

1 Minutes of the regular monthly meeting of the Planning Commission of the County of Henrico,
2 Virginia, held in the Board Room of the County Administration Building in the Government
3 Center at Parham and Hungary Springs Roads, Beginning at 9:00 a.m. Wednesday, February 23,
4 2005.

5

6 Members Present: Mr. Ernest B. Vanarsdall, C.P.C., Chairperson (Brookland)
7 Mr. C. W. Archer, C.P.C., Vice Chairperson (Fairfield)
8 Mr. E. Ray Jernigan, C.P.C. (Varina)
9 Mr. John Marshall (Three Chopt)
10 Mrs. Lisa D. Ware, C.P.C. (Tuckahoe)
11 Mr. David A. Kaechele, (Three Chopt) Board of Supervisors
12 Representative

13

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

24

25 Others Absent: Mr. Randall R. Silber, Director of Planning, Secretary

26

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

29

30 Mr. Vanarsdall - All right we will now get started. Mrs. Ware will be a few minutes late,
31 and Mr. Dave O'Kelly is going to serve as Secretary of the Planning Commission this
32 morning. I'm glad to have everybody here. Dave, I'll turn the meeting over to you.

33

34 Mr. O'Kelly - Thank you, Mr. Chairman. As you mentioned, the Tuckahoe
35 representative will be late this morning but all the rest of the Commission members are present.
36 We do have a quorum and the first item on the agenda is requests for deferrals and
37 withdrawals. Ms. Leslie News will present that presentation.

38

39 Mr. Vanarsdall - Good morning, Ms. News.

40

41 Ms. News - Good morning, Mr. Chairman, members of the Commission. We have
42 two items on this list. The first item is actually not a deferral. It requires no action from the
43 Planning Commission. This is on page 8 of your agenda in the Fairfield District, a landscape
44 and lighting plan for LP/POD-40-04, Mountain Road Retail Shops.

45

46 **LANDSCAPE & LIGHTING PLAN**

47

LP/POD-40-04 **Architects Dayton Thompson, PC for Patriot II, LLC:**
Mountain Road Retail Shops Request for approval of a landscape and lighting plan, as
1574 Mountain Road required by Chapter 24, Sections 24-106 and 24-106.2 of the
Henrico County Code. The 2.8-acre site is located at the
southeast corner of Mountain Road and New York Avenue on
parcel 781-761-8665. The zoning is B-3, Business District.
(Fairfield)

48

49 Ms. News - This case is not properly before the Commission because public notice
50 was not sent out and we will be placing this case on the March 30, 2005, agenda and removing
51 it from this agenda.

52

53 Mr. Vanarsdall - Thank you, Ms. News.

54

55 **THIS CASE WILL BE HEARD AT THE MARCH 30, 2005 MEETING**

56

57 Ms. News - The second item is on page 31 of your agenda and it is located in the
58 Varina District. This is subdivision Wilton Parkway (December 2004 Plan).

59

60 **SUBDIVISION (Deferred from the January 26, 2005 Meeting)**

61

Wilton Parkway **Youngblood, Tyler & Associates, P.C. for Florence C.**
(December 2004 Plan) **Garton et al., William R. & R. A. Pumphrey, Ronald B.**
New Market Road to\ **Kiser, Life Int., Stirel M., Jr. & A. J. Paston, David B. &**
Osborne Turnpike **Barbara L. Kiser, James H., Jr. & V.H. Palmer, Interstate**
Construction Corp., Ralph H. Wigton, Kermit L., Sr. & B.
J. Cephas, Eugene B. & Shirley S. Moyer, Jeffrey T. & J.
L. K. White, Susan J. McDonald, Nathan E. & Dawne D.
Jones, Glauson Investments Corp., and HHHunt Corp.: The
20.95-acre site proposed for a public road is located at its
eastern terminus on New Market Road (State Route 5),
approximately 300 feet north of Battlefield Park Road, to its
western terminus, approximately 1100 feet west of the
intersection of Osborne Turnpike and Mill Roads on parcels
809-692-4528, 809-691-6235, 809-691-2613, 808-690-7572,
808-690-3884, 808-690-0946, 808-690-1074, 808-690-9385,
805-688-7568, 803-687-7700, 803-686-8177, 803-686-8950,
803-686-7753, 803-686-6854, 803-686-5549, 803-686-4052,
803-686-2162, 803-686-1847, 803-686-9862, 802-686-9466,
802-686-7867, 803-686-2025, 803-686-0426 and 798-683-
5459. The zoning is A-1, Agricultural District and R-2A, One-
Family Residence District. **(Varina) 0 Lots**

62

63 Ms. News - The applicant has requested a deferral to the March 30, 2005, meeting.
64 That's a change from the agenda that you have in front of you.

65

66 Mr. Vanarsdall - Is there anyone in the audience in opposition to Wilton Parkway
67 deferment? This is going to be 30-day deferment, in the Varina District. All right, Mr.
68 Jernigan.

69

70 Mr. Jernigan - Mr. Chairman, I move for deferral of subdivision Wilton Parkway
71 (December 2004 Plan) to April 27, 2005, by request of the applicant.

72

73 Ms. News - Mr. Jernigan, they requested to March 30. The agenda you have is
74 incorrect.

75

76 Mr. Jernigan - I'm sorry. Change that date to March 30.

77

78 Mr. Marshall - Second.

79

80 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Marshall.
81 All in favor say aye...all opposed say nay. The motion passes.

82

83 At the request of the applicant, the Planning Commission deferred Wilton Parkway (December
84 2004 Plan) to its March 30, 2005, meeting. Mrs. Ware had not arrived.

85

86 Mr. Jernigan - Ms. News, do you have any more deferrals?

87

88 Ms. News - That's all of the deferrals that we are aware of.

89

90 Mr. Jernigan - I have one that I would like to add in here at the last minute. It's on
91 page 28, Majestic Meadows (September 2004 Plan).

92

93 **SUBDIVISION (Deferred from the January 26, 2005 Meeting)**

94

Majestic Meadows
(September 2004 Plan)

**Engineering Design Associates for Reginald H. Nelson, IV
and Phyllis Marie Nelson:** The 180.94-acre site proposed for a
subdivision of 130, single-family homes is located at 9421
Osborne Turnpike at the northeast corner of the intersection of
Osborne Turnpike and Kingsland Road on parcel 808-672-
3167. The zoning is A-1, Agricultural District. Individual well
and septic tank/drainfield. **(Varina) 130 Lots**

95

96 Mr. Vanarsdall - Is there anyone in the audience in opposition to the deferral of
97 subdivision Majestic Meadows in the Varina District? All right, no opposition. Mr. Jernigan.

98

99 Mr. Jernigan - Mr. Chairman, I move to defer subdivision Majestic Meadows to the
100 March 10, 2005, Zoning Meeting, by request of the Commission.

101 Mr. Archer - Second.

102

103 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Archer.
104 All in favor say aye...all opposed say nay. The motion passes.

105

106 The Planning Commission deferred Majestic Meadows (September 2004 Plan) to its March 10,
107 2005, meeting. Mrs. Ware had not arrived.

108

109 Mr. Vanarsdall - Do any other Commissioners have any deferments?

110

111 Mr. O'Kelly - Hearing none, Mr. Chairman, the next item on the agenda is the
112 Expedited Agenda, and the presentations will be made by Ms. Leslie News. For those of you
113 that are not familiar with the Expedited Agenda, these are cases where the staff and the
114 applicant are in agreement with the annotations on the plans and the conditions recommended
115 to the Commission. We are not aware of any opposition to those cases, and the Planning
116 Commissioner for the district is also in agreement. We have a number of items on the
117 Expedited Agenda this morning.

118

119 Mr. Vanarsdall - Thank you, Mr. O'Kelly. Ms. News.

120

121 Ms. News - Yes, sir. There are 11 items on the agenda, and one that I am aware of
122 to be added. The first item is on page 2 of your agenda and it is located in the Three Chopt
123 District.

124

125 **TRANSFER OF APPROVAL**

126

Circuit City Headquarters, Building #2 POD-43-92 POD-8-97 and a portion of POD-75-95 9960 Mayland Drive	James W. Theobald for Daniel Realty Corporation: Request for transfer of approval as required by Chapter 24, Section 24- 106 of the Henrico County Code from Circuit City Stores, Inc. to Daniel Realty Corporation. The 32-acre site is located at 9960 Mayland Drive on part of parcels 749-758-7718 and 1204. The zoning is M-1, Light Industrial District. County water and sewer. (Three Chopt)
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127

128 Mr. Vanarsdall - Is there any opposition to this case? No opposition. Mr. Marshall.

129

130 Mr. Marshall - Mr. Chairman, I move for approval of the transfer of approval Circuit
131 City Headquarters, Building #2, POD-43-92, POD-8-97 and a portion of POD-75-95.

132

133 Mr. Jernigan - Second.

134

135 Mr. Vanarsdall - The motion was made by Mr. Marshall and seconded by Mr. Jernigan.
136 All in favor say aye...all opposed say nay. The motion passes.

137 The Planning Commission approved the transfer of approval request for Circuit City
138 Headquarters, Building #2, POD-43-92, POD-8-97 and a portion of POD-75-95, subject to the
139 new owner accepting and agreeing to be responsible for continued compliance with the
140 conditions of the original approval. Mrs. Ware had not arrived.

141

142 Ms. News - The next item is on page 3 of your agenda and is located in the Three
143 Chopt District. This is a transfer of approval, POD-61-72, 1500 Forest Avenue, Randolph
144 Building in the Koger Office Complex. There is also an addendum item on page 1 of your
145 addendum which adds condition No. 1 stating that deficiencies as identified in the inspector's
146 report dated February 8, 2005 shall be corrected by March 31, 2005.

147

148 **TRANSFER OF APPROVAL**

149

POD-61-72
1500 Forest Avenue
Randolph Building
Koger Office Complex

**Hirschler Fleischer and Mr. James G. Harrison, III for M
& H Realty Four LLC:** Request for transfer of approval as
required by Chapter 24, Section 24-106 of the Henrico County
Code from Forest Park Associates, LLC to M&H Realty Four
LLC. The 3.2-acre site is located at the northwest corner of the
intersection of Forest Avenue and Three Chopt Road on parcel
759-743-1448. The zoning is O-2, Office District. County
water and sewer. **(Three Chopt)**

150

151 Mr. Vanarsdall - Is there anyone in the audience in opposition to this case POD-61-72, in
152 the Three Chopt District? There's no opposition. Mr. Marshall.

153

154 Mr. Marshall - Mr. Chairman, I move for approval of transfer of approval POD-61-72,
155 1500 Forest Avenue Randolph Building in the Koger Office Complex with added condition No.
156 1 on page one of the addendum.

157

158 Mr. Jernigan - Second.

159

160 Mr. Vanarsdall - The motion was made by Mr. Marshall and seconded by Mr. Jernigan.
161 All in favor say aye...all opposed say nay. The motion is passed.

162

163 The Planning Commission approved the transfer of approval request for POD-61-72, 1500
164 Forest Avenue, Randolph Building Koger Office Complex, subject to the new owner accepting
165 and agreeing to be responsible for continued compliance with the conditions of the original
166 approval and the following additional condition. Mrs. Ware had not arrived.

167

168 1. The deficiencies as identified in the inspector's report dated **February 8, 2005** shall be
169 corrected by **March 31, 2005**.

170 Ms. News - The next request is on page 4 of your agenda, and it is located in the
171 Fairfield District. This is landscape and lighting plan LP/POD-28-04, Dominion Townes
172 Phase I and II.

173

174 **LANDSCAPE & LIGHTING PLAN**

175

LP/POD-28-04 **Koontz-Bryant, P.C. for EJD Associates, Inc.:** Request for
Dominion Townes Phase I approval of a landscape and lighting plan, as required by
and II - Creighton Road Chapter 24, Sections 24-106 and 24-106.2 of the Henrico
County Code. The 18.11-acre site is located on the south line of
Creighton Road, 488 feet east of its intersection with N.
Laburnum Avenue on parcels 809-729-7165 and 810-728-3075.
The zoning is RTHC, Residential Townhouse District
(Conditional). **(Fairfield)**

176

177 Mr. Vanarsdall - This case is LP/POD-28-04, Dominion Townes in the Fairfield District.
178 Is there anyone in the audience in opposition? There's no opposition. Mr. Archer.

179

180 Mr. Archer - Mr. Chairman, I move approval on the Expedited Agenda of LP/POD-
181 28-04 subject to the annotations on the plans and the standard conditions for landscape and
182 lighting plans.

183

184 Mr. Jernigan - Second.

185

186 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mr. Jernigan.
187 All in favor say aye...all opposed say nay. The ayes have it. The motion is passed.

188

189 The Planning Commission approved the landscape and lighting plan for LP/POD-28-04,
190 Dominion Townes Phase I and II, subject to the annotations on the plan and the standard
191 conditions attached to these minutes for landscape and lighting plans. Mrs. Ware had not
192 arrived.

193

194 Ms. News - Next on page 5 of your agenda and located in the Brookland District is a
195 landscape and lighting plan, LP/POD-74-01, for the Professional Offices @ CrossRidge.

196

197 **LANDSCAPE & LIGHTING PLAN**

198

LP/POD-74-01 **Jordan Consulting Engineers for SMCR PPD, LC:** Request
Professional Offices @ for approval of a landscape and lighting plan, as required by
CrossRidge Chapter 24, Sections 24-106 and 24-106.2 of the Henrico
County Code. The 9-acre site is located on the west side of
Staples Mill Road opposite Warren Road on parcel 765-763-
4170. The zoning is O-2C, Office District (Conditional).
(Brookland)

199

200 Mr. Vanarsdall - Is there anyone in the audience in opposition to LP/POD-74-01,
201 Professional Offices @ CrossRidge? There's no opposition. I move that LP/POD-74-01 be
202 approved with the standard conditions for landscape and lighting plans on the Expedited
203 Agenda as recommended by staff.

204

205 Mr. Marshall - Second.

206

207 Mr. Vanarsdall - The motion was made by Mr. Vanarsdall and seconded by Mr. Marshall.
208 All in favor say aye...all opposed say nay. The ayes have it. The motion is passed.

209

210 The Planning Commission approved the landscape and lighting plan for LP/POD-74-01,
211 Professional Offices @ CrossRidge, subject to the annotations on the plans and the standard
212 conditions for landscape and lighting plans. Mrs. Ware had not arrived.

213

214 Ms. News - Next on page 6 on your agenda, landscape and lighting plan LP/POD-20-
215 04, Independence Park Medical Office, which is located in the Three Chopt District.

216

217 **LANDSCAPE & LIGHTING PLAN**

218

LP/POD-20-04 Independence Park Medical Office	Purvis & Associates, Inc. for G.M.H. Virginia: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 25.11-acre site is located at the northeast corner of the intersection of Gaskins Road and Interstate 64 on parcels 751-756-9768 and 752-757-0556. The zoning is M-1C, Light Industrial District (Conditional). (Three Chopt)
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219

220 Mr. Vanarsdall - Is there anyone in the audience in opposition to LP/POD-20-04,
221 Independence Park Medical Office, in the Three Chopt District? There's no opposition. Mr.
222 Marshall.

223

224 Mr. Marshall - Mr. Chairman, I move approval of LP/POD-20-04, Independence Park
225 Medical Office, subject to the annotation on the plan and the standard conditions for landscape
226 and lighting plans.

227

228 Mr. Archer - Second.

229

230 Mr. Vanarsdall - The motion was made by Mr. Marshall and seconded by Mr. Archer. All
231 in favor say aye...all opposed say nay. The ayes have it. The motion is passed.

232

233 The Planning Commission approved the landscape and lighting plan for LP/POD-20-04,
234 Independence Park Medical Office, subject to the annotations on the plans and the standard
235 conditions for landscape and lighting plans. Mrs. Ware had not arrived.

236

237

273 **THIS CASE WAS REMOVED FROM THE EXPEDITED AND PLACED ON THE**
274 **REGULAR AGENDA (SEE PAGE 28 OF THESE MINUTES)**

275

276 Ms. News - The next case is found on page 9 of your agenda, landscape and lighting
277 plan, LP/POD-76-03, and it is located in the Tuckahoe District. This is Bruster's @ John Rolfe
278 Commons Shopping Center.

279

280 **LANDSCAPE & LIGHTING PLAN**

281

LP/POD-76-03 Bruster's @ John Rolfe Commons Shopping Center - 2100 John Rolfe Parkway (POD-79-01 Revised)	Balzer & Associates, Inc. for The Wilton Companies, LLC: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 0.52-acre site is located on the north side of Ridgefield Parkway, approximately 1,100 feet west of John Rolfe Parkway in the John Rolfe Commons Shopping Center on parcels 737-751-6513, 737-751-0067 and 736-751-6330. The zoning is B-2C, Business District (Conditional). (Tuckahoe)
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282

283 Mr. Vanarsdall - Is there anyone in the audience in opposition to Bruster's in the Tuckahoe
284 District? If you have had any Bruster's ice cream, you couldn't possibly be in opposition.
285 There's no opposition.

286

287 Mr. Archer - Mr. Chairman, I recommend approval of LP/POD-76-03, Bruster's @
288 John Rolfe Commons Shopping Center, subject to the annotations on the plans and the standard
289 conditions for landscape and lighting.

290

291 Mr. Marshall - Second.

292

293 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mr. Marshall.
294 All in favor say aye...all opposed say nay. The ayes have it. The motion is passed.

295

296 The Planning Commission approved the landscape and lighting plan for LP/POD76-03,
297 Bruster's @ John Rolfe Commons Shopping Center, subject to the standard conditions attached
298 to these minutes for landscape and lighting plans and the annotations on the plan. Mrs. Ware
299 had not arrived.

300

301 Ms. News - Next on page 15 of your agenda and located in the Brookland District is
302 POD-16-05, Landmark Office Condominiums. There is an addendum item on page 2 of your
303 addendum. Several items are addressed. There is a revision to the caption that reduces the
304 number of buildings from 11 to 9, which is what is shown on the plan.

305

306 There is a recommendation for approval from the staff based on the applicant agreeing to
307 provide integral color split face block instead of the painted CMU that they were originally
308 proposing. There is a revised condition requiring a subdivision plat to be submitted for

- 343 with their facilities.
- 344 26. Any necessary off-site drainage and/or water and sewer easements must be obtained in a
 345 form acceptable to the County Attorney prior to final approval of the construction
 346 plans.
- 347 27. Deviations from County standards for pavement, curb or curb and gutter design shall be
 348 approved by the County Engineer prior to final approval of the construction plans by
 349 the Department of Public Works.
- 350 28. Insurance Services Office (ISO) calculations must be included with the plans and
 351 contracts and must be approved by the Department of Public Utilities prior to the
 352 issuance of a building permit.
- 353 29. Approval of the construction plans by the Department of Public Works does not
 354 establish the curb and gutter elevations along the Henrico County maintained right-of-
 355 way. The elevations will be set by Henrico County.
- 356 30. The location of all existing and proposed utility and mechanical equipment (including
 357 HVAC units, electric meters, junction and accessory boxes, transformers, and
 358 generators) shall be identified on the landscape plans. All equipment shall be screened
 359 by such measures as determined appropriate by the Director of Planning or the Planning
 360 Commission at the time of plan approval.
- 361 31. The conceptual master plan, as submitted with this application, is for planning and
 362 information purposes only. All subsequent detailed plans of development and
 363 construction plans needed to implement this conceptual plan may be administratively
 364 reviewed and approved and shall be subject to all regulations in effect at the time such
 365 subsequent plans are submitted for review/approval.
- 366 32. The subdivision plat for Landmark Road shall be recorded before any building permits
 367 are issued.
- 368 33. Prior to approval of construction plans, the 66-foot private access easement across the
 369 northern end of the site shall be vacated and proof of the vacation shall be provided to
 370 the Department of Planning prior to issuance of building permits.

371

372 Ms. News - Next on page 21 of your agenda and located in the Tuckahoe District is
 373 subdivision Westhampton Glen (January 2005 Plan) for 37 lots. There is an addendum item on
 374 page 3 of your addendum that indicates that all of the outstanding issues have been resolved in
 375 regard to the subdivision layout and staff is now recommending approval.

376

377 **SUBDIVISION (Deferred from the January 26, 2005 Meeting)**

378

Westhampton Glen
 (January 2005 Plan) -
 Patterson Avenue

Bay Design Group, P.C. for SCI Virginia Funeral Services, Inc. and Wilton Development Corporation: The 22.6061-acre site proposed for a subdivision of 37 single-family homes is located along the north side of Patterson Avenue (State Route 6), approximately 1,700 feet west of the intersection of Patterson Avenue and Gaskins Road on part of parcel 744-742-5871. The zoning is R-2C, One-Family Residence District (Conditional). County water and sewer. **(Tuckahoe) 37 Lots**

379

380 Mr. Vanarsdall - Is there anyone in the audience in opposition to subdivision Westhampton
381 Glen (January 2005 Plan)? There's no opposition.

382

383 Mr. Archer - Mr. Chairman, I recommend approval of subdivision Westhampton Glen
384 subject to the standard conditions and additional conditions Nos. 12 through 20. Was there an
385 addendum item on this also?

386

387 Ms. News - The addendum was just a revised recommendation.

388

389 Mr. Archer - All right. That concludes my motion.

390

391 Mr. Jernigan - Second.

392

393 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mr. Jernigan.
394 All in favor say aye...all opposed say nay. The ayes have it. The motion is passed.

395

396 The Planning Commission granted conditional approval to subdivision Westhampton Glen
397 (January 2005 Plan) subject to the standard conditions attached to these minutes for
398 subdivisions served by public utilities, the annotations on the plan and the following additional
399 conditions. Mrs. Ware arrived during this case.

400

401 12. Each lot shall contain at least 18,000 square feet.

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

404 14. The proffers approved as part of zoning case C-73C-03 shall be incorporated in this
405 approval.

406 15. Any future building lot containing a BMP, sediment basin or trap and located within the
407 buildable area for a principal structure or accessory structure, may be developed with
408 engineered fill. All material shall be deposited and compacted in accordance with the
409 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
410 professional engineer. A detailed engineering report shall be submitted for the review and
411 approval by the Building Official prior to the issuance of a building permit on the affected
412 lot. A copy of the report and recommendations shall be furnished to the Directors of
413 Planning and Public Works.

414 16. The detailed plant list and specifications for the landscaping to be provided within the 100-
415 foot-wide planting strip easement along Patterson Avenue shall be submitted to the
416 Department of Planning for review and approval prior to recordation of the plat.

417 17. The detailed plant list and specifications for the landscaping to be provided within the 20-
418 foot-wide planting strip easement along the eastern property line adjacent to the
419 Westhampton Memorial Park shall be submitted to the Department of Planning for review
420 and approval prior to recordation of the plat.

421 18. A cash proffer, in accordance with the requirement of proffer #12 of rezoning case C-
422 53C-04, shall be paid by the developer to Henrico County, prior to the issuance of any
423 building permits.

424 19. A tree survey for the trees to remain within the 10 and 20-foot proffered buffers shall be

425 submitted to the Department of Planning for review and approval, prior to construction
426 plan approval.

427 20. All trees to be preserved within the 10 and 20-foot buffers shall be clearly identified with
428 a tree protection device, as determined by the Director of Planning, prior to any clearing
429 on the property.

430

431 Ms. News - Next on page 32 in your agenda, located in the Brookland District, is
432 subdivision Millside (January 2005 Plan) for 2 lots.

433

434 **SUBDIVISION (Deferred from the January 26, 2005 Meeting)**

435

Millside (January 2005 Plan) **A. G. Harocopos & Associates, P.C. and Ahsan Qureshi for**
Mill Road and **Arshad Mahmood:** The 1.19-acre site proposed for a
Chickahominy Branch Drive subdivision of 2 single-family homes is located at the southwest
corner of the intersection of Mill Road and Chickahominy
Branch Drive on parcels 767-774-1547 and 2445. The zoning is
R-2, One-Family Residence District. County water and sewer.
(Brookland) 2 Lots

436

437 Mr. Vanarsdall - Is there anyone in the audience in opposition to Millside (January 2005
438 Plan) in the Brookland District? There's no opposition. I move Millside be approved with the
439 annotations on the plans, the standard conditions for subdivisions served by public utilities and
440 the following conditions Nos. 12, 13 and 14.

441

442 Mr. Jernigan - Second.

443

444 Mr. Vanarsdall - The motion was made by Mr. Vanarsdall and seconded by Mr. Jernigan.
445 All in favor say aye...all opposed say nay. The ayes have it. The motion is passed.

446

447 The Planning Commission granted conditional approval to subdivision Millside (January 2005
448 Plan) subject to the standard conditions attached to these minutes for subdivisions served by
449 public utilities, the annotations on the plan and the following additional conditions:

450

451 12. Each lot shall contain at least 18,500 square feet.

452 13. The detailed plant list and specifications for the landscaping to be provided within the
453 25-foot-wide planting strip easement along Mill Road shall be submitted to the
454 Department of Planning for review and approval prior to recordation of the plat.

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

457

458 Ms. News - Next on page 33 of your agenda, located in the Varina District, is
459 subdivision Castleton (February 2005 Plan) for 494 lots.

460 **SUBDIVISION**

461

Castleton
(February 2005 Plan)

Townes Site Engineering for Byrl S. Sutton, Jr. and Sharon S. Johnson and Ross Run, LLC: The 266.726-acre site proposed for a subdivision of 494 single-family homes is located on Darbytown and Doran Roads on parcels 825-692-8035 and 823-693-4446. The zoning is R-2AC, One-Family Residence District (Conditional), R-3AC, One-Family Residence District (Conditional) and A-1, Agricultural District. County water and sewer. **(Varina) 494 Lots**

462

463 Mr. Vanarsdall - Is there anyone in the audience in opposition to Castleton (February 2005
464 Plan) in the Varina District? There's no opposition.

465

466 Mr. Jernigan - I have a question for Mr. Kennedy.

467

468 Mr. Vanarsdall - Is Mr. Kennedy in the audience?

469

470 Ms. News - He must be in the lobby.

471

472 Mr. Vanarsdall - Do you want to pass this by until he gets here?

473

474 Mr. Jernigan - Well, it's just simple. We talked about changing a condition the other
475 day and I didn't see it in here so I just wanted to question him about that.

476

477 Mr. Vanarsdall - We will just put that to the side and come back to it at the end of the
478 meeting. Go ahead, Ms. News.

479

480 **THIS CASE WAS PASSED OVER UNTIL AFTER THE NEXT CASE (SEE PAGE 16).**

481

482 Ms. News - Staff is aware of one additional request for the Expedited Agenda and
483 that is on page 10 in your agenda located in the Three Chopt District. This is POD-47-04, the
484 Retail Buildings - Town Center @ Twin Hickory.

485

- 521 25. A standard concrete sidewalk shall be provided along the south side of Old Nuckols
522 Road.
- 523 26. The proffers approved as a part of zoning cases C-19C-94, C-56C-94, C-49C-96 and C-
524 68C-99 shall be incorporated in this approval.
- 525 27. No merchandise shall be displayed or stand outside of the buildings or on sidewalks.
- 526 28. Any necessary off-site drainage and/or water and sewer easements must be obtained in a
527 form acceptable to the County Attorney prior to final approval of the construction
528 plans.
- 529 29. The ground area covered by all buildings shall not exceed in the aggregate 25 percent of
530 the total site area.
- 531 30. Deviations from County standards for pavement, curb or curb and gutter design shall be
532 approved by the County Engineer prior to final approval of the construction plans by
533 the Department of Public Works.
- 534 31. Insurance Services Office (ISO) calculations must be included with the plans and
535 contracts and must be approved by the Department of Public Utilities prior to the
536 issuance of a building permit.
- 537 32. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
538 Department of Planning and approved prior to issuance of a certificate of occupancy for
539 this development.
- 540 33. The location of all existing and proposed utility and mechanical equipment (including
541 HVAC units, electric meters, junction and accessory boxes, transformers, and
542 generators) shall be identified on the landscape plans. All equipment shall be screened
543 by such measures as determined appropriate by the Director of Planning or the Planning
544 Commission at the time of plan approval.

545
546 **MR. KENNEDY RETURNS AND THE PLANNING COMMISSION CONTINUES**
547 **WITH THIS CASE CASTLETON (FEBRUARY 2005 PLAN).**

548
549 **SUBDIVISION**
550

Castleton
(February 2005 Plan)

Townes Site Engineering for Byrl S. Sutton, Jr. and Sharon S. Johnson and Ross Run, LLC: The 266.726-acre site proposed for a subdivision of 494 single-family homes is located on Darbytown and Doran Roads on parcels 825-692-8035 and 823-693-4446. The zoning is R-2AC, One-Family Residence District (Conditional), R-3AC, One-Family Residence District (Conditional) and A-1, Agricultural District. County water and sewer. **(Varina) 494 Lots**

551
552 Mr. Jernigan - Mr. Kennedy, I just want to ask you, our conversation the other day on
553 cutting the roads to 30 feet and then putting two-car garages on every house. I didn't see any
554 condition.

555
556 Mr. Kennedy - We haven't addressed that because Public Works hasn't approved that
557 request yet. It can be approved by Public Works that way.

558 Mr. Jernigan - We can just sign off on it later?
559
560 Mr. Kennedy - Yes.
561
562 Mr. Jernigan - I didn't see it in here and I just wanted to make sure.
563
564 Mr. Kennedy - And Public Works can approve the 30 feet as well, and they haven't
565 done that yet.
566
567 Mr. Jernigan - Okay. I'm ready.
568
569 Mr. Vanarsdall - All right.
570
571 Mr. Jernigan - Let me get on the right page here.
572
573 Ms. News - This is on page 33 of your agenda, subdivision Castleton in the Varina
574 District.
575
576 Mr. Jernigan - Mr. Chairman, I move to approve subdivision Castleton (February 2005
577 Plan) subject to the annotations on the plans, the standard conditions for subdivisions served by
578 public utilities and the following additional conditions Nos. 12 through 30.
579
580 Mr. Archer - Second.
581
582 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Archer.
583 All in favor say aye...all opposed. The ayes have it. The motion passes.
584
585 The Planning Commission granted conditional approval to subdivision Castleton (February
586 2005 Plan) subject to the standard conditions attached to these minutes for subdivisions served
587 by public utilities, the annotations on the plan and the following additional conditions:
588
589 12. Each R-2A lot shall contain at least 13,500 square feet exclusive of the flood plain areas.
590 13. Each R-3A lot shall contain at least 9,500 square feet exclusive of the flood plain areas.
591 14. The limits and elevation of the 100-year frequency flood shall be conspicuously noted on
592 the plat and construction plans and labeled "Limits of 100-year floodplain." Dedicate
593 floodplain as a "Variable Width Drainage & Utilities Easement."
594 15. The detailed plant list and specifications for the landscaping to be provided within the
595 islands in Road A and the 20-foot-wide planting strip easement along Doran Road shall be
596 submitted to the Department of Planning for review and approval prior to recordation of
597 the plat.
598 16. Any necessary offsite drainage easements must be obtained prior to approval of the
599 construction plan by the Department of Public Works.
600 17. The proffers approved as part of zoning cases C-39C-89, C-39C-90, C-40C-90, C-41C-
601 90, C-20C-99 and C-65C-04 shall be incorporated in this approval.
602 18. Prior to requesting the final approval, a draft of the covenants and deed restrictions for

- 603 the maintenance of the common area by a homeowners association shall be submitted to
604 the Department of Planning for review. Such covenants and restrictions shall be in
605 form and substance satisfactory to the County Attorney and shall be recorded prior to
606 recordation of the subdivision plat.
- 607 19. Any future building lot containing a BMP, sediment basin or trap and located within the
608 buildable area for a principal structure or accessory structure, may be developed with
609 engineered fill. All material shall be deposited and compacted in accordance with the
610 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
611 professional engineer. A detailed engineering report shall be submitted for the review
612 and approval by the Building Official prior to the issuance of a building permit on the
613 affected lot. A copy of the report and recommendations shall be furnished to the
614 Directors of Planning and Public Works.
- 615 20. Prior to recordation a development agreement for the proffered recreational area must
616 be submitted for review and approval by the Director of Planning. The Development
617 Agreement shall provide for the dedication of the recreational area, a master plan for
618 the recreational area and a performance schedule or bond for the proffered recreational
619 area amenities.
- 620 21. Prior to recordation a streetscape plan must be submitted for review and approval by the
621 Director of Planning. The Streetscape Plan shall address the proffered requirements
622 regarding street trees, sidewalks and pedestrian paths, street lighting, and lot
623 landscaping.
- 624 22. Provide ROW dedication and improvements as determined necessary by the Director of
625 Public Works at Doran Road and Darbytown Road entrances.
- 626 23. A maximum of 50 lots may be developed with a single point of access.
- 627 24. The permanent access easement shall be vacated prior to recordation of any affected lots.
- 628 25. An access easement shall be provided to the adjoining A-1 lots without street frontage. A
629 10-foot landscape buffer shall be provided along both sides of the easement.
- 630 26. The existing prescriptive access easements shall be vacated in accordance with state law,
631 prior to recordation of the affected lots.
- 632 27. Any known cemetery or burial ground shall be relocated in accordance with state law or
633 platted as a cemetery lot with either public street frontage or an access easement. The
634 developer shall construct a walkway within and a fence along each side of the access
635 easement. The type, design and other details shall be indicated on the construction
636 plans for the approval of the Department of Planning.
- 637 28. All new utilities to be located underground.
- 638 29. The construction plan shall identify spoils stockpiles remaining from any previous
639 mining operations. Any future building lot containing spoils and located within the
640 buildable area for a principal structure or accessory structure, shall be developed with
641 engineered fill. All material shall be deposited and compacted in accordance with the
642 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
643 professional engineer. A detailed engineering report shall be submitted for the review and
644 approval by the Building Official prior to the issuance of a building permit on the affected
645 lot. A copy of the report and recommendations shall be furnished to the Directors of
646 Planning and Public Works.
- 647 30. Any unused well or septic system shall be abandoned in accordance with Health

648 Department requirements.

649

650 Ms. News - Those are all of the items for the Expedited Agenda that staff is aware of.

652

653 Mr. Vanarsdall - Okay. Mr. Secretary.

654

655 Mr. O’Kelly - The next item on the agenda, Mr. Chairman, is....

656

657 Mr. Vanarsdall - Excuse me for interrupting, but Mrs. Ware just joined us from the
658 Tuckahoe District. Good morning, Mrs. Ware.

659

660 Mrs. Ware - Good morning. I’m sorry about my tardiness.

661

662 Mr. Vanarsdall - All right, Mr. Secretary, Mr. O’Kelly. The next item on the agenda is
663 the subdivision extensions of conditional approval. There’s one subdivision to be considered
664 by the Planning Commission and Mr. Strauss will make that presentation.

665

666 **FOR PLANNING COMMISSION APPROVAL**

667

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended
Weatherfield Farms (February 2004 Plan)	Fairfield	168	168	0	1 Year 2/22/06

668

669 Staff recommends extension of conditional approval with the deletion of conditions Nos. 23 –
670 26 of the original conditional approval.

671

672 Mr. Vanarsdall - Good morning, Mr. Strauss.

673

674 Mr. Strauss - Good morning, Mr. Chairman, members of the Commission. When the
675 Commission originally approved this conditional subdivision last year, the staff had
676 recommended that the Commission add several conditions related to a paved road within a 50-
677 foot easement along the eastern boundary of the subdivision. Staff requested documentation
678 regarding the ownership and use of the easement and a private road, and request of a quit claim
679 of the easement. The research was recently presented to staff and it appears that the easement
680 is in fact not there and the maps were incorrect. Therefore, those conditions regarding the
681 easement are irrelevant and staff is recommending that we delete them with the extension of
682 subdivision. I’ll be happy to answer any question and we also have Ms. Gloria Freye.

684

685 Mr. Vanarsdall - Mr. Archer, do you have any questions?

686 Mr. Archer - No, I don’t.

687

688 Mr. Vanarsdall - Anyone else have any questions? All right.
689

690 Mr. Archer - I move to recommend the extension, Mr. Chairman, with the deletion of
691 conditions Nos. 23 through 26.

692

693 Mr. Jernigan - Second, Mr. Chairman.

694

695 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mr. Jernigan All
696 in favor say aye...all opposed say nay. The ayes have it. The motion passes. Mr. Secretary.

697

698 The Planning Commission granted conditional subdivision extension for one year (February
699 22, 2006) for Weatherfield Farms (February 2004 Plan) with the deletion of added conditions
700 Nos. 23 through 26 on the original conditional approval.

701

702 Mr. O'Kelly - We have two additional subdivisions that are up for extension of
703 conditional approval, and these are for informational purposes only. If the Commission has
704 any questions, Ms. Goggin is here to answer those.

705

706 **FOR INFORMATIONAL PURPOSES ONLY**

707

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended
Stonehurst (February 2004 Plan)	Three Chopt	21	21	1	1 Year 2/22/06
Stony Run Estates (February 2003 Plan)	Varina	33	6	1	1 Year 2/22/06

708

709 Mr. Vanarsdall - Good morning, Ms. Goggin. Do any of the Commissioners have any
710 problems with Stonehurst or Stony Run Estates extensions?

711

712 Ms. Goggin - Good morning. Thank you.

713

714 Mr. Vanarsdall - We need a motion.

715

716 Mr. Marshall - No we don't.

717

718 Mr. Vanarsdall - No, no, we don't. Sorry about that. Go ahead, Mr. Secretary.

719

720 Mr. O'Kelly - The next item on your agenda is a plan of development and it's on page
721 12 of your agenda, POD-5-05, Grayson Hills, Section 1. This is a request for approval of
722 architectural plans for a plan of development as required by Chapter 24, Section 24-106 of the
723 Henrico County Code.

724 **PLAN OF DEVELOPMENT (ARCHITECTURAL PLANS)**

725 **(DEFERRED FROM THE JANUARY 26, 2005, MEETING)**

726

POD-5-05
Grayson Hill, Section 1
Patterson Avenue and
Gaskins Road

E. D. Lewis & Associates, P.C. for Gaskins Centre, LC:
Request for approval of architectural plans for a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 50, two and three-story townhouse units for sale with a club house and swimming pool. The 14.836-acre site is located on the southeast corner of Patterson Avenue (State Route 6) and Gaskins Road on parcels 745-741-0907 (part), 745-740-9892 (part) and 746-741-3665. The zoning is RTHC, Residential Townhouse District. County water and sewer. **(Tuckahoe)**

727

728 Mrs. Ware - Mr. Secretary, I'm going to hold this case off, if that's okay. They are
729 in the lobby. Wait a minute. Are y'all ready or do you need some more time because I can
730 put this off until later in the meeting if you need to confer? All right. Okay, we will go on
731 and hear the case then. Sorry.

732

733 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-5-05, Grayson Hill,
734 Section 1, in the Tuckahoe District? We have opposition. We will need the applicant to come
735 forward. Well, I guess we need to hear the case first. Good morning, Kevin.

736

737 Mr. Wilhite - Good morning. The site plan for Grayson Hill, Section 1, was approved
738 by the Planning Commission at its last meeting in January. The first section is for 50 lots. At
739 that time the architectural plans were deferred until today to go over some possible requested
740 changes that the Planning Commission would have to specifically approve. In your packet
741 there were the elevations for four unit-types that are being used here. In the packet, represents
742 elevations of the front façade.

743

744 What was just handed out to you, was the side elevation of a unit where the applicant is
745 requesting the use of hardiplank siding underneath the gables under the roof on the end units in
746 this development. The proffers of the case was specific about the use of brick on all three side
747 of the end units. It did, however, allow for the Planning Commission to approve alternative
748 materials, specifically, and that is what the applicant is requesting at this point. The hardiplank
749 siding would be just under the gables on the end units. It shows up on 13 of the 50 units
750 within section 1.

751

752 Also included in the elevations is a clubhouse. The clubhouse itself, the materials that are
753 used, are brick, simulated slate and hardiplank siding also. Hardiplank is an allowed material
754 for the clubhouse under the proffers. If you have any questions I'll be happy to try to answer
755 them for you.

756

757 Mr. Vanarsdall - Are there any questions by Commission members for Mr. Wilhite?

758

759 Mrs. Ware - This is a deferral from the January meeting, correct?

760

761 Mr. Wilhite - Yes, ma'am.
762
763 Mrs. Ware - Deferral at the request of...
764
765 Mr. Wilhite - The applicant.
766
767 Mrs. Ware - The applicant. And when notices were sent out, and we had a discussion
768 about that, we did send notices to a broader area than generally receive notices. But, it was
769 with the Phase 1 is that correct?
770
771 Mr. Wilhite - This was the architectural plan with Phase 1 that we normally would
772 have approved at the last meeting. Notices were sent out again for the deferral of the
773 architectural plan, for this meeting, using the same owners list as before.
774
775 Mrs. Ware - Okay. Those are the only question that I have right now for Mr.
776 Wilhite.
777
778 Mr. Vanarsdall - Are there any other questions by Commission members. You want to
779 hear from the applicant, don't you?
780
781 Mrs. Ware - If the applicant wishes to speak right now, I think we have some issues
782 concerning the information being distributed to members in the community that have interest in
783 this, and I know that Mrs. Baggeson would like to speak to that.
784
785 Mr. Vanarsdall - Good morning, Mr. Theobald.
786
787 Mr. Theobald - Good morning, Mr. Chairman. Ladies and gentlemen, my name is Jim
788 Theobald and I'm here on behalf of Gummenick Properties. As you know, this POD was
789 approved last month after notice, and, in fact, meetings with neighbors and others. The
790 architectural were deferred because on a couple of the facades that were of a particular large
791 size, especially a large massing of the brick, didn't look quite right and so we were asking to
792 not do brick above the eave level, basically. And, I understand that the County had re-notified
793 folks. We had been talking with staff and Mrs. Ware as to these elevations and that is really
794 all that I have to add. Thank you.
795
796 Mr. Vanarsdall - Are there any questions for Mr. Theobald by Commission members? All
797 right. Do you want to save some rebuttal time?
798
799 Mr. Theobald - Sure.
800
801 Mr. Vanarsdall - All right. You can come down to the mic and state your name and tell us
802 what you need.
803
804 Ms. Baggeson? - My name is Rebecca Baggeson? and I represent NUTAG which
805 fought this development, and we did not get any notification that I know of, having spoken to

806 the gentleman that headed NUTAG last night, and we would like to express that we would like
807 the brick to stay on all of the buildings, as approved. And, as I said, we did not get any
808 notification of it. This is the first that we have heard about it. And if we could defer it that
809 would be great so that we can get together with Lisa Ware and Mr. Theobald and the
810 neighborhood that they said that they got in touch with to discuss it and maybe put it on the
811 docket for next month.

812

813 Mrs. Ware - I would like to speak to that issue. I understand that your group wants to
814 review this, and I will give you time to do that, but notices were distributed. They are always
815 distributed to adjacent property owners. This was deferred and then there was a representative
816 from the NUTTAG group here when that deferral was put through. So, what concerns me is
817 getting a call at 8:30 p.m. the night before a public hearing when everyone has worked very
818 hard to review these and give them due consideration. But, I certainly understand that your
819 group wants to make sure that they see this. So, what I think that I am going to do at this
820 point, Commission members, is to defer this to the Rezoning meeting, not all the way to the
821 next plan of development meeting, that should give everyone plenty of time to take a good look
822 at the architectural. I know that I have plans and they will be made available, that are color
823 renderings of what the sides of these buildings would look like with the hardi plank above the
824 eaves in order to break up the mass of brick. So, in order to give y'all a chance to look at that,
825 I will do that. I'll make a motion for that.

826

827 Mr. Vanarsdall - You understand that this will be two weeks (speaking to Mrs. Baggeson)
828 until the 10th of March.

829

830 Ms. Baggeson - Okay, thank you.

831

832 Mr. Vanarsdall - Is that all right with you, Mr. Theobald?

833

834 Mr. Theobald - No, I rather not but this is....

835

836 Mrs. Ware - Well, in consideration of the changes that's going to be taking place on
837 the Commission, I do want to give the opportunity for that being heard.

838

839 Mr. Vanarsdall - Go ahead and make your motion.

840

841 Mrs. Ware - Okay. I move that the architectural for Grayson Hill, Section 1, be
842 deferred to the Rezoning Meeting on March 10, 2005.

843

844 Mr. Jernigan - Second.

845

846 Mr. Vanarsdall - The motion was made by Mrs. Ware and seconded by Mr. Jernigan. All
847 in favor say aye...all opposed say nay. The motion passes. Next case.

848

849 The Planning Commission deferred POD-5-05, Grayson Hill, Section 1, to its Rezoning
850 Meeting, March 10, 2005, at 7:00 p.m.

851

852 **PLAN OF DEVELOPMENT**

853

POD-13-05

Shoppes @ Westgate

Shopping Center, Phase II -
Lauderdale Drive

Balzer & Associates, Inc. for Wellesley Centre, LC and TGM Realty Investors, Inc.: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 12,995 square foot retail building in an existing shopping center. The 1.633-acre site is located on the east side of Lauderdale Drive, approximately 500 feet south of W. Broad Street (U.S. Route 250) on parcel 737-761-2086. The zoning is B-2C, Business District (Conditional) and WBSO (West Broad Street Overlay) District. County water and sewer. **(Three Chopt)**

854

855 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-13-05, Shoppes @
856 Westgate Shopping Center, Phase II, in the Three Chopt District? No opposition. Ms.
857 Goggin.

858

859 Ms. Goggin - Good morning. Mike Kennedy is handing out a revised plan and master
860 plan. The original plan in the packet did not provide for right-of-way dedication for the right-
861 hand turn lane into the development. This shopping center has two buffers along Lauderdale
862 Drive. The first is a 50-foot proffered buffer measured from the current right-of-way and
863 permits Commission to approve encroachments....

864

865 Mr. Vanarsdall - Is your microphone on? It doesn't sound like it is on.

866

867 Ms. Goggin - The second is a 35-foot West Broad Street Overlay streetscape buffer
868 measured from the ultimate right-of-way. The revised plan has been annotated to show the 50-
869 foot proffered buffer and that the parking area closest to Lauderdale Drive will be redesigned
870 to meet the 35-foot West Broad Street Overlay streetscape buffer from the ultimate right-of-
871 way as determined by Public Works. Although the parking will meet the 35-foot buffer, it can
872 encroach into the 50-foot proffered buffer if approved by the Planning Commission as part of a
873 plan of development. Staff recommends approval of the parking encroachment into the
874 proffered 50-foot buffer and the plan of development subject to the annotations on the revised
875 plans, the standard conditions for developments of this type, conditions Nos. 23 through 35 in
876 the agenda and condition No. 36 on the first page of the addendum. I'll be happy to answer
877 any questions the Commission may have and Mark Slusser, the developer is here if you have
878 any questions for him.

879

880 Mr. Vanarsdall - Are there any questions by Commission members? No opposition. Mr.
881 Marshall.

882 Mr. Marshall - Mr. Chairman, I move approval of POD-13-05, Shoppes @ Westgate
883 Shopping Center, Phase II, subject to the annotations on the plan, the standard conditions for
884 developments of this type, and conditions Nos. 23 through 35 and added condition No. 36 on
885 page 1 of the addendum.

886

887 Mr. Archer - Second.

888

889 Mr. Vanarsdall - The motion was made by Mr. Marshall and seconded by Mr. Archer.
890 All in favor say aye...all opposed say nay. The ayes have it. The motion passes.

891

892 The Planning Commission approved POD-13-05, Shoppes @ Westgate Shopping Center, Phase
893 II, subject to the standard conditions attached to these minutes for developments of this type,
894 the annotations on the plan and the following additional conditions:

895

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

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

903 25. Outside storage shall not be permitted.

904 26. The proffers approved as a part of zoning case C-75C-02 shall be incorporated in this
905 approval.

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

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

912 29. The loading areas shall be subject to the requirements of Chapter 24, Section 24-97(b)
913 of the Henrico County Code.

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

917 31. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
918 Department of Planning and approved prior to issuance of a certificate of occupancy for
919 this development.

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

925 33. Only retail business establishments permitted in a B-2C zone may be located in this
926 center.

- 927 34. The ground area covered by all the buildings shall not exceed in the aggregate 25
928 percent of the total site area.
- 929 35. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).
- 930 36. The right-of-way for widening of Lauderdale Drive as shown on approved plans shall
931 be dedicated to the County prior to any occupancy permits being issued. The right-of-
932 way dedication plat and any other required information shall be submitted to the County
933 Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

934

935 **PLAN OF DEVELOPMENT (Deferred from the January 26, 2005, Meeting)**

936

POD-3-05

Rainbow Station @

Wyndham-Wyndham Park
Drive and Nuckols Road

Balzer & Associates, Inc. for HHHunt Corporation and R. Earl Johnson: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct two, one-story buildings, totaling 19,534 square feet, to be used for a day care facility. The 6.80-acre site is located at the northeast corner of the intersection of Wyndham Park Drive and Nuckols Road on parcels 741-776-3595 and 740-777-8434. The zoning is O-1C, Office District (Conditional) and R-4AC, One-Family Residence District (Conditional). County water and sewer. **(Three Chopt)**

937

938 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-3-05, Rainbow
939 Station @ Wyndham in the Three Chopt District? No opposition. Good morning, Mr.
940 Cooper.

941

942 Mr. Cooper - Good morning, members of the Commission. As Mr. Secretary pointed
943 out, this project is proposed for two, one-story day care buildings. It was deferred from our
944 last hearing in January. At that time, the applicant requested a deferral in order to meet with
945 the adjacent neighbors to address some of their concerns. That meeting did take place earlier
946 this month and at this time it appears that all outstanding issues and concerns have been
947 resolved between the developer and the adjacent neighbors.

948

949 One particular concern that was addressed is further noted in condition No. 32 of your agenda
950 and that relates to the existing trailers on the property. This condition will state that those
951 trailers will be removed from the property prior to issuance of certificate of occupancy for this
952 project. That will allow the applicant to utilize the existing trailers for office space and
953 temporary space until the day care buildings are complete.

954

955 Additionally, staff is recommending that conditions Nos. 9 and 11 be amended to allow the
956 Planning Commission another opportunity to review this plan and further input from the
957 neighbors at that time. In general, the plan before you today is now acceptable to all reviewing
958 agencies and the neighbors, and the applicant has worked diligently to meet with the
959 neighborhood and address all of staff's outstanding concerns. Therefore, staff does
960 recommend approval of this plan.

961

962 Mr. Vanarsdall - Are there any questions for Mr. Cooper by Commission members?
963

964 Mr. Marshall - Mr. Chairman, I move approval of POD-3-05, Rainbow Station @
965 Wyndham - Wyndham Park Drive and Nuckols Road, subject to the annotations on the plan,
966 the standard conditions for developments of this type and additional conditions Nos. 9 and 11
967 amended and Nos. 23 through 32.

968

969 Mr. Archer - Second, Mr. Chairman.

970

971 Mr. Vanarsdall - The motion was made by Mr. Marshall and seconded by Mr. Archer.
972 All in favor say aye...all opposed say nay. The ayes have it. The motion passes.

973

974 The Planning Commission approved POD-3-05, Rainbow Station @ Wyndham, subject to the
975 standard conditions attached to these minutes, the annotations on the plan and the following
976 additional conditions:

977

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

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

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

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

992 25. The proffers approved as a part of zoning cases C-29C-89 and C-48C-90 shall be
993 incorporated in this approval.

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

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

1000 28. Insurance Services Office (ISO) calculations must be included with the plans and
1001 contracts and must be approved by the Department of Public Utilities prior to the
1002 issuance of a building permit.

1003 29. 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-of-
1005 way. The elevations will be set by Henrico County.

1006 30. The location of all existing and proposed utility and mechanical equipment (including

1007 HVAC units, electric meters, junction and accessory boxes, transformers, and
1008 generators) shall be identified on the landscape plans. All equipment shall be screened
1009 by such measures as determined appropriate by the Director of Planning or the Planning
1010 Commission at the time of plan approval.

1011 31. Provide evidence satisfactory to the Director of Planning that both parcels associated
1012 with this project are under the same ownership, prior to approval of construction plans.

1013 32. The existing trailers shall be removed from the site prior to issuance of the first
1014 certificate of occupancy for this project.

1015

1016 Mr. O'Kelly - Mr. Chairman, there was an item on the Expedited Agenda that we
1017 passed by on page 7, John Rolfe Place landscaping plan. There was opposition. It was on the
1018 Expedited Agenda and was pulled off and placed on the regular agenda. If we can go back to
1019 that case, Mr. Strauss will fill us in.

1020

1021 **LANDSCAPE & LIGHTING PLAN**

1022

LP/POD-37-04

John Rolfe Place -

John Rolfe Parkway and
Ridgefield Parkway

Jeff Timmons & Kelley Architects for John Rolfe Commons, LLC: Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 5.48-acre site is located at 11801 Ridgefield Parkway at the southwest corner of the intersection of Ridgefield Parkway and John Rolfe Parkway on parcel 736-750-3453. The zoning is O-2C, Office District Conditional. **(Tuckahoe)**

1023

1024 Mr. Vanarsdall - Okay, we will go back to page 7 to LP/POD-37-04, John Rolfe Place, in
1025 the Tuckahoe District.

1026

1027 Mr. Strauss - Thank you, Mr. Chairman. Staff did have a conversation with Mr. Peng
1028 Hsia, and Mrs. Keron out in the hall there, and they are now satisfied. They simply just
1029 wanted to look at the plan. The architect is here, Mr. Jeff Timmons. So, we are
1030 recommending approval based on the recommendation this morning.

1031

1032 Mr. Vanarsdall - Who is satisfied now? They must be satisfied, they didn't come back.

1033

1034 Mr. Strauss - They had to leave.

1035

1036 Mr. Vanarsdall - Thank you, Jim.

1037

1038 Mrs. Ware - All right, I'll make a motion that LP/POD-37-05, John Rolfe Place, I
1039 recommend approval subject to the annotations on the plan and the standard conditions for
1040 landscape and lighting plans.

1041 Mr. Jernigan - Second.

1042

1043 Mr. Vanarsdall - The motion was made by Mrs. Ware and seconded by Mr. Jernigan. All

1044 in favor say aye...all opposed say nay. The ayes have it. The motion passes.

1045

1046 The Planning Commission approved the landscape and lighting plan for LP/POD-37-04, John
1047 Rolfe Place, subject to the standard conditions attached to these minutes for landscape and
1048 lighting plans and the annotations on the plan.

1049

1050 Mr. O'Kelly - Mr. Chairman, the next case, Mr. Chairman, is on page 19 of your
1051 agenda, POD-15-05, Bickerstaff Crossing.

1052

1053 **PLAN OF DEVELOPMENT & SPECIAL EXCEPTION**

1054

POD-15-05
Bickerstaff Crossing –
Bickerstaff Road

Bay Design Group, P.C. for Townes at Bickerstaff, LLC:
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 three,
four-story buildings containing a total of 42 condominium units.
The special exception would authorize a building with a
maximum height greater than 2 ½ stories. The 5.07-acre site is
located on the southwest corner of Bickerstaff Road and
Oakano Drive on parcel 804-708-1236. The zoning is R-5,
General Residential District. County water and sewer. (**Varina**)

1055

1056 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-15-05, Bickerstaff
1057 Crossing? No opposition. Good morning, Mike.

1058

1059 Mr. Kennedy - Good morning, members of the Commission. I'm sorry about my voice.

1060

1061 Mr. Vanarsdall - Mike, I like that tie you've got on.

1062

1063 Mr. Kennedy - Thank you. Bickerstaff Crossing is a proposed condominium community
1064 located on the south side of Bickerstaff Road across from Almond Creek at the southeast corner
1065 of Bickerstaff Road and Oakano Drive. Forty-two units are proposed in addition 103 parking
1066 spaces will be provided. Bickerstaff Crossing is a substitute plan for the Townes at Bickerstaff
1067 an earlier development plan for the property that was withdrawn by the developer in
1068 November. The subject property was zoned R-5, general residence district in 1971, is both un-
1069 proffered and undeveloped. The proposed development will result in the construction of 8.2
1070 units per acre, while the R-5 district permits a maximum construction of 12 townhouse units or
1071 14 multi-family units per acre. The 2010 Land Use Plan recommends multi-family residential
1072 use of the property and Bickerstaff Road is designated as a minor collector on the 2010 Major
1073 Thourghfare Plan.

1074

1075 The substitute plan addresses concerns staff expressed regarding the steep grades that were
1076 present on the previously plan. The plan satisfies the applicable zoning requirements by multi-
1077 family design standards. A 25-foot-wide landscape buffer will be provided on the entire
1078 perimeter of the property. The three proposed buildings will be four stories in height facing

1079 Bickerstaff and three stories height facing to the south. The property slopes down
1080 approximately 50 feet from Pine Forest Drive, which is located to the south, down to
1081 Bickerstaff Road. And that is a big transition and so these buildings accommodate that, and
1082 with that transition and the stories. The lower floor of each building will have two units and be
1083 cut back into the hill, and the upper three stories will have four units. Ten of the units in each
1084 building will be three bedrooms and four of the units will be two bedroom units. And the
1085 façade of the buildings would be approximately 75% brick.

1086

1087 A special exception is required to permit the construction in excessive of two and a half stories.
1088 Due to the severe grade of the property, and a significant amount of open space maintained by
1089 the proposed plan, as well as the fact that it meets the design guidelines for the multi-family
1090 district. Staff has no objection to the proposed exception requested. Staff recommends
1091 approval of the plan and the engineer is present and is available to answer any questions.

1092

1093 Mr. Kaechele - The contour is kind of hard to read, but are those one-foot contour lines?

1094

1095 Mr. Kennedy - Those are two-foot contour lines.

1096

1097 Mr. Kaechele - What is the slope of it?

1098

1099 Mr. Kennedy - The maximum slope it's going to have is a two to one slope, and the
1100 previous one actually had a one and a half to one slope. It was too steep. And for a good part
1101 of it, it would be a three to one slope. Basically, what the building does is going to be an
1102 offset building, four stories on one site and three stories on the other. They accommodate 10
1103 feet of slope in that building pad. So, that's how they are making it work. And, it is a very
1104 steep site but it looks like it would be a very attractive design given the views that it would
1105 have with Almond Creek. And it is saving significant buffer around the property, due to the
1106 slopes. Yes, you could almost go skiing there.

1107

1108 Mr. Jernigan - It's a rough piece of property.

1109

1110 Mr. Kennedy - Yes, it is a rough piece of property and that's the reason why we
1111 discourage the first plan, but we feel confident that the second plan is much better. My
1112 children would love to go traying there, if we ever have a significant amount of snow.

1113

1114 Mr. Archer - Tomorrow.

1115

1116 Mr. Kennedy - Tomorrow, yes I know, it's coming.

1117 Mr. Jernigan - Mr. Chairman, I don't have any questions for Mr. Kennedy. We have
1118 discussed this at length.

1119

1120 Mr. Vanarsdall - Are there any questions by Commission members? All right.

1121

1122 Mr. Jernigan - I don't even have to talk to the applicant on this because this is what it is.
1123 This was zoned by in the 70's, it was zoned for apartments. We are going to get some nice
1124 condominiums in here and the other plan that was out there, it was rough because of the topo.
1125 So, with that, I will.... Do we have to have a separate motion for the special exception, Dave?

1126

1127 Mr. O'Kelly - Yes, sir.

1128

1129 Mr. Vanarsdall - Yes we do, a separate motion.

1130

1131 Mr. Jernigan - Okay. I will move for a special exception for building height on POD-
1132 15-05, Bickerstaff Crossing.

1133

1134 Mr. Marshall - Second.

1135

1136 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Marshall
1137 for the special exception for the building height. All in favor say aye...all opposed say nay.
1138 The motion passes.

1139

1140 The Planning Commission approved the special exception for the building height for POD-15-
1141 05, Bickerstaff Crossing.

1142

1143 Mr. Vanarsdall - And now the POD.

1144

1145 Mr. Jernigan - And on the POD, POD-15-05, I recommend approval of Bickerstaff
1146 Crossing subject to the annotations on the plans and the standard conditions for developments
1147 of this type and conditions Nos. 9 through 33.

1148

1149 Mr. Marshall - Ray, it's Nos. 9 and 11 amended, and then 23 through 33.

1150

1151 Mr. Jernigan - No, I'm sorry. On the addendum, we took off of the amended because
1152 the buffer on this is so huge anyway that we don't have to be concerned with that, so we
1153 deleted that on the addendum.

1154

1155 Mr. Vanarsdall - All right. Do we have a second?

1156

1157 Mr. Marshall - Second.

1158

1159 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mr. Marshall.
1160 All in favor say aye...all opposed say nay. The motion passes.

1161 The Planning Commission approved POD-15-05, Bickerstaff Crossing, subject to the standard

1162 conditions attached to these minutes for developments of this type, the annotations on the plans
1163 and the following additional conditions:

1164

- 1165 23. The unit house numbers shall be visible from the parking areas and drives.
- 1166 24. The names of streets, drives, courts and parking areas shall be approved by the Richmond
1167 Regional Planning District Commission and such names shall be included on the
1168 construction plans prior to their approval. The standard street name signs shall be ordered
1169 from the County and installed prior to any occupancy permit approval.
- 1170 25. The easements for drainage and utilities as shown on approved plans shall be granted to
1171 the County in a form acceptable to the County Attorney prior to any occupancy permits
1172 being issued. The easement plats and any other required information shall be submitted
1173 to the County Real Property Agent at least sixty (60) days prior to requesting occupancy
1174 permits.
- 1175 26. The limits and elevations of the 100-year frequency flood shall be conspicuously noted
1176 on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year
1177 floodplain must be labeled "Variable Width Drainage and Utility Easement." The
1178 easement shall be granted to the County prior to the issuance of any occupancy permits.
- 1179 27. The developer shall provide fire hydrants as required by the Department of Public
1180 Utilities and Division of Fire.
- 1181 28. Any necessary off-site drainage and/or water and sewer easements must be obtained in a
1182 form acceptable to the County Attorney prior to final approval of the construction
1183 plans.
- 1184 29. Deviations from County standards for pavement, curb or curb and gutter design shall be
1185 approved by the County Engineer prior to final approval of the construction plans by
1186 the Department of Public Works.
- 1187 30. The pavement shall be of an SM-2A type and shall be constructed in accordance with
1188 County standard and specifications. The developer shall post a defect bond for all
1189 pavement with the Department of Planning - the exact type, amount and implementation
1190 shall be determined by the Director of Planning, to protect the interest of the members
1191 of the Homeowners Association. The bond shall become effective as of the date that
1192 the Homeowners Association assumes responsibility for the common areas. Prior to the
1193 issuance of the last Certificate of Occupancy, a professional engineer must certify that
1194 the roads have been designed and constructed in accordance with County standards.
- 1195 31. Insurance Services Office (ISO) calculations must be included with the plans and
1196 contracts and must be approved by the Department of Public Utilities prior to the
1197 issuance of a building permit.
- 1198 32. The location of all existing and proposed utility and mechanical equipment (including
1199 HVAC units, electric meters, junction and accessory boxes, transformers, and
1200 generators) shall be identified on the landscape plans. All equipment shall be screened
1201 by such measures as determined appropriate by the Director of Planning or the Planning
1202 Commission at the time of plan approval.
- 1203 33. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the
1204 maintenance of the common area by a homeowners association shall be submitted to the
1205 Department of Planning for review. Such covenants and restrictions shall be in form and
1206 substance satisfactory to the County Attorney and shall be recorded prior to recordation of

1207 recordation of the subdivision plat.

1208

1209 Mr. Vanarsdall - Before we get to the next case, I have something equally important to
1210 take care of. Mrs. Ware, do you want to meet me down at the microphone.

1211

1212 Mrs. Ware - Do I have too. Can't you wait until everybody has left?

1213

1214 Mr. Vanarsdall - It hasn't been very long ago that we had Mrs. Ware down here giving
1215 her a gift for being last year's chairman. She wanted to be this year, but she decided not to do
1216 it, and so now someone asked me the other day if you enjoyed being a Chairman. I said, yes,
1217 because this is the second gift I've been able to give this year. And so, Mrs. Ware is leaving
1218 us. Today is her last meeting and she used to be a banker, and now she is going back into the
1219 banking business, and things do change in our life and lifestyles, and the Commission, and I
1220 am not complaining and she never complained, but it does take an awful lot of your time, so
1221 she is going to devote more of her time to the bank. We wish you well and we will miss you
1222 as I told you before. And, also, I didn't introduce your replacement until you got here,
1223 because they then would think you had been kicked off of the Commission because of your not
1224 being here, and they couldn't see you.

1225

1226 Mrs. Ware - Thank you so much. Thank you all so much. You all have been
1227 wonderful to work with, every Commission member. You have helped me along. You have
1228 mentored and guided me as I came here knowing absolutely, I have to admit, not very much
1229 about at all about land use issues, and I have enjoyed every minute of it. And I have to say the
1230 same thing to staff, because you guys have been wonderful in helping me along and you are so
1231 professional and incredibly knowledgeable and so willing to share everything with me, you
1232 have been, and always with the entire Commission, and all of the citizens and everyone else,
1233 and I am very sad about leaving the Commission, but it is going to be left in good hands. And
1234 I'd like to introduce Bonnie Jones. Would you come up please? This is Bonnie Jones and she
1235 is my replacement on the Planning Commission representing the Tuckahoe District. I know
1236 she will do a wonderful job. I am so glad that you are going to be here to assist Pat and the
1237 citizens of the Tuckahoe District and Henrico County. So, I welcome you and know that you
1238 will do a wonderful job, and I'd also like to thank Pat O'Bannon, who is not here, for seeing
1239 that I could do this and asking me to serve in this capacity. She has been incredible to work
1240 for and a huge support for the whole three years that I have been on the Commission. So,
1241 thanks everybody.

1242

1243 Mr. Vanarsdall - We will miss Lisa Ware and we look forward to Bonnie Jones coming
1244 aboard with the Tuckahoe District. And, Bonnie, I will say to you that rather than try to fill
1245 Lisa's shoes, she wears about an 11, you try to be your own style. And like I said, we will
1246 miss Lisa and we will look forward to you.

1247

1248 Mrs. Ware- And thank you for my gift certificate to Road Runner Sports. I am a
1249 runner and thanks for thinking of that. I am so excited. Thank you.

1250 Mr. O'Kelly - The next case is on Page 23 of your agenda.

1251

1252 **PLAN OF DEVELOPMENT**

1253

POD-14-05

The Villas at Springfield –
Springfield Road and Staples
Mill Road

Koontz-Bryant, P.C. for Lunsford L. Duke and Attack Properties, Inc.: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 33, zero-lot line homes (detached and semi-detached). The 10.36-acre site is located at the southwest corner of the intersection of Staples Mill Road (State Route 33) and Springfield Road (State Route 157) on parcels 761-769-4574 and 6447. The zoning is R-5AC, General Residence District (Conditional). County water and sewer. **(Brookland)**

1254

1255 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-14-05, The Villas
1256 @ Springfield in the Brookland District? No opposition. Mr. Cooper.

1257

1258 Mr. Cooper - Good morning, again, members of the Commission. As indicated on our
1259 initial staff report, there were several concerns raised with the original plan submitted. A
1260 revised plan has been handed to you this morning to address some of those concerns, and those
1261 particular concerns included the rear yard setback which was previously incorrect and has now
1262 been revised, the relocation of one of the proposed garages, which did not meet code
1263 requirements for location in the rear yard, but has now since been relocated appropriately, and
1264 the orientation of lots 32 and 33 which have been reoriented to now face Springfield Road. The
1265 front of the homes will face Springfield Road as opposed to Staples Mill Road. Those are the
1266 site plan issues and they have been resolved with this plan.

1267

1268 Additionally, as you will note in your original agenda there was some concern about the
1269 building square footage. The applicant has submitted the information and calculations to staff
1270 to indicate that these floor plans will meet the proffer requirements for finished floor area and
1271 gross square footage. Additionally, as you will note in your original staff report, there were
1272 concerns for the original elevations for the buildings. All of the necessary information was not
1273 submitted with the original packet. However, since that time, the architectural renderings have
1274 been submitted. They have been annotated to address some of the outstanding concerns
1275 regarding the exterior building materials. Those are needed to insure that the proffers are met.
1276 With that, and the revised architecturals and the revised site plan before you this morning, staff
1277 can recommend approval of this plan. The time limits will have to be waived for the
1278 architectural plans as they were submitted after the deadline. I'll be glad to answer any
1279 questions. The applicant and their representative are here this morning.

1280

1281 Mr. Archer - Mr. Cooper, there's name change for Contessa Court and I can't make it
1282 out. What is that?

1283

1284 Mr. Cooper - I'm sorry. Actually, I was just annotating that the name would have to
1285 be changed. There already is a Contessa Court in the County and therefore for fire and safety
1286 regulations we will have to change that. And just not to confuse people of where they live.

1287
1288 Mr. Archer - Okay. So, there is no name, yet?
1289
1290 Mr. Cooper - No, sir, but we will make sure we get one before it's recorded.
1291
1292 Mr. Archer - Okay. I couldn't read the annotation, that's all.
1293
1294 Mr. Vanarsdall - Mr. Cooper, the plans that we reviewed this morning, before this
1295 morning, is dated what date?
1296
1297 Mr. Cooper - Sir, they will be dated as an approval date of today. The received date
1298 would be....
1299
1300 Mr. Vanarsdall - The plan that we are working on?
1301
1302 Mr. Cooper - Yes, sir.
1303
1304 Mr. Vanarsdall - February 23, 2005.
1305
1306 Mr. Cooper - Yes, sir.
1307
1308 Mr. Vanarsdall - Now the question about the road improvements have been taken care of
1309 also.
1310
1311 Mr. Cooper - Yes, sir. It is my understanding that the road improvement issues have
1312 been resolved through the Department of Public Works. I received word of that this morning.
1313
1314 Mr. Vanarsdall - Mr. Jennings is in the audience and he is shaking his head up and down,
1315 so that is good enough for me. All right. Now, what did you say about a special exception or
1316 something?
1317
1318 Mr. Cooper - I'm sorry. It would actually be to waive the time limits because the plans
1319 were submitted after the deadline.
1320
1321 Mr. Vanarsdall - Okay. Are there any questions of Mr. Cooper by Commission
1322 members? I move that we waive the time limit on POD-14-05.
1323
1324 Mr. Archer - Second.
1325
1326 Mr. Vanarsdall - The motion was made by Mr. Vanarsdall and seconded by Mr. Archer.
1327 All in favor say aye...all opposed say nay. The motion passes.

1328 The Planning Commission approved to waive the time limits for the architectural plans for
1329 POD-14-05, The Villas at Springfield.

1330

1331 Mr. Vanarsdall - And I move that POD-14-05, The Villas at Springfield, Springfield Road
1332 and Staples Mill Road, be approved with the annotations on the plan, the standard conditions
1333 for developments of this type, and then I want to add No. 9 amended and conditions Nos. 23
1334 through 36.

1335

1336 Mr. Marshall - Second.

1337

1338 Mr. Vanarsdall - The motion was made by Mr. Vanarsdall and seconded by Mr. Marshall.
1339 All in favor say aye...all opposed say nay. The ayes have it. The motion passes.

1340

1341 The Planning Commission approved POD-14-05, The Villas at Springfield, subject to the
1342 standard conditions attached to these minutes, the annotations on the plans and the following
1343 additional conditions:

1344

1345 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
1346 Planning for review and Planning Commission approval prior to the issuance of any
1347 occupancy permits.

1348 23. The subdivision plat for The Villas at Springfield shall be recorded before any building
1349 permits are issued.

1350 24. The easements for drainage and utilities as shown on approved plans shall be granted to
1351 the County in a form acceptable to the County Attorney prior to any occupancy permits
1352 being issued. The easement plats and any other required information shall be submitted
1353 to the County Real Property Agent at least sixty (60) days prior to requesting occupancy
1354 permits.

1355 25. The entrances and drainage facilities on State Route 157 and U. S. Route 33 shall be
1356 approved by the Virginia Department of Transportation and the County.

1357 26. A notice of completion form, certifying that the requirements of the Virginia
1358 Department of Transportation entrances permit have been completed, shall be submitted
1359 to the Department of Planning prior to any occupancy permits being issued.

1360 27. The developer shall provide fire hydrants as required by the Department of Public
1361 Utilities and Division of Fire.

1362 28. The proffers approved as a part of zoning case C-24C-04 shall be incorporated in this
1363 approval.

1364 29. Any necessary off-site drainage and/or water and sewer easements must be obtained in a
1365 form acceptable to the County Attorney prior to final approval of the construction
1366 plans.

1367 30. Deviations from County standards for pavement, curb or curb and gutter design shall be
1368 approved by the County Engineer prior to final approval of the construction plans by
1369 the Department of Public Works.

1370 31. Insurance Services Office (ISO) calculations must be included with the plans and
1371 contracts and must be approved by the Department of Public Utilities prior to the
1372 issuance of a building permit.

- 1373 32. Approval of the construction plans by the Department of Public Works does not
 1374 establish the curb and gutter elevations along the Virginia Department of Transportation
 1375 maintained right-of-way. The elevations will be set by the contractor and approved by
 1376 the Virginia Department of Transportation.
- 1377 33. A standard concrete sidewalk shall be provided along the road frontage of each lot.
- 1378 34. Roof edge ornamental features that extend over the zero lot line, and which are permitted
 1379 by Section 24-95(i)(1), must be authorized in the covenants.
- 1380 35. Eight-foot easements for construction, drainage, and maintenance access for abutting lots
 1381 shall be provided and shown on the POD plans.
- 1382 36. Building permit request for individual dwellings shall each include two (2) copies of a
 1383 layout plan sheet as approved with the plan of development. The developer may utilize
 1384 alternate building types providing that each may be located within the building footprint
 1385 shown on the approved plan. Any deviation in building footprint or infrastructure shall
 1386 require submission and approval of an administrative site plan.

1387

1388 **SUBDIVISION**

1389

Kain's Quarter
 (February 2005 Plan)

Koontz-Bryant, P.C. for Isaac N. and Elizabeth N. Koontz:
 The 8.49-acre site proposed for a subdivision of 6, single-family homes is located along the south line of Kain Road, opposite its intersection with Axe Handle Lane, on parcel 731-771-6877. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield. **(Three Chopt) 6 Lots**

1390

1391 Mr. Vanarsdall - Good morning, Mr. Wilhite.

1392

1393 Mr. Wilhite- Good morning, again. Being handed out to you is a revised site plan.
 1394 This was received Monday morning so the Commission will have to waive the time limits to
 1395 act on it. Basically, this addresses the staff comments by showing a location of Concept Road
 1396 16-1 which would be on the east side of the lots. This road shows up on the Major
 1397 Thoroughfare Plan as a minor collector. There would not be any dedication of right-of-way at
 1398 this point, however it does establish the western boundary of the right-of-way and the lots have
 1399 been adjusted accordingly, and adds a planting strip easement provided at the rear of the three
 1400 lots that border the concept road.

1401

1402 This plan also shows sufficient widening on Kain Road to meet County requirements as well.
 1403 Staff is in a position to recommend approval of the revised plan, if the Commission waives the
 1404 time limits. I'll be happy to answer any questions that you have.

1405

1406 Mr. Vanarsdall - Are there any questions of Mr. Wilhite by Commission members? Is
 1407 there anyone in the audience in opposition to Kain's Quarter? There's no opposition. Mr.
 1408 Marshall.

1409

1410 Mr. Marshall - Mr. Chairman, I move that we waive the time limits on Kain's Quarter.

1411

1412 Mrs. Ware - Second.

1413

1414 Mr. Vanarsdall - The motion was made by Mr. Marshall and seconded by Mrs. Ware. All
1415 in favor say aye...all opposed say nay. The motion passes.

1416

1417 The Planning Commission approved to waive the time limits for the plans for subdivision
1418 Kain's Quarter (February 2005 Plan).

1419

1420 Mr. Marshall - Mr. Chairman, I move approval of subdivision Kain's Quarter subject to
1421 the annotations on the plan, the standard conditions for subdivisions not served by public
1422 utilities and conditions Nos. 11, 12 and 23.

1423

1424 Mrs. Ware - Second.

1425

1426 Mr. Vanarsdall - The motion was made by Mr. Marshall and seconded by Mrs. Ware. All
1427 in favor say aye...all opposed say nay. The motion passes.

1428

1429 The Planning Commission granted conditional approval to subdivision Kain's Quarter
1430 (February 2005 Plan) subject to the standard conditions attached to these minutes for
1431 subdivisions not served by public utilities, the annotations on the plans and the following
1432 additional conditions:

1433

1434 11. The detailed plant list and specifications for the landscaping to be provided within the 25-
1435 foot-wide planting strip easement along Kain Road and Concept Road 16-1 shall be
1436 submitted to the Department of Planning for review and approval prior to recordation of
1437 the plat.

1438 12. A County standard sidewalk shall be constructed along the south side of Kain Road.

1439 13. Any future building lot containing a BMP, sediment basin or trap and located within the
1440 buildable area for a principal structure or accessory structure, may be developed with
1441 engineered fill. All material shall be deposited and compacted in accordance with the
1442 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
1443 professional engineer. A detailed engineering report shall be submitted for the review and
1444 approval by the Building Official prior to the issuance of a building permit on the affected
1445 lot. A copy of the report and recommendations shall be furnished to the Directors of
1446 Planning and Public Works.

1447 **PLAN OF DEVELOPMENT**

1448

POD-12-05
Carriages Homes @ **Engineering Design Associates for Courtney Development, Inc.:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 126 condominiums units. The 36.25-acre site is located on the western terminus of Crossridge Glen Way on part of parcel 766-762-1042. The zoning is R-6C, General Residence District (Conditional). County water and sewer. **(Brookland)**
CrossRidge, Section 3

1449

1450 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-12-05, Carriage
1451 Homes @ CrossRidge, Section 3, in the Brookland District. We have opposition. All right.
1452 Mr. Kennedy.

1453

1454 Mr. Kennedy - Good morning, again. The Carriages at Crossridge Section 3, is the third
1455 and final section of a proposed duplex condominium development located within the
1456 CrossRidge Senior Housing Community. It is located at the terminus of CrossRidge Glen Way
1457 and is located south of the Oaks at CrossRidge Subdivision.

1458

1459 A previous Plan of Development - Master Plan for this property was approved by the Planning
1460 Commission on October 23, 2002, authorized the development of 140 duplex condominium
1461 units on the property. The revised Plan of Development currently before the Planning
1462 Commission, would reduce the number of authorized units to 126 duplex condominium units,
1463 as a result of wetlands limitations on the property, but the plan is significantly consistent. In
1464 fact, the buildings themselves are the same buildings being used.

1465

1466 The subject property was zoned R-6, General Residence District, in 2000 and subject to the
1467 proffers of zoning case No. C-17C-00. It is identified as tract 8 in the proffers. It's probably
1468 about 35 pages of those proffers. The proposed development would result in the construction
1469 of 3.5 units per acre, the R-5 District permits the construction of a maximum of 12 town house
1470 lots or 19.8 multi-family dwelling units per acre. (The adjoining Oaks at CrossRidge
1471 subdivision is developed with 1.72 units per acre and the adjoining Townes at CrossRidge
1472 subdivision is developed with approximately 5 units per acre). This is basically transition area.

1473

1474 One of the issues raised by the adjoining property is Fleton Court. Fleton Court is not
1475 illustrated on the plans since it is proposed to be constructed with Section 2 of the Oaks at
1476 Crossridge. No direct access from the Carriages At CrossRidge to the Oaks subdivision is
1477 contemplated, in fact the proffers for zoning Case C-17C-00 prohibit such access. Only
1478 limited emergency access is permitted with a gated paver drive. A similar gated paver drive
1479 was previously constructed to provided emergency access from the Oaks at CrossRidge to
1480 Section 1 of the Carriages at CrossRidge.

1481 The Plan of Development submitted by the developer has been annotated it indicates that
1482 Fleton would only be used for emergency access to clearly identify that for the benefit of the
1483 adjoining property owners. And also to clearly identify the 30-foot rear yard required along
1484 the Oaks subdivision, in accordance with County Code requirements. The proposed buildings
1485 will be modified slightly because some of them encroach into that 30-foot setback.

1486

1487 Previously, the setback was contemplated to be 20 feet on that side and 30 feet along the
1488 wetland because Fleton Road is not constructed at this time and the front yard has been
1489 reversed and the front yard is now considered off of CrossRidge Glenway and the developer is
1490 in agreement with providing a 30-foot rear yard along the Oaks, which would increase it by 10
1491 feet from what was originally approved.

1492

1493 The Zoning Code requires a minimum 10-foot transitional buffer adjacent to the Oaks at
1494 CrossRidge. The ten-foot transitional buffer requires two large trees, one small tree and 25
1495 shrubs per 100-linear feet. In addition, the proffers require sodded and irrigated front yards
1496 for all of the duplex condominium units.

1497

1498 Although the landscape plan for the Carriages Section 3, can not be submitted for review and
1499 approval until grading and clearing has been completed, the landscape plans for the Carriages
1500 Sections 1 and 2 have been approved and those plans satisfy those requirements, in fact in both
1501 previous instances the developer has provided enhanced buffers and rear and side yards have
1502 been sodded and irrigated. It is contemplated that those improvements will be incorporated
1503 into this section as well. The Staff recommends for the benefit of the neighborhood, that the
1504 landscape plans for the Plan of Development be required to return to the Planning Commission
1505 for approval a future public hearing. The plan satisfies the applicable zoning requirements,
1506 proffers and multi-family design standards. The neighbors have also asked some questions
1507 about drainage. Those drainage plans are submitted with the POD. They have been reviewed
1508 by the Department of Public Works and final construction plan drainage details will be
1509 reviewed and approved by the Department of Public Works in accordance with the same
1510 County requirements.

1511

1512 Staff recommends approval of the plan. The staff has been contacted by several adjoining
1513 property owners both in adjoining sections of the Carriages at CrossRidge and in the Oaks at
1514 CrossRidge and have responded to their concerns. The engineer is present and available to
1515 answer any questions.

1516

1517 Mr. Vanarsdall - Are there any questions for Mr. Kennedy by Commission members.

1518

1519 Mr. Jernigan - Mike, originally when the zoning case came through it was approved for
1520 142 units.

1521

1522 Mr. Kennedy - When the last POD was approved, it had 140 units.

1523

1524 Mr. Jernigan - And then they reduced that to 126.

1525

1526 Mr. Kennedy - Yes, to 126. It is significantly the same plan basically. The wetlands
1527 impacted changed it. They made them eliminate 14 units.

1528

1529 Mr. Vanarsdall - Thank you, Mr. Kennedy. I have given each of the Planning
1530 Commissioners a copy of the letters and the work that was done yesterday by Mr. Glover, the
1531 Supervisor, and the Director of Planning and one of the Deputy County Managers. They spent
1532 about four hours on answering all of the questions that we know of. So with that... The way
1533 we do opposition is the applicant has 10 minutes with rebuttal and the opposition has 10
1534 minutes. You can have one spokesman, or two or three. And, so with that, I'm going to ask
1535 Mr. Theobald to come down as the applicant.

1536

1537 Mr. Theobald - Good morning, sir, ladies and gentleman. For the record, I'm Jim
1538 Theobald here on behalf of Attack Properties.

1539

1540 Mr. Vanarsdall - Mr. Theobald, excuse me for interrupting you, but the people that came
1541 in earlier, I gave them a copy of this letter but I don't think that the people behind you got a
1542 copy. We don't have any more copies.

1543

1544 Mr. Theobald - Okay. We will make sure that they do get a copy.

1545

1546 Audience - We have a copy.

1547

1548 Mr. Theobald - Oh, they do have a copy. Okay. I don't have much to add to Mr.
1549 Kennedy's presentation. This did get a lot of attention by various County departments
1550 yesterday, in responding to some concerns. This plan is consistent with the original zoning
1551 conditions. I know that there were some concerns about the Fleeton Court potential entrance.
1552 The proffer conditions do require that to be an emergency access only, and that will be
1553 honored to the extent it even needs to serve as an emergency access point. I believe the County
1554 engineer has addressed drainage. The County is very diligent about making sure that our
1555 drainage, anybody's drainage doesn't impact adjacent neighbors post development and that is
1556 vigilantly monitored.

1557

1558 The buffer landscape after a series of interpretations and discussions, we do agree with the
1559 staff's interpretation of the 30-foot requirement for the setback and there is a 10-foot
1560 transitional buffer requirement in this area. I am happy to answer any other questions. I
1561 would just suggest that, this does meet all of your requirements both with regard to zoning and
1562 also with regard to your procedures and policies that relates to PODs, and I would very much
1563 appreciate your approval. I'll be happy to answer any questions.

1564

1565 Mr. Vanarsdall - Are there any questions for Mr. Theobald?

1566

1567 Mr. Barth - Quick question. Did you say 30 feet setback....

1568

1569 Mr. Vanarsdall - Sir, I'm sorry, but you will have to come up to the mike if you wish to
1570 speak. And, I was asking if there were any Commissioners that have any questions.

1571 Mr. Barth - I'm sorry.

1572

1573 Mr. Vanarsdall - Thank you, Mr. Theobald. Now you can come on up. You will have to
1574 state your name.

1575

1576 Mr. Barth - I'm sorry. This is the first time I've done this. For the record, my name
1577 is Dave Barth and I live in the Oaks neighborhood, the adjoining house, lot 12 N. I do want to
1578 first of all thank the hard work that Mr. Kennedy, Mr. Glover and Mr. Silber have done.
1579 Yesterday, you mentioned the four hours of work, it really was a great turnaround time in
1580 getting this letter prepared and getting some things that we had and concerns addressed,
1581 including the zoning issue which was down back in 2000. We are very happy with where that
1582 stands now. We are very happy with the Fleeton Court plan that it will not go through to our
1583 neighborhood and increase traffic. We are satisfied and happy with the drainage issue. We are
1584 not concerned with that. We do like the increase going from 20 feet as a setback up to 30 feet.
1585 And the question that I would ask would be is that 30 feet setback is it a 30 feet setback plus
1586 10 feet or is it 30 feet total, and of that 30 feet will 10 feet be the buffer?

1587

1588 Mr. O'Kelly - It will be 30 feet from the property line, your adjacent property line,
1589 with the Oaks. And the 10-foot transitional buffer would be within that 30 feet.

1590

1591 Mr. Barth - Okay. And that's still the concerned area that we have. Going from an
1592 R-2 zoning to an R-6 zoning. Again, it's from a half-acre lot to condominium type lots. We
1593 would like to ask you all support in increasing that buffer or setback up to 50 feet. That was
1594 stated numerous times and the selling of our property and also when we had a neighborhood
1595 association meeting three, four, five or six months ago, there were some statements by a
1596 representative from the developer that it would be 50 to 200 feet. Come to find out now, as we
1597 are reviewing some of these plans, these plans were in the work the whole time, but we as a
1598 neighborhood want to come together and fully believe that it is the right thing to do to put that
1599 50-foot buffer between the two neighborhoods.

1600

1601 Mrs. Ware - Did you say a representative of the developer said that it would be 50
1602 feet at what type of meeting?

1603

1604 Mr. Barth - We were at a neighborhood association meeting six months to eight
1605 months or so ago. There are five members of our neighborhood association, and because it has
1606 transferred over to our neighborhood, there is still developer representatives on our community
1607 association board. If I'm not mistaken, there are three of them out of the five on the board.
1608 And we asked that specific question what the development looked like behind our house. They
1609 didn't really answer that exactly other than it's being worked on but I see that the setback will
1610 be between 50 and 200 feet. His name is Mr. Rader. I don't have minutes from that meeting.
1611 We have asked the community group for the minutes but we can't obtain those for some
1612 reason. We are having trouble getting that information.

1613

1614 Mrs. Ware - And your house backs up to this development?

1615

1616 Mr. Barth - Yes, 12N, so I'm more involved than anyone.... And everyone else is
1617 here. We have about, I don't know, about 10 or 12 neighbors. Raise your hands. We have
1618 about 10 to 12 homeowners here that are concerned about this development.

1619

1620 Mr. Vanarsdall - Well, the developer agreed to 30 feet, which they didn't have to agree to.
1621 We will see what we can do on that. I apologize for whoever told you that because it certainly
1622 was false information. In 2000 we approved the master plan, and nothing has changed since
1623 the 2000 master plan.

1624

1625 Mr. Barth - That's what I see in here now.

1626

1627 Mr. Vanarsdall - And I even heard that they said something about you wouldn't even
1628 know that the subdivision was there, and that you wouldn't even see it and the trees would be
1629 so thick (Mr. Vanarsdall chuckles). I'm not laughing, it's just that we hear this type of thing
1630 continuously. If it ever happens to you again, get whoever told you that to put it in writing.

1631

1632 Mr. Barth - I understand.

1633

1634 Mr. Vanarsdall - Find out their name and if they have any authority to do that.

1635

1636 Mrs. Ware - Or better yet, go back to the County yourself and check plat plans that
1637 are there for your specific development or property.

1638

1639 Mr. Barth - I understand completely.

1640

1641 Mr. Vanarsdall - Mr. Theobald has made a note of that. Are there any questions by
1642 Commission members?

1643

1644 Mr. Barth - We also one to make the point that.... Oh, I'm sorry, go ahead.

1645

1646 Mr. Vanarsdall - No. I'm finished.

1647

1648 Mr. Barth - We also want to make the point that we do like the comment in the
1649 document prepared by Mr. Silber about reviewing the landscaping plan, and we want to be
1650 very involved with that and get specifics on what the two large tree, one small tree and 25
1651 shrubs per 100 feet look like. What is the definition of a large tree and a small tree? We want
1652 to be very involved in that discussion. And then, finally, have a say in what trees that are right
1653 there within five or ten feet in that buffer. We want to mark the trees we want to keep in that
1654 buffer area.

1655

1656 Mr. Vanarsdall - Thank you. Do you understand about Fleeton Court?

1657

1658 Mr. Barth - Yes.

1659

1660 Mr. Vanarsdall - That is a proffer on the 2000 case that says that it would be an

1661 emergency access only. It will not go through all the way to Staples Mill Road, which was
1662 y'all's concern and I don't blame you.

1663

1664 Mr. Barth - We feel very good about that statement.

1665

1666 Mr. Vanarsdall - We don't blame any of you for any of these concerns, really. So, that
1667 will not happen. I was out there yesterday and I saw a painted sign that says it could go
1668 through, if you read it that way, so I can see how you could have been alarmed about that. I
1669 think it is going through for a few feet or something. The County Administration had begun to
1670 put those signs on streets because people would move into an area and automatically think that
1671 it is a cul-de-sac, and a cul-de-sac is almost never open, if there are any. So, that's the reason
1672 for these signs that have been put up, to show you that the street could go through some day,
1673 but this one won't. And we have that as a fact. The only way that could be changed is that it
1674 would have to come back through the Planning Commission and back through the Board and
1675 that's not likely. Thank you.

1676

1677 Mr. Kennedy - To be clear, sir. Fleeton Road will continue but it would be a part of the
1678 Oaks, just their development.

1679

1680 Mr. Vanarsdall - Thank you, Mike. All right is there anyone else.

1681

1682 Mr. Barth - Thank you.

1683

1684 Mr. Vanarsdall - Yes, ma'am. Good morning.

1685

1686 Ms. Durett - Good morning. I'm Christian Durett. I live in the Oaks. I live across
1687 the street from Mr. Barth.

1688

1689 Mr. Vanarsdall - Ms. Christian, we know you from Hermitage West. I knew you were
1690 going to move over there. I'm glad to see you again.

1691

1692 Ms. Durett - Thank you. We are concerned as a neighborhood, and I realize that a lot
1693 of concessions have been made by the developer, but I believe that the residents as well as the,
1694 it would be great for you to be there as well as Mr. Dick Glover and all people involved in this
1695 during the week in the evening. Majority of the residents cannot attend this during the
1696 morning because of their work schedules. I believe we will be able to work better as a group,
1697 including the developer, if we are able to meet again.

1698

1699 Mr. Vanarsdall - Well, you sure had enough experience at the other place you lived to do
1700 that.

1701

1702 Ms. Durett - Definitely.

1703

1704 Mr. Vanarsdall - We came to your house more times than anybody in the neighborhood.

1705

1706 Ms. Durett - That's right.
1707
1708 Mr. Vanarsdall - We will be happy to do that. And, Mr. Glover also said that he would
1709 do it on a Saturday.
1710
1711 Ms. Durett - We were wondering if we could do it during the week because the
1712 residents are quite busy during the weekends as well as y'all.
1713
1714 Mr. Vanarsdall - And we will do it at night or whatever time that y'all want to do it.
1715 That's already set in motion.
1716
1717 Ms. Durett - And where would that be held?
1718
1719 Mr. Vanarsdall - Well we will have to find out. We will have to go through his secretary
1720 and she will set the date that is convenient for y'all. Do you want us to contact you?
1721
1722 Ms. Durett - Actually, Carl or Joyce Cooke, are the ones that are running the shown.
1723
1724 Mr. Vanarsdall - Would you give Mr. Kennedy that information?
1725
1726 Ms. Durett - Certainly.
1727
1728 Mr. Vanarsdall - And I will follow it up with Mr. Glover and I'll follow it up from here.
1729 You know you can trust us.
1730
1731 Ms. Durett - Yes, sir, I do. Thank you very much.
1732
1733 Mr. Jernigan - Just have it at her house, Ernie. It sounds like you had the rest of the
1734 meetings there.
1735
1736 Mr. Vanarsdall - Oh, Christian, Mr. Glover, suggested that we have the meeting in this
1737 Board Room.
1738
1739 Ms. Durett - That would be wonderful.
1740
1741 Mr. Vanarsdall - Yes, sir.
1742
1743 Mr. Winschel - Hi. My name is Matt Winschel and I live in Lot 3N in the Oaks. I just
1744 have a quick request of the Planning Commission, if possible. I do live in one of the lots that
1745 is adjacent to this development. I live in what is, I believe, the lowest lying area on the upper
1746 section in lot 3. In the southwest corner of my property there is a headwall located on my
1747 property.
1748
1749 Mr. Vanarsdall - Have Mr. Kennedy show us where you are talking about.
1750

1751 Mr. Winschel - It's one of those two, right there (referring to rendering on the screen) a
1752 little to the left. Right in that area where the hand is.

1753

1754 Mr. Vanarsdall - So, you are right off Topping Lane also.

1755

1756 Mr. Winschel - Yes, sir. There is a headwall for storm drainage located on my property.
1757 It was constructed, and I don't know, there is an error in there that personnel from the County
1758 has verified that it is sitting in a reverse grade and it is not capable of draining out at this point.
1759 I don't know if that was either through construction or through planning but they have verified
1760 that there is a reverse grade on this. What I am concerned about is, I did speak to the County
1761 personnel on this and I believe that they are going to be removing that headwall and extending
1762 that drainage as a concrete culvert through that area. I do have a concern that that impacts the
1763 grading that was placed in my area that goes beyond the easement for the drainage on that.
1764 And, I'm asking, I guess as a condition of approval of this, that the developer be required to do
1765 any necessary fill and landscaping of that portion of it when they do it because it extends
1766 beyond their property that they are working on and beyond the drainage easement and into my
1767 yard. It impacts, not a significant portion, but it is probably close to 750 to 1000 square feet of
1768 property that is impacted by that from that stand point.

1769

1770 They have created essentially another wetland or enhanced that from that standpoint and what I
1771 would like to request is that any deficiency, that goes beyond their reach, be required to be
1772 corrected as a part of the approval process of this.

1773

1774 Mr. Vanarsdall - Mr. O'Kelly.

1775

1776 Mr. O'Kelly - I would defer to Mr. Parker if he could perhaps address the drainage
1777 concern. But I wouldn't think that they would be permitted to do any work outside of the
1778 recorded easement.

1779

1780 Mr. Parker - I'm Philip Parker with Attack Properties. Mr. Winschel, I have not been
1781 notified, I was not aware that there was a problem with that storm structure itself. Mr.
1782 Winschel is correct. The development of the Carriages is where he picks up the storm system
1783 that goes through his property and dumps into the Carriages 3. The timing of all of this was
1784 brought about by going through the Corps of Engineers getting final permit and etc. The
1785 outfall from his property currently outfalls into a wetland area that we just recently got
1786 permitted to run the storm system through. So, we will be resolving the drainage through
1787 there. Relative to lot grading, I can coordinate with Mr. Winschel and the builder. Lot
1788 grading is a builder responsibility, in this case, in the Oaks situation, it is the builders
1789 responsibility but I am happy to coordinate with Mr. Winschel and the builder to try to resolve
1790 what lot grading issues he may have. I'm not familiar with one, but I'm happy to try to
1791 coordinate with him, or help him resolve it.

1792

1793 Mr. O'Kelly - Would you be willing, Mr. Parker, when these plans are approved, when
1794 that happens, and before the work is done on this gentleman's property, that he be contacted by
1795 the contractor before they start any work?

1796 Mr. Parker - Yes. He would definitely be notified that we would be coming in an
1797 easement, an existing easement on his property. That is a standard procedure. It is also policy
1798 requirement by the County. But, yes, he will be notified, certainly.

1799

1800 Mr. O’Kelly - I haven’t found that to be the policy in some other situations.

1801

1802 Mr. Parker - Okay. I understand but typically when you work with the original
1803 control inspector and you go out there and you coordinate what’s going on, when the sequence
1804 of construction begins, you also coordinate with the adjoining owners and we have done so
1805 throughout CrossRidge. CrossRidge is a continuing development. We are finally getting
1806 towards the latter half of it all and it’s been very beneficial to the area.

1807

1808 Mr. Vanarsdall - Thank you. If you would give your name to Mr. Kennedy. In this
1809 meeting that we are going to have, Mr. Bob Thompson, who is the Director of Public Works,
1810 will be at the meeting or one of his assistants.

1811

1812 Mr. Winschel - Okay.

1813

1814 Mr. Vanarsdall - And we are going to have someone from every department of the County
1815 to meet.

1816

1817 Mr. Winschel - And I guess if I do one specific concern, and then the person that I was
1818 talking with, and I believe it was Mr. Amos’ department, had indicated that there was going to
1819 be a concrete culvert and the original planning document showed it coming up to catch the
1820 outfall from that headwall. And, I guess the concern then would be then, are they authorized
1821 to proceed within the drainage easement to do that because this headwall is located on my
1822 property but it is within the drainage easement. Will they have permission to be able to
1823 remove that headwall? And what I would like to see is have a manhole tied into the property
1824 line as it would normally be done.

1825

1826 Mr. Vanarsdall - I’m not in a position to answer that now.

1827

1828 Mr. O’Kelly - If there is a drainage easement there granted to the County then they
1829 would be able to work in that easement.

1830

1831 Mr. Winschel - Okay. So, that won’t be a problem to have that done to coordinate that
1832 from that standpoint?

1833

1834 Mr. O’Kelly - Right.

1835

1836 Mr. Winschel - Okay.

1837

1838 Mr. O’Kelly - But, we want them to contact you before they start any work.

1839

1840 Mr. Winschel - Okay. I’m not sure who I spoke with at Atack but there have been

1841 people out there on at least three or four occasions looking at that, specifically.

1842

1843 Mr. Vanarsdall - I hope you will be able to attend that meeting because Sam Amos will be
1844 there too.

1845

1846 Mr. Winschel - Okay. I can do that.

1847

1848 Mr. Vanarsdall - Thank you. Give Mr. Kennedy your name. Is there anyone else on the
1849 right? Now we will go to the left. Does anyone else want to speak? Mr. Theobald, I don't
1850 believe you have a lot of rebuttal time.

1851

1852 Mr. Theobald - That was probably an invitation to stay in my seat. I'll only say that I
1853 think that it is a great idea to bring the landscape plan back. The thing that we can best impact
1854 in terms of these two neighborhoods would be addressed through the landscape plan and
1855 perhaps those kinds of issues and others can be addressed at this meeting. Unless you have any
1856 other questions, thank you.

1857

1858 Mr. Vanarsdall - All right. First, I want to thank everybody who came this morning and
1859 who spoke even if you didn't speak, you came in behalf of this case. And, again, the way that
1860 all of this happened was that so many unfounded comments about this subdivision, where it
1861 would be, where it wouldn't be and someone even thought that we moved the property lines
1862 from the original. There were so many things that happened and so I can assure you that this
1863 meeting will be held and Mr. Glover will conduct it and Mr. Theobald will be there and Mr.
1864 Parker and the Department heads. And we will get it straight. Now as for today, as some
1865 people that I received calls from, wanted this postponed but at this point there is no reason to
1866 postpone this because at 30 days from now we would be at the same point we are now. All of
1867 the zoning and ordinances and everything have been satisfied. And so with that, I'm going to
1868 go ahead and recommend it and then we will have the meeting and we will take care of
1869 anything between now and the final subdivision plan.

1870

1871 So, I move that POD-12-05, Carriages Homes @ CrossRidge, Section 3, be approved with the
1872 annotations on the plans the standard conditions for developments of this type and then I want
1873 to add No. 9 amended and Nos. 23 through 33 and then No. 34 that was added on the
1874 addendum and I want to make sure that Proffer No. 20 on the original case in 2000, which
1875 states that Fleeton will not be open. End of motion.

1876

1877 Mr. Archer - Second, Mr. Chairman.

1878

1879 Mr. Vanarsdall - The motion was made by Mr. Vanarsdall and seconded by Mr. Archer.
1880 All in favor say aye...all opposed say nay. The ayes have it. The motion passes.

1881

1882 The Planning Commission approved POD-12-05, Carriages Homes @ CrossRidge, Section 3,
1883 subject to the standard conditions attached to these minutes for developments of this type, the
1884 annotations on the plans and the following additional conditions:

1885

- 1886 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
1887 Planning for review and Planning Commission approval prior to the issuance of any
1888 occupancy permits.
- 1889 23. The unit house numbers shall be visible from the parking areas and drives.
- 1890 24. The names of streets, drives, courts and parking areas shall be approved by the Richmond
1891 Regional Planning District Commission and such names shall be included on the
1892 construction plans prior to their approval. The standard street name signs shall be ordered
1893 from the County and installed prior to any occupancy permit approval.
- 1894 25. The easements for drainage and utilities as shown on approved plans shall be granted to
1895 the County in a form acceptable to the County Attorney prior to any occupancy permits
1896 being issued. The easement plats and any other required information shall be submitted
1897 to the County Real Property Agent at least sixty (60) days prior to requesting occupancy
1898 permits.
- 1899 26. The limits and elevations of the 100-year frequency flood shall be conspicuously noted
1900 on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year
1901 floodplain must be labeled "Variable Width Drainage and Utility Easement." The
1902 easement shall be granted to the County prior to the issuance of any occupancy permits.
- 1903 27. The developer shall provide fire hydrants as required by the Department of Public
1904 Utilities and Division of Fire.
- 1905 28. The proffers approved as a part of zoning case C-17C-00 shall be incorporated in this
1906 approval.
- 1907 29. Any necessary off-site drainage and/or water and sewer easements must be obtained in a
1908 form acceptable to the County Attorney prior to final approval of the construction
1909 plans.
- 1910 30. Deviations from County standards for pavement, curb or curb and gutter design shall be
1911 approved by the County Engineer prior to final approval of the construction plans by
1912 the Department of Public Works.
- 1913 31. The pavement shall be of an SM-2A type and shall be constructed in accordance with
1914 County standard and specifications. The developer shall post a defect bond for all
1915 pavement with the Department of Planning - the exact type, amount and implementation
1916 shall be determined by the Director of Planning, to protect the interest of the members
1917 of the Homeowners Association. The bond shall become effective as of the date that
1918 the Homeowners Association assumes responsibility for the common areas. Prior to the
1919 issuance of the last Certificate of Occupancy, a professional engineer must certify that
1920 the roads have been designed and constructed in accordance with County standards.
- 1921 32. Insurance Services Office (ISO) calculations must be included with the plans and
1922 contracts and must be approved by the Department of Public Utilities prior to the
1923 issuance of a building permit.
- 1924 33. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the
1925 maintenance of the common area by a homeowners association shall be submitted to the
1926 Department of Planning for review. Such covenants and restrictions shall be in form and
1927 substance satisfactory to the County Attorney and shall be recorded prior to recordation of
1928 the subdivision plat.
- 1929 34. Prior to issuance of a certificate of occupancy for any building in this development, the
1930 engineer of record shall certify that the site has been graded in accordance with the

1931 approved grading plans.

1932

1933 **SUBDIVISION (Deferred from the January 26, 2005 Meeting)**

1934

Westridge East
(January 2005 Plan)
- Sawdust Drive

Engineering Design Associates for Neil A. and A.H.W. Sonenklar: The ~~12-649~~ 9.821-acre site proposed for a subdivision of ~~7~~ 9 single family homes is located at the eastern terminus of Sawdust Drive on parcels ~~733-773-6063, 1348 and 732-773-9849~~. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield. **(Three Chopt) 9 7 Lots**

1935

1936 Mr. Vanarsdall - Is there anyone in the audience in opposition to subdivision Westridge
1937 East (January 2005 Plan), in the Three Chopt District? No opposition. Good morning, again,

1938 Mr. Wilhite.

1939

1940 Mr. Wilhite - You are being handed out a revised subdivision plan and a revised cover
1941 map. This plan has been changed per staff's recommendation. Staff can't support the
1942 extension of Sawdust Drive to serve this development. Instead with this layout, this
1943 subdivision has been redesigned to access Weston subdivision, which just recently received
1944 Planning Commission approval in January. The two existing lots along Sawdust have been
1945 removed from the case and there are now seven lots on the cul-de-sac street, on the layout that
1946 is being provided to the Planning Commission. With some property line adjustments that have
1947 been annotated on the revised plan, staff is in a position to recommend approval of the revised
1948 plan. On page five of your addendum, there is a revised recommendation for approval and
1949 there are also two added conditions that the staff is recommending. This deals with the timing
1950 of approval of construction plans and the recordation plat for the subdivision requiring that
1951 Weston subdivision be approved before hand. Staff can recommend approval of the revised
1952 plans with the conditions Nos. 11, 12 and 13 added.

1953

1954 Mr. Vanarsdall - Are there any questions for Mr. Wilhite? All right. I move that
1955 Westridge East - Sawdust Drive, be approved as recommended by staff with the annotations on
1956 the plans, the standard conditions for subdivisions not served by public utilities, and I have No.
1957 11 and then on the addendum we have added Nos. 12 and 13.

1958

1959 Mr. Jernigan - Second.

1960

1961 Mr. Vanarsdall - The motion was made by Mr. Vanarsdall and seconded by Mr. Jernigan.
1962 All in favor say aye...all opposed say nay. The ayes have it. The motion passes. Please note
1963 that Mr. Marshall had a conflict and did not vote on this case.

1964

1965 The Planning Commission granted conditional approval to subdivision Westridge East (January
1966 2005 Plan), subject to the standard conditions attached to these minutes for subdivisions not
1967 served by public utilities, the annotations on the plans and the following additional conditions:
1968 11. Any future building lot containing a BMP, sediment basin or trap and located within the

1969 buildable area for a principal structure or accessory structure, may be developed with
1970 engineered fill. All material shall be deposited and compacted in accordance with the
1971 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
1972 professional engineer. A detailed engineering report shall be submitted for the review and
1973 approval by the Building Official prior to the issuance of a building permit on the affected
1974 lot. A copy of the report and recommendations shall be furnished to the Directors of
1975 Planning and Public Works.
1976 12. The Department of Planning shall not approve the construction plans for this
1977 subdivision until the construction plans for the Westin subdivision have been approved
1978 and distributed by the County.
1979 13. The subdivision plat shall not be recorded until the subdivision plat for Westin, or any
1980 portion thereof that provides the means of public access to this property, has been
1981 recorded.

1982

1983 **SUBDIVISION**

1984

Forest Parke
(February 2005 Plan)

**Mozingo & Associates, Edwards, Kretz, Lohr & Associates
for John D. III & K. S. Shobe and Starwood Corporation:**
The 5.42-acre site proposed for a subdivision of ~~10~~ 9 single-family homes is located along the northern side of Paris Drive, approximately 250 feet east of the intersection of Paris Drive and Forest Avenue on part of parcel 757-738-9779. The zoning is R-3, One-Family Residence District. County water and sewer. **(Tuckahoe) 10 9 Lots**

1985

1986 Mr. Vanarsdall - Is there anyone in the audience in opposition to Forest Parke (February
1987 2005 Plan) in the Tuckahoe District? We have opposition. Mr. Cooper.

1988

1989 Mr. Cooper - A revised plan was handed out to you this morning for this subdivision
1990 and as Mr. Secretary indicated you will see on your addendum the number of lots has been
1991 revised from 10 lots to 9. This property is well inundated with wetlands and floodplain which
1992 limited some of the original buildable area for the proposed plan that was originally submitted.
1993 The revised plan that was handed to you this morning appears to resolve these issues related to
1994 buildable areas outside of the wetlands. In addition to that, the Director of Public Works has
1995 granted an exception for the curve in the proposed road for the radius of that curve. Therefore,
1996 all of staff's concerns at this time have been addressed. Staff is aware of some concerns from
1997 adjacent property owners, and I believe that some of them are here today to speak to that. One
1998 such issue related to this subdivision from the neighbors is the construction traffic on Hepler
1999 Road. The applicant has agreed to limit that construction traffic to Paris Drive only.
2000 Therefore, any vehicle associated with construction for this subdivision would be limited to
2001 accessing Paris Drive from Forest Avenue and ultimately into the subdivision in that manner as
2002 opposed to coming down Hepler Road near the elementary school. This is addressed in
2003 condition No. 17 in your addendum.

2004

2005 Overall the applicant and his engineer have worked diligently with staff to address all of these

2006 outstanding issues and concerns, and therefore staff recommends approval at this time. The
2007 applicant and his representative are here today to answer any questions and I'll be happy to
2008 answer any questions as well.

2009

2010 Mr. Vanarsdall - Are there any questions for Mr. Cooper?

2011

2012 Mrs. Ware - I have no questions at this time.

2013

2014 Mr. Vanarsdall - Would you like to hear from the applicant, Mrs. Ware?

2015

2016 Mrs. Ware - We can or we can go ahead and hear from the opposition. I would like
2017 to hear what your concerns are. Would y'all like to come forward, please?

2018

2019 Mr. Vanarsdall - Good morning.

2020

2021 Mr. Weissbecker - Good morning. My name is Low Weissbecker and I am a resident of
2022 Eight Acres. Actually, I have no dog on this fight, but my main concern has to do with the
2023 children in the neighborhood. The development is within one block of Tuckahoe Elementary
2024 School and many of the children walk up Paris Drive and around to get there. We have quite a
2025 few walkers in the neighborhood. Since this property's original address is Forest Avenue, I
2026 don't see why that road shouldn't go straight down to Forest Avenue. If you think about it,
2027 and Forest Avenue leads directly into I-64 and it would be much better. Most of these people
2028 when they go to work, they are going to swing down Paris Drive to Forest Avenue to get onto
2029 I-64. If you could just make it a straight access to Forest Avenue I think it would be much
2030 better, and that area is not used anyway and that's because it is a wetland area, so you could
2031 put it next to wetlands and it might also help to help in the drainage situation. That's all I have
2032 to say.

2033

2034 Mrs. Ware - All right. Are there any questions? Thank you. From what I have seen
2035 on this plan, that access is not possible. It is not a part of the property that's being considered
2036 for this development.

2037

2038 Mr. O'Kelly - I believe that's correct, Mrs. Ware, plus it would introduce three
2039 intersections on Forest Avenue way too close together, it wouldn't meet any of the County
2040 standards for separation from those intersections.

2041

2042 Mrs. Ware - I do understand your concern about school children and the walkers at
2043 Tuckahoe Elementary, which is one reason why we wanted to make sure that the construction
2044 traffic took the shortest path possible. I know that they probably cross Forest Avenue and
2045 come thru Paris to get to Tuckahoe, is that what you are saying?

2046

2047 Mr. Weissbecker - Yes.

2048

2049 Mrs. Ware - Yeah because there is no shoulder along Forest. And while this is going
2050 on, they will just have to be extra careful during that time and we have tried to limit the traffic

2051 impact as much as possible while this is taking place.

2052

2053 Mr. Weissbecker - Well, I'm thinking of the long-range plans and that after the construction
2054 is over, and people coming out of the development late for work and zooming around down
2055 there. Actually, as I said, it has a Forest Avenue address and there is a driveway down there,
2056 and that's why I know access to Forest Avenue is readily accessible.

2057

2058 Mrs. Ware - Thank you.

2059

2060 Mr. Vanarsdall - Thank you. How are you doing?

2061

2062 Mr. Saunders - My name is Charles Saunders and I live at the corner of Paris Drive and
2063 Forest Avenue, so this new development is being built all around my property. I really have
2064 no opposition to their plan. I think they have done a good job. My concern is drainage. I live
2065 at the bottom of the hill. Right now the property holds the water real well except for the
2066 existing old driveway off of Forest Avenue. There is a lot of water that runs down there and it
2067 comes onto my property. There are other drainage problems, and I filed a complaint with
2068 Public Works about the water coming out of Spottswood Park, underneath Forest and onto my
2069 property. There is some problem with the water accumulating on my property and into the
2070 wetlands area. There's going to be a lot more water coming down into that wetlands area.
2071 I've been assured that a proper drainage plan will be developed. I haven't seen it yet. The
2072 other issue that I have is if a road is put from Forest Avenue into this property, the only place
2073 to put it is right up against the back of my house and I am really opposed to that. The existing
2074 driveway to that property is right up against the back of my house and I certainly don't want a
2075 road there. So, I understand the concerns about the traffic and the school children on Paris and
2076 Hepler Road. If there was a road to be off of Forest I would certainly want it no closer to
2077 Rock Creek Road on University Boulevard over there but I don't think you can even put
2078 anything over in that area. I know Bonnie here and I would like to ask her if she could come
2079 by sometime and see some of the issues I have with some of the property lines and how that
2080 affects me. I have contacted the developer and asked him if he would meet with me and
2081 discuss some of the property lines because as it exist now somebody can, say on lot 2, could
2082 build a tool shed or something or a dog pen right up against my backdoor because my property
2083 line is very shallow. So, at any rate, my main concern is the drainage and that road off of
2084 Forest Avenue. Thank you.

2085

2086 Mr. Vanarsdall - Mr. Saunders, do you want to make sure that the developer comes and
2087 meet you?

2088

2089 Mr. Saunders - I talked to him and he said that he was going to come but I haven't heard
2090 back from him for a date yet.

2091

2092 Mr. Vanarsdall - Who was that that told you that?

2093

2094 Mr. Saunders - Daniel Wilson.

2095 Mr. Vanarsdall - Well, he's sitting right here.

2096

2097 Mr. Saunders - Oh, he is. Okay. Thank you.

2098

2099 Mr. Vanarsdall - We have your word that you will meet with him?

2100

2101 Mr. Wilson - Yes. (Mr. Wilson speaking from the audience)

2102

2103 Mr. Vanarsdall - That's great. Thank you.

2104

2105 Mrs. Ware - I am aware of your drainage concerns. I have talked with Mr. Cooper
2106 several times about the concerns you have with the drainage and certainly understand those. It
2107 is the County's policy to make things better, certainly not to make things worse. I'm going to
2108 let Mr. Cooper speak to that a little bit because he does it so well. But, as this moves farther
2109 along in the process there will be more detailed information on the drainage. This is just the
2110 plan for development and then it goes to the different departments so that these plans are more
2111 specific and they are dealing directly with the issues that are right there and you will absolutely
2112 can be involved in that process. Mr. Cooper has your number and has your information so that
2113 your issues can be addressed, as far as the drainage is concerned. As far as the road and Mr.
2114 O'Kelly mentioned that, that parcel is not a part of this development or this property or owned
2115 by them, plus you would have too many streets coming out in one place. So, the possibility of
2116 an actual road going through there is nil.

2117

2118 Mr. Saunders - Thank you for your time.

2119

2120 Mr. Vanarsdall - Thank you, Mr. Saunders.

2121

2122 Mr. Cooper - I'll just address the drainage issue. Mrs. Ware is correct. At this time
2123 with the conditional approval the design engineer in the Department of Public Works has
2124 reviewed the plan and feels satisfied that positive drainage will be created on this property and
2125 again those more specific and detailed drainage plans will be reviewed with the next step of the
2126 process which would be the final subdivision application. I have put Mr. Saunders in touch
2127 with the design engineer in Public Works. I have passed his name and phone number along to
2128 her as well and I will also follow up on our end to make sure that he is involved when that
2129 application does come in for the final subdivision. But, again, it certainly will not make the
2130 drainage situation worse. The plans will be created so that drainage will be kept on their
2131 property in an approved manner.

2132

2133 Mr. Vanarsdall - All right. Thank you, Mike.

2134

2135 Mr. O'Kelly - Mr. Chairman, could I ask the developer a question?

2136

2137 Mr. Vanarsdall - Yes, sir. Come on down and identify yourself.

2138

2139 Mr. Wilson - My name is Dan Wilson.

2140 Mr. O'Kelly - Good morning, Mr. Wilson. In light of the concern for school children

2141 walking to Tuckahoe Elementary School, it is so close by from this neighborhood, and the
2142 condition that the staff is recommending is that construction traffic be restricted to Paris Drive.

2143

2144 Mr. Wilson - Yes, sir.

2145

2146 Mr. O’Kelly - Could you tell us how you might restrict construction traffic? What steps
2147 you would take to do that?

2148

2149 Mr. Wilson - I think what I would do is on every contract that I have for the
2150 contractors going in part of that would be to have a statement in there that they agree to use
2151 Paris and not, specifically mention Hepler, that they can’t use that. And I don’t know whether
2152 the County has any temporary signs. I see tripods, you know, like tee pee type signs. If we
2153 could put something down even near the intersection by the elementary school, temporarily that
2154 says “No Construction Traffic.” I would put something up like that. I don’t know what is
2155 permitted or not permitted to put up. It’s fully our intention and even as a practical matter,
2156 that’s the closest approach to that is from Forest, to come right up Paris.

2157

2158 Mr. O’Kelly - Well, it has been our experience in the past that people don’t respect
2159 other folks neighborhoods and I think any efforts you can take to help us with this situation is
2160 appreciated.

2161

2162 Mr. Wilson - Yes, I’ll be glad to do that.

2163

2164 Mrs. Ware - Do you know of any sign ordinances or who Mr. Wilson can talk to find
2165 out?

2166

2167 Mr. O’Kelly - I think maybe Mr. Jennings could help with that, the traffic engineer.

2168

2169 Mr. Wilson - Okay. I’ll be glad to put up a sign there, would be glad to....

2170

2171 Mr. Vanarsdall - You will be glad to put up a sign if we have one?

2172

2173 Mr. Wilson - Yes. I would rather you guys have it.

2174

2175 Mrs. Ware - Yes. If it is allowed.

2176

2177 Mr. Vanarsdall - Let’s see what Mr. Jennings has to say about it.

2178

2179 Mr. Wilson - And then also just to touch a little bit on the drainage, the question that
2180 was before. The low part, actually the cul-de-sac stops just about where my hand is (referring
2181 to rendering on the screen) right now, and the runoff is going to go straight off to the north,
2182 right up in that direction there. That’s where the lower part drains off and of course I know
2183 that Public Works is on top of all of that.

2184

2185 Mrs. Ware - Thank you, Mr. Wilson. Mr. Weissbecker, you have something else to

2186 say?

2187

2188 Mr. Weissbecker - (Speaking from his seat) In rebuttal.

2189

2190 Mr. Vanarsdall - You have to come back down to the mic again and identify yourself.

2191

2192 Mr. Weissbecker - Right now the entrance to that property is just a simple driveway and
2193 hopefully the builder will build the road first before he does anything else. Otherwise, it would
2194 be almost impossible for construction trucks to get in there and to make that turn down Paris
2195 Drive, unless they widen that area considerably as an initial stop.

2196

2197 Mrs. Ware - Mr. Wilson can speak to that.

2198

2199 Mr. Wilson - I think he is asking me to make sure that we have our cul-de-sac opening
2200 and the road area cut in first. That's the first thing that would happen on the job site. We
2201 would open that road up and get the gravel in and start working on that.

2202

2203 Mrs. Ware - That answer your question?

2204

2205 Mr. Weissbecker - Yes, fine, thank you. But as you said, I ought to get it in writing, I
2206 guess, huh.

2207

2208 Mr. Jennings - Good morning. I'm assistant traffic engineer, Mike Jennings, with the
2209 County. We don't have a standard sign for construction traffic but we could work with the
2210 developer in either making one for/with him, for him, or if he gets a private sign, I'm sure we
2211 can allow one to be put in the right-of-way temporarily.

2212

2213 Mr. Vanarsdall - Would you follow that up, Mike? You can get with Mike Cooper and
2214 y'all see what y'all can do on that. Thank you.

2215

2216 Mr. Jennings - Certainly.

2217

2218 Mr. Vanarsdall - Are there any questions by Commission members?

2219

2220 Mrs. Ware - Thank you, Mr. Cooper, and everyone else. So, I will move that
2221 subdivision Forest Parke (February 2005 Plan) be approved subject to the standard conditions
2222 for subdivisions served by public utilities and the following additional conditions Nos. 12 thru
2223 17.

2224

2225 Mr. Jernigan - Second.

2226

2227 Mr. Vanarsdall - The motion was made by Mrs. Ware and seconded by Mr. Jernigan. All
2228 in favor say aye...all opposed say nay. The ayes have it. The motion passes.

2229

2230 The Planning Commission granted conditional approval to subdivision Forest Parke (February

2231 2005 Plan) subject to the standard conditions attached to these minutes for subdivisions served
2232 by public utilities, the annotations on the plans and the following additional conditions:

2233

2234 12. Each lot shall contain at least 11,000 square feet, exclusive of the flood plain areas.

2235 13. Prior to requesting final approval, the engineer shall furnish the Department of Planning
2236 Staff a plan showing a dwelling situated on Lots 3 and 4 to determine if the lot design is
2237 adequate to meet the requirements of Chapter 24, of the Henrico County Code.

2238 14. The limits and elevation of the 100-year frequency flood shall be conspicuously noted on
2239 the plat and construction plans and labeled "Limits of 100-year floodplain." Dedicate
2240 floodplain as a "Variable Width Drainage & Utilities Easement."

2241 15. Any necessary offsite drainage easements must be obtained prior to approval of the
2242 construction plan by the Department of Public Works.

2243 16. Any future building lot containing a BMP, sediment basin or trap and located within the
2244 buildable area for a principal structure or accessory structure, may be developed with
2245 engineered fill. All material shall be deposited and compacted in accordance with the
2246 Virginia Uniform Statewide Building Code and geotechnical guidelines established by a
2247 professional engineer. A detailed engineering report shall be submitted for the review
2248 and approval by the Building Official prior to the issuance of a building permit on the
2249 affected lot. A copy of the report and recommendations shall be furnished to the
2250 Directors of Planning and Public Works.

2251 17. Construction traffic shall be limited to Paris Drive only.

2252

2253 Mr. Marshall - Mr. Chairman, I would like to apologize for my constituents name
2254 calling of your Supervisor last night.

2255

2256 Mr. Archer - Oh, you read the papers.

2257

2258 Mr. Vanarsdall - Well, I think you should contact Ms. Bonny and get her to publish that.
2259 Thank you for that. Mr. Archer has read the minutes. Bonnie-Leigh, oh, I want to tell y'all
2260 something about her name. We thought it was a good ole southern name Bonny L E E, like
2261 Robert.

2262

2263 Mr. Archer - But, it's L E I G H.

2264

2265 Mr. Marshall - It's like the street.

2266

2267 **APPROVAL OF MINUTES: January 26, 2005, Minutes**

2268

2269 Mr. Vanarsdall - We won't hold that against you. Bonnie, I just wanted to tell you that,
2270 when you get up here, we always have the minutes to approve and Mr. Archer always reads
2271 them for us.

2272

2273 Mr. Marshall - He is the official minute reader.

2274 Mr. Vanarsdall - So, maybe you can help him out.

2275

2276 Mr. Archer - That's just an old wife's tale. Yeah, I can tell you that on page 45, line
2277 1679, the word "bare" is a typographical error, it should be "bear" and not "bare."
2278

2279 Mr. Jernigan - And believe it or not, I have found an error in the minutes.
2280

2281 Mr. Marshall - It is going to snow tonight, right?
2282

2283 Mr. Vanarsdall - Yes, it is. You always told me that you were too busy to read these
2284 minutes.
2285

2286 Mr. Jernigan - Well, I was bored last night.
2287

2288 Mr. Vanarsdall - You must have been.
2289

2290 Mr. Jernigan - Actually, on page 61, line 2330, where it says "Mr. Jernigan" it should
2291 say "Mr. Vanarsdall." That was the chairman speaking.
2292

2293 Mr. Vanarsdall - Well, I'm glad you caught that one.
2294

2295 Mr. Marshall - Do you want to disassociate yourself with those comments, Mr.
2296 Chairman?
2297

2298 Mr. Vanarsdall - (Laughing)
2299

2300 Mr. Jernigan - That's the only error that I have.
2301

2302 Mr. Vanarsdall - One thing about being on the Commission, I didn't read no more than a
2303 cigar band before I got on here, now it's been a full education.
2304

2305 Mr. O'Kelly - Do we have a motion to adjourn?
2306

2307 Mr. Archer - Mr. Chairman, before we move to adjourn, I would like to issue a
2308 formal good-bye to Mrs. Ware and let her know how much of a pleasure it has been to serve
2309 with her. I've really enjoyed working with you. I'm sure I speak on behalf of the entire
2310 Commission.
2311

2312 Mrs. Ware - Thank you so much.
2313

2314 Mr. Vanarsdall - Very nice.
2315

2316 Mr. Jernigan - You come back to see us once in a while.

2317 Mr. Vanarsdall - Thank you. All right. Now I need a motion and a second on the
2318 minutes.

2319

2320 Mr. Archer - I move we approve the minutes as corrected.

2321

2322 Mr. Jernigan - Second.

2323

2324 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mr. Jernigan.

2325 All those in favor say aye...all opposed say nay. The ayes have it. The motion passes.

2326

2327 The Planning Commission approved the minutes from the January 26, 2005, meeting.

2328

2329 Mr. Vanarsdall - I believe that takes care of it for today.

2330

2331 Mr. O'Kelly - Mr. Chairman, we need a motion to adjourn.

2332

2333 Mr. Archer - Mr. Chairman, I move for immediate adjournment.

2334

2335 Mrs. Ware - Second.

2336

2337 Mr. Vanarsdall - The motion has been made and seconded to adjourn. Thank you.

2338

2339 On a motion by Mr. Archer and seconded by Mrs. Ware, the Planning Commission adjourned
2340 its February 23, 2005, meeting at 10:55 a.m.

2341

2342

2343

2344

2345

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

2346

2347

2348

2349

2350

David D. O'Kelly, Jr., Acting Secretary