

1  
2 Minutes of the regular monthly meeting of the Planning Commission of Henrico County  
3 held in the County Administration Building in the Government Center at Parham and  
4 Hungary Springs Roads beginning at 9:00 a.m. Wednesday, November 18, 2015.  
5

Members Present: Mr. Robert H. Witte, Jr., Chairman (Brookland)  
Mr. C. W. Archer, C.P.C., Vice-Chairman (Fairfield)  
Mr. Tommy Branin, (Three Chopt)  
Ms. Bonnie-Leigh Jones, C.P.C. (Tuckahoe)  
Mr. Eric Leabough, C.P.C., (Varina)  
Mr. R. Joseph Emerson, Jr., AICP,  
Director of Planning, Secretary  
Mrs. Patricia S. O'Bannon,  
Board of Supervisors' Representative

Others Present: Ms. Jean Moore, Assistant Director of Planning  
Ms. Leslie A. News, PLA, Principal Planner  
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner  
Mr. Michael F. Kennedy, County Planner  
Ms. Christina L. Goggin, AICP, County Planner  
Mr. Tony Greulich, C.P.C., County Planner  
Mr. Matt Ward, County Planner  
Mr. Gregory Garrison, AICP, County Planner  
Mr. Lee Pambid, C.P.C., County Planner  
Ms. Aimee B. Crady, AICP, County Planner  
Ms. Sharon Smidler, P.E., Traffic Engineer  
Mr. Gary A. DuVal, P.E., Traffic Engineer  
Ms. Kate Teator, Senior Planning Technician/Recording Secretary

6  
7 **Mrs. Patricia S. O'Bannon, the Board of Supervisors' representative, abstains on**  
8 **all cases unless otherwise noted.**  
9

10 Mr. Witte - Good morning. Welcome to the November 18, 2015, meeting  
11 of the Planning Commission. This is the Subdivisions and Plans of Development hearing.  
12 I ask that you would silence or turn off your cell phones. And while doing that, please stand  
13 with us for the Pledge of Allegiance.  
14

15 Thank you. Do we have any media with us today? I see none. All right. We have a quorum;  
16 all members are present. Mrs. O'Bannon, our representative from the Board of Supervisors  
17 is with us this year. Thank you, ma'am. With that, I'll turn the meeting over to our secretary,  
18 Mr. Emerson.  
19

20 Mr. Emerson - Thank you, Mr. Chairman. First on your agenda this morning  
21 are the requests for deferrals and withdrawals. Those will be presented by Ms. Leslie  
22 News.  
23

24 Ms. News - Thank you, Mr. Secretary. Good morning, Commission  
25 members. We have five requests for deferrals this morning. One was added from the  
26 preliminary list that we sent to you yesterday. The first item is found on page 3 of your  
27 agenda. It is located in the Fairfield District. This is transfer of approval request for POD-  
28 08-79, Catapult Management, formerly Thomas Hamilton & Associates. The applicant has  
29 requested a deferral to the December 16, 2015 meeting.

30  
31 **TRANSFER OF APPROVAL**

32  
POD-08-79                      **Jeff Camden for Carson Properties, LLC:** Request for  
POD2015-00181                transfer of approval as required by Chapter 24, Section 24-  
Catapult Management Inc.    106 of the Henrico County Code from Thomas Hamilton &  
(Formerly Thomas             Associates to Carson Properties, LLC. The 0.41-acre site is  
Hamilton & Associates) –    located on the northwest corner of the intersection of  
6200 Lakeside Avenue        Lakeside Avenue and Maplewood Road, on parcel 781-  
   748-2302. The zoning is B-1, Business District. County  
   water and sewer. (Fairfield)

33  
34 Mr. Witte - Is there any opposition to the deferral of POD-08-79  
35 (POD2015-00181), Catapult Management Inc. (formerly Thomas Hamilton & Associates)?  
36 I see none.

37  
38 Mr. Archer - All right. There being none, Mr. Chairman, I move deferral of  
39 POD-08-79 (POD2015-00181), Catapult Management Inc. (formerly Thomas Hamilton &  
40 Associates), to the December 16th meeting at the applicant's request.

41  
42 Ms. Jones - Second.

43  
44 Mr. Witte - We have a motion by Mr. Archer, second by Mrs. Jones. All in  
45 favor say aye. Opposed? The motion passes.

46  
47 At the request of the applicant, the Planning Commission deferred POD-08-79 (POD2015-  
48 00181), Catapult Management Inc. (formerly Thomas Hamilton & Associates), to its  
49 December 16, 2015 meeting.

50  
51 Ms. News - Next on page 8 of your agenda and located in the Three Chopt  
52 District is POD2015-00094, Innsbrook Commercial at 4101 Dominion Boulevard. The  
53 applicant has requested a deferral to the December 16th, 2015 meeting.  
54  
55

56 (Deferred from the October 28, 2015 Meeting)

57 **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

58  
POD2015-00094  
Innsbrook Commercial at  
4101 Dominion Boulevard  
– 4101 Dominion  
Boulevard

**Timmons Group for Doswell Properties, Inc. and  
Dominion GA, LLC:** Request for approval of a plan of  
development and lighting plan, as required by Chapter 24,  
Section 24-106 of the Henrico County Code, to demolish an  
existing one-story retail building, and construct a one-story  
12,848 square foot building containing 3,485 square feet of  
medical office, 2,550 square feet of retail, and 6,733 square  
feet of restaurant with one drive-through facility. The 2.37-  
acre site is located at the northeast corner of the intersection  
of W. Broad Street and Dominion Blvd., on parcel 747-760-  
6472. The zoning is B-2C, Business District. County water  
and sewer. **(Three Chopt)**

59  
60 Mr. Witte - Is there any opposition to POD2015-00094, Innsbrook  
61 Commercial at 4101 Dominion Boulevard? I see none.

62  
63 Mr. Branin - Mr. Chairman, I'd like to move that POD2015-00094,  
64 Innsbrook Commercial at 4101 Dominion Boulevard, be deferred to the December 16th  
65 meeting per the applicant's request.

66  
67 Mr. Archer - Second.

68  
69 Mr. Witte - We have a motion by Mr. Branin, second by Mr. Archer. All in  
70 favor say aye. Opposed? The motion passes.

71  
72 At the request of the applicant, the Planning Commission deferred POD2015-00094,  
73 Innsbrook Commercial at 4101 Dominion Boulevard, to its December 16, 2015 meeting.

74  
75 Ms. News - Next on page 10 of your agenda and located in the Three  
76 Chopt District is POD2015-00322, Corner Bakery at Car Care Shopping Center. The  
77 applicant has requested a deferral to the December 16, 2015 meeting.

78  
79 (Deferred from the October 28, 2015 Meeting)

80 **PLAN OF DEVELOPMENT**

81  
POD2015-00322  
Corner Bakery at Car Care  
Shopping Center – 11000  
West Broad Street (U.S.  
Route 250)

**Parker Design Group for Global General Properties,  
LLC:** Request for approval of a plan of development, as  
required by Chapter 24, Section 24-106 of the Henrico  
County Code, to demolish an existing vacant car service  
station and construct a one-story, 4,452 square foot  
restaurant with drive-through facilities in an existing  
shopping center. The 1.06-acre site is located on the  
northwest corner of the intersection of W. Broad Street (U.S.

Route 250) and Dominion Boulevard, on parcel 747-760-3077. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Witte - Do we have any opposition to POD2015-00322, Corner Bakery at Car Care Shopping Center? Mr. Branin.

Mr. Branin - Mr. Chairman, I'd like to move that POD2015-00322, Corner Bakery at Car Care Shopping Center, be deferred to the December 16th meeting per the applicant's request.

Ms. Jones - Second.

Mr. Witte - We have a motion by Mr. Branin, second by Mrs. Jones. All in favor say aye. Opposed? The motion passes.

At the request of the applicant, the Planning Commission deferred POD2015-00322, Corner Bakery at Car Care Shopping Center, to its December 16, 2015 meeting.

Ms. News - The next item is on page 14 of your agenda and located in the Tuckahoe District. This is POD2015-00391, Ample Storage on Three Chopt Road. The applicant has requested a deferral to the December 16, 2015 meeting.

*(Deferred from the October 28, 2015 Meeting)*

#### **PLAN OF DEVELOPMENT AND LIGHTING PLAN**

POD2015-00391  
Ample Storage – Three  
Chopt Road – 10210  
Three Chopt Road

**Bay Companies, Inc. for Ample Storage Three Chopt, LLC and Richmond Retirement RES II, LLC:** Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to demolish an existing single family home and construct two, two-story self-service storage facilities, totaling 120,190 square feet. The 3.78-acre site is located on the east line of Three Chopt Road, approximately 420 feet north of its intersection with Gaskins Road, on parcel 750-755-0814 and part of parcel 749-755-4576. The zoning is B-2C, Business District (Conditional) and R-6C, General Residence District (Conditional). County water and sewer. **(Tuckahoe)**

Mr. Witte - Is there any opposition to POD2015-00391, Ample Storage on Three Chopt Road? Ms. Jones.

Ms. Jones - I'd like to move the deferral of the plan of development and lighting plan POD2015-00391, Ample Storage on Three Chopt Road, at the request of the applicant to the December 16th meeting.

112 Mr. Archer -

Second.

113 Mr. Witte -

114 We have a motion by Mrs. Jones, second by Mr. Archer. All in  
115 favor say aye. Opposed? The motion passes.

116 At the request of the applicant, the Planning Commission deferred POD2015-00391,  
117 Ample Storage - Three Chopt Road, to its December 16, 2015 meeting.

118 Ms. News -

119 The next item is on page 21 of your agenda and located in the  
120 Three Chopt District. This is POD2015-00434, Short Pump Manor at Bacova Section 4.  
121 The applicant has requested a deferral to the December 16, 2015 meeting.

## 122 PLAN OF DEVELOPMENT

123 POD2015-00434  
124 Short Pump Manor at  
125 Bacova Section 4 – 4660  
126 Pouncey Tract Road  
(State Route 271)

**Youngblood, Tyler & Associates, P.C. for Bacova  
Development Company, LLC, and Bacova, LLC:**  
Request for approval of a plan of development, as required  
by Chapter 24, Section 24-106 of the Henrico County Code,  
to construct 7 detached dwellings for sale with zero-lot-  
lines. The 3.295-acre site is located approximately 1,000  
feet west of Pouncey Tract Road (State Route 271) and  
approximately 600 feet south of Kain Road, on part of  
parcels 736-766-7163 and 738-766-9367. The zoning is R-  
3C, One-Family Residential District (Conditional), R-5AC,  
General Residential District (Conditional) and WBSO, West  
Broad Street Overlay District. County water and sewer.  
**(Three Chopt)**

127 Mr. Witte -

128 Is there any opposition to POD2015-00434, Short Pump Manor  
129 at Bacova Section 4? Mr. Branin.

130 Mr. Branin -

131 Mr. Chairman, I've like to move that POD2015-00434, Short  
132 Pump Manor at Bacova Section 4, be deferred to the December 16th meeting per the  
133 applicant's request.

134 Mr. Leabough -

Second.

135 Mr. Witte -

136 We have a motion by Mr. Branin, second by Mr. Leabough. All  
137 in favor say aye. Opposed? The motion passes.

138 At the request of the applicant, the Planning Commission deferred POD2015-00434, Short  
139 Pump Manor at Bacova Section 4, to its December 16, 2015 meeting.

140 Ms. News -

Staff is not aware of any further requests.



145 Mr. Witte - Thank you.

146

147 Mr. Emerson - Mr. Chairman, that brings us to the next item your agenda,  
148 which are the expedited items. Those will also be presented by Ms. Leslie News.

149

150 Ms. News - We have three items on our expedited agenda this morning.  
151 The first is found on page 4 of your agenda and located in the Varina District. This is a  
152 transfer of approval for POD-33-96, Walgreens. Staff recommends approval.

153

154 **TRANSFER OF APPROVAL**

155

POD-33-96  
POD2015-00210  
Walgreens – 4720 Nine  
Mile Road

**Doug White for Realty Income Properties 9, LLC and Laburnum Development Company, Inc.:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Laburnum Development Company, Inc. and Exxon to Realty Income Properties 9, LLC. The 1.89-acre site is located on northwest corner of the intersection of N. Laburnum Avenue and Nine Mile Road, on parcel 810-723-2870. The zoning is B-3, Business District and ASO, Airport Safety Overlay District. County water and sewer. (Varina)

156

157 Mr. Witte - Is there any opposition to POD-33-96 (POD2015-00210),  
158 Walgreens? Mr. Leabough.

159

160 Mr. Leabough - Mr. Chair, I move that the transfer request for POD-33-96  
161 (POD2015-00210), Walgreens, be approved subject to all conditions for that particular  
162 case, on the expedited agenda.

163

164 Mr. Branin - Second.

165

166 Mr. Witte - We have a motion by Mr. Leabough, second by Mr. Branin. All  
167 in favor say aye. Opposed? The motion passes.

168

169 The Planning Commission approved the transfer of approval request for POD-33-96  
170 (POD2015-00210), Walgreens, from Laburnum Development Company, Inc. and Exxon  
171 to Realty Income Properties 9, LLC, subject to the standard and added conditions  
172 previously approved.

173

174 Ms. News - On page 5 of your agenda and located in the Three Chopt  
175 District is POD-20-94. This is part of a POD. It's a transfer of approval for West Shore I, II,  
176 and III, which is formerly The Concourse at Wyndham Office Park. Staff recommends  
177 approval.

178

179

180

181 **TRANSFER OF APPROVAL**  
182

183  
184 POD-20-94 (pt.)  
185 POD2015-00051,  
186 POD2015-00052, and  
187 POD2015-00053  
188 West Shore I, II, and III  
189 (Formerly The Concourse  
190 at Wyndham - Office Park)  
191 - 100, 201, and 301  
192 Concourse Boulevard

**Sean Davis for Westdale West Shore, LP:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Highwoods/Forsyth LTD Partnership to Westdale West Shore, LP. The 9.23-acre site is located The 9.454-acre site is on three different parcels. West Shore I is located at the northwest corner of the intersection of Nuckols Road and Concourse Boulevard on parcel 745-775-9335, and West Shore II and III are located at the northeast corner of the intersection of Nuckols Road and Concourse Boulevard, on parcels 746-774-1699 and 746-775-3732. The zoning is O/SC, Office Service District (Conditional). County water and sewer. **(Three Chopt)**

183  
184 Mr. Witte - Do we have any opposition to POD-20-94 (part), (POD2015-  
185 00051, POD2015-00052, and POD2015-00053), West Shore I, II, and III (formerly The  
186 Concourse at Wyndham – Office Park)? Mr. Branin.

187  
188 Mr. Branin - Mr. Chairman, I'd like to move that the transfer of approval for  
189 POD-20-94 (part), (POD2015-00051, POD2015-00052, and POD2015-00053), West  
190 Shore I, II, and III (formerly The Concourse at Wyndham – Office Park), be approved on  
191 the expedited agenda.

192  
193 Mr. Archer - Second.

194  
195 Mr. Witte - We have a motion by Mr. Branin, second by Mr. Archer. All in  
196 favor say aye. Opposed? The motion passes.

197  
198 The Planning Commission approved the transfer of approval request for POD-20-94 (part),  
199 (POD2015-00051, POD2015-00052, and POD2015-00053), West Shore I, II, and III  
200 (formerly The Concourse at Wyndham – Office Park), from Highwoods/Forsyth LTD  
201 Partnership to Westdale West Shore, LP, subject to the standard and added conditions  
202 previously approved.

203  
204 Ms. News - The final item is on page 6 of your agenda and located in the  
205 Three Chopt District. This is POD-93-87, a transfer of approval for Westerre I. Staff  
206 recommends approval.

207 **TRANSFER OF APPROVAL**  
208  
209

POD-93-87  
POD2015-00205  
Westerre I - 3951  
Westerre Parkway

**Gail Porfilio for TSO Westerre Richmond, LP:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from F.I.G. Holding Company to TSO Westerre Richmond, LP. The 5.8-acre

site is located on the east line of Westerre Parkway, approximately 450 feet south of its intersection with W. Broad Street (U.S. Route 250), on parcel 750-759-4330. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Three Chopt)**

Mr. Witte - Is there any opposition to POD-93-87 (POD2015-00205), Westerre I? Mr. Branin.

Mr. Branin - I would like to move the transfer of approval POD-93-87 (POD2015-00205), Westerre I, be approved on the expedited agenda.

Mr. Witte - Second. We have a motion by Mr. Branin, a second by Mr. Witte. All in favor say aye. Opposed? The motion passes.

The Planning Commission approved the transfer of approval request for POD-93-87 (POD2015-00205), Westerre I, from F.I.G. Holding Company to TSO Westerre Richmond, LP, subject to the standard and added conditions previously approved.

Ms. News - That completes our expedited agenda.

Mr. Emerson - Mr. Chairman, next on your agenda this morning are the subdivision extensions of conditional approval. There are none of those for your information, so we move into the regular agenda. The first item is on page 7 and also on page 1 of your amended agenda and is POD-133-85 (POD2014-00389), J. David Mullens for The Westhampton Group LLC.

#### **TRANSFER OF APPROVAL**

POD-133-85  
POD2014-00389  
**Westhampton Office Building (Formerly Joyner's Office Building) – 2706 Enterprise Parkway**

**J. David Mullens for The Westhampton Group, LLC:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from L.H. & Crawley F. Joyner III and C.F. Joyner, Jr. Trust to The Westhampton Group, LLC. The 1.15-acre site is located on the west line of Enterprise Parkway, approximately 250 feet south of West Broad Street (U.S. Route 250), on parcel 763-752-5632. The zoning is B-3, Business District. County water and sewer. **(Tuckahoe)**

Mr. Witte - Is there any opposition to POD-133-85 (POD2014-00389), Westhampton Office Building (formerly Joyner's Office Building)? I see none.

Mr. Kennedy - Good morning members of the Commission. The new owner agrees and accepts the responsibility for continued compliance with the conditions of the original POD approval. The deficiencies as identified in the staff report dated September 30, 2014, included missing shrubs, a dumpster enclosure in disrepair, and restriping of the



242 parking lot and sealing it. You may recall that the building next door was owned by the  
243 same owner. He converted that office building into a funeral parlor. That's still underway  
244 at this time. They would like to rename this office building Westhampton, after their group,  
245 as opposed to Joyner's.

246  
247 That concludes my presentation.

248  
249 Ms. Jones - I have no questions of Mr. Kennedy unless someone else  
250 does.

251  
252 Mr. Witte - Any questions?

253  
254 Ms. Jones - No? This case is in order, and so I will move the approval of  
255 transfer of approval POD-133-85 (POD2014-00389), Westhampton Office Building  
256 (formerly Joyner's Office Building), for the re-captioned Westhampton Office Building,  
257 which is the reference on the addendum.

258  
259 Mr. Leabough - Second.

260  
261 Mr. Witte - We have a motion by Mrs. Jones, second by Mr. Leabough. All  
262 in favor say aye. Opposed? The motion passes.

263  
264 The Planning Commission approved the transfer of approval request for POD-133-85  
265 (POD2014-00389), Westhampton Office Building (formerly Joyner's Office Building) from  
266 L.H. & Crawley F. Joyner III and C.F. Joyner, Jr. Trust to The Westhampton Group, LLC,  
267 subject to the standard and added conditions previously approved.

268  
269 Mr. Emerson - Mr. Chairman, we now move on to page 12 of your agenda for  
270 POD2015-00390, Silvercore for Judith H. Wells and William B. Munn. The staff report will  
271 be presented by Mr. Greg Garrison.

272  
273 *(Deferred from the October 28, 2015 Meeting)*

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

275  
POD2015-00390  
Munn Dental - 3869  
Antioch Church Road

**Silvercore for Judith H. Wells and William B. Munn:**  
Request for approval of a plan of development and transitional buffer deviation, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code, to construct a one-story 4,650 square foot medical office building. The transitional buffer deviation would allow for a 35-foot reduction in the width of the required buffer along the southwest property line. The 1.81-acre site is located on the northeast corner of the intersection of Williamsburg Road (U.S. Route 60) and Old Williamsburg Road and on the south line of Antioch Church Road, on parcel 846-711-5571. The zoning is B-3, Business District, and A-1,

Agricultural District. County water and on-site sewage disposal system. (Varina)

276

277

Mr. Witte - Is there any opposition to POD2015-00390, Munn Dental? I see none. Mr. Garrison.

278

279

280

Mr. Garrison - Good morning. The applicant is requesting approval to construct a 4,650-square-foot medical office building and a transitional buffer deviation. The elevations submitted show Craftsman style architecture with earth-tone colors, which is consistent with the existing architecture in the area.

281

282

283

284

285

An A-1 zoning line bisects the site at the southwest corner of the property. The transitional buffer deviation would reduce the width of the 35-foot transitional buffer to accommodate a portion of the parking lot at the southwest corner of the site, which is located adjacent to this A-1 zoning. The required plant material can be relocated south to the agricultural-zoned portion of this property.

286

287

288

289

290

This plan was deferred from the October 28th Planning Commission meeting to address right-of-way improvements along Antioch Church Road and Old Williamsburg Road. Since that time, the applicant has revised the plan that removes the ingress and egress on Antioch Church Road and provides right-of-way improvements on Old Williamsburg Road to include road widening, an eight-foot shoulder, and ditch improvements. The revised plan also provides stormwater management information, energy balance, and flood information.

291

292

293

294

295

296

297

298

Staff has no objections to the transitional buffer deviation and can recommend approval of this plan of development subject to the standard conditions for developments of this type, the annotations on the plan, and added conditions 29 through 33.

299

300

301

302

Staff is available to answer any questions that you may have.

303

304

305

Mr. Witte - Any questions for Mr. Garrison?

306

307

Ms. Jones - So the parking is still—is it more than adequate or is it right at the limit?

308

309

310

Mr. Garrison - They exceed the required parking by a few spaces.

311

312

Ms. Jones - Okay.

313

314

Mr. Garrison - Are you asking in terms of the transitional buffer?

315

316

Ms. Jones - Yes.

317

318

Mr. Garrison - Initially when the plan came in, they did show paving in this agriculturally zoned piece, and we had them shift that out. They did that relatively quick.

319

320  
321 Ms. Jones - Okay. All right.  
322  
323 Mr. Witte - Any other questions?  
324  
325 Mr. Leabough - Mr. Garrison, the improvements that were to be made to Old  
326 Williamsburg Road, in lieu of the curb and gutter that was originally suggested, what are  
327 they proposing now? Or is there someone from Works that can speak to that?  
328  
329 Mr. Garrison - There is someone from Works. I can also show you here. And  
330 if I don't answer your question, then Traffic could. But right here you'll see here's the eight-  
331 foot shoulder. And this is the proposed edge of pavement—"EP" stands for "edge of  
332 pavement." And then this is the existing edge of pavement right there. So it looks like they  
333 are providing 24-1/2 feet of paving along the entire—it tapers. It does vary, as you can  
334 see.  
335  
336 Mr. Leabough - Okay. And as far as the drainage is concerned, how is that  
337 going to be handled?  
338  
339 Mr. Garrison - That will be improvements to the existing ditch. So they'll make  
340 improvements to that.  
341  
342 Mr. Leabough - If that ditch system is not adequate to handle the drainage—  
343 it's probably better for Works to come up.  
344  
345 Mr. Garrison - Right.  
346  
347 Ms. Smidler - Good morning, Mr. Leabough. Sharon Smidler, Henrico Traffic.  
348  
349 Mr. Leabough - I know there was some conversation between curb and gutter  
350 and a ditch system. It looks like they're continuing to propose a ditch drainage system. So  
351 in the event that that—because this land is relatively flat in this area. In the event that the  
352 ditch system doesn't work, then they could be back to the curb and gutter which was  
353 originally requested by Public Works?  
354  
355 Ms. Smidler - Correct.  
356  
357 Mr. Leabough - That would be worked out, I guess, during the construction  
358 phase.  
359  
360 Ms. Smidler - Yes, with the construction plans when we receive more of the  
361 drainage calculations, the slope of the ditches, how it's going to drain, to see if it meets  
362 our requirements.  
363  
364 Mr. Leabough - Thank you.  
365

Ms. Smidler - Thank you.

Mr. Witte - Any other questions by the Commission?

Mr. Leabough - There being no other questions, I move that POD2015-00390, Munn Dental, be approved for the transitional buffer deviation as well as the POD, subject to the annotations on the plans, standard conditions for developments of this type, and the additional conditions noted on the agenda, numbers 29 through 33.

Mr. Archer - Second.

Mr. Witte - We have a motion by Mr. Leabough, second by Mr. Archer. All in favor say aye. Opposed? The motion passes.

The Planning Commission approved POD2015-00390, Munn Dental, with the transitional buffer deviation, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

29. The right-of-way for widening of Old Williamsburg Road as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
30. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
31. The applicant shall furnish proof to the Department of Planning that conditions satisfactory to the Health Department have been met that insure the proposed septic tank drainfield system is suitable for this project prior to the issuance of a building permit.
32. The owners shall not begin clearing of the site until the following conditions have been met:
  - (a) The site engineer shall conspicuously illustrate on the plan of development or subdivision construction plan and the Erosion and Sediment Control Plan, the limits of the areas to be cleared and the methods of protecting the required buffer areas. The location of utility lines, drainage structures and easements shall be shown.
  - (b) After the Erosion and Sediment Control Plan has been approved but prior to any clearing or grading operations of the site, the owner shall have the limits of clearing delineated with approved methods such as flagging, silt fencing or temporary fencing.
  - (c) The site engineer shall certify in writing to the owner that the limits of clearing have been staked in accordance with the approved plans. A copy of this letter shall be sent to the Department of Planning and the Department of Public Works.

(d) The owner shall be responsible for the protection of the buffer areas and for replanting and/or supplemental planting and other necessary improvements to the buffer as may be appropriate or required to correct problems. The details shall be included on the landscape plans for approval.

33. The location of all existing and proposed utility and mechanical equipment (including HVAC units, electric meters, junctions and accessory boxes, transformers, and generators) shall be identified on the landscape plan. All building mounted equipment shall be painted to match the building, and all equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

Mr. Emerson - Mr. Chairman, we now move on to page 17 of your agenda and also page 1 of your amended agenda for POD2015-00394, Balzer and Associates, Inc. for Swift Transportation Company. The staff report will be provided by Michael Kennedy.

*(Deferred from the October 28, 2015 Meeting)*

**PLAN OF DEVELOPMENT AND LIGHTING PLAN**

POD2015-00394  
Swift Transportation  
Training Center Expansion  
- 2809 Charles City Road

**Balzer and Associates, Inc. for Swift Transportation Company:** Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 1,181 square foot, one-story office building with related parking, and a paved truck driver training area. The 1.98-acre site is located on the south line of Charles City Road, approximately 475 feet northwest of its intersection with Miller Road, on parcels 817-707-6693, and 817-707-7588. The zoning is M-2C, General Industrial District (Conditional) and ASO, Airport Safety Overlay District. County water and sewer. (Varina)

Mr. Witte - Is there any opposition to POD2015-00394, Swift Transportation Training Center Expansion? I see none. Mr. Kennedy.

Mr. Kennedy - Good morning again, Mr. Chairman. The subject POD and lighting plan was deferred at the applicant's request at the last POD Commission meeting to allow them to address concerns expressed regarding design of the building. Since the preparation of the agenda and in the spirit of cooperation, the applicant has submitted various iterations of the elevation plans for review. A copy of the final submission is attached to the addendum. You'll also find a copy of the earlier elevation attached to the agenda so you can compare the two buildings. The original building looked like this. It was bright white with bright blue trim with T1-11 wood siding.

This is the revised plan, as you can see, using HardiPlank siding with more earth-tone colors. They've added a canopy to the front. And then they have a hard canopy for their driver training people on the site as well.



445 At this point, staff is ready to recommend approval. The applicant has also agreed to  
446 consider looking at reducing the size of the canopy in the area of those two porch columns  
447 to make it more vehicle friendly. And they've also agreed to continue to look at putting in  
448 brick screening as opposed to wire and fence across the front. So they're looking at putting  
449 in a brick wall that would screen the driver training lot, similar to the screen wall on the  
450 adjacent property used for storage. So they're going to look at that in the future. But in the  
451 meantime, we can recommend approval of this plan.  
452

453  
454 Mr. Witte - Any questions by the Commission?  
455

456 Ms. Jones - Well, I sat on the side of the road and looked at this area from  
457 all angles for quite a while the other day. And I must say that I appreciate an improvement  
458 when I see it. This is an improvement.  
459

460 Mr. Kennedy - They've been very cooperative in trying to address our  
461 concerns.  
462

463 Mr. Leabough - Would the applicant please come forward?  
464

465 Mr. Shust - Mr. Chairman, members of the Commission, my name is Chris  
466 Shust. I'm with Balzer and Associates. I am representing the applicant. The applicant is  
467 actually here this morning. He has come from Arizona, Mr. Gary Weinberger, representing  
468 Swift Transportation. And Ms. Teresa Hardy is here as well.  
469

470 Mr. Leabough - I wanted to thank you all for working with us for the design  
471 improvements. I think it's definitely a big improvement from what we saw at the last  
472 meeting. So I just wanted to call you up to thank you for being willing to work with us and  
473 thank your colleagues for coming into town.  
474

475 Mr. Shust - We appreciate hearing that. Thank you. Appreciate your  
476 working with us so well. Thank you.  
477

478 Mr. Leabough - Any other questions?  
479

480 Mr. Witte - I was just getting ready to ask.  
481

482 Ms. Jones - Why do you always look at me?  
483

484 Mr. Witte - You're the rose in a bunch of thorns.  
485

486 Ms. Jones - Okay.  
487

488 Mr. Leabough - Thank you. I'd also like to thank staff as well for their work on  
489 this. A lot of hours were put into looking at the design revisions, so we do appreciate your  
490 work. With that, I move that POD2015-00394, Swift Transportation Training Center

491 Expansion, be approved subject to the standard conditions for developments of this type  
492 and the additional conditions 11B and 29 through 31 as noted on the agenda.  
493

494 Mr. Branin - Second.  
495

496 Mr. Witte - We have a motion by Mr. Leabough, second by Mr. Branin. All  
497 in favor say aye. Opposed? The motion passes.  
498

499 The Planning Commission approved POD2015-00394, Swift Transportation Training  
500 Center Expansion, subject to the annotations on the plans, the standard conditions  
501 attached to these minutes for developments of this type, and the following additional  
502 conditions:  
503

504 11B. Prior to the approval of an electrical permit application and installation of the site  
505 lighting equipment, a plan including light spread and intensity diagrams, and fixture  
506 specifications and mounting heights details shall be revised as annotated on the  
507 staff plan and included with the construction plans for final signature.

508 29. The right-of-way for widening of Charles City Road as shown on approved plans  
509 shall be dedicated to the County prior to any occupancy permits being issued. The  
510 right-of-way dedication plat and any other required information shall be submitted  
511 to the County Real Property Agent at least sixty (60) days prior to requesting  
512 occupancy permits.

513 30. The proffers approved as a part of zoning case REZ2015-00025 shall be  
514 incorporated in this approval.

515 31. The location of all existing and proposed utility and mechanical equipment  
516 (including HVAC units, electric meters, junctions and accessory boxes,  
517 transformers, and generators) shall be identified on the landscape plan. All building  
518 mounted equipment shall be painted to match the building, and all equipment shall  
519 be screened by such measures as determined appropriate by the Director of  
520 Planning or the Planning Commission at the time of plan approval.  
521

522 Mr. Emerson - Mr. Chairman, we now move on to page 19 of your agenda for  
523 POD2015-00438, Draper Aden Associates for San-J International Incorporated. The staff  
524 report will be presented by Mr. Tony Greulich.  
525

## 526 PLAN OF DEVELOPMENT AND SPECIAL EXCEPTION 527

POD2015-00438

San-J International Inc. -  
Expansion - 2880  
Sprouse Drive

**Draper Aden Associates for San-J International Inc.:**

Request for approval of a plan of development and special exception, as required by Chapter 24, Sections 24-2, 24-94(b) and 24-106 of the Henrico County Code, to construct a one-story, 44,000 square foot expansion to an existing production facility with a height of 38 feet and a one-story, 15,000 square foot raw material processing building with a height of 71 feet. The special exception would authorize a building exceeding 50 feet in height. The 5.7-acre site is

located on the north line of Sprouse Drive, at the intersection of Sprouse Drive and South Airport Drive, on parcel 818-706-8604. The zoning is M-1, Light Industrial District, M-2, General Industrial District, and ASO, Airport Safety Overlay District. County water and sewer. (Varina)

Mr. Witte - Is there any opposition to POD2015-00438, Draper Aden Associates for San-J International Incorporated? I see none. You have the floor.

Mr. Greulich - Good morning. The applicant is proposing an expansion of their existing production facility on Sprouse Drive. The facility is within an existing industrial park just south of the Richmond International Airport.

The site itself is adjacent to the South Airport Drive flyover that connects the airport with Interstate 895 to the south. The neighboring industrial warehouse buildings can be seen on the aerial, especially the Nabisco Mondelez plant to the west, over here just past South Laburnum Avenue.

The existing facility is just under 57,000 square feet in size and is about 32 feet in height. It was approved under POD-053-86. The exterior is constructed predominantly of metal panels. The proposed expansion of that facility is approximately 44,000 square feet and roughly 38 feet in height. In the rear of the site, a raw material building that is approximately 15,000 square feet and about 71 feet in height completes the proposed expansion. Once completed, all proposed structures will be constructed with a matching metal panel exterior.

Before you is the conceptual landscape plan. The original site was constructed prior to the adoption of the current landscaping ordinance. And as a result, the current site does not contain much in the way of landscaping. The conceptual landscape plan before you will result in the site having a much greener and attractive appearance from Sprouse Drive. Street trees, parking lot trees, and hedges for screening parking and loading areas are now proposed.

As I stated earlier, the raw materials tower is approximately 71 feet in height. In the M-2 zoning district, structures are permitted up to 50 feet in height by right. Anything up to 110 feet in height is permitted with the granting of a special exception by the Planning Commission. The applicant has already provided staff a letter from the Federal Aviation Authority stating that they, in conjunction with the Richmond International Airport, have reviewed the requested structure and have deemed that it represents no hazard to air navigation. The applicant is here today to present their special exception request to you.

Should the Commission approve the special exception, staff recommends approval subject to the annotations on the plan, standard conditions for developments of this type, and additional conditions 29 through 34 as stated in your agenda.

568 Staff and members of the applicant's design team are available to answer any questions  
569 you may have.

570

571 Mr. Witte - Any questions by the Commission?

572

573 Ms. Jones - Yes, I do. Could you just confirm this for me please? The view  
574 that I'm looking at that was handed out in our packets is sitting on Sprouse looking at the  
575 building.

576

577 Mr. Greulich - Yes.

578

579 Ms. Jones - Okay. I see in many of the buildings in that area a brick or brick  
580 facade first floor and then the panels above. That doesn't seem to be envisioned here.  
581 This looks like solid panels, right?

582

583 Mr. Greulich - Right. Most of the other buildings in the area that do have brick,  
584 it's more of an office building. The majority of the buildings are the warehouse and the  
585 production areas, and those were all metal panels. Actually, the original San-J building—I  
586 was trying to zoom in. This front part is predominantly brick, but the rest of the building is  
587 metal panels. They do have a brick base, but it's about that much.

588

589 Ms. Jones - I see in our depiction that there is a brick base a little bit to the  
590 left there. And I guess that will be their main office entrance for this facility?

591

592 Mr. Greulich - Yes. The brick base to the side is part of the existing office.

593

594 Ms. Jones - Okay. My other question had to do with conditions 29 and 30.  
595 Again, I sat in the car. I may appear to be a stalker around all these cases, but I need to  
596 take a look. There are sheds. There's a little tamari bar, if I'm pronouncing that right, and  
597 other little things around the property. And there's also a trailer that's marked "U. S. Mail."  
598 I mean there are various things on the property now. What you're saying is that that will all  
599 be gone and that will not be allowed with the new approval.

600

601 Mr. Greulich - Correct. Based on the site plan that they provided to us, it  
602 doesn't show any of those existing structures to remain. .

603

604 Ms. Jones - Okay.

605

606 Mr. Greulich - My assumptions are that they will be removed.

607

608 Ms. Jones - All right. Those were my concerns. The panels as well as the  
609 little out buildings that look like temporary storage, they will all be gone. Right? Okay.

610

611 Mr. Leabough - We could definitely ask the applicant that once they come  
612 forward. Would the applicant please come forward? Is that okay, Mr. Chair?

613



614 Mr. Witte - I appreciate it.

615

616 Mr. Scholten - Mr. Chairman and Planning Commission members, my name  
617 is Keith Scholten. I'm with Draper Aden Associates. I'm here representing San-J for you  
618 today.

619

620 San-J International has been producing tamari, one type of soy sauce, in Henrico County  
621 since 1987. San-J's current production facility has reached its maximum capacity, and they  
622 are before you today seeking approval for a proposed facility expansion project. The  
623 project involves construction of an addition to San-J's existing production facility and a  
624 new raw material processing building. The raw material processing building will allow the  
625 installation of a continuous type steamer versus the current batch steamers. The  
626 continuous type steamer and other facility improvements will increase production volume  
627 to 2.3 times the current production volume.

628

629 To use a continuous type steamer, the raw material building is required to be about  
630 seventy-one feet tall. Several adjacent industrial facilities have building heights greater  
631 than San-J's requested seventy-one feet. In the same industrial park as San-J, the Hilex  
632 facility, two parcels to the west, has a tower about eighty feet in height. The Mondelez  
633 facility, formerly Nabisco, just to the west on South Laburnum Avenue, is over a hundred  
634 feet in height. The proposed building height is necessary for San-J's expansion and is less  
635 than several of the surrounding industrial facilities.

636

637 The existing facility is located in an industrial park surrounded by industrial and warehouse  
638 properties. The current surrounding zoning is industrial, and the 2026 Land Use Plan  
639 maintains the same industrial use for the foreseeable future. There are few residential  
640 properties in the area.

641

642 San-J requests approval of the POD and granting of the special exception request for a  
643 building height above fifty feet before you today. San-J intends to continue tamari  
644 production in Henrico County for many years to come with this facility expansion.

645

646 Thank you for the opportunity to speak before you today. I, San-J, the architect, and the  
647 project manager are here today to answer any questions you may have.

648

649 Mr. Leabough - You just heard one from Ms. Jones about the existing buildings  
650 on the site. Could you speak to that, please?

651

652 Mr. Scholten - The sheds will be removed with this project. They will not be  
653 there anymore.

654

655 Mr. Leabough - The other question you asked, about the brick, the rationale for  
656 not including a band of brick around the addition.

657

658 Mr. Scholten - I'll have to ask the architect to come up and speak to that one.

659



Mr. Grummon - Mr. Chairman, Commissioners, my name is Geoff Grummon. I'm with Livermore Architecture & Engineers, the architect on the project. Regarding the band of concrete block or brick at the bottom of the building, we haven't included at this time because of technical issues. Being a processing facility, finishing off the interior and including insulation to meet energy code is proving to be a little bit more than what the budget can handle right now. That's our main concern.

Ms. Jones - I do understand the difference between a production facility and the office area, so that could make good sense. All right.

Mr. Leabough - Thank you. Any other questions?

Mr. Witte - Any questions?

Mr. Leabough - Thank you all. With that, I move that POD2015-00438, Draper Aden Associates for San-J International Incorporated, and the special exception for the height be approved as well as the annotations on the plans and standard conditions for developments of this type, and conditions 29 through 34 as noted on the agenda.

Mr. Branin - Second.

Mr. Witte - We have a motion by Mr. Leabough, second by Mr. Branin. All in favor say aye. Opposed? The motion passes.

The Planning Commission approved the plan of development and special exception for POD2015-00438, Draper Aden Associates for San-J International Incorporated, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

29. There shall be no outdoor storage in moveable storage containers including, but not limited to, cargo containers and portable on demand storage containers.
30. Outside storage shall not be permitted.
31. Federal Aviation Administration (FAA), Form 7460-1 shall be submitted to the FAA and proof of such approval shall be provided to the Planning Department prior to approval of any building permit application.
32. Evidence that an engineer has certified the height of the building shall be provided to the Director of Planning prior to the issuance of a Certificate of Occupancy.
33. The location of all proposed utility and mechanical equipment (including HVAC units, electric meters, junction and accessory boxes, transformers, and generators) shall be identified on the landscape plans. All equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.
34. Details for the gates and locking devices shall be submitted for review by the Traffic Engineer, Police and approved by the County Fire Marshall. The owner or owner's contractor shall contact the County Fire Marshall prior to completion of the fence installation to test and inspect the operations of the gates. Evidence of the Fire

Marshall's approval shall be provided to the Department of Planning by the owner prior to issuance of occupancy permits.

Mr. Leabough - I do have one quick question. We talked about it up here before the vote was made. Do you all have a tasting bar that we could possibly check out? I'm just joking.

Mr. Branin - No samples? I told you we should have deferred until they brought samples.

Mr. Leabough - Thank you all; we appreciate that.

Mr. Emerson - Mr. Chairman, we now move along to page 24 of your agenda for POD2015-00433, McKinney and Company for Forest City Enterprises and Matchbox. The staff report will be presented by Lee Pambid.

## PLAN OF DEVELOPMENT

POD2015-00433  
Matchbox Restaurant at  
Short Pump Town Center  
- 11720 West Broad  
Street (U.S. Route 250)

**McKinney and Company for Forest City Enterprises and Matchbox:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 2-story, 7,818 square foot restaurant with outdoor dining in a regional shopping center. The 1.53-acre site is located along the north line of West Broad Street (U.S. Route 250), at the northwest corner of its intersection with Spring Oak Drive, on parcel 738-762-7348. The zoning is B-3C, Business District (Conditional) and WBSO, West Broad Street Overlay District. County water and sewer. (Three Chopt)

Mr. Witte - Is there any opposition to POD2015-00433, Matchbox Restaurant at Short Pump Town Center? I see none. Mr. Pambid.

Mr. Pambid - Good morning. The applicant proposes construction of a two-story, 7,818-square-foot restaurant which includes 795 square feet of outdoor dining patio area on an existing developed pad site currently occupied by a vacant Chili's restaurant. To make way for the proposed building, the existing structure's building envelope will be cleared while maintaining the existing asphalt, access points, and outside perimeter curb lines. The proffers of zoning cases C-29C-98 and C-14C-07 shall apply.

The structure's elevations feature a contemporary appearance using a combination of brick, reclaimed barn wood, painted stucco, and HardiPlank lap siding. Metal fascia and C channels accent the structure.

Forest City, the management of Short Pump Town Center, has also reviewed and signed off on the elevations.

741  
 742 Here are some pictures of some existing buildings that they've done previously. The floor  
 743 plan illustrates a second floor mezzanine level.  
 744  
 745 Condition #33 needs to be amended to include zoning case C-14C-07 as previously  
 746 stated.  
 747  
 748 The staff recommends approval subject to the annotations on the plan, standard conditions  
 749 for developments of this type, and the additional conditions 29 through 34.  
 750  
 751 This concludes my presentation. Staff can now field any questions you have regarding  
 752 this. Andrew Nguyen and Franklyn Wilson, project engineers with McKinney and  
 753 Company, as well as Jennifer Jaffke with Matchbox Restaurants are also present.  
 754  
 755 Mr. Witte - Any questions by the Commission?  
 756  
 757 Ms. Jones - At some point if the applicant could acquaint me with Matchbox  
 758 Restaurants?  
 759  
 760 Mr. Branin - I'll take care of that.  
 761  
 762 Ms. Jones - Thank you.  
 763  
 764 Mr. Branin - I have no questions for staff. May I speak to the applicant,  
 765 please?  
 766  
 767 Mr. Witte - Love to. Would the applicant come down?  
 768  
 769 Mr. Nguyen - I'm Andrew Nguyen. I'm with McKinney and Company. My  
 770 colleague, Frank Wilson, is also here. And again, this is Jennifer Jaffke with Matchbox.  
 771  
 772 Mr. Branin - Thank you. Jennifer?  
 773  
 774 Ms. Jaffke - Good morning.  
 775  
 776 Mr. Branin - Welcome to Henrico County.  
 777  
 778 Ms. Jaffke - Thank you.  
 779  
 780 Mr. Branin - We're excited to have you. At first, I said why are we scraping  
 781 a perfectly good restaurant, but then when I saw the elevations I said because it's a better  
 782 restaurant.  
 783  
 784 Ms. Jaffke - Thank you, sir.  
 785

786 Mr. Branin - Could you give us a rundown on Matchbox cuisine and so  
787 forth?  
788

789 Ms. Jaffke - Certainly. We are an upscale casual full-service restaurant. We  
790 have six locations currently in the DC area and one in Palm Springs, California. We  
791 specialize in wood-fired pizza and mini burgers, but we also have a wide range of salads  
792 and fish and pretty much a broad scope of American food.  
793

794 Ms. Jones - Sounds good.  
795

796 Ms. Jaffke - It's delicious and I hope you love it.  
797

798 Mr. Branin - If all goes well, you plan to be open for 2017?  
799

800 Ms. Jaffke - 2016. We're hoping to start construction in the first or second  
801 quarter of '16. Projecting about a six-month construction, so the end of '16.  
802

803 Mr. Branin - That's impressive.  
804

805 Ms. Jaffke - That's how we like to do it.  
806

807 Mr. Branin - Okay. All right. Again, welcome to Henrico County. I know  
808 coming from DC it's rough up there. You're coming to the #5 county in the U.S., so you  
809 should be very excited and proud to be participating in this county.  
810

811 Ms. Jaffke - We are very excited.  
812

813 Mr. Branin - That's the right answer. Okay. Well, with that I can approve it.  
814 If you had said well, you know, not so much, I'd say well, you know.  
815

816 Mr. Witte - I have one suggestion. Keep in mind the Brookland District.  
817

818 Ms. Jaffke - Will do.  
819

820 Mr. Branin - All right. You ready? Gentlemen from McKinney, I don't have  
821 anything for you. But thank you for coming. Hope you didn't get caught in tunnel traffic.  
822

823 Mr. Chairman, I'd like to move that POD2015-00433, Matchbox Restaurant at Short Pump  
824 Town Center, be approved subject to the annotations on the plan, standard conditions for  
825 developments of this type, and the following additional conditions 29 through 34 with 33  
826 being amended.  
827

828 Mr. Leabough - Second.  
829

830 Mr. Witte - We have a motion by Mr. Branin, second by Mr. Leabough. All  
831 in favor say aye. Opposed? The motion passes.



832  
833 The Planning Commission approved POD2015-00433, Matchbox Restaurant at Short  
834 Pump Town Center, subject to the annotations on the plans, the standard conditions  
835 attached to these minutes for developments of this type, and the following additional  
836 conditions:

- 837  
838 29. Only retail business establishments permitted in a B-3 zone may be located in this  
839 center.  
840 30. The ground area covered by all the buildings shall not exceed in the aggregate 25  
841 percent of the total site area.  
842 31. No merchandise shall be displayed or stored outside of the building(s) or on  
843 sidewalk(s).  
844 32. Outside storage shall not be permitted.  
845 33. The proffers approved as a part of zoning case C-29C-98 and C-14C-07 shall be  
846 incorporated in this approval.  
847 34. The location of all existing and proposed utility and mechanical equipment  
848 (including HVAC units, electric meters, junction and accessory boxes, transformers,  
849 and generators) shall be identified on the landscape plans. All equipment shall be  
850 screened by such measures as determined appropriate by the Director of Planning  
851 or the Planning Commission at the time of plan approval.  
852

853 Mr. Emerson - Mr. Chairman, we now move to page 26 and also page 2 of  
854 your amended agenda for POD2015-00320, Townes Site Engineering, P.C. for Carriage  
855 Homes at Parham, LLC. The staff report will be presented by Michael Kennedy.  
856

857 **PLAN OF DEVELOPMENT**  
858

POD2015-00320  
Carriage Homes at  
Parham Place Section 1 –  
7814 East Parham Road

**Townes Site Engineering, P.C. for Carriage Homes at Parham, LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 119 two-story residential townhouses for sale, a one-story 1,600 square foot community center and an outdoor swimming pool. The 21.1-acre site is located on the north line of East Parham Road, approximately 500 feet west of Shrader Road, on parcels 763-755-1261 and 763-756-4328. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Brookland)**

859  
860 Mr. Witte - Is there any opposition to POD2015-00320, Carriage Homes  
861 at Parham Place Section 1? I see none. Mr. Kennedy.  
862

863 Mr. Kennedy - Good morning again, Commissioners.  
864

865 The proposed plan is generally consistent with the conceptual layout plan proffered with  
866 Rezoning Case REZ2015-00004. The plan proposes construction of 119 residential



867 townhouses for sale with the first phase of construction. The second will be 77 units in this  
868 area here. They will come back for subsequent POD approval.

869  
870 The preliminary layout for Section 2 shown on the plan must be revised to address  
871 concerns expressed at the time of rezoning concerning the provision that there will be no  
872 access to Hollybrook. That will be subject to another POD in the future. The plan also  
873 shows a future community center at this location here. The community center is an  
874 additional amenity that was not proffered. They're going to come back with a plan for that  
875 as well.

876  
877 Proffer number 26 of the zoning care requires perimeter fencing of the property in  
878 accordance with a proffered exhibit, Proffer number 26 permits revisions to the proffered  
879 plan subject to Planning Commission approval. And the applicant has requested a  
880 substitution of some fencing details.

881  
882 The original plan called for a brick wall, a masonry wall at this location extending around  
883 this part of the BMP. It would then have a chain link fence, a vinyl-sided fence, chain link  
884 fence, and then continue with a vinyl-sided fence around the remainder of the perimeter.  
885 At this time, they're requested a variation in that. They are providing a decorative fence  
886 across the front, which is wrought iron and brick. That will return to the back corners of the  
887 landscaping buffer. It would then transition to the seven-foot-high concrete fence wall. And  
888 then it would end right before the ravine. There's a ravine at this location here and then  
889 along back of the BMP. The original plan did show that it was going to be a concrete fence.  
890 After engineering review, it was determined it would be difficult to put the concrete fence  
891 on a ravine and crossing over utilities. So they substituted in that location a chain link  
892 fence, but the fence that they're using is going to be a one-inch mesh as opposed a  
893 standard mesh. So it will be a heavy-duty fence. Primarily it is thought to be needed for  
894 security. In addition to the fence, of course there is this ravine that's difficult to traverse,  
895 and the BMP as well.

896  
897 They also expressed concern about putting the fence on the BMP because it's actually  
898 engineered fill. And that flows back down to the ravine. So they were concerned about  
899 wind load and stressing the fence at that location. But given the fact that this is a ravine  
900 and the BMP, staff doesn't have any objection to it. It would be very difficult to build the  
901 fence with the ravine. You'd have to stair-step it. The transition across the creek would  
902 have been difficult as well. Given the fact that they've agreed to try a sturdier fence that  
903 will be black vinyl chain link and the fact that they're enhancing the front, staff feels they  
904 can recommend approval at this time.

905  
906 As far as other issues, the developer still has some issues they're working out with all the  
907 utilities regarding easements. But at this time, they've come to a conclusion that the  
908 easements can be accommodated on the site without reducing the number of lots  
909 approved. In addition, they're provided a re-grading plan for the BMP to show that all safety  
910 measures can be met on the site without impacting the units.

With that, staff can recommend approval subject to the annotations on the plans, standard conditions for developments of this type, condition 9 and 11 amended, so the landscape plan will come back, and additional conditions 29 through 44 on the agenda.

Representatives of the developer, including the project manager, Brian Mitchell from Townes Site Engineering, and Danny Blevins, project manager for Kotarides Development, and I are available to answer questions.

Mr. Witte - Any questions by the Commission?

Ms. Jones - I don't have a question, but I just have a comment. I know we struggled with this site during rezoning. It's a tight site and it's a difficult layout. I was getting a big of a headache with figuring out these fences, but I think that 9 amended will be the essential element to pulling everything together in a nice cohesive way and softening the effect of whatever is there. So I'm happy to be getting to this stage, but as I look at this point, I'm reminded again what a challenge it has been. So hopefully we'll see a nice plan coming back with 9 and 11 amended.

Mr. Witte - Any other questions by the Commission? Would anyone on the Commission like to hear from the applicant? Okay. With that, I move approval of POD2015-00320, Carriage Homes at Parham Place Section 1, as presented, subject to the annotations on the plan, standard conditions for developments of this type, additional conditions 9 amended, 11 amended, and 29 through 44.

Mr. Branin - Second.

Mr. Witte - We have a motion by Mr. Witte, a second by Mr. Branin. All in favor say aye. Opposed? The motion passes.

The Planning Commission approved POD2015-00320, Carriage Homes at Parham Place Section 1, subject to the annotations on the plans, the standard conditions attached to these minutes for developments of this type, and the following additional conditions:

9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of Planning for review and Planning Commission approval prior to the issuance of any occupancy permits.
11. **AMENDED** - Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including depictions of light spread and intensity diagrams, and fixture specifications and mounting height details shall be submitted for Department of Planning review and Planning Commission approval.
29. The unit house numbers shall be visible from the parking areas and drives.
30. The names of streets, drives, courts and parking areas shall be approved by the Richmond Regional Planning District Commission and such names shall be included on the construction plans prior to their approval. The standard street name signs shall be installed prior to any occupancy permit approval.



- 957 31. The subdivision plat for Carriage Homes at Parham Place Section 1 shall be  
958 recorded before any building permits are issued.
- 959 32. The right-of-way for widening of Parham Road as shown on approved plans shall  
960 be dedicated to the County prior to any occupancy permits being issued. The right-  
961 of-way dedication plat and any other required information shall be submitted to the  
962 County Real Property Agent at least sixty (60) days prior to requesting occupancy  
963 permits.
- 964 33. Prior to issuance of a certificate of occupancy for any building in this development,  
965 the engineer of record shall certify that the site has been graded in accordance with  
966 the approved grading plans.
- 967 34. A concrete sidewalk meeting County standards shall be provided along the north  
968 side of Parham Road.
- 969 35. Details for the gate and locking device at the emergency access gates on Fellos  
970 Lane and Breeching Dee Lane shall be submitted for review by the Traffic Engineer,  
971 Police and approved by the County Fire Marshall. The owner or owner's contractor  
972 shall contact the County Fire Marshall prior to completion of the fence installation  
973 to test and inspect the operations of the gates. Evidence of the Fire Marshall's  
974 approval shall be provided to the Department of Planning by the owner prior to  
975 issuance of occupancy permits.
- 976 36. The proffers approved as a part of zoning case REZ2015-00004 shall be  
977 incorporated in this approval.
- 978 37. A construction staging plan which includes details for traffic control, fire protection,  
979 stockpile locations, construction fencing and hours of construction shall be  
980 submitted for County review and prior to the approval of any final construction plans.
- 981 38. A note in bold lettering shall be provided on the erosion control plan indicating that  
982 sediment basins or traps located within buildable areas or building pads shall be  
983 reclaimed with engineered fill. All materials shall be deposited and compacted in  
984 accordance with the applicable sections of the state building code and geotechnical  
985 guidelines established by the engineer. An engineer's report certifying the suitability  
986 of the fill materials and its compaction shall be submitted for review and approval  
987 by the Director of Planning and Director of Public Works and the Building Official  
988 prior to the issuance of any building permit(s) on the affected sites.
- 989 39. Prior to issuance of a building permit, the developer must furnish a letter from  
990 Dominion Virginia Power stating that this proposed development does not conflict  
991 with their facilities.
- 992 40. The pavement shall be of an SM-2A type and shall be constructed in accordance  
993 with County standard and specifications. The developer shall post a defect bond for  
994 all pavement with the Department of Planning - the exact type, amount and  
995 implementation shall be determined by the Director of Planning, to protect the  
996 interest of the members of the Homeowners Association. The defect bond shall  
997 remain in effect for a period of three years from the date of the issuance of the final  
998 occupancy permit. Prior to the issuance of the last Certificate of Occupancy, a  
999 professional engineer must certify that the roads have been designed and  
1000 constructed in accordance with County standards.
- 1001 41. The existing utility and drainage easements in conflict with the proposed buildable  
1002 areas shall be vacated prior to approval of the building permit for the said building.

- 1003 42. Approval of the construction plans by the Department of Public Works does not  
1004 establish the curb and gutter elevations along the Henrico County maintained right-  
1005 of-way. The elevations will be set by Henrico County.
- 1006 43. The conceptual master plan, as submitted with this application, is for planning and  
1007 information purposes only. All subsequent detailed plans of development needed  
1008 to implement this conceptual plan shall be submitted for staff review and Planning  
1009 Commission approval, and shall be subject to all regulations in effect at the time  
1010 such subsequent plans are submitted for review/approval.
- 1011 44. The location of all existing and proposed utility and mechanical equipment  
1012 (including HVAC units, electric meters, junctions and accessory boxes,  
1013 transformers, and generators) shall be identified on the landscape plan. All building  
1014 mounted equipment shall be painted to match the building, and all equipment shall  
1015 be screened by such measures as determined appropriate by the Director of  
1016 Planning or the Planning Commission at the time of plan approval.

1017  
1018 Mr. Emerson - Mr. Chairman, we do have two discussion items that have been  
1019 added that are on your amended agenda. Before we move into that, let's take care of the  
1020 approval of your minutes for October 28, 2015. You do have an errata sheet, I believe, for  
1021 these as well.

1022  
1023 APPROVE OF MINUTES: October 28, 2015 Minutes.

1024  
1025 Mrs. O'Bannon - I have one error that I've discovered. On line 1953, the second  
1026 word is not "one" it's "on." That's all.

1027  
1028 Mr. Emerson - Any other corrections?

1029  
1030 Mr. Leabough - No, no other corrections.

1031  
1032 Mr. Witte - Do we have a motion?

1033  
1034 Mr. Branin - I move to approve the minutes with the addition.

1035  
1036 Mr. Witte - Second. We have a motion by Mr. Branin, a second by  
1037 Mr. Witte. All in favor say aye. Opposed? The motion passes.

1038  
1039 Mr. Emerson - Mr. Chairman, we do have two discussion items for you this  
1040 morning. They won't take a great deal of your time. The first item is to discuss a resolution  
1041 to direct staff to initiate an ordinance review for the Urban Mixed Use development within  
1042 the Innsbrook Study Area. This was discussed with the Board at a work session at their  
1043 last meeting. They requested that we bring this to you. And we do have a short  
1044 presentation that will be provided to you by Mr. Ben Sehl.

1045  
1046 **DISCUSSION ITEM:** The Commission will discuss a resolution to direct staff to  
1047 initiate an ordinance review for Urban Mixed Use developments located within the  
1048 Innsbrook Study Area.



1049  
1050 Mr. Witte - Mr. Sehl.  
1051  
1052 Mr. Sehl - Thank you, Mr. Chairman. This will be somewhat familiar to  
1053 Mrs. O'Bannon since this item was discussed with the Board of Supervisors last week at  
1054 their work session on November 10th.  
1055  
1056 Mr. Emerson - It is the same presentation that the Board heard. I apologize,  
1057 Mrs. O'Bannon.  
1058  
1059 Mr. Sehl - Somewhat similar. Good morning. This is a discussion  
1060 regarding the Innsbrook area and the Urban Mixed Use development within it. As you may  
1061 recall, Henrico County has quite a bit of recent history with the topic of mixed-use  
1062 development, especially within the Innsbrook area. In 2010 during the very challenging  
1063 economic times, the Board of Supervisors and Planning Commission were very  
1064 progressive in adopting the findings of the Innsbrook Area Study, which created new land  
1065 use designations for areas within Innsbrook and provided for numerous development  
1066 policies and design guidelines. All of this was with the goal of spurring new development  
1067 and redevelopment within Innsbrook, which was an area that was particularly hard hit by  
1068 some disinvestment because of some large office vacancies due to economic challenges  
1069 faced by companies within that area.  
1070  
1071 A couple of years later in 2012, the Board adopted some changes to the Urban Mixed Use  
1072 zoning district that was originally adopted in 2002. These revisions helped make the  
1073 ordinance a little bit more user friendly, and addressed a number of challenges that staff  
1074 had found during the review of previous urban mixed use developments within the County.  
1075 These included things like allowing parking plans to be adopted through a provisional use  
1076 permit process. It allowed single-family homes, which had previously been done through  
1077 various methods. It essentially cleaned up the ordinance a little bit with the hope of allowing  
1078 some more flexibility and additional tools for mixed use development in the County.  
1079  
1080 These actions did result in a number of conversations regarding new development in  
1081 Innsbrook, as well as new UMU development elsewhere in the County. It facilitated the  
1082 ability for projects such as GreenGate and revisions to the Libbie Mill development to move  
1083 forward. So all of those things that kind of came out of that process.  
1084  
1085 These conversations also resulted in the rezoning of approximately 40 acres within  
1086 Innsbrook for a new UMU by Highwoods Properties. That's kind of shown on the screen  
1087 here in front of you. A plan of development was later approved by the Commission.  
1088 However, no development has moved forward at this point in time.  
1089  
1090 Other recent activity in Innsbrook includes a submittal of an approximately 12-acre  
1091 development on property owned by Dominion Virginia Power that's near their offices there  
1092 in Innsbrook. This project was filed as an R-6 rezoning request since it was unable to meet  
1093 the UMU district requirements of a minimum of twenty acres in order to file for that Urban  
1094 Mixed Use development.



1095  
1096 They had their challenges from a design perspective, but one of the main issues was the  
1097 lack of flexible provided by the R-6 district. The inability of the applicant to pursue a more  
1098 flexibility zoning category such as UMU because of that minimum acreage requirement.  
1099

1100 Over the past several months, staff, appointed by the county manager, has also been  
1101 meeting regularly with Innsbrook stakeholders as part of a taskforce to discuss how these  
1102 and other projects might move forward in order to support those goals of the Innsbrook  
1103 Study that were adopted by the Board of Supervisors in 2010. We've also had numerous  
1104 conversations with other property owners within Innsbrook who were hoping to redevelop  
1105 their parcels with the form of development that was recommended by the Innsbrook Study.  
1106 However, most of the developments proposed are unable to be accommodated either  
1107 through existing zoning because of setbacks, landscaping, transitional buffer  
1108 requirements, parking requirements - those types of things that are required using our  
1109 standard zoning districts; or because the more flexible zoning ordinance option, which is  
1110 the UMU district, is unavailable because they don't meet the minimum acreage  
1111 requirements.  
1112

1113 This includes a potential project in the area highlighted in yellow on the screen in front of  
1114 you. You can see it is kind of down along Innslake Drive. Cox Road would be the eastern  
1115 boundary. It's kind of canted off to the side there, West Broad Street on the left of your  
1116 screen. This potential project includes two adjacent properties located between Cox Road  
1117 and Dominion Boulevard, along Innslake Drive, as I mentioned. The potential developers  
1118 have provided basic development details at this time about a project they'd like to  
1119 development in the future. This project could be in keeping with the recommendations of  
1120 the Innsbrook Area Study, but no application can be submitted at this time because the  
1121 flexibility provided by the UMU ordinance is necessary, and each parcel is only slightly  
1122 larger than four acres, meaning they wouldn't meet the twenty-acre minimum even if they  
1123 combined resources.  
1124

1125 These developers are also asking staff to consider submission requirements regarding  
1126 certain analysis for projects in the Innsbrook area, as many of these analyses such as  
1127 water and sewer analyses, fiscal impact analysis, traffic studies—a lot of those—as you  
1128 know, Innsbrook is a very studied area for the County. We went through the Innsbrook  
1129 area study, land use amendment process, the traffic studies that were submitted as part  
1130 of the Highwoods rezoning. All of those types of things. The Department of Public Utilities  
1131 has done extensive study of this area as part of their facilities planning. So we've been  
1132 asked to look at whether all of those studies are maybe necessary within the Innsbrook  
1133 area.  
1134

1135 In looking at how development of smaller parcels in Innsbrook might be accommodated,  
1136 staff has also looked at how block-size project areas in other built-and-planned UMUs  
1137 have compared to this type of development. For instance, staff reviewed two apartment  
1138 blocks and associated retail and office development in West Broad Village, which is the  
1139 picture on your left. That encompasses a similar project area and has a residential density  
1140 of about thirty units per acre. In addition, Rocketts Landing, which you all are familiar with,

just south of the city of Richmond in the Varina District and shown on the right of your screen, has an overall residential density of approximately thirty-one units an acre. Something like that block area there approaches about forty units per acre.

UMU developments of less than twenty acres do not currently exist in the County. Everything is larger than twenty acres because it was necessary in order to rezone to UMU when those projects were developed. There are certainly portions of those developments that staff can look at as an example of how a UMU less than twenty acres might come to fruition in Innsbrook and look at block portions of those. Overall, we feel that there are examples in the County that are comparable from a density standpoint. However, as you know, rezoning would still be necessary, so project details would have to be worked out through that rezoning and plan of development process regardless of what happens here this morning.

So the goal of this process, as we stand right now, is that in order to address the concerns that have been raised by those Innsbrook stakeholders, several ordinance changes would be necessary. Our recommendation at this time would be to analyze our ordinance to determine if a reduction in minimum acreage is appropriate, as well as examine the necessity of all of the studies that I mentioned. As I did mention these potential changes were discussed with the Board at their work session on November 10th and at that work session it was determined that it could be appropriate to bring it back to the Commission to initiate staff going back and looking at these items and then coming back to the Commission with some initial recommendations.

To achieve these goals, we do believe that any ordinance amendment would need to be limited to the Innsbrook Study Area. We have a good boundary that was established through that process. There are areas designated UMU and some other land use designations. We also have other areas that we've looked at because the Innsbrook Area Study was broken into land bays. So there are some other things that we can look at as to what the bounds of the redevelopment area might be.

This amendment would likely revise the minimum acreage for the UMU district within this new special zone. So through some special method, we'd limit the area where this reduction would be appropriate. We'd also consider what impact studies are needed and how they'd be limited to the special zone.

Those are just our preliminary thoughts at this time. Other alternatives might arise as we have our conversation today, the conversation we had with the Board last week, or through future conversations with the public or through the public hearing process.

In order to begin analyzing these various options, we believe the next appropriate step is to have the Planning Commission initiate an ordinance review regarding UMU development within Innsbrook. There was a draft resolution that was provided to you in your addendum today. That was something that could be adopted today so the staff could start on that process moving forward. We would then consider various alternatives and present a recommended course of action to the Commission likely through a work session,



1187 which would be followed, obviously, but a public hearing to consider making a  
1188 recommendation to the Board.

1189  
1190 In order to follow the schedule discussed with the Board of Supervisors at their work  
1191 session, staff does recommend the Commission consider holding their own work session  
1192 on this topic at their December 10th meeting. That's the second discussion item that we'll  
1193 be getting to next. Depending on the outcome of the work session at that time, the  
1194 Commission could then set a public hearing on this topic.

1195  
1196 Our current timeline would anticipate changes moving through the Commission and then  
1197 to the Board, sometime in early spring in order to consider potentially having adoption of  
1198 any ordinance changes coming back to the Board in that time frame.

1199  
1200 So ultimately, we're currently in the very early stages of trying to address the concerns  
1201 that have been raised by these various stakeholders. We do believe it's appropriate to  
1202 consider these revisions to help support the recommendations, and findings of the  
1203 Innsbrook Area Study, which certainly recommended an approach that allowed for the  
1204 mixed use development and design flexibility to achieve those goals of the Innsbrook  
1205 Study.

1206  
1207 At this point, that would conclude my prepared remarks, but I would be happy to try to  
1208 answer any questions you might have about the process or anything else.

1209  
1210 Mr. Witte - Any questions?

1211  
1212 Mrs. O'Bannon - One of the comments made by a Board member was why can't  
1213 we just use a special overlay district, do we really need to go through this process?

1214  
1215 Mr. Sehl - And Mrs. O'Bannon, that's obviously one of the topics that we'd  
1216 be looking at as we — should the Commission tell us to go forward at this point, we'd be  
1217 looking at what ways that we could limit these changes to Innsbrook. And certainly one of  
1218 them would be through an overlay district.

1219  
1220 Mrs. O'Bannon - Okay.

1221  
1222 Ms. Jones - I have a question about the decision to specify twenty acres  
1223 versus now possibly four acres. It's a big disparity. Can you just refresh my memory as to  
1224 where the twenty-acre decision came from? Was it a historical kind of a decision or was it  
1225 from other localities or—explain that to me one more time.

1226  
1227 Mr. Emerson - Ms. Jones, that ordinance was adopted, I believe, in 2002. The  
1228 idea behind twenty acres, one, we looked at what other people were doing. And two, there  
1229 was a thought that you needed to have an acreage of at least that size to bring forward a  
1230 project that could accomplish the infrastructure improvements necessary to create a  
1231 development of that magnitude. You also needed to be able to have a master plan so you  
1232 would understand road networks and how all the pieces and parts fit together. The

1233 difference here would be that we studied Innsbrook. It is a redevelopment situation. Not  
1234 that Rocketts Landing wasn't a redevelopment situation, but it's a little different because  
1235 we're coming in and we're retrofitting more within Innsbrook, within a larger acreage area.  
1236 I think 1,047 acres just in the Urban Mixed Use designation in Innsbrook. With Rocketts,  
1237 we were piecing together former industrial areas where some of the buildings were being  
1238 torn down, some had been torn down. So you had some new buildings coming in. They  
1239 pieced together twenty acres or just a little over twenty, I believe, exactly.  
1240

1241 So we feel that this area, based on discussions with the ownership within Innsbrook,  
1242 possibly it deserves a little different treatment because of our studies, the existing road  
1243 network, and things like that that we haven't had in other areas. But that was the original  
1244 rationale of the twenty acres.  
1245

1246 Ms. Jones - Okay. That was slightly before my time on the Commission, but  
1247 thank you for that. If you go back to the goals, though, we're talking strictly about  
1248 Innsbrook.  
1249

1250 Mr. Emerson - Yes ma'am, that's correct.  
1251

1252 Ms. Jones - We're not talking about the ordinance in general.  
1253

1254 Mr. Emerson - Correct. We're talking about the Innsbrook area and what we  
1255 can do to facilitate some sort of activity within Innsbrook.  
1256

1257 Ms. Jones - Okay. Thank you.  
1258

1259 Mr. Archer - I have one question. With regard to what Ms. O'Bannon just  
1260 said about a special overlay district, who makes the rules that govern how you can create  
1261 or not create a special overlay district?  
1262

1263 Mr. Emerson - The Code of Virginia, of course, provides you enabling  
1264 language to create zoning ordinances. And through zoning ordinances, you have the ability  
1265 to create different types of districts. West Broad Street Overlay is a good example. But in  
1266 order to get there, you have to go through the process that we're suggesting, which is you  
1267 study the issues, you recommend code changes, and within your zoning code, you create  
1268 an overlay that provides either an exception to existing rules or rules that are greater than  
1269 the existing requirements within an area. You could consider an exception. Overlays can  
1270 accomplish different goals. In redevelopment areas they can be different than they are in  
1271 new development areas. So in this case, if we decided to call it an overlay—if this Board  
1272 or this Commission found it acceptable and then the Board found it acceptable and gave  
1273 it final okay, it would be an overlay of the Innsbrook area that would provide certain  
1274 exceptions to the larger code that governs outside of these special areas. It could be an  
1275 exception; it could be an overlay. *Overlay* is certainly a term that can be used and has  
1276 been discussed.  
1277

1278 Mr. Archer - All right. So ultimately it's the code.

1279  
1280 Mr. Emerson - Yes sir.  
1281  
1282 Mr. Archer - Which the authority for that rests within the General Assembly.  
1283  
1284 Mr. Emerson - Correct. And they've passed on to localities through the  
1285 enabling legislation in the code the ability to have zoning ordinances and exceptions,  
1286 overlays, and things as they are currently contained in your zoning code are contained  
1287 within zoning codes.  
1288  
1289 Mr. Archer - Thank you, sir.  
1290  
1291 Mr. Leabough - Quick question, Mr. Secretary. I don't remember the scope of  
1292 the consultant's work around the code review. Was any of this brought up during that  
1293 process at all in terms of the minimum acreage required for the UMU?  
1294  
1295 Mr. Emerson - Well, the assessment, which this group hasn't seen was  
1296 completed by the consultant. I sent it on to the deputy manager. But it does have within it  
1297 discussions of updating our ordinance, which I think all of us are aware is very, very old.  
1298 That's pre-1960. I think 1959 is date on our current zoning code. And it does have its  
1299 challenges. It has been amended over time for various different things. One of the  
1300 comments within that assessment is the need for us to modernize our code and have a  
1301 form-based type of zoning.  
1302  
1303 Mr. Leabough - This seems a bit reactive, this potential overlay or whatever it's  
1304 called. I guess should we look at that study to see what else we could pull out of it maybe  
1305 that could be applicable to other areas of the County? I know Varina is in need of some  
1306 sort of overlay or some sort of study. So we're not doing this for every single area that  
1307 comes up. Is there any rationale or any—not rationale. But should we look at this for other  
1308 areas as well instead of being reactive to what's going on in Innsbrook? Innsbrook is kind  
1309 of evolving into a different development, it seems like, from a market standpoint. So should  
1310 we be looking at this for maybe other areas of the County?  
1311  
1312 Mr. Emerson - I think in this case you have an Innsbrook Area Study that was  
1313 completed and adopted by the Board. We're trying to work within those confines to  
1314 revitalize and continue the strong employment base we have within Innsbrook. Varina also  
1315 has study areas, which we're currently looking at some of those. Hopefully, we'll come  
1316 forth with something to you in the not-too-distant future regarding some of the concerns of  
1317 Varina.  
1318  
1319 Regardless of how new or old your code is, there will always be special exceptions that  
1320 will come forward based upon needs of a certain area, overlays, changes in the code. A  
1321 code, I think, is a very dynamic type of document, and really can't rest idly, and should be  
1322 visited on a regular basis, quite honestly. I do hope—I continue to ask for budget funding  
1323 to begin the process of updating both the zoning code and the subdivision ordinance. We  
1324 did go through quite an extensive process on the assessment. I would like to move forward



1325 with that. There hasn't been funding available over the last several years, but hopefully  
1326 the Board may find some funding to begin that this next year. I think it's a very important  
1327 process. It will be a long process. Not to put any of our current Planning Commission  
1328 members on the spot.

1329  
1330 Mr. Branin - Thank you for your comments.

1331  
1332 Mr. Emerson - I have been discussing it with the County Manager, so  
1333 hopefully we'll move forward this year.

1334  
1335 Mr. Witte - Any other questions?

1336  
1337 Mr. Emerson - With that, Mr. Chairman, I would request that the Planning  
1338 Commission consider Resolution PCR-5-15 initiating the work of consideration of an  
1339 amendment to the Zoning Ordinance to address development standards for Urban Mixed  
1340 Use project in the Innsbrook Study area.

1341  
1342 Mr. Leabough - So moved.

1343  
1344 Mr. Branin - Second.

1345  
1346 Mr. Witte - We have a motion by Mr. Branin, second by Mr. Archer. All in  
1347 favor say aye. Opposed?

1348  
1349 Mr. Branin - May I make a quick comment on something?

1350  
1351 Mr. Witte - Absolutely.

1352  
1353 Mr. Branin - To my fellow commissioners and staff, please be aware. I had  
1354 a lengthy conversation two days ago with a developer that developed out, sold his lots.  
1355 The elevations that were provided were fantastic. Lots of brick, lots of stone. All  
1356 HardiPlank. All of that was fantastic. The houses are currently being built, and they have  
1357 decided to put as an option decks. So some of the houses have sliding glass doors with  
1358 two-by-fours across it. I haven't seen that since the '80s. So I had a sit-down conversation,  
1359 and now that builder is actually putting decks onto those houses for free because I  
1360 explained to him that wasn't acceptable. In talking to our Director of Planning, he said it  
1361 legally meets code.

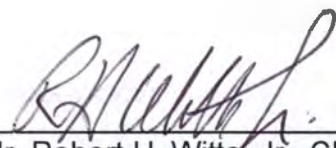
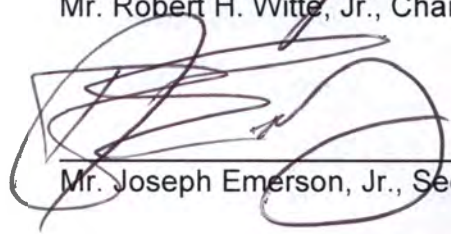
1362  
1363 Mr. Archer - It does.

1364  
1365 Mr. Branin - So we as a Commission need to be aware that people can do  
1366 shortcuts. So in future projects with subdivisions, keep in mind that you might want to throw  
1367 that proffer into your tool bag that all back sliding glass doors must have porches.

1368  
1369 Mr. Leabough - Couldn't we just ask staff to make sure that's incorporated  
1370 going forward for every project? I don't have an issue with it; it makes good sense to me.

1371  
1372 Mr. Emerson - Absolutely. Mr. Branin and I discussed this last night. I was  
1373 quite surprised. When you look at the percentage cost of a deck or a patio—  
1374  
1375 Mr. Branin - These houses are selling for \$600,000, and there's a two-by-  
1376 four across the back.  
1377  
1378 Mr. Emerson - As Mr. Branin and I discussed last night, if it were a \$150,  
1379 \$200,000 home, a \$3,000 deck in the terms of a 30-year mortgage is a minor adjustment.  
1380 And it certainly makes the neighborhood look finished. And I don't think that's something  
1381 you want going on in your neighborhoods because those can stay there for a number of  
1382 years. I'm surprised. I hadn't seen that for a long, long time.  
1383  
1384 Mr. Archer - It used to be quite common. When I bought my house in 1988,  
1385 we didn't have two-by-fours, we had a nice little aluminum gate. If you missed it, you  
1386 stepped off into nothingness. And I had to build my own deck.  
1387  
1388 Mr. Branin - If that's the case, then they should put no door.  
1389  
1390 Mr. Archer - I would have agreed then.  
1391  
1392 Mr. Branin - And just because by law it meets the building code, it doesn't  
1393 mean we need to accept it. I haven't seen it in my ten years on the Commission. So a new  
1394 builder to the Richmond and Henrico area built the houses. I was very happy with the  
1395 elevation and the front facade. As I was riding down the road I went whoa, whoa, whoa.  
1396  
1397 Mr. Archer - Those two-by-fours are a little cheap.  
1398  
1399 Mr. Leabough - Decorative two-by-fours.  
1400  
1401 Mr. Branin - They're painted white. So please, that's my comment for the  
1402 day.  
1403  
1404 **DISCUSSION ITEM:** The Commission will consider scheduling a Work Session to  
1405 Discuss Potential Ordinance Amendments for Urban Mixed Use Developments located  
1406 within the Innsbrook Study Area for December 10, 2015.  
1407  
1408 Mr. Emerson - Mr. Chairman, we do have one other item I'd like for you to  
1409 consider and that's scheduling a work session at your December 10th meeting for staff to  
1410 work with you some more regarding the topic that you just initiated the resolution on, which  
1411 of course is the Urban Mixed Use code and how it is applied in Innsbrook. Certainly we'll  
1412 feed you. I anticipate that meeting that evening could be lengthy. So I'm open to times for  
1413 you to come in. There may be a lot of questions and discussion around the Innsbrook  
1414 topic. So 5:30, 5:45? Whatever suits your pleasure.  
1415  
1416 Ms. Jones - Five thirty because that really means 5:45.

1417  
1418 Mr. Leabough - Five fifteen for me.  
1419  
1420 Mr. Witte - Four o'clock.  
1421  
1422 Mr. Archer - So 5:30?  
1423  
1424 Mr. Leabough - Is a motion required, Mr. Secretary?  
1425  
1426 Mr. Emerson - No, we can do it by consensus. If everybody is comfortable  
1427 with a 5:30 work session, we will place it on your agenda and plan appropriately for that.  
1428  
1429 Mr. Witte - Five thirty sounds good then.  
1430  
1431 Mr. Emerson - Thank you very much. With that, Mr. Chairman, I have nothing  
1432 further for the Commission this morning.  
1433  
1434 Mr. Witte - Do we have a motion to adjourn?  
1435  
1436 Ms. Jones - So moved.  
1437  
1438 Mr. Archer - Second.  
1439  
1440 Mr. Witte - Thank you, staff.  
1441  
1442  
1443  
1444  
1445  
1446  
1447  
1448  
1449  
1450  
1451

  
\_\_\_\_\_  
Mr. Robert H. Witte, Jr., Chairman  
\_\_\_\_\_  
Mr. Joseph Emerson, Jr., Secretary