. 25.

2090

2091 Mr. Jernigan - Second.

2092

2093 Mr. Vanarsdall - Motion made by Ms. Jones and seconded by Mr. Jernigan. All  
2094 in favor say aye. All opposed say no. The ayes have it. The motion is passed.

2095

2096 The Planning Commission approved POD-31-05, Grayson Hill, Section 3 – N. Gaskins  
2097 Road and Derbyshire Road, subject to the annotations on the plans, the standard  
2098 conditions for developments of this type and the following additional conditions:

2099

2100 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department  
2101 of Planning for review and Planning Commission approval prior to the issuance  
2102 of any occupancy permits.

2103 11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan  
2104 including depictions of light spread and intensity diagrams, and fixture and  
2105 specifications and mounting height details shall be submitted for Department of  
2106 Planning review and Planning Commission approval.

2107 23. The subdivision plat for Grayson Hill, Section 3 shall be recorded before any  
2108 building permits are issued.

- 2109 24. The developer shall provide fire hydrants as required by the Department of  
2110 Public Utilities and Division of Fire.
- 2111 25. A standard concrete sidewalk shall be provided along the east side of N.  
2112 Gaskins Road and on the north side of Derbyshire Road in accordance with  
2113 Proffer No. 13 of Zoning Case C-35C-04.
- 2114 26. Outside storage shall not be permitted.
- 2115 27. The proffers approved as a part of zoning case C-35C-04 shall be incorporated  
2116 in this approval.
- 2117 28. The pavement shall be of an SM-2A type and shall be constructed in accordance  
2118 with County standards and specifications. The developer shall post a defect bond  
2119 for all pavement with the Department of Planning – the exact type, amount and  
2120 implementation shall be determined by the Director of Planning, to protect the  
2121 interest of the members of the Homeowners Association. The bond shall become  
2122 effective as of the date that the Homeowners Association assumes responsibility for  
2123 the common areas. Prior to the issuance of the last Certificate of Occupancy, a  
2124 professional engineer must certify that the roads have been designed and  
2125 constructed in accordance with County standards.
- 2126 29. Deviations from County standards for pavement, curb or curb and gutter design  
2127 shall be approved by the County Engineer prior to final approval of the  
2128 construction plans by the Department of Public Works.
- 2129 30. Insurance Services Office (ISO) calculations must be included with the plans and  
2130 contracts and must be approved by the Department of Public Utilities prior to  
2131 the issuance of a building permit.
- 2132 31. Approval of the construction plans by the Department of Public Works does not  
2133 establish the curb and gutter elevations along the Henrico County maintained  
2134 right-of-way. The elevations will be set by Henrico County.
- 2135 32. The location of all existing and proposed utility and mechanical equipment  
2136 (including HVAC units, electric meters, junction and accessory boxes,  
2137 transformers, and generators) shall be identified on the landscape plans. All  
2138 equipment shall be screened by such measures as determined appropriate by the  
2139 Director of Planning or the Planning Commission at the time of plan approval.
- 2140 33. The unit house numbers shall be visible from the parking areas and drives.
- 2141 34. The names of streets, drives, courts and parking areas shall be approved by the  
2142 Richmond Regional Planning District Commission and such names shall be  
2143 included on the construction plans prior to their approval. The standard street  
2144 name signs shall be ordered from the County and installed prior to any occupancy  
2145 permit approval.

2146 **SUBDIVISION**  
2147

Red Oak (April 2005 Plan)  
Pouncey Tract Road

**Bay Design Group, P.C. for Ralph W. & Susan N. Deel and Wilton Development Corporation:** The 47.63-acre site proposed for a subdivision of 67 single-family homes is located along the western side of Pouncey Tract Road (State Route 271), approximately 600 feet northwest of the intersection of Pouncey Tract Road and Shady Grove Road on parcels 737-771-5614 and 737-770-2642. The zoning is R-2AC, One-Family Residence District (Conditional). County water and sewer. **(Three Chopt) 67 Lots**

2148

2149 Mr. Vanarsdall - Is anyone in the audience in opposition to Red Oak (April 2005  
2150 Plan) Pouncey Tract Road? Good morning, again, Mr. Cooper.

2151

2152 Mr. Cooper - Good morning, again, members of the Commission. This  
2153 property was recently rezoned with rezoning case C-3C-05. The original plan  
2154 submitted to staff matched the conceptual plan that was presented with that rezoning  
2155 case. However, staff did have some concerns for that plan. Therefore, a revised plan  
2156 has been handed out to you this morning. This plan appears to address staff's original  
2157 concerns which were listed in your agenda. Specifically, the applicant has met with the  
2158 Department of Public Works in regards to additional wetlands. They have come to an  
2159 agreement on a general area where those may be located, and the exact location of these  
2160 possible wetlands will later be determined in the field prior to final approval, and if at  
2161 such time wetlands are determined to exist, they will be required to be impacted, to  
2162 allow for the development of those lots that are affected. This has been noted on the  
2163 revised plan near lots 5, 6 and 7 of Block A, along Pouncey Tract Road. Additionally,  
2164 the proposed Road F, which I am pointing to now, has been revised to a 55-foot right-  
2165 of-way to meet the standards of a minor collector road as requested by the Department  
2166 of Public Works. It is important to note that this road is not a minor collector road on  
2167 the Major Thoroughfare Plan, however, upon the construction of this road, and perhaps  
2168 a future connection to Kain Road, it will act as a minor collector as it will line up with  
2169 Concept Road 17-1, which is now known as Grey Oaks Park Drive, on the other side  
2170 of Pouncey Tract Road. Finally, the applicant proposes a change to the subdivision  
2171 name. The applicant would like to change the name of the subdivision to Bentley. This  
2172 is shown and on the revised plan handed to you this morning. Staff has no issues with  
2173 that name change.

2174

2175 To go back to the Road F, briefly, the applicant has also agreed to provide a boulevard-  
2176 style entrance to match that provided on Grey Oaks Park Drive across the street, and  
2177 they will also provide a sidewalk along one side of the road to help with pedestrian  
2178 safety. Again, this will appease staff's concerns for the future construction of this road  
2179 and construction to Kain Road. These revisions are satisfactory at this time. The staff  
2180 appreciates the applicant's diligent response to these initial concerns and comments

2181 regarding this project. Therefore, staff recommends approval of the plan. As you are  
2182 aware, the applicant's representative is here today to answer any questions, and I will  
2183 be happy to answer any, as well.

2184  
2185 Mr. Branin - Mr. Cooper, the road, the private drive along Pouncey Tract,  
2186 what is the width of that?

2187  
2188 Mr. Cooper - The width is shown as approximately 20 feet, probably a variable  
2189 width at some locations, but for the most part it would be a 20-foot wide access drive.

2190  
2191 Mr. Kaechele - Also, the wetlands don't affect that entrance road off of Pouncey  
2192 Tract?

2193  
2194 Mr. Cooper - Actually, there are wetlands along, not for this entrance here,  
2195 however, there are wetlands in this vicinity. They are shown. They would require  
2196 impact permits to construct that road. Because of those permits that will be required,  
2197 the applicant is aware that only 50 lots could be constructed prior to the construction of  
2198 a second point of access. Now, it is my understanding that the initial subdivision will  
2199 be 50 lots to be accessed from this point and the remainder would be done once this  
2200 road is constructed after those permits are obtained.

2201  
2202 Mr. Kaechele - Well, there are also some sewage considerations there, as well.

2203  
2204 Mr. Cooper - Yes, sir. That is correct. Proffered, as you may recall, with the  
2205 rezoning, this property basically falls on a sewer divide and there is an existing sewage,  
2206 sanitary sewer provided in this area that will serve a maximum of 50 lots. That was  
2207 proffered. Then there will be a new sewer line brought in from underneath the  
2208 Interstate and the remaining lots won't be able to be constructed until such time as that  
2209 sanitary sewer line is brought in to the area.

2210  
2211 Mr. Kaechele - All right. Thank you.

2212  
2213 Mr. Silber - Mr. Cooper, on Condition 19 it says, "Building permits for no  
2214 more than 50 lots shall be issued prior to the construction of a second point of access."  
2215 That second point of access could be the completion of Road F to Kain Road, could it  
2216 not?

2217  
2218 Mr. Cooper - Yes, sir. That is correct.

2219  
2220 Mr. Silber - So it doesn't necessarily require that they construct Road F out to  
2221 Pouncey Tract?

2222  
2223 Mr. Cooper - That is correct. The applicant is concerned with the considerable  
2224 amount of wetlands that are in that area and the ability to obtain the permits necessary

2225 to do that, so staff has noted through this condition that it would take a second point of  
2226 access. You are right. It could possibly come from a future connection to Kain Road.  
2227 Yes, sir.

2228  
2229 Mr. Vanarsdall - Any other questions? OK. Do you need to hear from the  
2230 applicant?

2231  
2232 Mr. Branin - No. I don't need to.

2233  
2234 Mr. Vanarsdall - I will entertain a motion.

2235  
2236 Mr. Branin - OK, Mr. Chairman, I would like to move for approval of this  
2237 subdivision, Red Oak, or Bentley, subject to the staff's recommendation, standard  
2238 conditions for developments of this type and additional conditions Nos. 12 through 23.

2239  
2240 Mr. Archer - Second.

2241  
2242 Mr. Vanarsdall - Motion made by Mr. Branin and seconded by Mr. Archer. All in  
2243 favor say aye. All opposed say no. The ayes have it. The motion passes.

2244  
2245 The Planning Commission granted conditional approval to subdivision Red Oak (April  
2246 2005 Plan) – Pouncey Tract Road, subject to the standard conditions attached to these  
2247 minutes for subdivisions served by public utilities, the annotations on the plans, and the  
2248 following conditional conditions:

- 2249
- 2250 12. Each lot shall contain at least 13,500 square feet.
  - 2251 13. Prior to requesting final approval, the engineer shall furnish the Department of  
2252 Planning Staff a plan showing a dwelling situated on Lot 24, Block B to determine  
2253 if the lot design is adequate to meet the requirements of Chapter 24 of the Henrico  
2254 County Code.
  - 2255 14. A County standard sidewalk shall be constructed along the west side of Pouncey  
2256 Tract Road.
  - 2257 15. A County standard sidewalk shall be constructed along one side of Road F.
  - 2258 16. Any necessary offsite drainage easements must be obtained prior to approval of  
2259 the construction plan by the Department of Public Works.
  - 2260 17. The proffers approved as part of zoning case C-3C-05 shall be incorporated in  
2261 this approval.
  - 2262 18. Any future building lot containing a BMP, sediment basin or trap and located  
2263 within the buildable area for a principal structure or accessory structure, may be  
2264 developed with engineered fill. All material shall be deposited and compacted in  
2265 accordance with the Virginia Uniform Statewide Building Code and geotechnical  
2266 guidelines established by a professional engineer. A detailed engineering report  
2267 shall be submitted for the review and approval by the Building Official prior to  
2268 the issuance of a building permit on the affected lot. A copy of the report and

- 2269 recommendations shall be furnished to the Directors of Planning and Public  
2270 Works.
- 2271 19. Building permits for no more than 50 lots shall be issued prior to the construction  
2272 of a second point of access.
- 2273 20. The detailed plant list and specifications for the landscaping to be provided within  
2274 the 35-foot-wide planting strip easement along Pouncey Tract Road shall be  
2275 submitted to the Department of Planning for review and approval prior to final  
2276 approval.
- 2277 21. The detailed plant list and specifications for the landscaping to be provided within  
2278 the 25-foot-wide planting strip easement adjacent to parcel 737-769-3891 shall be  
2279 submitted to the Department of Planning for review and approval prior to  
2280 recordation of the plat.
- 2281 22. The Division of Recreation & Parks shall be permitted to photo document the  
2282 interior and exterior of the log cabin prior to the approval of the demolition  
2283 permit.
- 2284 23. No lots shall have direct access to Pouncey Tract Road.

2285

2286 **APPROVAL OF MINUTES: March 30, 2005 Minutes**

2287

2288 Mr. Vanarsdall - Ms. Jones, have you read the minutes?

2289

2290 Ms. Jones - Yes, sir.

2291

2292 Mr. Vanarsdall - Did you all know that Bonnie-Leigh taught German?

2293

2294 Ms. Jones - But I read them in English and I would like to move for its  
2295 approval.

2296

2297 Mr. Archer - I did have one correction. Page 41, Line 1602, should read  
2298 "impediment" instead of "impendent."

2299

2300 Mr. Vanarsdall - If anybody else has none, we will have a motion and a second.

2301

2302 Mr. Jernigan - So moved.

2303

2304 Ms. Jones - Second.

2305

2306 Mr. Vanarsdall - Motion made by Mr. Jernigan and seconded by Ms. Jones. All in  
2307 favor say aye. All opposed say no. The motion passes.

2308

2309 Mr. Secretary, do you have anything to add?

2310

2311 Mr. Silber - No, sir. I do not.

2312

2313 Mr. Archer - Mr. Chairman, there being no further business to bring before this  
2314 Commission, I move for adjournment.

2315  
2316 Mr. Branin - Second.

2317  
2318 Mr. Vanarsdall - Thank you. Thank you staff.

2319  
2320 On a motion by Mr. Archer and seconded by Mr. Branin, the Planning Commission  
2321 adjourned its April 27, 2005, meeting at 11:07 a.m.

2322

2323

2324

2325

2326

---

Ernest B. Vanarsdall, C.P.C., Chairman

2327

2328

2329

2330

2331

---

Randall R. Silber, Secretary

2332

2333

2334

2335