

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County,
2 held in the County Administration Building in the Government Center at Parham and
3 Hungary Spring Roads beginning at 9:00 a.m. Wednesday, February 24, 2010.
4

Members Present: Mr. Ernest B. Vanarsdall, C.P.C., Chairman (Brookland)
Mr. C. W. Archer, C.P.C. Vice-Chairman (Fairfield)
Mrs. Bonnie-Leigh Jones, (Tuckahoe)
Mr. E. Ray Jernigan, C.P.C., (Varina)
Mr. Tommy Branin (Three Chopt)
Mr. R. Joseph Emerson, Jr., Director of Planning, Secretary
Mr. David A. Kaechele (Three Chopt)
Board of Supervisors Representative

Others Present: Mr. David D. O'Kelly, Assistant Director of Planning
Ms. Leslie A. News, CLA, Principal Planner
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner
Mr. Michael F. Kennedy, County Planner
Ms. Christina L. Goggin, AICP, County Planner
Mr. Tony Greulich, C.P.C., County Planner
Mr. Matt Ward, County Planner
Mr. Gregory Garrison, County Planner
Mr. Lee Pambid, C.P.C., County Planner
Ms. Aimee Berndt, County Planner
Mr. Tommy Catlett, Assistant Traffic Engineer
Mr. Robert Peterman, GIS Technician
Ms. Kim Vann, Henrico Police
Ms. Holly Zinn, Recording Secretary

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6 **Mr. David A. Kaechele, the Board of Supervisors' representative, abstains from**
7 **voting on all cases unless otherwise noted.**
8

9 Mr. Vanarsdall - Good morning, everybody. Welcome to another Henrico
10 County Planning Commission meeting. Glad to see you here this morning. Good
11 morning, fellow Commissioners. Good morning, Mr. Secretary. I want to give a special
12 welcome to Mr. Kaechele over on the end who is a member of the Board of Supervisors
13 and immediate past chairman.
14

15 Mr. Kaechele - Thank you.

16
17 Mr. Vanarsdall - Mr. Kaechele is sitting with us this year and keeping us
18 straight.
19

20 Mr. Kaechele - Yes, right.

21
22 Mr. Vanarsdall - Welcome to the staff over there. With that, I'd like for
23 everyone to stand and **Pledge Allegiance to our Flag.**

24
25 Thank you very much. I have one announcement, Mr. Secretary, before we start. We
26 have a brand new—let's see, not a brand new grandmother, but Mrs. Jones' daughter
27 just had a little girl.

28
29 Mrs. Jones - Thank you for sharing.

30
31 Mr. Vanarsdall - Although she doesn't look old enough to be a grandmother,
32 she is.

33
34 Mrs. Jones - Silver-tongued devil. Thank you.

35
36 Mr. Vanarsdall - I'll now turn the meeting over to our secretary and Director of
37 Planning, Mr. Emerson.

38
39 Mr. Emerson - Thank you, Mr. Chairman. The first item on your agenda
40 today is the Requests for Deferrals and Withdrawals. Those will be presented by Ms.
41 Leslie News.

42
43 Mr. Vanarsdall - Good morning, Ms. News.

44
45 Ms. News - Good morning, Mr. Chairman, members of the Commission.
46 We have two requests for deferrals this morning on your agenda. The first is found on
47 page nine and is located in the Fairfield District. This is POD-06-10, St. Joseph's Villa –
48 Site Infrastructure Improvements. The applicant is requesting a deferral to the April 28,
49 2010 meeting.

50
51 **PLAN OF DEVELOPMENT**

52
POD-06-10 **Vanasse Hangen Brustlin, Inc. for St. Joseph's Villa**
POD2010-00012 **and St. Joseph's Academy and Orphanage:** Request for
St. Joseph's Villa – Site approval of a plan of development, as required by Chapter
Infrastructure 24, Section 24-106 of the Henrico County Code, to
Improvements – 8000 upgrade site infrastructure, including a new entrance and
Brook Road (U.S. Route turn lane on E. Parham Road and revisions to interior
1) roadways, parking areas, utility infrastructure, walkways,
lighting, and landscaping. The 66.4-acre site is located at
the southwestern corner of Brook Road (U.S. Route 1) and
E. Parham Road, on parcels 783-755-9039, 783-756-
7324, and 784-754-2439. The zoning is R-5, General
Residential District, O-1, Office District, and O-2C, Office
District (Conditional). County water and sewer. **(Fairfield)**

53
54 Mr. Vanarsdall - Anyone in the audience in opposition to the deferral of POD-
55 06-10? No opposition.

56

57 Mr. Archer - Mr. Chairman, with that I will move for deferral of POD-06-
58 10, St. Joseph's Villa – Site Infrastructure Improvements, to the April 28, 2010, meeting
59 at the applicants' request.

60
61 Mr. Jernigan - Second.

62
63 Mr. Vanarsdall - Motion by Mr. Archer, seconded by Mr. Jernigan. All in favor
64 say aye. All opposed say no. The ayes have it; the motion passes.

65
66 At the request of the applicant, the Planning Commission deferred POD-06-10, St.
67 Joseph's Villa – Site Infrastructure Improvements, to its April 28, 2010 meeting.

68
69 Ms. News - The next item is found on page 11 of your agenda and is
70 located in the Three Chopt District. This is POD-41-07, Pouncey Place Phase 1. The
71 applicant has requested a deferral to the March 24, 2010 meeting.

72
73 **PLAN OF DEVELOPMENT AND MASTER PLAN**

74 *(Deferred from the January 27, 2010 meeting)*

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POD-41-07

POD2007-00101

Pouncey Place, Phase I –
Pouncey Tract Rd. and
Twin Hickory Lake Dr.
(POD-57-86 Rev.)

Bay Design Group, P.C. for Pouncey Place, LLC:

Request for approval of a plan of development and master plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a shopping center with Phase 1 consisting of 3 one-story retail buildings totaling 32,500 square feet and a future phase consisting of 2 one-story retail buildings totaling 57,200 square feet. The 9.89-acre site is located on the southeast corner of Pouncey Tract Road (State Route 271) and Twin Hickory Lake Drive on parcel 740-765-2150 and part of parcel 740-765-7333. The zoning is B-2C, Business District (Conditional), A-1, Agricultural District, and WBSO, West Broad Street Overlay District. County water and sewer. **(Three Chopt)**

76
77 Mr. Vanarsdall - Anyone in the audience in opposition to the deferment of
78 POD-41-07, Pouncey Place, Phase 1? No opposition, Mr. Branin.

79
80 Mr. Branin - Mr. Chairman, I'd like to move that POD-41-07, Pouncey
81 Place, Phase 1, be deferred to the March 24, 2010 meeting per the applicant's request.

82
83 Mrs. Jones - Second.

84
85 Mr. Vanarsdall - Motion by Mr. Branin, seconded by Mrs. Jones. All in favor
86 say aye. All opposed say no. The ayes have it; the motion passes.

87
88 At the request of the applicant, the Planning Commission deferred POD-41-07, Pouncey
89 Place, Phase 1, to its March 24, 2010 meeting.

90
91 Ms. News - Staff is not aware of any further deferrals.

92
93 Mr. Emerson - Mr. Chairman, if the Commission does not have any
94 deferrals to add to that list, the next items on your agenda are the expedited items, and
95 those will also be presented by Ms. Leslie News.

96
97 Ms. News - Sir, we have one item on our expedited agenda this morning.
98 It is found on page 3 of your agenda and is located in the Three Chopt District. This is a
99 transfer of approval for POD-47-85 (formerly POD-107-84 revised), Copper Mill
100 Apartments. There is an addendum item on page 1 of the addendum that updates that
101 POD number to 47-85. Staff recommends approval.

102
103 **TRANSFER OF APPROVAL**

104
105
106 **POD-47-85 John McKee for Birchmont JRK Partners III, LLC:**
107 **POD2009-00213** Request for transfer of approval as required by Chapter
108 **Copper Mill Apartments – 24, Section 24-106 of the Henrico County Code from U.S.**
109 **3400 Coppermill Trace Shelter Corporation, Copper Mill Limited Partnership,**
110 **(POD-107-84 Rev.) Century Properties Growth Fund XXII, and Copper Mill**
111 **CPGF 22, LP to Copper Mill Apartments, LLC/Birchmont**
112 **JRK Partners III, LLC. The 13.36-acre site is located on**
113 **the south line of W. Broad Street (U.S. Route 250),**
114 **approximately 1,600 feet east of Pemberton Road (State**
115 **Route 157), on parcel 756-756-1972. The zoning is R-5C,**
116 **General Residence District (Conditional). County water**
117 **and sewer. (Three Chopt)**

118
119
120 Mr. Vanarsdall - Anyone in the audience in opposition to this transfer of
121 approval for POD-47-85, Copper Mill Apartments (POD-107-84 Rev.)? No opposition,
122 Mr. Branin.

123
124 Mr. Branin - Mr. Chairman, I'd like to move that POD-47-85, Copper Mill
125 Apartments (POD-107-84 Rev.), be approved on the expedited agenda, including the
126 addendum item.

127
128 Mr. Jernigan - Second.

129
130 Mr. Vanarsdall - Motion by Mr. Branin, seconded by Mr. Jernigan. All in favor
131 say aye. All opposed say no. The ayes have it; the motion passes.

132
133
134 The Planning Commission approved the transfer of approval request for POD-47-85,
135 Copper Mill Apartments (POD-107-84 Rev.), from U.S. Shelter Corporation, Copper Mill
136 Limited Partnership, Century Properties Growth Fund XXII, and Copper Mill CPGF 22,
137 LP to Copper Mill Apartments, LLC/Birchmont JRK Partners III, LLC, subject to the

123 standard and added conditions previously approved and the following additional
124 condition:

125
126 1. The missing landscaping, as shown on the revised landscape plan, dated
127 February 10, 2010, shall be corrected by April 1, 2010.

128 Ms. News - That completes our expedited agenda.

129
130 Mr. Vanarsdall - Thank you, Ms. News.

131
132 Mr. Emerson - Mr. Chairman, the next item on your agenda is Subdivision
133 Extensions of Conditional Approval. Those will be presented by Mr. Lee Pambid.

134 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**

135 **FOR INFORMATIONAL PURPOSES ONLY – SUBDIVISION EXTENSIONS**

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137
138

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
SUB2008-00140 (SUB-003-05) Castleton (February 2005 Plan)	494	178	4	Varina	7/01/2014
SUB2008-00324 (SUB-029-08) Dumbarton (December 2008 Plan)	9	9	0	Brookland	2/23/2011
SUB2008-00136 (SUB-007-05) Kain's Quarter (February 2005 Plan)	6	6	4	Three Chopt	7/01/2014
SUB2008-00137 (SUB-027-04) Kensington Meadows (February 2004 Plan)	168	74	5	Fairfield	7/01/2014
SUB2008-00007 (SUB-006-08) Staples Mill Centre (February 2008 Plan)	12	12	1	Brookland	7/01/2014
SUB2008-00138 (SUB-002-03) Stony Run Estates (February 2003 Plan)	33	6	5	Varina	7/01/2014
SUB2008-00139 (SUB-006-05) Westridge East (January 2005 Plan)	7	7	4	Three Chopt	7/01/2014

139

140 Mr. Vanarsdall - Good morning, Mr. Pambid.
141
142 Mr. Pambid - Good morning, members of the Planning Commission. This
143 map indicates the locations of the 7 subdivisions that are presented for extensions of
144 approval. Six subdivision extensions of conditional approval are entitled to be extended
145 to July 1, 2014, per the new legislation, and one is eligible for a standard one-year
146 extension. These are for informational purposes only and do not require Commission
147 action at this time. This concludes my presentation. The staff can now field any
148 questions you have regarding this.

149
150 Mr. Vanarsdall - Any questions for Mr. Pambid? Thank you.

151
152 Mr. Pambid - You're welcome.

153
154 Mr. Vanarsdall - Mr. Secretary, I want to offer a compliment. I believe this is
155 the first time we've had the map.

156
157 Mr. Emerson - Yes, sir, it's a new addition.

158
159 Mr. Vanarsdall - I think that's excellent.

160
161 Mr. Emerson - Thank you, I'm glad you find it useful. Mr. Chairman, that
162 takes us to the next items on your agenda, which are the cases to be heard. We have
163 three remaining cases on the agenda this morning.

164
165 **PLAN OF DEVELOPMENT** (*Deferred from the January 27, 2010 meeting*)

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175
POD-29-09
POD2009-00371
Surrey Lea – 2400 North
Parham Road
Koontz-Bryant, P.C. for Haeja O. Namkoong: 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 11,998 square foot office building. The 1.65-acre site is located along the west line of N. Parham Road and the east line of Nettlewood Road, approximately 600 feet north of Fordson Road, on parcel 756-751-0563 and part of parcel 756-751-2085. The zoning is O-1C, Office District (Conditional). County water and sewer. **(Three Chopt)**

167
168 Mr. Vanarsdall - Good morning, Mr. Ward.

169
170 Mr. Ward - Good morning.

171
172 Mr. Vanarsdall - Is there any opposition to this case, POD-29-09, Surrey Lea,
173 in the Three Chopt District? Are you in opposition, or did you want to ask a question?
174 Okay. All right. Mr. Ward?

176 Mr. Ward - Okay. There is an addendum item on page 1 of your
177 addendum. This addendum item indicates that condition 32 has been revised to require
178 the developer to use best efforts to quitclaim a portion of Trinity Drive, a private access
179 easement that is encroaching on the proposed site. Should the developer not be able to
180 obtain a quitclaim from the adjoining property owner for this private easement, the
181 engineer has provided an alternative plan. As you can see, the transitional buffer here
182 would be to the north of the private easement, and it also locates the storm sewer into
183 the private easement. The landscaping would be out of the storm sewer easement.

184
185 The case was deferred by the applicant from the January 27, 2010 Planning
186 Commission hearing to the February 24, 2010 hearing.

187
188 The building will have brick and EIFS walls, accented with tinted glass windows and red
189 aluminum frames. It will also have a simulated slate-shingled roof accented with three
190 cupolas, and the HVAC units will be screened from Parham Road by these brick walls.

191
192 In addition, a neighborhood meeting was held on February 10, 2010, to discuss some of
193 the matters that the property owners had. The main concerns among these neighbors
194 are the increased traffic and the close proximity of the proposed driveway between the 2
195 homes on Nesslewood Road. The applicant has agreed to work with adjoining property
196 owners to mitigate these concerns with the landscape plan. The applicant has agreed to
197 conditions 9 and 11 amended so that the plan will return to the Planning Commission at
198 a later date for further consideration.

199
200 The proffers that were provided with C-36C-93 allowed sole access to the property from
201 Nesslewood Road. This drive aisle would be permitted by this zoning case between 2
202 residential lots which now have 2 single-family homes. This is a 24-foot wide drive aisle,
203 and there will be 10-foot transitional buffers on each side of the drive aisle between the
204 2 adjoining residential lots.

205
206 Since the plan complies with the proffers and the County Code requirements, staff
207 recommends approval subject to the annotations on the plan, the standard conditions
208 for developments of this type, 9 and 11 amended, and the conditions on the agenda
209 with revised condition #32 on the addendum. We do have Paul Hinson, the engineer,
210 Stiles Bartley, the architect, and the property owner, Ms. Namkoong here today. And I
211 am happy to discuss the project should you have questions or concerns.

212
213 Mr. Vanarsdall - Questions for Mr. Ward by Commission members? Mr.
214 Branin, would you like to hear from the opposition first?

215
216 Mr. Branin - Please, I would like to hear from the opposition.

217
218 Mr. Vanarsdall - Come on down to the microphone. State your name, please.

219
220 Ms. Mahmoud - Good morning, Committee. My name is Sarah Mahmoud.
221 I'm the property owner on Nesslewood Road at 8690. My home would be directly

222 adjacent to the driveway proposed in this proposal. I have several concerns, one of
223 which would be the increased traffic to the area. With it being a medical office with 8
224 suites, if each of those medical suites sees approximately 50 patients a day, you can do
225 the math on that. That's about 400 cars a day coming in and out of that, and that does
226 not include employees and their parking.

227

228 I have a 15-year old son with autism who gets on and off the bus right at the foot of my
229 driveway. This traffic would definitely be a safety concern for him and for other students
230 that are on the bus. I feel that the easement is not large enough to provide adequate
231 access to this property. The patients who are coming to look for their doctor's office,
232 who are going to be turning into that easement, are going to miss the turn and they are
233 going to come into my driveway to turn around. I don't think it's going to be beneficial to
234 anyone. There is a lot of office space that is currently empty in the County, and I don't
235 feel that we have the need for such a project like this at this time. If it does get
236 approval—I know that the zoning has already been approved—my husband and I have
237 decided to put the house on the market and move to Hanover. That is a decision that
238 does not come lightly. We've been in Henrico since 1989; I don't want to see that
239 happen.

240

241 My neighbor, Jerry Hill, who is on the other side of the easement, has a five year old
242 with autism, and it's going to be the same situation for them. They are also opposed to
243 this project. My sister lives next door to me, and she's also thinking of putting the house
244 on the market. So, you're probably going to be disrupting four homes in the process
245 who will be considering selling the property.

246

247 Mr. Vanarsdall - Any questions by Commission members?

248

249 Mr. Branin - Ms. Mahmoud, when we met, I told you this was the most
250 difficult case that I've had in 7 years because, honestly, legally my hands are tied. It
251 has been approved with zoning with this exact layout. So it can by right go in. I asked
252 the owner to go for and request—and I had staff follow up behind to make sure that the
253 requests were in—a change to the entrance, which was denied with the 3 possibilities
254 that we wanted and discussed at the neighborhood meeting.

255

256 Ms. Mahmoud - I feel that the Committee, though, needs to know the impact
257 on this neighborhood. We're right across the street from Jackson-Davis Elementary
258 School. There is already increased traffic through that area because of a building
259 project that's going on behind us where they're building new homes. We've already
260 seen the increased traffic. We've already seen a lot of change to that neighborhood in
261 the 10 years that we've been there. I think it's a shame if Henrico approves this that
262 you're going to be losing some good taxpayers to another county. That's my position.
263 Thank you.

264

265 Mr. Vanarsdall - Thank you.

266

267 Mrs. Jones - May I ask a question of either staff or whoever can answer
268 this just to make sure I understand the situation correctly? This rezoning was done in
269 what year?

270
271 Mr. Ward - 1993.

272
273 Mrs. Jones - In 1993. And that established the access to the property?

274
275 Mr. Ward - One of the proffers mentioned sole access to Nesslewood
276 Road so you wouldn't have as many traffic issues coming in on Nesslewood Drive. The
277 property next door was zoned in 1993, as well for an office building.

278
279 Mrs. Jones - When were these homes built that are on Nesslewood next
280 to the access?

281
282 Mr. Ward - We received a plat in 1999. It's been a few years.

283
284 Mrs. Jones - When they were built, this was in place.

285
286 Mr. Ward - Right. The office building on the corner was established and
287 the zoning was established.

288
289 Mrs. Jones - The other question, the 10-foot buffer that's been proposed
290 along the access, has it been discussed at all planted to, let's say, a 25 standard or
291 anything more?

292
293 Mr. Ward - We talked about heavy screening with the fencing to protect
294 the kids living on both sides of the drive aisle, to keep them from going into the drive
295 aisle, but we could consider the landscaping part, too, to screen it even more. That's
296 why we would like 9 and 11 amended so it could come back for further consideration.

297
298 Mr. Branin - Mr. Chairman, that's why I pulled it, to bring it back for
299 landscaping.

300
301 Mrs. Jones - Sure, it makes perfect sense. I'm just trying to—

302
303 Mr. Branin - Mrs. Jones, if you look at the office building next to it, it's
304 Upton, LLC. The owner requested access from Upton to join the parking lots together so
305 we would have one single traffic flow. Upton refused. You see a paper road, Trinity
306 Drive. We looked at doing that and Paul Ferramosca using—because that's an empty
307 lot—using that property to pull it off with—or Trinity Drive, which is owned by Mr.
308 Nuckols. Both of those people refused. Like I said, this is the hardest one I've ever had
309 because other than trying to resolve the issues of traffic—which I was going to call
310 Tommy down in a minute—and illegal parking in this neighborhood, this has been
311 approved at zoning for this exact configuration.

312

313 Mrs. Jones - Thank you for the clarification.
314
315 Mr. Vanarsdall - Any more questions? Thank you, Mrs. Jones.
316
317 Mr. Branin - I would like to hear from the applicant, please, or ask the
318 applicant a couple of questions.
319
320 Mr. Hinson - Good morning, members of the Commission. Paul Hinson
321 with Koontz-Bryant.
322
323 Mr. Branin - Mr. Hinson, you guys contacted the surrounding landowners
324 to see if we could move the easement. We had talked about how we would even try to
325 do it somehow administratively because of the way it was in zoning, if it was approved,
326 and get it through quicker for the sake of the neighborhood. All three were rejected,
327 correct?
328
329 Mr. Hinson - That is correct.
330
331 Mr. Branin - In our discussions at the neighborhood meeting, I also told
332 you I wanted to pull the landscaping out, which you have done. You do understand that
333 because of where this is and how it is, that I'm going to be coming back and requesting
334 fencing and very, very dense landscaping to protect these houses to the best of our
335 ability.
336
337 Mr. Hinson - We understand that's part of the compromise that the
338 applicant needs to provide, and we're willing to do what we need to make our neighbors
339 as happy as we can.
340
341 Mr. Branin - Okay.
342
343 Mr. Kaechele - Let me ask, in your discussions with the Upton group there,
344 is there any flexibility, any room?
345
346 Mr. Hinson - Based upon the letter that Mr. Upton sent us back, sir, I'd
347 say there was a slight chance of that, but we can continue those discussions. He was
348 very matter-of-fact in his response that he was not open to our proposal.
349
350 Mr. Kaechele - You didn't discuss with him, just by letter?
351
352 Mr. Hinson - Ms. Namkoong, who's the owner of the property, actually
353 had the discussion with Mr. Upton, and he responded to Ms. Namkoong. I have the
354 letter here that I've read and reviewed that he did not leave many opportunities for
355 further discussion in his response.
356
357 Mr. Branin - May I see that letter?
358

359 Mr. Hinson - Yes, sir, you may.
360
361 Mr. Branin - I have no further questions, Mr. Hinson.
362
363 Mr. Hinson - Thank you, sir.
364
365 Mr. Vanarsdall - Thank you.
366
367 Mr. Branin - Can I speak to Traffic?
368
369 Mr. Catlett - Good morning, members of the Commission.
370
371 Mr. Branin - Good morning. State your name for the record.
372
373 Mr. Catlett - Tommy Catlett, Traffic Engineering.
374
375 Mr. Branin - Tommy, I asked you to initiate traffic calming and check the
376 feasibility of putting "No Parking" signs up on the road.
377
378 Mr. Catlett - Yes.
379
380 Mr. Branin - Has that proceeded further?
381
382 Mr. Catlett - Nesselwood is in the process of being studied for traffic
383 calming, but due to the snow and some other cases, there is a "line" of projects to be
384 studied. It is on our agenda to study it.
385
386 Mr. Branin - Okay. So we are going to proceed. I had also asked you if
387 you all would initiate the petition, which you have to have 75%, which I think on the
388 street there are 8 houses. Ma'am, we don't want to see you leave, and that is kind of
389 the reason why I said this is the toughest one I've had. We usually try to improve and
390 help people's quality of life by coming into the neighborhood, as I discussed with you.
391 But in this situation, there's not much we can do. We can address the traffic issues, and
392 the people speeding on that road, and the overflow parking in front of your house. I
393 understand that. What I would ask of you is if you are going to move and before you put
394 the house up or while it's being sold, if you could make sure that the neighborhood does
395 go through with traffic calming for the sake of whoever else moves in, as well as your
396 other neighbors that don't move.
397
398 Ms. Mahmoud - [Speaking off microphone.] But I do want to—
399
400 Mr. Branin - Can you—
401
402 Mr. Vanarsdall - You need to come down to the microphone. This is being
403 recorded. Thank you.
404

405 Ms. Mahmoud - I just want the Planning Commission to know, though, that
406 this is also impacting our property value. If we choose to sell now, we have to disclose
407 this plan to whoever buys the property. We're not going to be able to get the listing price
408 we would have a year ago.

409

410 Mr. Branin - Now was the plan—when you bought your house—
411

412 Ms. Mahmoud - The plan when I bought my house was to live there until we
413 die.
414

415 Mr. Branin - No. This was approved prior to you moving into your house,
416 right?
417

418 Ms. Mahmoud - This was approved prior to us moving into the house;
419 however, it was not disclosed to us at that time by the builder. All we knew was that
420 there was an easement that was adjacent to our property and we were told that it would
421 never be developed. Finer Homes was who we purchased the home from.
422

423 Mr. Branin - We hear that a lot.
424

425 Mr. Vanarsdall - You weren't told by anyone from the County?
426

427 Ms. Mahmoud - No, sir. We were told that the property, the easement
428 belonged to Ms. Namkoong and that she probably would never do anything with it
429 because she had already subdivided the area that our homes are presently on.
430

431 Mr. Kaechele - Where did you learn that?
432

433 Ms. Mahmoud - From the builder.
434

435 Mr. Kaechele - Did you have a plat of your lot?
436

437 Ms. Mahmoud - Yes, sir. It only shows an easement with trees. It's currently
438 trees. At that time, we were never told that there would be a plan to put a driveway
439 there. We wouldn't have chosen that lot. We were the second to build on that stretch;
440 it's called Nesslewood Seven. The one at the corner at Nesslewood Road and
441 Nesslewood Drive was the first home to be built there, and we were the second. We
442 initially chose the lot that we chose because of the easement, because it gave you a
443 little buffer between your next neighbor. We were assured by the builder that easement
444 would probably never be used unless for utilities, access to utilities.
445

446 Mr. Branin - Thank you.
447

448 Mr. Vanarsdall - Thank you, again.
449

450 Mr. Kennedy - Just a note. In 1993, when the property was rezoned, the R-
451 3A lots were rezoned in the same case with the O-1C lot parcel. So the whole property
452 was zoned with one case and contemplated that access. Unfortunately, at that time the
453 houses did not exist, and the concern was with the people on existing Nesslewood
454 Drive over here having all the access on Nesslewood Drive for both office buildings. At
455 that time, the Commission thought they were serving the best interest of the
456 neighborhood that was existing at that time by dividing the access between Nesslewood
457 Drive and an access easement. They didn't contemplate having the impact on the
458 neighbors as it is today. Those lots were created subsequent to the zoning case which
459 contemplated both lots and the access easement.

460
461 Mr. Kaechele - The subdivision plat showed that as a traffic easement or
462 what?

463
464 Mr. Kennedy- As an access easement, yes, sir.

465
466 Mr. Kaechele - What?

467
468 Mr. Kennedy - As an access easement, yes, sir.

469
470 Mr. Kaechele - Wouldn't be for utilities?

471
472 Mr. Kennedy- It would permit utilities access, yes, sir.

473
474 Mr. Vanarsdall - Thank you, Mr. Kennedy.

475
476 Mrs. Jones - May I ask one more question?

477
478 Mr. Vanarsdall - Absolutely.

479
480 Mrs. Jones - Can Traffic answer it? This office building will be used for—
481 is it medical only or any kind of office?

482
483 Mr. Branin - It's office. They're saying it will be medical.

484
485 Mrs. Jones - With that as a baseline, what kind of traffic count could be
486 expected for a building of this size?

487
488 Mr. Catlett - One hundred and thirty-two vehicles per day.

489
490 Mrs. Jones - One thirty-two? That's trips in and trips out.

491
492 Mr. Catlett - Yes, per day. The morning peak for entering was 16 vehicles
493 and then vehicles exiting, and then the p.m. peak, 3 vehicles entering and 15 exiting.

494
495 Mrs. Jones - Thank you.

496
497 Mr. Vanarsdall - Thank you. Anyone else have any questions?
498
499 Mr. Archer - Mr. Chairman, I'd just like to ask staff, in terms of the
500 expertise that you have in looking at this, is this the best possible configuration we can
501 get for ingress/egress?
502
503 Mr. Vanarsdall - I'm thinking the same thing, Mr. Archer.
504
505 Mr. Ward - When we did meet with the neighborhood, we talked about
506 the access coming in here one way and thought this would be the best way, or possibly
507 coming in off of Trinity Drive, the existing easement. Those two options would be a
508 better idea because you're putting traffic behind the homes, and our hands were tied
509 because of what's permitted here.
510
511 Mr. Archer - Okay. I just wanted to make sure we have exhausted all our
512 possibilities.
513
514 Mr. Ward - Thank you, sir.
515
516 Mr. Branin - Mr. Chairman, may I ask Ms. Namkoong to come down
517 please?
518
519 Mr. Vanarsdall - Good morning.
520
521 Ms. Namkoong - Good morning.
522
523 Mr. Vanarsdall - Would you state your name, please?
524
525 Ms. Namkoong - Haeja Namkoong, 8651 Nesslewood Road. I also live on that
526 road.
527
528 Mr. Branin - Ms. Namkoong, I know this is going to be a little bit different.
529 If we could eliminate the drive aisle and the amount of money that it would cost to pave
530 that and landscaping that we would have to put in, if for some reason Mr. Upton did
531 have a change of heart and his parking lot had to be reworked some, you'd be willing to
532 do that, correct?
533
534 Ms. Namkoong - Yes. After the neighborhood meeting, I went to see Mr.
535 Upton the next day. We had a meeting together. He was adamant about not cutting
536 through his driveway and parking lot. He sent me a letter, which you read a few
537 minutes ago.
538
539 Mr. Branin - I did read it, ma'am. Mr. Kaechele and I have discussed this
540 case several times, and he knows the position that this Commission is in. In reviewing it
541 today, he has asked me to defer this out one more month so he has the opportunity to

542 go in to Mr. Upton himself as the representative for this district and see if he can get him
543 to change his mind, which I think is very good.

544
545 Ms. Namkoong - I appreciate all your consideration with my neighbors. If I
546 was in my neighbor's position I would appreciate all the effort that you are making. But
547 as the planner just explained to you, in 1993 when we rezoned this, we put the seven
548 lots back there to make a harmonious development there. The office wouldn't be right
549 there at Nesslewood, but the County recommended that we put the houses back to
550 Nesslewood. So we kind of followed everything that can work harmoniously with our
551 neighbors according to County recommendations. So I did the best I could. It took a
552 long time to come to the POD process. If that's the best you can do, of course I'll
553 accept that.

554
555 Mr. Kaechele - You do have the right to develop it the way it's laid out here,
556 of course. It may be a long shot to talk with Mr. Upton, but under the circumstances and
557 if there was a willingness to make some changes in his parking system at no cost to
558 him, I don't know if you explored that. It probably would take some redesign of his
559 parking lot, but the cost offsetting the road perhaps would be equal. I'm willing to pursue
560 that option if we could take another couple weeks or a month.

561
562 Ms. Namkoong - Excuse me. I don't know if Mr. Kaechele or any of you have
563 seen the site. To use Mr. Upton's access, you have to go all the way to the end of
564 Nesslewood Road, and then turn to the right where 64 is curving in, and then turn into
565 his parking lot. The middle of his parking lot has a lot of slope, and you have to climb
566 the hill to get up to my lot.

567
568 Mr. Kaechele - Oh.

569
570 Ms. Namkoong - The lot is difficult. It's not because Mr. Upton is being selfish
571 or doesn't want to help his neighbor.

572
573 Mr. Kaechele - Oh, okay.

574
575 Ms. Namkoong - Take a look at the situation there. In my eye, it's almost
576 impossible.

577
578 Mr. Kaechele - Oh really? Okay. Have engineers looked at this?

579
580 Mr. Hinson - Good morning, members of the Commission. We have
581 looked at the possibilities of alternative access.

582
583 Mr. Vanarsdall - Would you state your name again for the record?

584
585 Mr. Hinson - I'm sorry. Paul Hinson with Koontz-Bryant. I did want to ask
586 the Commission as well. I understand the desire to pursue alternative access, but with
587 the current zoning that we have in place, our hands are basically tied. Is it possible for

588 the Commission to add a condition of approval so that we could proceed with
589 development with the understanding that we would have to come back for zoning
590 action, we would have to amend the proffers? If that's a possibility, we would agree to
591 do so for an alternative access. But we've met with the neighbors, we've deferred the
592 case twice, sir, and I don't believe we're going to resolve the issue between now and
593 the next Planning Commission meeting. Even if there is the alternative access allowed,
594 I'm not sure that the Planning Commission can require us to modify our plan without a
595 zoning action. I'm not being disrespectful at all, but I did want to ask whether a deferral
596 will have any impact on the access to this property with current zoning.
597

598 Mr. Emerson - Mr. Hinson, I don't have the proffer in front of me, but I don't
599 believe it allows you to access Nettlewood. I believe the access could be satisfied in
600 the other direction. I'd have to ask staff to provide me with a copy of the proffer so we
601 can read that. I have a question, though. Is there a physical barrier or a topographical
602 challenge to connecting these two parking lots that makes it difficult?
603

604 Mr. Hinson - No, sir, other than the consent of the adjacent property
605 owner for us to pursue that avenue.
606

607 Mr. Emerson - From an engineering standpoint it's possible.
608

609 Mr. Hinson - Yes, sir, it's definitely possible.
610

611 Mr. Vanarsdall - Thank you. Mr. Branin, if you feel better about deferring it.
612

613 Mr. Branin - I hear Mr. Hinson, and yes it has been deferred out. I
614 wouldn't want to hold up for a month. I would want it to move to zoning in two weeks.
615

616 Mr. Emerson - March 11?
617

618 Mr. Branin - March 11. May I make my motion? Okay. With the
619 information and Mr. Kaechele offering to see if he can get Mr. Upton to change in any
620 way, I'd like to move for deferral for my request to the March 11, 2010 zoning meeting.
621

622 Mr. Jernigan - Second.
623

624 Mr. Vanarsdall - Motion by Mr. Branin to defer this case to the March 11,
625 2010 zoning meeting, seconded by Mr. Jernigan. All in favor say aye. All opposed say
626 no. The ayes have it; the motion passes.
627

628 At the request of the Commission, the Planning Commission deferred POD-29-09,
629 Surrey Lea, in the Three Chopt District, to the March 11, 2010 zoning meeting.
630
631

632
633

PLAN OF DEVELOPMENT *(Deferred from the January 27, 2010 meeting)*

POD-38-09
POD2009-00403
Christ Church Episcopal
Youth Center – 5000
Pouncey Tract Road
(POD-63-08 Rev.)

Borden Engineering, PLC for Christ Church Episcopal:
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 6,640 square foot youth center on the site of an existing church. The 11.98-acre site is located on the west line of Pouncey Tract Rd. (State Route 271) at the northwest quadrant of its intersection with Shady Grove Rd., on parcel 738-769-3891. The zoning is A-1, Agricultural District. County water and sewer. **(Three Chopt)**

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638

Mr. Vanarsdall - Anyone in the audience in opposition to POD-38-09, Christ Church Episcopal Youth Center, in the Three Chopt District? No opposition. Good morning again, Mr. Pambid.

639
640
641
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643
644

Mr. Pambid - Good morning. Staff has received revised plans addressing several of staff's site plan and architectural comments, and those are in your addendum as mentioned. The site plan shows a shed that's impacted by the proposed slope easement line, and the shed will be moved to a location further interior to the lot behind the proposed building. That shed is found right here.

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652

The future North Gayton Road extension is adjacent to the site. Once completed, it will intersect with Pouncey Tract Road and Shady Grove Road to the north and will increase the visibility of this building. The limits of clearing are indicated by the sloped easement, and that's shown as a purple line on this aerial. As trees are cleared for the right-of-way, including the slope easement, a stand of trees will remain behind the south façade of the proposed building. However, only a few trees will remain along the approximately 650 feet from the intersection with Pouncey Tract.

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656

The floor plan features two offices, a common area with café kitchen, three bathrooms, a meeting room, storage, and large multi-purpose room of approximately 4,000 square feet.

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667

Most of staff's comments were regarding the building's exterior architectural elements, and considerable discussion between church personnel and staff focused on how to best address the compatibility of the proposed building with existing buildings on campus. Originally, the plans showed metal siding and very little detail or interest. A plan was subsequently provided showing white vinyl, but again with very little detail or interest. That is shown on this slide here. Since then, the applicants revised the plan, showing metal siding and that's showing a board-and-batten appearance, a higher roof pitch, and vents on the gable. For the rear south elevation facing the future Gayton Road, it's showing four windows and a bump-out. Staff has annotated other improvements on the plan. Fascia board had not changed throughout any of the versions, and staff suggests that all fascia board on the proposed building match the

668 same width as that on existing buildings. The applicants recently indicated that a
669 bishop's hat window would replace a circular vent. Staff still recommends that 6
670 additional windows for the rear, south elevation be provided. Examples of both the wider
671 fascia board and bishop's hat window are seen here. This is the bishop's hat window
672 that we're referring to and then, of course, the wider fascia board that they provided
673 around the entire perimeter of this building.
674

675 A primary architectural element of this proposal is the siding material. Mr. Ward is
676 passing around some samples. The green is what staff prefers for its larger ribbing and
677 should stand out more in comparison with the white. This is a picture of the Almond
678 Creek Office Building on Old Osborne Turnpike, and this is just east of the Rocketts
679 Landing development. In speaking with the regional rep for the metal siding company,
680 it's the only live example of this material in this area. The material is generally executed
681 well in this particular example, but that comes from the amount of detail and
682 architectural interest they provided on this building. I'm just going to show you a couple
683 more pictures of the Almond Creek building.
684

685 While staff can recommend approval of the site plan, we believe that additional
686 architectural detail is necessary, and an agreement with the applicants has not been
687 finalized. If the Planning Commission should choose to act on this plan of development,
688 staff recommends it be subject to the conditions in your agenda and to the annotations
689 on the staff plan.
690

691 This concludes my presentation, and I can now field your questions regarding this. Todd
692 Borden with Borden Engineering, and representatives Joe Gallagher and Joe
693 Jagdmann with Christ Church Episcopal Church are also here to take your questions.
694

695 Mr. Vanarsdall - Any questions of Mr. Pambid?

696
697 Mrs. Jones - Mr. Pambid, can you put up on our monitors again pictures
698 from the existing, that one with the bishop's hat?

699
700 Mr. Pambid - Yes, ma'am.

701
702 Mrs. Jones - You may have others.

703
704 Mr. Pambid - This is the picture that I had shown you previously. This is
705 the existing sanctuary building, which is currently being expanded. The siding on this is
706 the board and batten. There are some other materials used throughout the campus.
707 This is a picture of the farmhouse. The tract of land that the church campus is on was
708 previously a farm, and this is the original structure. I believe this is vinyl siding. This is
709 the only other picture that I have of the existing building in this particular slideshow.
710 You're seeing here an addition to the sanctuary building on the end, and then this red-
711 roofed building is an education building.
712

713 Mrs. Jones - And the exterior material for that?

714
715 Mr. Pambid - You have some vertical and horizontal elements on that
716 building, and I would have to ask the applicants to help me out on this, but I believe this
717 is vinyl siding.
718
719 Mrs. Jones - He's shaking his head in the background.
720
721 Mr. Pambid - Okay. So that was confirmed by the engineer, vinyl siding.
722
723 Mrs. Jones - Okay, thank you.
724
725 Mr. Vanarsdall - What is the thickness of that material?
726
727 Mr. Pambid - I don't have that information at this time, but I'd be happy to
728 get that for you. We do have some literature on that material in the Planning Office.
729
730 Mr. Vanarsdall - Thank you.
731
732 Mr. Branin - For the sake of my fellow Commissioners, when this project
733 was presented to us at first, it was a standard steel metal building, no windows, no
734 features to it whatsoever with the wraparound office sort of bump-out there. So it
735 looked like an office warehouse. My first comment when we met was they have a
736 beautiful campus, absolutely beautiful campus out there. We wouldn't allow a metal
737 building like this to go into this campus because of, basically, degrading the campus, as
738 well as we have held a precedent of not allowing industrial buildings into churches that
739 are surrounded by neighborhoods. Mr. Pambid, could you pull up a picture from the
740 adjacent neighborhood?
741
742 Mr. Pambid - That's not in this show, sir.
743
744 Mr. Emerson - From Bentley?
745
746 Mr. Branin - From Bentley?
747
748 Mr. Pambid - Yes.
749
750 Mr. Branin - You guys don't have it.
751
752 Mr. Pambid - No, it's not here.
753
754 Mr. Branin - Okay. There is a very thin buffer with the Bentley
755 neighborhood right next door that will be looking straight in at this building. The
756 applicant has 22 acres that will be beside this that goes into the woods. We have North
757 Gayton coming through, which where the building is positioned, has a pretty decent
758 buffer there, but as it moves forward towards Pouncey Tract, that buffer dwindles down
759 to practically nothing. So the building will be visible from North Gayton, and we have

760 been pushing for all the features that we can get to get away from looking like a metal
761 building. We even looked at changing it to vinyl, but the applicants reduced any features
762 from that due to the cost of having to put in more structure, plywood, and then the vinyl.
763 It's more expensive than a metal building.

764

765 Mrs. Jones - It seems to me—and maybe someone can confirm this—that
766 the North Gayton exposure is a driving force for our consideration. It's a very visible
767 area of the County and it's also a very busy—

768

769 Mr. Branin - That as well as the Bentley neighborhood.

770

771 Mrs. Jones - Of course. You have to have compatibility of architecture
772 and style. It seems to be a basic concept and an important concept for any project. I'm
773 surprised that we are hung up on this to this point. Surely there must be a way to
774 accomplish both goals here. Both the concept and the building certainly are a nice plan,
775 it's just that architecturally, structurally, and visually this has to be reasonably
776 compatible with the area and with the campus—in my view.

777

778 Mr. Branin - That's the battle that we've been going through with multiple
779 meetings. May I hear from the applicant?

780

781 Mr. Borden - Good morning, ladies and gentlemen. My name is Todd
782 Borden with Borden Engineering. I'm also a member of Christ Church Episcopal. First
783 I'd just like to thank the staff and Planning Commission members for working with us on
784 this project.

785

786 Mr. Branin - In our last meeting, we discussed a couple extra things that I
787 don't see. Thank you for putting the bishop's hat window in and the 4 windows. That's
788 helping. I thought we had also discussed the decorative door instead of the commercial
789 barn door. I'm aware that you have this garage theme, but a decorative door. We also
790 talked about shutters on the downstairs windows, as well as the upstairs windows.

791

792 Mr. Borden - I'm sorry; I didn't personally prepare this plan, but we
793 certainly agree with you on the bishop's hat that would match the other buildings on the
794 campus. That's completely fine. The fascia board, yes, of course, to make it match the
795 rest of the buildings. Can we go back to one of the pictures, the one that shows both?
796 We have arguments on both sides of that. The windows that you see in this picture have
797 no shutters on them, but if you go back to the house, I can see that there are shutters
798 on that one. This, again, was a residence from an old farmhouse, and I can understand
799 that they could have the vinyl siding and shutters on it. Go back one picture. This has
800 the board and batten on it and no shutters. I'm thinking that would be more in keeping
801 with the combination of the board and batten and no shutters versus the vinyl siding and
802 shutters. I can understand why you'd ask that. If we do have to do shutters—okay. The
803 reason I have to ask that is, as he was saying, I'm having to make a snap decision on
804 the shutters and if that's what it takes to get this approved then, yes, we'll go ahead and
805 do the shutters for you.

806
807 Mr. Branin - We had a meeting, and then we had another meeting with
808 Mr. Kaechele involved. We keep moving forward, and it is getting better. But you feel
809 the pushback from the other Commissioners who weren't present in the meeting and
810 they're looking at it wondering why you guys want to put in such a plain industrial
811 building. We have a precedent that we don't do that. I'm sure you feel all the other
812 Commissioners struggling as well.

813
814 Mr. Borden - I understand that.

815
816 Mr. Branin - We're not getting where we need to be for this County of
817 Henrico.

818
819 Mr. Borden - I understand that. Generically speaking, the rationale behind
820 at least the first submission was more of a budgetary concern. We had a set amount of
821 money that we had to work with. The first submission basically maximized our value
822 based on that amount. I understand what you're saying. We've been working with you to
823 try to get to the endpoint where you feel that you have a product that you would be
824 happy to have in Henrico County, but we still have budgetary concerns that we need to
825 address. If I can turn this over to Joe Jagdmann, he's probably more aligned with the
826 needs of the community than I am.

827
828 Mr. Jagdmann - Good morning. Thank you, Commissioners. My name is Joe
829 Jagdmann. I live at 12504 Hardings Trace Place. I'm a member of Christ Church and
830 the chair of the youth ministry team. The many meetings were very helpful and resulted
831 in the product sample that mimics board and batten that we have distributed today. The
832 mass of the building we felt was of a larger scale than the farmhouse and more
833 replicated the two larger structures that we use for our sanctuary and our education
834 building. That's why when we picked architectural features, we looked primarily to
835 those two structures. We looked to the transition between the siding and board and
836 batten as in the education building. We looked to the bishop's hat. Certainly we
837 understand a decorative garage door. That is something that is easy to agree to. If you
838 choose to require that in a proffer, we'd be very agreeable to doing that. We're
839 agreeable to the fascia board, as Todd has said. We'd ask that we don't put on the
840 shutters simply because we feel that the parts of the campus that we're trying to match
841 are the two buildings that don't have the shutters on them. That's the primary feel that
842 we're trying to match. We hope the feeling is—at the end of day and when this is
843 constructed—that we have done a good job both being respectful of the neighborhood,
844 our neighbors, and of the development of Shady Grove Road. We are hopeful that it's
845 taken into account how that area behind the rear elevation and behind the right-side
846 elevation will be treed and how that will provide a significant buffer even after the
847 completion of Shady Grove Road.

848
849 Mr. Vanarsdall - Thank you.

850
851 Mr. Borden - Did you have other questions for us, sir?

852
853 Mr. Branin - Mr. Kaechele, do you have any questions?
854
855 Male: [Speaking off microphone.] They would.
856
857 Mr. Borden - Yes sir.
858
859 Male: [Speaking off microphone.] They do prefer this.
860
861 [Thirty-second blank section on recording.]
862
863 Mr. Borden - We think that would be a good compromise, yes. When we
864 presented this plan, the final plan, we felt that 4 of them would be enough to break up
865 the exposure. Staff felt otherwise, that 10 of them would probably be more appropriate.
866 Once you start putting shutters in there, you're not going to have room for 10 of them.
867 Well, sir, that is the side that's facing Gayton Road. If you're going to be requiring—oh,
868 because it's up higher?
869
870 Mr. Branin - [Blank section on recording]—physical from Gayton, Gayton
871 Road.
872
873 Mr. Emerson - It would be small based on the size of the window. They may
874 help.
875
876 Mr. Borden - Again, we're willing to work with—
877
878 Male - [Voice fading in and out on recording]—bad shutter
879 [inaudible].
880
881 Mr. Borden - No, sir, it's not. If you can work it into the conditions, we're
882 willing to work with Planning Staff when we go to get the building permit so that we don't
883 necessarily have to decide that right here.
884
885 [Blank section on recording.]
886
887 Mr. Borden - Yes, sir.
888
889 [Blank section on recording.]
890
891 Mr. Borden - Right. Yes, sir.
892
893 [Blank section on recording.]
894
895 Mr. Borden - Other questions?
896
897 Mrs. Jones - Excuse me, you're talking a three-inch bay.

898
899 Mr. Branin - Three in each section.
900
901 Mrs. Jones - Confirm for me which side you're talking about.
902
903 Mr. Branin - Rear elevation, ma'am.
904
905 Mrs. Jones - Three as opposed to 5.
906
907 Mr. Borden - Right. So a total of 6 windows along that elevation.
908
909 Mrs. Jones - Thank you.
910
911 Mr. Vanarsdall - Any more questions?
912
913 Mr. Branin - No more questions.
914
915 Mr. Vanarsdall - Thank you.
916
917 Mr. Branin - Mr. Secretary, I don't know how you want me to make my
918 motion with the addition of the fascia board, the possibility of shutters once we look at
919 the design layout with and without, and decorative—
920
921 Mr. Emerson - Make your motion to approve with the annotations that exist
922 on the plan with the changes of fascia board, decorative garage doors, and 6 windows
923 on the rear elevation with the option of shutters, and that we'll continue to look at that.
924 You can make the final decision as to how that fits once we have a final elevation.
925 Does that make sense?
926
927 Mr. Branin - Yes. Okay. Mr. Chairman, I'd like to move that POD-38-09,
928 Christ Church Episcopal Youth Center, be approved with standard conditions for
929 developments of this type, the following additional conditions 29 and 30, including the
930 annotations on the plan, plus larger fascia boards, 6 windows with the option of
931 shutters, and a decorative door.
932
933 Mr. Archer - Second.
934
935 Mr. Vanarsdall - Motion by Mr. Branin, seconded by Mr. Archer. All in favor
936 say aye. All opposed say no. The ayes have it; the motion passes.
937
938 The Planning Commission approved POD-38-09, Christ Church Episcopal Youth
939 Center, subject to the standard and added conditions previously approved, the
940 annotations on the plan, larger fascia boards, 6 windows with the option of shutters, and
941 a decorative door, and the following additional conditions:
942
943 29. Outside storage shall not be permitted.

944 30. The location of all existing and proposed utility and mechanical equipment
945 (including HVAC units, electric meters, junction and accessory boxes,
946 transformers, and generators) shall be identified on the landscape plans. All
947 equipment shall be screened by such measures as determined appropriate by
948 the Director of Planning or the Planning Commission at the time of plan approval.
949

950 Mr. Vanarsdall - Thank you, Mr. Pambid.

951
952 Mr. Pambid - You're welcome.

953
954 **PLAN OF DEVELOPMENT**
955

POD-05-10 **Timmons Group for Towne Center West, LLC:** Request
POD2010-00010 for approval of a plan of development, as required by
Towne Center West - Chapter 24, Section 24-106 of the Henrico County Code,
Retail Buildings – W. to construct 2 one-story retail buildings, totaling 31,034
Broad Street square feet, in an existing shopping center. The 9.38-acre
(POD-21-08 Rev.) site is located at the northwest corner of W. Broad Street
(U.S. Route 250) and Town Center West Boulevard
(private), on parcel 734-764-9340. The zoning is B-2C,
Business District (Conditional), B-3C, Business District
(Conditional), and WBSO, West Broad Street Overlay
District. County water and sewer. **(Three Chopt)**

956
957 Mr. Vanarsdall - Anyone in the audience in opposition to POD-05-10, Towne
958 Center West – Retail Buildings, in the Three Chopt District? No opposition. Good
959 morning, Mr. Wilhite.
960

961 Mr. Wilhite - Good morning. Thank you, Mr. Chairman. In your packet
962 you received the revised staff plan and architectural elevations. The plan was revised
963 per staff comments to provide a pedestrian access connection to Towne Center West
964 Boulevard running across the front of Building One, across the parking lot, and
965 connecting to Building Two. This was to satisfy the proffered conditions of the rezoning
966 case. In addition, revised elevations were submitted on Building One. A triangular roof
967 structure was added at the very corner of this building to match the other end of the
968 structure. Also, confirmation was provided that the amount of masonry on the building
969 meets the percentage requirements as proffered with the rezoning case.
970

971 With that, staff is in a position to recommend approval of this, as appears on page 2 of
972 your addendum. The applicant is here, Brian Revere with Breeden Company, as well
973 as the engineer, Roger Rodriguez. I'd be happy to answer any questions that you have.
974

975 Mr. Vanarsdall - Any questions for Mr. Wilhite by Commission members?

976
977 Mr. Branin - I have none. I would like to ask Mr. Revere a question.
978

979 Mr. Vanarsdall - Will the applicant come down please? State your name for
980 the record.
981
982 Mr. Revere - Good morning. My name is Brian Revere with the Breeden
983 Company.
984
985 Mr. Branin - Mr. Revere, if this does get approved, when will you guys
986 begin to develop this?
987
988 Mr. Revere - We are hoping to expedite plan approval to begin site work
989 in April.
990
991 Mr. Branin - Thank you.
992
993 Mr. Vanarsdall - Questions? Thank you.
994
995 Mr. Branin - Mr. Revere, the reason I asked that question is we've
996 changed the POD on this I think like 37 times. That's why I wanted to know.
997
998 Mr. Revere - We're ready to go with this one.
999
1000 Mr. Branin - I just wanted to make sure that next week we won't be back
1001 in looking at something different.
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1003 Mr. Vanarsdall - All right. I'll entertain a motion, Mr. Branin.
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1005 Mr. Branin - All right. Mr. Chairman, I'd like to move that POD-05-10,
1006 Towne Center West – Retail Buildings, be approved with standard conditions for
1007 developments of this type and the following additional conditions 29 through 33.
1008
1009 Mr. Jernigan - Second.
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1011 Mr. Vanarsdall - Motion made by Mr. Branin, seconded by Mr. Jernigan. All
1012 in favor say aye. All opposed say no. The ayes have it; the motion passes.
1013
1014 The Planning Commission approved POD-05-10, Towne Center West – Retail
1015 Buildings, subject to the annotations on the plans, the standard conditions attached to
1016 these minutes for developments of this type, and the following additional conditions:
1017
1018 29. Outside storage shall not be permitted.
1019 30. The proffers approved as a part of zoning cases C-28C-09, C-27C-09, and C-
1020 49C-04 shall be incorporated in this approval.
1021 31. The location of all existing and proposed utility and mechanical equipment
1022 (including HVAC units, electric meters, junction and accessory boxes,
1023 transformers, and generators) shall be identified on the landscape plans. All

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equipment shall be screened by such measures as determined appropriate by the Director of Planning or the Planning Commission at the time of plan approval.

32. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent of the total site area.

33. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).

Mr. Emerson - Mr. Chairman, that completes your cases for the day. Your next item on the agenda is consideration of the approval of your minutes for January 27, 2010.

APPROVAL OF MINUTES: January 27, 2010 Minutes.

Mr. Vanarsdall - Anyone have any corrections? If you do, let's have them; if you don't, let's approve it.

Mrs. Jones - I move approval of the minutes as submitted.

Mr. Branin - Second.

Mr. Vanarsdall - Motion by Mrs. Jones and seconded by Mr. Branin. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

The Planning Commission approved the January 27, 2010 minutes as submitted.

Mr. Vanarsdall - Mr. Secretary, do you have anything for us?

Mr. Emerson - No, Mr. Chairman, that's it for today from me.

Mr. Vanarsdall - That's the end of the Three Chopt meeting.

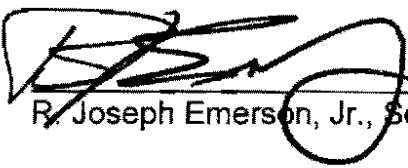
Mr. Archer - Mr. Chairman, I move for adjournment.

Mr. Branin - Second.

Mr. Vanarsdall - Motion by Mr. Archer, seconded by Mr. Branin. All in favor say aye. All opposed say no. The ayes have it; the motion passes.

The meeting is adjourned.


Mr. Ernest B. Vanarsdall, Chairman


R. Joseph Emerson, Jr., Secretary