

1 Minutes of the regular monthly meeting of the Planning Commission of the County of  
2 Henrico, Virginia, held in the Board Room of the County Administration Building in the  
3 Government Center at Parham and Hungary Springs Roads, Beginning at 9:00 a.m.  
4 Wednesday, May 22, 2002.

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

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14 Others Present: Mr. John R. Marlles, AICP, Director of Planning, Secretary  
15 Mr. Randall R. Silber, Assistant Director of Planning  
16 Mr. David D. O'Kelly, Jr., Principal Planner  
17 Ms. Leslie A. News, CLA, County Planner  
18 Mr. James P. Strauss, CLA, County Planner  
19 Mr. E. J. (Ted) McGarry, III, County Planner  
20 Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner  
21 Mr. Michael F. Kennedy, County Planner  
22 Ms. Christina L. Goggin, AICP, County Planner  
23 Mr. Michael P. Cooper, County Planner  
24 Mr. Todd Eure, Assistant Traffic Engineer  
25 Ms. Diana B. Carver, Recording Secretary  
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27 **Mr. Frank J. Thornton, the Board of Supervisors Representative, abstains on all**  
28 **cases unless otherwise noted.**

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30 Mr. Taylor - Good morning and welcome to the May POD meeting.

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

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34 Mr. Taylor - I wanted to tell you that we have the usual long agenda, but we  
35 will get started and we will turn the meeting over to our Secretary, Mr. Marlles.

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37 Mr. Archer - Good morning, Mr. Marlles.

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39 Mr. Marlles - Good morning, Mr. Chairman, and members of the Commission.  
40 We do have a full quorum today and, of course, can conduct business. The first item on  
41 the agenda is our request for deferrals and withdrawals, but before I turn that over to Mr.  
42 Wilhite, I would ask that Regina Chandler stand. Mr. Chairman, over the past couple of  
43 months I have introduced a number of new staff members to you. Regina is our most  
44 recent member. She has filled the position that was vacated by Michael Cooper, when he  
45 was promoted. She has pretty extensive experience, actually, in a number of  
46 communities, most recently James City County. She has also worked for Hopewell and

47 Petersburg, and we are very happy to have her, and I would just like to introduce her to  
48 you.

49  
50 Mr. Vanarsdall - Good morning, Regina, and welcome. And Mr. Secretary, I don't  
51 believe we've ever had anybody from James City County.

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53 Mr. Marles - Well, actually, Mr. Vanarsdall, Mark Bittner came from James  
54 City County. That's been a few years ago.

55  
56 Mr. Vanarsdall - Mark Bittner. I thought he came from up north.

57  
58 Mr. Marles - No, I believe it was James City County.

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60 Mr. Vanarsdall - Well, he turned out all right, so I hope you do.

61  
62 Ms. Regina Chandler - Good morning members, and I am excited about working  
63 for Henrico County and looking forward to meeting each and every one of you all.

64  
65 Mr. Taylor - Thank you, Regina. And, Regina, don't let Mr. Vanarsdall  
66 intimidate you. All right, Mr. Secretary.

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68 Mr. Marles - Kevin Wilhite.

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70 **TRANSFER OF APPROVAL**

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74 **POD-14-00 Gresham Smith and Partners for Henrico Doctor's**  
75 **Henrico Doctors Hospital:** Request for approval of a transfer of approval, as  
76 **Hospital Formerly** required by Chapter 24, Section 24-106, of the Henrico County  
77 **Health South Medical** Code from Health South of Virginia to Central Virginia  
78 **Center MRI Addition** Hospital, LLC. The 11.0 acre site is located on the north line  
79 **and Master Plan** of Parham Road, 1,100 feet east of Shrader Road on parcel  
80 **(POD-83-93 Revised)** 764-754-0992. The zoning is 0-3, Office District. **(Brookland)**  
81 **7700 E. Parham Road**

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84 Mr. Wilhite - Good morning, Mr. Chairman, and members of the Planning  
Commission. We have three request for deferrals on the list, and one that we have gotten  
just this morning. The first is on Page 2. The applicant requests deferral until June 26,  
2002.

85  
86 Mr. Taylor - Is there anybody in the audience who is opposed to deferral until  
87 June 26, 2002? All right. Mr. Vanarsdall.

88  
89 Mr. Vanarsdall - Which one is that?

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91 Mr. Taylor - That is Page 2, POD-14-00.

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Mr. Vanarsdall - I make a motion that we defer POD-14-00, at the applicant's request, to June 26, 2002.

Mr. Archer - Second.

Mr. Taylor - Motion made by Mr. Vanarsdall and seconded by Mr. Archer. All in favor say aye. All opposed say no. The motion is approved.

At the request of the applicant, the Planning Commission deferred Transfer of Approval, POD-14-00, Henrico Doctor's Hospital, to its meeting on June 26, 2002.

**TRANSFER OF APPROVAL (Deferred from the April 24, 2002, Meeting)**

POD-29-94 Heilig Meyers Distribution Center - 9820 Park Central Drive  
**Scott Traynham for Norman Seay:** Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code, from Val T. Orton, Trustee, Heilig-Meyers Furniture Company, to Norman Seay. The 5.990-acre site is located on the west line of Park Central Drive, approximately 1,800 feet south of Parham Road on parcel 789-760-0587. The zoning is 0-SC, Office Service District (Conditional). **(Fairfield)**

Mr. Wilhite - The applicant requests deferral to June 26, 2002.

Mr. Taylor - Is there anybody in the audience opposed to the deferral of Case POD-29-94 to June 26, 2002? No opposition. Mr. Archer.

Mr. Archer - Mr. Chairman, I move deferral of POD-29-94 to June 26, 2002 meeting at the applicant's request.

Mr. Vanarsdall - Second.

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

At the request of the applicant, the Planning Commission deferred Transfer of Approval, POD-29-94, Heilig Meyers Distribution Center, to June 26, 2002.

116 **SUBDIVISION**

117

Trivett Woods  
(May 2002 Plan)

**Goodfellow, Jalbert, Beard and Associates, Inc. for Salous-West, LLC:** The 3.92-acre site is located between Telegraph Road and Battlefield Road south of Francis Road on parcel 785-765-6083. The zoning is R-2A, One-Family Residence District. County water and sewer. **(Fairfield) 8 Lots**

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119 Mr. Wilhite -

The applicant requests deferral to June 26, 2002, as well.

120

121 Mr. Taylor -

Is there anybody in the audience who is opposed to the deferral of Trivett Woods (May 2002 Plan) to June 26, 2002? No opposition, Mr. Archer.

122

123 Mr. Archer -

Mr. Chairman, I move deferral of Subdivision Trivett Woods to the June 26, 2002 meeting at the applicant's request.

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125 Mr. Vanarsdall -

Second.

126

127 Mr. Taylor -

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

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At the applicant's request, the Planning Commission deferred Subdivision Trivett Woods (May 2002 Plan) to its meeting on June 26, 2002.

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130 **SUBDIVISION AND TRANSITIONAL BUFFER DEVIATION**

131

Springfield Farms  
(April 2002 Plan)

**Jordan Consulting Engineers, P.C. for Atack Properties, Inc.:** The 23.37-acre site is located along the south line of Springfield Road, approximately 350 feet north of its intersection with Francistown Road on parcels 758-770-9505, 759-769-5799, and 759-770-3844. The zoning is R-3C, One-Family Residence District (Conditional) and C-1, Conservation District. County water and sewer. **(Brookland) 36 Lots**

132

133 Mr. Wilhite -

This is on Page 10 of your agenda. The applicant has requested deferral for 30 days until June 26, 2002.

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135 Mr. Taylor -

Is there anybody opposed to the deferral of Springfield Farms Subdivision to June 26, 2002? No opposition. Mr. Vanarsdall.

136

137 Mr. Vanarsdall -

Before I make a motion, this case had a couple of issues, three issues that are all worked out but two, and one of them is the sidewalk along Springfield Road, and so I am just throwing this out for a reason and I will get to it in a minute. I have always been in favor of sidewalks, but I want to know where they start and where they end, and so forth, and Traffic, I think Mr. Eure is here this morning. He said it is not

149 dangerous, and staff says it is not, so if between now and the 26<sup>th</sup> of June if the rest of the  
150 Commission, this is like a Mission Impossible; what did they used to say? Your mission  
151 if you accept it. And the tape will not self destruct, because they keep it back there, but if  
152 you all have a chance, just ride down that section by Echo Lake near Springfield Road  
153 and just look and see if you think they need a sidewalk, or who would use it, and so forth.  
154 I usually don't ask the Commission to get in on my cases. I am not asking now, but it  
155 would help. I would have to say now that for Springfield Farms I recommend a 30-day  
156 deferral at the applicant's request, and I appreciate the applicant coming forward and  
157 deferring it.

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159 Mr. Jernigan - I second it.

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

163  
164 At the request of the applicant, the Planning Commission deferred Springfield Farms  
165 (April 2002 Plan) to its meeting on June 26, 2002.

166  
167 Mr. Marlles - The next item on the agenda is the Expedited Agenda and just for  
168 the information for the audience, items on the Expedited Agenda are cases for which staff  
169 is recommending approval. The Planning Commission member has no issues, and there  
170 is no known citizen opposition. If there is citizen opposition, it is generally the policy of  
171 the Commission to pull those items off the Expedited Agenda and handle them in the  
172 order in which they appear on the agenda. Mr. Wilhite.

173  
174 Mr. Wilhite - Thank you. We have 12 cases listed on the Expedited Agenda  
175 today. The first one is on Page 4.

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177 **SUBDIVISION**

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180 Hunters Trace **Balzer and Associates, Inc. for Lillian S. Bernard and Stephen**  
(May 2002 Plan) **Thomas:** The 4-72-acre site is located at the southern terminus of  
Pinedale Drive, approximately 100 feet south of its intersection  
with Avery Green Drive on parcel 18-A-15B and part of parcel  
744-772-8254 and part of parcel 744-772-1191. The zoning is R-  
5AC, General Residence District (Conditional). County water and  
sewer. **(Three Chopt) 12 Lots**

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182 Mr. Wilhite - On Page 3 of your Addendum, there is a revised recommendation  
183 of approval, a revised condition No. 15, and there is a revised staff plan associated with  
184 this case.

185  
186 Mr. Taylor - Is there any opposition to Subdivision Hunters Trace? No  
187 opposition. I move approval of Subdivision Hunters Trace (May 2002 Plan), subject to  
the standard conditions for subdivisions served by public utilities, conditions Nos. 12, 13,  
14, 15 and the Addendum, and the annotations on the plan.

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Mr. Vanarsdall - Second.

Mr. Taylor - Motion made by Mr. Taylor and seconded by Mr. Vanarsdall. All in favor say aye. All opposed say no. The motion is approved.

The Planning Commission granted conditional approval to subdivision Hunters Trace (May 2002 Plan), subject to the standard conditions for subdivisions served by public utilities, the annotations on the plans, and added conditions Nos. 12 through 15 as shown below:

12. Any necessary offsite drainage easements must be obtained prior to approval of the construction plan by the Department of Public Works.
13. The proffers approved as part of zoning case C-9C-02 shall be incorporated in this approval.
14. Prior to requesting the final approval, a draft of the covenants and deed restrictions for the maintenance of the common area by a homeowners association shall be submitted to the Planning Office for review. Such covenants and restrictions shall be in form and substance satisfactory to the County Attorney and shall be recorded prior to recordation of the subdivision plat.
15. Prior to requesting final approval, the engineer shall furnish the Planning Office a plan showing a dwelling situated on Lots 2 thru 8 to show that all cul-de-sac lots meet the requirements of Section 24-95(v) of the Henrico County Code.

Mr. Wilhite - The next case is on Page 6.

**TRANSFER OF APPROVAL (Deferred from the April 24, 2002, Meeting)**

POD-69-85 Summit Breckenridge Apartments – 9951 Racquet Club Lane	<b>Real Estate Advisory, L.L.C. for BRGR, L.L.C.:</b> Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code from Summit Properties Partnership to BRGR, L.L.C. The 21.370 acre site is located along N. Gaskins Road, approximately 700 feet north of W. Broad Street (U. S. Route 250) on parcels 753-760-0679 and 753-760-3407. The zoning is R-5C, General Residence District (Conditional). <b>(Three Chopt)</b>
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Mr. Wilhite - On Page 4 of your Addendum there is a revised recommendation for approval, and five added conditions listed.

Mr. Taylor - Is there any opposition for the approval of POD-69-85? No opposition. I will move approval of POD-69-85 plus the conditions on the Addendum, Nos. 1, 2 and 3.

Mr. Jernigan - I will second that.

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Mr. Taylor - Motion made by Mr. Taylor and seconded by Mr. Jernigan. All in favor say aye. All opposed say no. The ayes have it. The motion is approved.

The Planning Commission voted to approve Transfer of Approval for POD-69-85, Summit Breckenridge Apartments, subject to the continued compliance with the conditions of the original approval and the following additional conditions:

1. A bond shall be posted to cover the site deficiencies as identified in the inspection report dated **May 8, 2002**, and shall be corrected by **November 15, 2002**.
2. All missing and damaged dumpster lids and handicap signs, as identified in the inspection report, dated **May 8, 2002**, shall be corrected by **July 1, 2002**.
3. The storage units located on the property shall be removed by **November 15, 2002**.

#### **LANDSCAPE & LIGHTING PLAN**

LP/POD-89-00                      **Bay Design Group for Wilton Real Estate & Development Corporation:** Request for approval of a landscape and lighting plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 1.42 acre site is located at the intersection of Lauderdale Drive and Gayton Road on parcel 734-758-5814. The zoning is O-1C, Office District (Conditional).  
**(Three Chopt)**

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Mr. Wilhite - On Page 5 of your Addendum there is a revised plan associated with this case and revised recommendation for approval.

Mr. Taylor - Is there anybody in the audience opposed to the approval of LP/POD-89-00 on the Expedited Agenda? I move approval of LP/POD-89-00, Lauderdale Office Building, subject to the standard conditions for landscape and lighting plans and the annotations on the plans plus the comments in the Addendum.

Mr. Jernigan - Second.

Mr. Taylor - Motion made by Mr. Taylor and seconded by Mr. Jernigan. All in favor say aye. All opposed say no. The ayes have it. The motion is approved.

The Planning Commission approved the landscape and lighting plan for LP/POD-89-00, Lauderdale Office Building, subject to the annotations on the plans and the standard conditions for landscape and lighting plans.

#### **PLAN OF DEVELOPMENT**

POD-42-02                      **Bay Design Group, P. C. for Wilton Development**

Townes @ Shady Grove, Section 3 – Shady Grove Road and Old Nuckols Road **Corporation:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct 51, two-story residential townhouse units for sale. The 8.25 acre site is located at the intersection of Old Nuckols Road and Shady Grove Road on parcel 744-745-7094 and part of parcels 744-745-9263 and 2740. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt)**

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263 Mr. Wilhite - This is also located in the Three Chopt District.

264

265 Mr. Taylor - Is there any opposition to the approval of POD-42-02 on the  
266 Expedited Agenda? No opposition? I will move approval of POD-42-02, Townes @  
267 Shady Grove, Section 3, subject to the standard conditions for developments of this type,  
268 the annotations on the plans, and added conditions 23 through 30.

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270 Mr. Vanarsdall - Second.

271

272 Mr. Taylor - Motion made by Mr. Taylor and seconded by Mr. Vanarsdall. All  
273 in favor say aye. All opposed say no. The ayes have it. The motion is approved.

274

275 The Planning Commission approved POD-42-02, Townes @ Shady Grove, Section 3 –  
276 Shady Grove Road and Old Nuckols Road, subject to the annotations on the plans, the  
277 standard conditions for developments of this type and the following additional  
278 conditions:

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- 280 23. The unit house numbers shall be visible from the parking areas and drives.
- 281 24. The names of streets, drives, courts and parking areas shall be approved by the  
282 Richmond Regional Planning District Commission and such names shall be  
283 included on the construction plans prior to their approval. The standard street  
284 name signs shall be ordered from the County and installed prior to any occupancy  
285 permit approval.
- 286 25. The subdivision plat for Townes at Shady Grove, Section 3 shall be recorded  
287 before any building permits are issued.
- 288 26. The developer shall provide fire hydrants as required by the Department of Public  
289 Utilities and Division of Fire.
- 290 27. The proffers approved as a part of zoning cases C-19C-00 and C-28C-99 shall be  
291 incorporated in this approval.
- 292 28. Any necessary off-site drainage and/or water and sewer easements must be  
293 obtained in a form acceptable to the County Attorney prior to final approval of the  
294 construction plans.
- 295 29. The pavement shall be of an SM-2A type and shall be constructed in accordance  
296 with County standard and specifications. The developer shall post a defect bond  
297 for all pavement with the Planning Office - the exact type, amount and  
298 implementation shall be determined by the Director of Planning, to protect the



299 interest of the members of the Homeowners Association. The bond shall become  
300 effective as of the date that the Homeowners Association assumes responsibility  
301 for the common areas.  
302 30. Insurance Services Office (ISO) calculations must be included with the plans and  
303 contracts and must be approved by the Department of Public Utilities prior to the  
304 issuance of a building permit.  
305

306 **PLAN OF DEVELOPMENT**  
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POD-40-02 Church of Christ Educational and Worship Facility – Sandy Lane Road	<b>Griffith-Graham and Associates, Inc. for The Church of Christ:</b> Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, 900 seat, 48,705 square foot worship facility. The 10.54 acre site is located on the east line of Sandy Lane at the intersection with Howard Street on parcels 807-732-7606 and 2413. The zoning is A-1, Agricultural District and ASO, Airport Safety Overlay District. County water and sewer. <b>(Fairfield)</b>
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309 Mr. Wilhite - On Page 6 of your Addendum there is an added Condition #32.  
310 Staff is recommending approval.

311  
312 Mr. Taylor - Is there any opposition to the approval of POD-42-02 on the  
313 Expedited Agenda? There is none. Mr. Archer.

314  
315 Mr. Archer - Mr. Chairman, I move approval of POD-40-02, Church of Christ  
316 Educational and Worship Facility – Sandy Lane Road, subject to the annotations on the  
317 plans, the standard conditions for developments of this type, and the additional conditions  
318 Nos. 23 through 31 on the original agenda and No. 32 added on the Addendum.

319  
320 Mr. Vanarsdall - Second.

321  
322 Mr. Taylor - Motion made by Mr. Archer and seconded by Mr. Vanarsdall to  
323 approve POD-42-02. All in favor say aye. All opposed say no. The motion passes.  
324 The Planning Commission approved Plan of Development POD-42-02, Townes @ Shady  
325 Grove, Section 3 – Shady Grove Road and Old Nuckols Road, subject to the annotations  
326 on the plans, the standard conditions for developments of this type, and added conditions  
327 Nos. 23 through 32 shown below:

- 328  
329 23. The unit house numbers shall be visible from the parking areas and drives.  
330 24. The names of streets, drives, courts and parking areas shall be approved by the  
331 Richmond Regional Planning District Commission and such names shall be  
332 included on the construction plans prior to their approval. The standard street  
333 name signs shall be ordered from the County and installed prior to any occupancy  
334 permit approval.

- 335 25. The subdivision plat for Townes at Shady Grove, Section 3 shall be recorded  
336 before any building permits are issued.
- 337 26. The developer shall provide fire hydrants as required by the Department of Public  
338 Utilities and Division of Fire.
- 339 27. The proffers approved as a part of zoning cases C-19C-00 and C-28C-99 shall be  
340 incorporated in this approval.
- 341 28. Any necessary off-site drainage and/or water and sewer easements must be  
342 obtained in a form acceptable to the County Attorney prior to final approval of the  
343 construction plans.
- 344 29. The pavement shall be of an SM-2A type and shall be constructed in accordance  
345 with County standard and specifications. The developer shall post a defect bond  
346 for all pavement with the Planning Office - the exact type, amount and  
347 implementation shall be determined by the Director of Planning, to protect the  
348 interest of the members of the Homeowners Association. The bond shall become  
349 effective as of the date that the Homeowners Association assumes responsibility  
350 for the common areas.
- 351 30. Insurance Services Office (ISO) calculations must be included with the plans and  
352 contracts and must be approved by the Department of Public Utilities prior to the  
353 issuance of a building permit.
- 354 31. Prior to requesting final approval, the engineer shall furnish the Planning Office a  
355 plan showing a dwelling situated on Lots 2 thru 8 to show that all cul-de-sac lots  
356 meet the requirements of Section 24-95(v) of the Henrico County Code.
- 357 32. The owner agrees to complete the waterline loop from Watts Lane to Howard  
358 Lane (approximately 700 feet) along Sandy Lane. With the waterline loop, 1500  
359 gpm would be available at the site to meet fire flow demands. If the waterline  
360 loop is not completed, then on-site storage would be required to meet fire flow  
361 demands.  
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363 **SUBDIVISION**

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Purcell Place  
(April 2002 Plan)

**Grattan & Associates for Commonwealth**

**Homebuilding Corporation:** The 2.59-acre site is located on the west side of Purcell Road, approximately 250 feet north of Indale Road on parcel 771-765-0353. The zoning is R-3, One-Family Residence District. County water and sewer. **(Brookland) 4 Lots**

365

366 Mr. Wilhite - We have an Addendum item on Page 7 with a revised  
367 recommendation, and there is handed out to you already a staff plan with annotations  
368 added.

369

370 Mr. Taylor - Is there anyone in the audience opposed to the approval of Purcell  
371 Place Subdivision on the Expedited Agenda? There being none, Mr. Vanarsdall.

372

373 Mr. Vanarsdall - I move that Purcell Place be approve on the Expedited Agenda as  
374 recommended by staff, with the standard conditions for developments of this type, the  
375 annotations on the plan, and added conditions Nos. 12 through 15 and on the Addendum,  
376 on Page 6, it just picks up that staff recommends conditional approval.

377

378 Mr. Jernigan - Second.

379

380 Mr. Taylor - Motion made by Mr. Vanarsdall and seconded by Mr. Jernigan.  
381 All in favor say aye. All opposed say no. The motion is approved.

382

383 The Planning Commission granted conditional approval for subdivision Purcell Place  
384 (April 2002 Plan), subject to the standard conditions for subdivisions served by public  
385 utilities, the annotations on the plans, and the following additional conditions:

386

- 387 12. Each lot shall contain at least 11,000 square feet exclusive of the flood plain areas.  
388 13. The limits and elevation of the 100 year frequency flood shall be conspicuously  
389 noted on the plat and construction plans and labeled "Limits of 100 year  
390 floodplain." Dedicate floodplain as a "Variable Width Drainage & Utilities  
391 Easement."  
392 14. The detailed plant list and specifications for the landscaping to be provided within  
393 the 25-foot-wide planting strip easement along Purcell Road shall be submitted to  
394 the Planning Office for review and approval prior to recordation of the plat.  
395 15. Any necessary offsite drainage easements must be obtained prior to approval of  
396 the construction plan by the Department of Public Works.

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397 **PLAN OF DEVELOPMENT**  
398

POD-36-02  
Short Pump Crossing –  
Pump Road  
(POD-20-96 Revised)

**E. D. Lewis & Associates, P.C. for Sauer Properties Inc.:** Request for approval of a revised plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, 6,660 square foot retail building. The .984 acre site is located on the west side of Pump Road, approximately 600 feet south of W. Broad Street (U.S. Route 250) on parcel 739-761-6445. The zoning is B-2C, Business District (Conditional). County water and sewer. **(Three Chopt)**

399  
400 Mr. Taylor - Is there any opposition to the approval of POD-36-02 on the  
401 Expedited Agenda? I move approval of POD-36-02, Short Pump Crossing, on the  
402 Expedited Agenda, subject to the annotations on the plans, standard conditions for  
403 developments of this type, and conditions Nos. 23 through 32.

404  
405 Mr. Vanarsdall - Second.

406  
407 Mr. Taylor - Motion made by Mr. Taylor and seconded by Mr. Vanarsdall. All  
408 in favor say aye. All opposed say no. The motion is approved.

- 409  
410 23. The easements for drainage and utilities as shown on approved plans shall be  
411 granted to the County in a form acceptable to the County Attorney prior to any  
412 occupancy permits being issued. The easement plats and any other required  
413 information shall be submitted to the County Real Property Agent at least sixty  
414 (60) days prior to requesting occupancy permits.
- 415 24. The developer shall provide fire hydrants as required by the Department of Public  
416 Utilities and Division of Fire.
- 417 25. Employees shall be required to use the parking spaces provided at the rear of the  
418 building(s) as shown on the approved plans.
- 419 26. Outside storage shall not be permitted.
- 420 27. The proffers approved as a part of zoning cases C-21C-88, C-44C-99 and C-63C-  
421 88 shall be incorporated in this approval.
- 422 28. Any necessary off-site drainage and/or water and sewer easements must be  
423 obtained in a form acceptable to the County Attorney prior to final approval of the  
424 construction plans.
- 425 29. Deviations from County standards for pavement, curb or curb and gutter design  
426 shall be approved by the County Engineer prior to final approval of the  
427 construction plans by the Department of Public Works.
- 428 30. Insurance Services Office (ISO) calculations must be included with the plans and  
429 contracts and must be approved by the Department of Public Utilities prior to the  
430 issuance of a building permit.

- 431 31. Approval of the construction plans by the Department of Public Works does not  
 432 establish the curb and gutter elevations along the Henrico County maintained  
 433 right-of-way. The elevations will be set by Henrico County.
- 434 32. The location of all existing and proposed utility and mechanical equipment  
 435 (including HVAC units, electric meters, junction and accessory boxes,  
 436 transformers, and generators) shall be identified on the landscape plans. All  
 437 equipment shall be screened by such measures as determined appropriate by the  
 438 Director of Planning or the Planning Commission at the time of plan approval.  
 439

440 **PLAN OF DEVELOPMENT**

441

POD-48-00 Crestview Apartments – Phase 2 – Horsepen Road	<b>E. D. Lewis &amp; Associates, P.C. for New Apartments,          L.L.C. &amp; New Recreation, L.L.C.:</b> Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct 20, two-story apartment buildings totaling <del>130</del> 134 units. The 13.55 acre site is located on the northwest corner of Horsepen Road and Catawba Lane on parcels 766-742-8033, 766-741-9079, 767-741-2394 and 3268. The zoning is R-5, General Residence District and R-5C, General Residence District (Conditional). County water and sewer. <b>(Three Chopt)</b>
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442

443 Mr. Wilhite - On Page 7 of your Addendum, there is a revised caption. The  
 444 number of units in this project has been reduced from 134 to 130 units. There are also  
 445 two added conditions, Nos. 32 and 33. Staff recommends approval.  
 446

447 Mr. Taylor - Is there anybody in the audience opposed to the approval of POD-  
 448 48-00 on the Expedited Agenda? There is. All right, if you would sir...  
 449

450 Mr. Vanarsdall - Maybe he just has a question, Mr. Chairman.  
 451

452 Mr. Taylor - Pardon me?  
 453

454 Mr. Vanarsdall - Maybe he just has a question.  
 455

456 Mr. Jernigan - Sir, if you would come down.  
 457

458 Mr. Taylor - Come down to the microphone and identify yourself for the record.  
 459

460 Mr. Gwaltney - Good morning. I don't know if this is the right time to oppose this.  
 461 I don't know the correct procedure or anything, but I was just opposed to the apartments  
 462 being built there. So, is that the time to be doing that, or...  
 463

464 Mr. Vanarsdall - Well, you understand that was all rezoned and all.  
 465

466 Mr. Gwaltney - I know. I opposed it then, too, but I just wanted to oppose it again,  
467 and I don't know if it would make any difference.  
468  
469 Mr. Vanarsdall - But you don't have any problem with the structure or anything like  
470 that.  
471  
472 Mr. Gwaltney - I have not seen any plans or anything, to be honest with you. And  
473 I thought this was what the meeting was going to be more about, to see the structures and  
474 stuff and buildings.  
475  
476 Mr. Vanarsdall - But you just don't like apartments? That is what you are opposed  
477 to?  
478  
479 Mr. Gwaltney - Well, I live on Horsepen Road and I have lived at this house for 40  
480 plus years, and what we have there now is just a big opening, and I am kind of used more  
481 to that, whereas now, I believe, the apartments that are going to be built there are going to  
482 be pretty close built to Horsepen Road, which will, it is just going to take away from the  
483 view and the, more people, and I just like. I have been there 40 plus years, so I am kind  
484 of opposed to having something change.  
485  
486 Mr. Marlles - Mr. Chairman, what I would suggest is we allow the applicant's  
487 engineer to meet with the citizen out in the foyer, and at least present the plans so that  
488 you have an idea of what is being proposed, and we would take it up later in the agenda.  
489  
490 Mr. Gwaltney - OK. The other question I had was that further down Horsepen nice  
491 houses have been built. Why couldn't houses be built there, too, instead of apartments?  
492  
493 Mr. Marlles - Sir, I think it has already been explained. The property is already  
494 zoned for this type of use, so...  
495  
496 Mr. Gwaltney - I was here at the other meeting and opposed it and it didn't make a  
497 difference.  
498  
499 Mr. Marlles - Well, again, staff recommendation is that they meet out in the  
500 foyer and we can take it back up.  
501  
502 Mr. Jernigan - Sir, could we have your name?  
503  
504 Mr. Vanarsdall - Mr. Lewis, who is the representative, is here this morning and he  
505 will be glad to meet with you out there, and then we can come back to it if that is what  
506 you want to do.  
507  
508 Mr. James Gwaltney, Jr. - My name is James Gwaltney, Jr. And I live at 6601  
509 Horsepen Road.  
510  
511 Mr. Jernigan - Thank you, sir.

512  
513 Mr. Vanarsdall - We appreciate your input.

514  
515 Mr. Taylor - Mr. Gwaltney, I think that is what we will do. If you would, we  
516 will just go on to the next case and you can go ahead out and talk to Mr. Lewis, and we  
517 will hear this at the end of the agenda.

518  
519 Mr. Wilhite - The next case is on Page 23.

520  
521 **SUBDIVISION**  
522

Tarry Oaks **Gene Watson & Associates, P.C. for Cameron M.**  
(May 2002 Plan) **Cosby:** The 2.588 acre site is located on the northwest  
corner of Sleepy Hollow Road and Tarrytown Road on  
parcel 750-737-2545. The zoning is R-1, One-Family  
Residence District. County water and sewer.  
**(Tuckahoe) 2 Lots**

523  
524 Mr. Wilhite - There is a revised plan already in your packet.

525  
526 Mr. Taylor - Is there anyone in the audience who is opposed to Subdivision  
527 Tarry Oaks (May 2002 Plan)? No opposition. Ms. Ware, your motion.

528  
529 Ms. Ware - I recommend approval of Tarry Oaks Subdivision subject to the  
530 annotations on the plans and standard conditions for subdivisions served by public  
531 utilities and additional conditions Nos. 12 through 15 on the Expedited Agenda.

532  
533 Mr. Vanarsdall - Second.

534  
535 Mr. Taylor - Motion by Ms. Ware and second by Mr. Vanarsdall. All in favor  
536 say aye. All opposed say no. The motion is approved.

537  
538 The Planning Commission granted conditional approval to subdivision Tarry Oaks (May  
539 2002 Plan), subject to the annotations on the plans, the standard conditions for  
540 subdivisions served by public utilities, and the following additional conditions:

541  
542 12. The detailed plant list and specifications for the landscaping to be provided within  
543 the 25-foot-wide planting strip easement along Sleep Hollow Road shall be  
544 submitted to the Planning Office for review and approval prior to recordation of the  
545 plat.

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

548 14. The Dwelling on Lot 2 shall be oriented so that the front façade faces Tarrytown  
549 Drive.

550 15. No fence greater than 48 inches in height shall be constructed along Tarrytown  
551 Drive.

552  
553  
554

**SUBDIVISION**

Robin Park  
(May 2002 Plan)

**Thomas & Associates, L.L.C. for H. F. Robbins, Jr. Construction Company:** The 0.8779 acre site is located on the south line of Pine Street, approximately 150 feet west of Barker Avenue on parcels 818-727-5336, 4439 and 6430. The zoning is R-3, One-Family Residence District and ASO (Airport Safety Overlay District). County water and sewer. **(Varina) 2 Lots**

555  
556  
557  
558  
559  
560  
561

Mr. Wilhite - Staff recommends approval.

Mr. Taylor - Is there anyone in the audience opposed to the approval or the hearing of Robin Park on the Expedited Agenda? All right. There being none, Mr. Jernigan.

562  
563  
564  
565

Mr. Jernigan - Mr. Chairman, I make a motion to approve Subdivision Robin Park on the May 2002 Plan, subject to the annotations on the plans, the standard conditions for subdivisions served by public utilities and additional conditions Nos. 12, 13 and 14.

566  
567

Mr. Vanarsdall - Second.

568  
569  
570

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

571  
572  
573  
574

The Planning Commission granted conditional approval for subdivision Robin Park (May 2002 Plan), subject to the annotations on the plans, the standard conditions for subdivisions served by public utilities and the following additional conditions:

575  
576  
577  
578  
579  
580  
581

12. Any necessary offsite drainage easements must be obtained prior to approval of the construction plan by the Department of Public Works.
13. The well shown on Lot 22C shall not be used for domestic water. If capped, all Health Department requirements shall be met.
14. Any dwelling constructed on Lot 22C shall be arranged so that the existing garage is located behind the dwelling or a variance obtained prior to approval of a building permit.

582  
583  
584

**PLAN OF DEVELOPMENT & LIGHTING PLAN**

POD-41-02  
Exxon @ Virginia Center  
Station – 9801 Brook Road

**Bohler Engineering, P.C. and Trammell Crow Company for ExxonMobil Corporation:** Request for approval of a plan of development and lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 3,900 square foot convenience store with gas pumps and car wash. The



1.907 acre site is located on the northeast corner of Brook Road (U. S. Route 1) and Virginia Center Parkway on parcel 783-767-9792. The zoning is M-1, Light Industrial District. County water and sewer. **(Fairfield)**

585

586 Mr. Wilhite - On Page 8 of your Addendum there are revised conditions. They  
587 are No. 35, 36 and 37.

588

589 Mr. Taylor - Is there anyone in the audience who is opposed to POD-41-02,  
590 Exxon @ Virginia Center Station? Mr. Archer, no opposition.

591

592 Mr. Archer - Thank you, Mr. Chairman. I move approval of POD-41-02, Exxon  
593 @ Virginia Center Station, subject to the annotations on the plans, the standard  
594 conditions for developments of this type, conditions Nos. 11B and 23 through 37, with  
595 35, 36 and 37 being revised on the Addendum.

596

597 Mr. Vanarsdall - Second.

598

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

601

602 Mr. Archer - Mr. Chairman, may I ask a question before we move on?

603

604 Mr. Taylor - Certainly, sir.

605

606 Mr. Archer - Maybe the Secretary can help me on this. Condition No. 32 in this  
607 case says the location of all existing and proposed utility and mechanical equipment  
608 (including HVAC units, electric meter, junction and accessory boxes, transformers, and  
609 generators) shall be identified on the landscape plans. Is this a matter we could use in the  
610 green box cases?

611

612 Mr. Vanarsdall - It sure is.

613 Mr. Marlles - What I think...

614

615 Mr. Archer - It caught my attention when I was reading this.

616

617 Mr. Vanarsdall - I had not noticed that before either.

618

619 Mr. Marlles - I think the reason for this particular condition is the policy that was  
620 developed, maybe, I think it was last year that it was actually adopted to where the  
621 Commission requested staff to develop that policy in order to restrain these boxes.

622

623 Mr. Archer - I was just wondering if we could use that condition in all of our  
624 subdivision plans and do away with the green boxes in the front yards?

625

626 Mr. Marlles - I am not sure that we are going to do away with the green boxes,  
627 but I think what we are leading to is a policy that will perhaps require those boxes to be  
628 screened in some manner, and that is at least the thought of staff, and we do have, as you  
629 are probably aware, a committee where we are trying to get together, and we actually  
630 have looked at draft language for that type of policy, but, Mr. Archer, I think we are  
631 heading in that direction.

632  
633 Mr. Archer - Good. I just didn't want to let that moment pass without  
634 acknowledging it.

635  
636 Mr. Vanarsdall - I am glad you didn't. Once, many years ago we were both on a  
637 committee. In fact, he put me on a committee when he was chairman, and we had one  
638 meeting and another meeting, and the rest of them petered out and it just went away like  
639 it has never been a subject in the County.

640  
641 Mr. Archer - It has been five years this month. Thank you, Mr. Chairman. I  
642 apologize.

643  
644 The Planning Commission approved POD and Lighting Plan for POD-41-02, Exxon @  
645 Virginia Center Station – 9801 Brook Road, subject to the annotations on the plans, the  
646 standard conditions for developments of this type, and the following additional  
647 conditions:

- 648  
649 11B. Prior to the approval of an electrical permit application and installation of the site  
650 lighting equipment, a plan including light spread and intensity diagrams, and  
651 fixture specifications and mounting height details shall be revised as annotated on  
652 the staff plan and included with the construction plans for final signature.
- 653 23. The developer shall provide fire hydrants as required by the Department of Public  
654 Utilities and Division of Fire.
- 655 24. The entrances and drainage facilities on Brook Road (U. S. Route 1) shall be  
656 approved by the Virginia Department of Transportation and the County.
- 657 25. A notice of completion form, certifying that the requirements of the Virginia  
658 Department of Transportation entrances permit have been completed, shall be  
659 submitted to the Planning Office prior to any occupancy permits being issued.
- 660 26. Any necessary off-site drainage and/or water and sewer easements must be  
661 obtained in a form acceptable to the County Attorney prior to final approval of the  
662 construction plans.
- 663 27. Deviations from County standards for pavement, curb or curb and gutter design  
664 shall be approved by the County Engineer prior to final approval of the  
665 construction plans by the Department of Public Works.
- 666 28. Insurance Services Office (ISO) calculations must be included with the plans and  
667 contracts and must be approved by the Department of Public Utilities prior to the  
668 issuance of a building permit.
- 669 29. Approval of the construction plans by the Department of Public Works does not  
670 establish the curb and gutter elevations along the Henrico County maintained  
671 right-of-way. The elevations will be set by Henrico County.

- 672 30. Approval of the construction plans by the Department of Public Works does not  
673 establish the curb and gutter elevations along the Virginia Department of  
674 Transportation maintained right-of-way. The elevations will be set by the  
675 contractor and approved by the Virginia Department of Transportation.
- 676 31. The location of all existing and proposed utility and mechanical equipment  
677 (including HVAC units, electric meters, junction and accessory boxes,  
678 transformers, and generators) shall be identified on the landscape plans. All  
679 equipment shall be screened by such measures as determined appropriate by the  
680 Director of Planning or the Planning Commission at the time of plan approval.
- 681 32. Evidence of a joint ingress/egress and maintenance agreement must be submitted  
682 to the Planning Office and approved prior to issuance of a certificate of  
683 occupancy for this development.
- 684 33. The owner or manager on duty shall be responsible for temporarily closing the car  
685 facility when the on-site stacking space is inadequate to serve customer demand to  
686 prevent a backup of vehicles onto the public right-of-way. The owner shall  
687 arrange with the Traffic Engineer to provide standard traffic control signs to  
688 notify customers that stopping or standing on the public right-of-way shall not be  
689 permitted near the entrances to the car wash facility.
- 690 34. Prior to construction plan approval, the applicant shall provide proof which shall  
691 be confirmed by the County Attorney, that the 20-foot private utility easement  
692 along Brook Road (U. S. Route 1) permits landscape plantings or revise the plan  
693 to provide a separate 10-foot landscape area between the private easement and the  
694 access isle.
- 695 35. Revise the plan to provide landscape islands free of utility easements.
- 696 36. Prior to construction plan approval, the applicant shall provide a revised master  
697 plan for the development.  
698  
699

699 **SUBDIVISION**  
700

Ansley Glen, Section 2  
(April 2002 Plan)

**Koontz-Bryant, P.C. for Rotunda Corporation:** The 0.329 acre site is located at 1605 Verna Drive on parcel 779-761-8866. The zoning is R-4, One-Family Residence District. County water and sewer.  
**(~~Brookland~~) (Fairfield) 1 Lot**

701

702 Mr. Wilhite - This is located in the Fairfield District, not Brookland, as it shows  
703 on the agenda. On Page 8 of your Addendum there is a revised recommendation for  
704 approval and a corrected caption.

705

706 Mr. Taylor - Is there anybody in the audience opposed to Ansley Glen, Section  
707 2, being heard on the Expedited Agenda? No opposition, Mr. Vanarsdall.

708

709 Mr. Vanarsdall - No, it is not me. Not I.

710

711 Mr. Archer - OK, then Mr. Chairman, I will move approval of Subdivision  
712 Ansley Glen, Section 2 (April 2002 Plan), subject to the annotations on the plans and the  
713 standard conditions for subdivisions served by public utilities.

714

715 Mr. Vanarsdall - Second.

716

717 Mr. Taylor - Motion made by Mr. Archer and seconded by Mr. Vanarsdall. All  
718 in favor say aye. All opposed say no. The motion is approved.

719

720 The Planning Commission granted conditional approval to subdivision Ansley Glen,  
721 Section 2, (April 2002 Plan) subject to the annotations on the plans and the standard  
722 conditions for subdivisions served by public utilities.

723

724 Mr. Vanarsdall - Mr. Secretary, before you start, I want to congratulate Mr.  
725 Chairman. It seems like he got almost all of the Three Chopt ones on the Expedited  
726 Agenda, and that means we are about two hours ahead of time this morning.

727

728 Mr. Taylor - I will accept the glory, but the glory goes to the staff. Good job,  
729 staff. Now we are on the regular agenda, and we are at Page 3, I think.

730

731 Mr. Marllles - Well, we actually are at Subdivision Extensions of Conditional  
732 Approval. These, and there are three of them listed, three subdivisions, are being  
733 presented for informational purposes only for the Commission, and Mr. Wilhite, would  
734 you review those.

735

735 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**

736

737 **(FOR INFORMATIONAL PURPOSE ONLY)**

738

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended
Four Mile Run (May 2001 Plan)	Varina	167	167	0	1 Year 5/28/03
Hampshire (May 2001 Plan)	Three Chopt	75	75	0	1 Year 5/28/03
Summerfield Woods (April 1998 Plan)	Fairfield	5	5	3	1 Year 5/28/03

739

740

741 Mr. Wilhite - Thank you. There are three subdivisions this month being extended  
 742 by Director of Planning for a period of one year. The first is the Four Mile Run  
 743 Subdivision (May 2001 Plan), located in Varina; Hampshire (May 2001 Plan), located in  
 744 the Three Chopt District, and on Page 1 of your Addendum, we did get a request for an  
 745 extension for Summerfield Woods (April 1998 Plan). This is located in the Fairfield  
 746 District, and for this subdivision this will be the last extension the Director of Planning  
 747 can grant. Any further extensions would have to be granted by the Planning Commission.  
 748

749

749 Mr. Taylor - Thank you, Mr. Wilhite. Any questions from the Commission?  
 750 Back to Mr. Secretary.

751

752 Mr. Marlles - The first case on your regular agenda is on Page 3.

753

754 **PLAN OF DEVELOPMENT (Deferred from the April 23, 2002, Meeting)**

755

POD-21-02  
 Trellis Crossing

**Balzer & Associates, Inc. for Tascon – Ridgefield LLC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 46 condominium units for sale, a clubhouse and associated parking areas. The 11.20 acre site is located on the southwest quadrant of the intersection of Pump Road and Ridgefield Parkway on parcel 741-750-3069 (66-A-11J) (67-A-2A). The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Tuckahoe)**

756

Mr. Marlles - The staff report will be presented by Mr. Jim Strauss.

757

758 Mr. Taylor - Is there any opposition to POD-21-02 in the audience? No  
 759 opposition.

760

761 Mr. Strauss - Thank you, Mr. Chairman, and members of the Commission. This  
762 plan of development was deferred at our last meeting to allow the developer to meet with  
763 the neighborhood to discuss the impact of the construction on the buffer area that was  
764 proffered with the original rezoning case.

765

766 The site was rezoned from A-1 to RTHC last November, and the proffers of the rezoning  
767 require buffers along the entire periphery of the site. The buffer along the southwestern  
768 boundary, which adjoins the Royal Oaks Subdivision, and that would be on your screen  
769 in this location (referring to slide) here. Here is Royal Oaks (referring to slide). That  
770 buffer was the subject of a great deal of attention, and this was the buffer that was the  
771 subject of the neighborhood meeting last week. The buffer along this property line is to  
772 be 80 feet in width and undisturbed except as required for the utility connections. The  
773 existing sewer and storm drain connections are in that location. So, some disturbance is  
774 necessary in order to connect to these utilities. After meeting with the neighbors last  
775 week, the staff has made recommendations which are included in the form of written  
776 conditions in the most recent addendum, and the annotations on the most recent staff  
777 plan, which is also included in this morning's handouts. After working with the  
778 neighbors, it was determined that the best way to provide for protection for the Royal  
779 Oaks Subdivision is to recommend that this Commission approve the POD with a two-  
780 phased landscape plan. The first phase would be submitted and reviewed with the  
781 construction plans and would address the planting and reforestation, if you will, of the  
782 southwest corner of the project site. This early approval of the Phase 1 landscape plan  
783 would allow an earlier installation of landscaping, as soon as the utilities in this area are  
784 in place, and it would also allow some protection for the Royal Oaks neighborhood while  
785 the rest of the construction of the project proceeds. That, in fact, constitutes much of  
786 what is Condition No. 35 in your addendum this morning, and No. 36. That is referring  
787 to the second phase landscape plan, I mean the first phase landscape plan. Saving trees in  
788 this area is also important to the staff and to the neighbors, and we are recommending the  
789 limits of clearing be flagged and certified by the engineer, and that a heavy duty silt fence  
790 would be used to delineate the limits of clearing. That is what Condition No.34  
791 addresses. The fencing on the southwest corner that was proffered with the original  
792 proffers, that would be proffer 19, of the original zoning, is optional. In other words, the  
793 fence in this area was a subject of some discussion with Royal Oaks. They are not sure  
794 they want the fence. They might just want the buffering to be there, but we have to  
795 address that issue, so we are suggesting that we address the fence with the Phase 2  
796 landscaping plan after the initial landscaping is installed. That is the reason for Condition  
797 No. 37.

798

799 During the review of rezoning and the POD, the subject of traffic calming devices were  
800 discussed with the developer. The staff recommends the use of raised pedestrian cross-  
801 walks, or you could call them rumble strips, in several locations to help slow vehicle  
802 traffic through the project. The developer is also considering a guard house at the  
803 entrance on Ridgfield Parkway. We believe that would have some effect in reducing the  
804 traffic entering that location. The neighbors were concerned and the staff was concerned  
805 about traffic entering through this project, and so we are hoping that those devices will

806 help. They were addressed in the original rezoning with a proffer, so we are providing for  
807 that with Condition No. 38, and we can discuss those strips further if you like. We have  
808 the Traffic Engineer here this morning as well.

809

810 That is an overview of the major issues that the neighborhood and staff are concerned  
811 with for this project. I would add that staff is recommending No. 9 Amended, and that  
812 would be No. 9 Amended for the Phase 2 landscape plan. The Phase 1 would be  
813 administrative, so we can get an early start on the landscaping installation. We are also  
814 recommending 11A, and that would be for the lighting plan to come back to the  
815 Commission. With that I will be happy to answer any questions that you may have. We  
816 have Mr. Steve Settlege here. He represents Tascon, the developer. We also have Mr.  
817 Steve Semones. He is with Balzer, the engineer. Thank you.

818

819 Ms. Ware - I know a lot went on yesterday as far as back and forth on these  
820 amendments to this. I know Ms. Paganoe had faxed things to you, and that is pretty  
821 much straight between what her desires are?

822

823 Mr. Strauss - I had a conversation with Ms. Pagano, who is the neighbor who  
824 has been involved with the project since the rezoning. She lives over here on Old  
825 Prescott Place, and the meeting took place in her backyard with the other neighbors, and  
826 as far as she was concerned, once we added the additional tweaking, so to speak, of the  
827 conditions we had faxed her, she was satisfied. So, obviously, she is not here this  
828 morning, so I take it that she is happy with the outcome of the discussions.

829

830 Ms. Ware - All right. I think that what you've done with getting the replanting  
831 and keeping that buffer as natural as possible has been wonderful. Thank you so much.  
832 Great job. And with that, I will recommend for approval POD-21-02, subject to the  
833 annotations on the plans and standard conditions for developments of this type, and the  
834 following additional conditions: Nos. 9 and 11 Amended, and 23 through 38.

835

836 Mr. Vanarsdall - Second.

837

838 Mr. Taylor - Motion made by Ms. Ware and seconded by Mr. Vanarsdall. All  
839 in favor say aye. All opposed say no. The motion passes.

840

841 The Planning Commission approved POD-21-02, Trellis Crossing, subject to the  
842 annotations on the plans, the standard conditions for developments of this type, and the  
843 following additional conditions:

844 9. **AMENDED** – A detailed landscaping plan shall be submitted to the Planning  
845 Office for review and Planning Commission approval prior to the issuance of any  
846 occupancy permits.

847 11. **AMENDED** - Prior to the approval of an electrical permit application and  
848 installation of the site lighting equipment, a plan including depictions of light  
849 spread and intensity diagrams, and fixture specifications and mounting height  
850 details shall be submitted for Planning Office review and Planning Commission  
851 approval.

- 852 23. The right-of-way for widening of Ridgefield Parkway and Pump Road, as shown  
853 on approved plans, shall be dedicated to the County prior to any occupancy  
854 permits being issued. The right-of-way dedication plat and any other required  
855 information shall be submitted to the County Real Property Agent at least sixty  
856 (60) days prior to requesting occupancy permits.
- 857 24. The easements for drainage and utilities as shown on approved plans shall be  
858 granted to the County in a form acceptable to the County Attorney prior to any  
859 occupancy permits being issued. The easement plats and any other required  
860 information shall be submitted to the County Real Property Agent at least sixty  
861 (60) days prior to requesting occupancy permits.
- 862 25. The developer shall provide fire hydrants as required by the Department of Public  
863 Utilities and Division of Fire.
- 864 26. A standard concrete sidewalk shall be provided along the west side of Pump  
865 Road.
- 866 27. The proffers approved as a part of zoning case C-26-01 shall be incorporated in  
867 this approval.
- 868 28. Any necessary off-site drainage and/or water and sewer easements must be  
869 obtained in a form acceptable to the County Attorney prior to final approval of the  
870 construction plans.
- 871 29. Deviations from County standards for pavement, curb or curb and gutter design  
872 shall be approved by the County Engineer prior to final approval of the  
873 construction plans by the Department of Public Works.
- 874 30. The pavement shall be of an SM2A type and shall be constructed in accordance  
875 with County Standard and specifications. The developer shall post a defect bond  
876 for all pavement with the Planning Office – the exact type, amount and  
877 implementation shall be determined by the Director of Planning, to protect the  
878 interest of the members of the Homeowners Association. The bond shall become  
879 effective as of the date of that the Homeowners Association assumes  
880 responsibility for the common areas.
- 881 31. Storm water retention, based on the 50-10 concept, shall be incorporated into the  
882 drainage plans.
- 883 32. Insurance Service Office (ISO) calculations must be included with the plans and  
884 contracts and must be approved by the Department of Public Utilities prior to the  
885 issuance of a building permit.
- 886 33. Approval of the construction plans by the Department of Public Works does not  
887 establish the curb and gutter elevations along the Henrico County maintained  
888 right of way. The elevations will be set by Henrico County.
- 889 34. The owners shall not begin clearing of the site until the following conditions have  
890 been met:
- 891 (a) The site engineer shall conspicuously illustrate on the Plan of  
892 Development and the Erosion and Sediment Control Plan, the limits of the  
893 areas to be cleared and the methods of protecting the required buffer areas,  
894 such limits and method subject to Planning Commission approval as  
895 shown on the approved Plan of Development. The location of utility lines,  
896 drainage structures and easements (except cable TV, telephone and  
897 Virginia Power easements) shall be shown.



- 898 (b) After the Erosion and Sediment Control Plan has been approved but prior  
899 to any clearing or grading operations of the site, the owner shall have the  
900 limits of clearing delineated with approved methods such as flagging, silt  
901 fencing or temporary fencing, as specified on the plan of development as  
902 approved by the Planning Commission.
- 903 (c) The site engineer shall certify in writing to the owner that the limits of  
904 clearing have been staked in accordance with the approved plans. A copy  
905 of this letter shall be sent to the Planning Office and the Department of  
906 Public Works.
- 907 (d) The owner shall be responsible for the protection and maintenance of the  
908 buffer areas and for replanting and/or supplemental planting and other  
909 necessary improvements to the buffer as may be appropriate or required to  
910 correct problems. The details shall be included on the landscape plans for  
911 approval.
- 912 35. The owner shall provide a Phase One – Landscape Plan for Planning Office  
913 review and approval and shall provide for the installation of supplemental  
914 landscape screening in the buffer area impacted by utility construction at the south  
915 western corner of the Trellis Crossing project site. (Adjacent to the lots identified  
916 on Henrico County Tax maps as parcels 66-18-A-9, 66-18-A-10 and 66-14-A-9).
- 917 36. The landscaping associated with the Phase One – Landscape Plan shall be  
918 installed by the owner during the next available planting season, after clearing and  
919 utility construction has taken place. The owner shall continue thereafter to  
920 maintain the landscaping installed as part of the Phase One – Landscape Plan  
921 (including the watering and replacement of dead plant material).
- 922 37. It is understood that the need for the fencing along the southwest corner of the  
923 Trellis Crossing project site will be reviewed at such time as the Phase Two –  
924 Landscape Plan for the project is submitted for Planning Office review and  
925 Planning Commission approval. The need for said fencing will be determined by  
926 the owners of the lots identified on Henrico County tax maps as parcels 66-18-A-  
927 9, 66-18-A-10 and 66-14-A-9 (neighbors). Said, may at their option, choose to  
928 have landscape screening such as evergreen shrubs installed on their lots by the  
929 owner, to be thereafter maintained by said neighbors, in lieu of the fencing.
- 930 38. The owner shall provide traffic calming measures as indicated on the staff plan.

931

932 Mr. Taylor - I want to add my congratulations on the completion of the  
933 deliberations on that project. I know that has been a long process and it has been tedious,  
934 and I want to thank Mr. Settlege for working with us for several years on bringing Tascon  
935 to this area. I congratulate you on your achievements, sir.

936

937 **TRANSFER OF APPROVAL**

938

POD-69-96 (partial)  
Brookhollow Center Phase 2  
Kroger

**Fenton Childers for Kroger Food Stores:** Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County from Opus East L.L.C. to Kroger Limited Partnership I. The 5.84 acre site is located at 11280 W. Broad Street (U.S.

Route 250) approximately 600 feet west of Brook River Drive on parcel 742-762-0811. The zoning is M1C, Light Industrial District (Conditional).

**(Three Chopt)**

939

940 Mr. Marles - The staff report will be given by Mr. Michael Kennedy.

941

942 Mr. Taylor - Good morning, again, Mr. Kennedy.

943

944 Mr. Kennedy - Good morning, ladies and gentlemen. This transfer of approval would  
945 transfer from Opus East, the developer of Brookhollow Shopping Center, to Kroger  
946 Limited Partnership I, the old Home Place Store, which occupies a portion of that  
947 shopping center. This was a phased development shopping center, so the first phase was  
948 the development of Target, the second phase was actually the development of the Home  
949 Depot and the, what was the Home Place store in that shopping center. The third phase  
950 was actually Kohl's, so they actually developed it in phases. The first portion, Home  
951 Depot, there was a transfer of approval where Opus East, L.L.C. transferred to them. We  
952 never actually got a transfer of approval request for Target and we've done that  
953 inspection coincident with this, and they are going to have to come over with their own  
954 separate transfer of approval. Because of the kind of confusion with who owned what,  
955 they had to do an actual survey, and the inspection was only done, actually, this week.  
956 As far as the conditions, we have a slight revision to the conditions on the agenda. There  
957 are only very, very minor details that need to be replaced as far as the deficiencies, so the  
958 owner is asking that instead of posting a bond that the site deficiencies identified in  
959 Inspection Report dated May 20, 2002, shall be corrected by June 30, 2002. The second  
960 condition would be that the applicant shall furnish a cross-access shared parking,  
961 drainage and utility agreement for review and approval of the Planning Office. That  
962 should take care of the shared access across the sites. If you have any further questions, I  
963 would be happy to answer them.

964

965 Mr. Taylor - Is there any body in the audience who is opposed to the transfer of  
966 approval of POD-69-96 at Brookhollow? I move approval of POD-69-96, Brookhollow  
967 Center, Phase 2 Kroger, subject to conditions Nos. 1 and 2.

968 Mr. Kennedy - No. 1 is Amended.

969

970 Mr. Taylor - No. 1 Amended and 2.

971

972 Mr. Archer - Second.

973

974 Mr. Taylor - Motion made by Mr. Taylor seconded b Mr. Archer. All in favor  
975 say aye. All opposed say no. The motion is approved.

976

977 The Planning Commission approved Transfer of Approval for POD-69-96 (partial)  
978 Brookhollow Center Phase 2 Kroger, subject to continued compliance with the conditions  
979 of original approval and the following additional conditions:

980

- 981 1. Site deficiencies as identified in the inspection report, dated **May 20, 2002**, shall  
982 be corrected by **June 30, 2002**.  
983 2. The applicant shall furnish a cross-access, shared parking, drainage and utility  
984 agreement for review and approval by the Planning Commission and the County  
985 Attorney's office.  
986

987 **PLAN OF DEVELOPMENT**  
988

POD-10-02  
Stylecraft Homes Office  
6225 Lakeside Avenue

**Kevin L. Floyd, P.E., L.S. for John D. Moyer and Stylecraft Homes 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 two-story, ~~5,415~~ 5000 square foot office building. The 0.45 acre site is located at 6225 Lakeside Avenue on parcel 781-748-3772. The zoning is B-1, Business District. County water and sewer. (**Fairfield**)

989

990 Mr. Marles - The staff report will be given by Mr. Ted McGarry.  
991

992 Mr. Taylor - Is there anybody in the audience opposed to POD-10-02?  
993

994 Mr. Kirby - I am not opposed to it, but I have questions I would like to ask.  
995

996 Mr. Taylor - Would you like to speak when it is your turn, sir?  
997

998 Mr. Kirby - Yes, sir.  
999

1000 Mr. Taylor - Mr. McGarry, go ahead.  
1001

1002 Mr. McGarry - Good morning, Mr. Chairman, members of the Commission. You are  
1003 being handed a revised plan that came in after Friday, so during your motion, Mr. Archer,  
1004 you will need to waive the time limit for the revised plan. The applicant has reduced his  
1005 floor area of the building to 5,000 square feet with this revised plan. That requires 20  
1006 parking spaces, and he has 20 on the site. So, now the site layout meets all the parking  
1007 setbacks, island standards and so forth. So, the staff is satisfied that we can recommend  
1008 approval, subject to the standard conditions, and the following conditions No. 23 through  
1009 31. I'd be happy to answer any questions.  
1010

1011 Mr. Archer - Mr. McGarry, I don't have any right now, but I'd like to hear what  
1012 the opposition has to offer and then we will see.  
1013

1014 Mr. Taylor - Thank you, Mr. McGarry. We will hear from the opposition. Sir, if  
1015 you would, come on down to the podium and identify yourself for the record. We will be  
1016 delighted to hear your comments.  
1017

1018 Mr. Harry Kirby - Yes, sir. My name is Harry Kirby and I own the adjoining  
1019 property to it right behind it on Ellis Avenue. My property joins up to it. And the only  
1020 thing I have that I would like to see some type of a privacy fence put on the property line  
1021 back there to keep – where my back yard backs up to it. So, I didn't know what was  
1022 planned or anything. I don't know what they plan to do as far as the property line behind  
1023 it. I don't have no problem with the office building at all. I am just thinking about out  
1024 property back – just between the two pieces of property – I think that if maybe a six foot  
1025 privacy fence was put back there, I think it would be fine. I don't have no other problem.

1026

1027 Mr. Taylor - Thank you, sir. OK. Is the owner of this project here? Would you  
1028 like to respond to that, sir? Perhaps Mr. McGarry can show Mr. Kirby what that will be  
1029 and where it will be.

1030

1031 Mr. McGarry - He has no further opposition.

1032

1033 Mr. Taylor - Is that acceptable, Mr. Kirby? OK. All right. Good. Then, with  
1034 that there is no opposition. I guess we are ready for a motion.

1035

1036 Mr. Archer - Mr. Chairman, the first thing we have to do, I want to thank Mr.  
1037 McGarry for working hard on this yesterday afternoon after I talked to him to get all of  
1038 this resolved. And the first thing we have to do is waive the time limits on the acceptance  
1039 of the revised plan, so I move to waive the time limits.

1040

1041 Mr. Vanarsdall - I second it.

1042

1043 Mr. Taylor - Motion to waive the time limits made by Mr. Archer, seconded by  
1044 Mr. Vanarsdall. All in favor say aye. All opposed say no. The ayes have it. The motion  
1045 passes.

1046

1047 The Planning Commission voted to waive the time limits on the revised plan for POD-10-  
1048 02, Stylecraft Homes Office, 6225 Lakeside Avenue.

1049 Mr. Archer - I move approval of POD-10-02, Stylecraft Homes Office, subject  
1050 to the standard conditions for developments of this type and the additional conditions  
1051 Nos. 23 through 31.

1052

1053 Mr. Vanarsdall - I second that.

1054

1055 Mr. Taylor - Motion made by Mr. Archer and seconded by Mr. Vanarsdall. All  
1056 in favor say aye. All opposed say no. The motion passes.

1057

1058 The Planning Commission approved POD-10-02, Stylecraft Homes Office, 6225  
1059 Lakeside Avenue, subject to the revised plan, the standard conditions for developments of  
1060 this type, and the following conditional conditions:

1061

1062 23. The entrances and drainage facilities on Hilliard Road (State Route 161) shall be  
1063 approved by the Virginia Department of Transportation and the County.

- 1064 24. A notice of completion form, certifying that the requirements of the Virginia  
1065 Department of Transportation entrances permit have been completed, shall be  
1066 submitted to the Planning Office prior to any occupancy permits being issued.
- 1067 25. The developer shall provide fire hydrants as required by the Department of Public  
1068 Utilities and Division of Fire.
- 1069 26. Any necessary off-site drainage and/or water and sewer easements must be  
1070 obtained in a form acceptable to the County Attorney prior to final approval of the  
1071 construction plans.
- 1072 27. Deviations from County standards for pavement, curb or curb and gutter design  
1073 shall be approved by the County Engineer prior to final approval of the  
1074 construction plans by the Department of Public Works.
- 1075 28. Insurance Services Office (ISO) calculations must be included with the plans and  
1076 contracts and must be approved by the Department of Public Utilities prior to the  
1077 issuance of a building permit.
- 1078 29. Approval of the construction plans by the Department of Public Works does not  
1079 establish the curb and gutter elevations along the Virginia Department of  
1080 Transportation maintained right-of-way. The elevations will be set by the  
1081 contractor and approved by the Virginia Department of Transportation.
- 1082 30. The location of all existing and proposed utility and mechanical equipment  
1083 (including HVAC units, electric meters, junction and accessory boxes,  
1084 transformers, and generators) shall be identified on the landscape plans. All  
1085 equipment shall be screened by such measures as determined appropriate by the  
1086 Director of Planning or the Planning Commission at the time of plan approval.
- 1087 31. The garage use shall meet the requirements of Section 24-56.1(d) of the County  
1088 Code and shall not be used for storage of equipment or building materials, or  
1089 vehicle maintenance or servicing.
- 1090

1090 **PLAN OF DEVELOPMENT**  
1091

POD-48-00  
Crestview Apartments –  
Phase 2 – Horsepen Road

**E. D. Lewis & Associates, P.C. for New Apartments, L.L.C. & New Recreation, L.L.C.:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct 20, two-story apartment buildings totaling 134 units. The 13.55 acre site is located on the northwest corner of Horsepen Road and Catawba Lane on parcels 766-742-8033, 766-741-9079, 767-741-2394 and 3268. The zoning is R-5, General Residence District and R-5C, General Residence District (Conditional). County water and sewer. **(Three Chopt)**

1092

1093 Mr. Marlles - Mr. Chairman, the next case is POD-48-00, Crestview Apartments  
1094 – Phase 2 – Horsepen Road. This is the item that was passed over earlier on the  
1095 Expedited Agenda. This is a request for approval of a plan of development to construct  
1096 20 two-story apartment buildings, totaling 134 units. The 13.5-acre site is located on the  
1097 northwest corner of Horsepen Road, and Catawba Lane.

1098

1099 Mr. Vanarsdall - They never did come back, Mr. Secretary.

1100

1101 Mr. Marlles - Mr. Wilhite, can you give us an update on that?

1102

1103 Mr. Wilhite - The applicant did meet with the adjoining property owner and I  
1104 believe his questions have been answered, and we are still in a position to recommend  
1105 approval with the added conditions on the Addendum.

1106

1107 Mr. Taylor - So there is no standing opposition?

1108

1109 Mr. Wilhite - Not at this time, sir. No, sir.

1110

1111 Mr. Taylor - Then I will move approval of POD-48-00, Crestview Apartments,  
1112 subject to the standard conditions for development of this site, and Conditions No. 23  
1113 through 33, and 32 and 33 are on Page 7 in the Addendum, and the annotations on the  
1114 plan.

1115

1116 Mr. Vanarsdall - Second.

1117

1118 Mr. Taylor - Motion made by Mr. Taylor and seconded by Mr. Vanarsdall to  
1119 approve POD-48-00, Crestview Apartments. All in favor say aye. All opposed say no.  
1120 The ayes have it. The motion is approved.

1121

1122 The Planning Commission approved POD-48-00, Crestview Apartments – Phase 2 –  
1123 Horsepen Road, subject to the annotations on the plan, the standard conditions for  
1124 developments of this type, and the following additional conditions:

1125

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

- 1126 24. The names of streets, drives, courts and parking areas shall be approved by the  
 1127 Richmond Regional Planning District commission and such names shall be  
 1128 included on the construction plans prior to their approval. The standard street  
 1129 name signs shall be ordered from the County and installed prior to any occupancy  
 1130 permit approval.
- 1131 25. The easements for drainage and utilities as shown on approved plans shall be  
 1132 granted to the County in a form acceptable to the County Attorney prior to any  
 1133 occupancy permits being issued. The easement plats and any other required  
 1134 information shall be submitted to the County Real Property Agent at least sixty  
 1135 (60) days prior to requesting occupancy permits.
- 1136 26. The developer shall provide fire hydrants as required by the Department of Public  
 1137 Utilities and Division of Fire.
- 1138 27. The proffers approved as a part of zoning cases C-8C-99 and C-9C-99 shall be  
 1139 incorporated in this approval.
- 1140 28. Any necessary off-site drainage and/or water and sewer easements must be  
 1141 obtained in a form acceptable to the County Attorney prior to final approval of the  
 1142 construction plans.
- 1143 29. Deviations from County standards for pavement, curb or curb and gutter design  
 1144 shall be approved by the County Engineer prior to final approval of the  
 1145 construction plans by the Department of Public Works.
- 1146 30. Insurance Services Office (ISO) calculations must be included with the plans and  
 1147 contracts and must be approved by the Department of Public Utilities prior to the  
 1148 issuance of a building permit.
- 1149 31. Approval of the construction plans by the Department of Public Works does not  
 1150 establish the curb and gutter elevations along the Henrico County maintained  
 1151 right-of-way. The elevations will be set by Henrico County.
- 1152 32. The vacation of Betty Lane and Mallory Drive rights-of-way shall be approved by  
 1153 the Board of Supervisors prior to Planning Office approval of any building  
 1154 permits for this development.
- 1155 33. The details of the recreational amenities, as shown on the proffered conceptual  
 1156 plan, shall be submitted as a part of the landscape plan approval.

1157  
 1158  
 1159

**SUBDIVISION**

Dumbarton, Section A  
 (May 2002 Plan)

**TIMMONS for Dakota Associates, L.L.C.:** The 1.825 acre site is located between Irisdale Avenue and Greenway Avenue west of Impala Drive on parcel 776-745-2953 and part of 776-745-1270. The zoning is R-4, One-Family Residence District. County water and sewer. **(Brookland) 5 Lots**

1160  
 1161  
 1162  
 1163  
 1164  
 1165

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

Mr. Taylor - Good morning, again, Mr. Kennedy.

Mr. Kennedy - Good morning. Dumbarton, Section A, is a resubdivision of what we would call an orphan subdivision in this area, in the general area of Impala Drive, Irisdale

1166 and Greenway. The developer, Dakota Associates, L.L.C., has purchased 73 what we  
1167 would call orphan lots. Those are lots that were actually platted several years ago, and  
1168 over 30 years ago, under old standards, and in many cases the roads were not built. The  
1169 developer is now coming in and redeveloping the roads, bringing in sewer and water. In  
1170 this case, the lots that he has in this area were over-sized lots for the zoning. The zoning  
1171 is R-4, so he is re-subdividing some lots. He intends on coming back in with a couple,  
1172 other sections of the subdivision adjacent to this. But the majority of the 73 lots would be  
1173 developed under the old plats, with his construction plan review. The reason why we  
1174 didn't take this on the Expedited Agenda was that we really wanted to give the Planning  
1175 Commission an understanding of what is going on with these orphan subdivisions. Now  
1176 that we don't have the R-4 as a zoning category to rezone property; some of the older  
1177 subdivisions have become more attractive. Developers are coming in and developing  
1178 them. At the time of development, as in this case, the developer is being required to  
1179 bring in sewer and water, and do street improvements. But in this case, that is what is  
1180 happening in this case, and what they are doing is resubdividing lots that are over-sized to  
1181 bring them back down to the R-4 standards, and that is what occurs here. So, they are  
1182 creating five new lots. If you have any further questions, I will be happy to answer them.

1183

1184 Mr. Vanarsdall - Thank you.

1185

1186 Mr. Taylor - Any other questions for Mr. Kennedy?

1187

1188 Mr. Vanarsdall - Yes. I just want to make a comment. That is why the BZA has a  
1189 lot more cases regarding widths of lots because the developers are going everywhere  
1190 looking for anything. I had a case here, we had a case here that came before us for  
1191 towing lot, and it was bordering a neighborhood, so I went out to see what we could do,  
1192 and Joanne Hunter was here then and handled it, and we decided that with a fence and  
1193 buffering and everything that it would be all right. And I was standing over in this  
1194 towing lot and looked across the street, and there were two houses being built. They  
1195 looked like cracker barrel, and I just can't imagine anyone even wanting to build a house  
1196 there. I can't anyone even wanting to live in it. So, I think this is part of that, too. And  
1197 what I am concerned about is, you told me it would be 75 lots?

1198

1199 Mr. Kennedy - Approximately 75 lots, sir.

1200

1201 Mr. Vanarsdall - And it is supposed to be all dry. See, we had a local developer  
1202 look at that two or three years ago, and he backed off on it. He decided it wasn't a place  
1203 for it, and decided it was too much wetlands, so I don't know how Dakota can do any  
1204 different. So, who, one concern that I think we should have, who is making the decision  
1205 whether that, after the house is built, and I buy the house, and it rains, and I am standing  
1206 in water up to my ankle, who is going to make the decision? Do you all monitor every lot.

1207

1208 Mr. Kennedy - The Design Division of Public Works has made sure that there is positive  
1209 drainage on each lot. That is one of the reasons, actually, these plans have been under  
1210 construction review for a little over six months now. And our concern, and actually their  
1211 concern is the same. That there is positive drainage. That the yards behind each lot drain



1212 is our standing policy. If there is wetlands on the site, that the yards on the sides and  
1213 front and rear, are out of the wetlands, and that there is positive drainage, even if there is  
1214 wetlands, that there is not standing water on any parcel.

1215

1216 Mr. Vanarsdall - I don't know if they can actually develop 75 lots.

1217

1218 Mr. Kennedy - They don't know if they can actually develop 75 lots. That is true.

1219

1220 Mr. Vanarsdall - Another question that I have on this one is, No. 12 condition says  
1221 "Each lot shall contain at least 8,000 square feet exclusive of the flood plain areas." Why  
1222 doesn't it say 65 feet, it would have to be 65 feet wide, also?

1223

1224 Mr. Kennedy - Because the lots were shown as 65 feet wide, but just in case there is any  
1225 floodplain that would back up water, we want to make sure each lot has sufficient area.  
1226 That is why that additional condition was placed.

1227

1228 Mr. Vanarsdall - What I am saying is that you have over here under the Planning  
1229 Comments, you have "Each lot requires a minimum width of 65-feet and a minimum area  
1230 of 8,000 square feet." Why don't we have 65 feet under condition No. 12 as well as  
1231 8,000 sq. ft.?

1232

1233 Mr. Kennedy - We can add that as a condition.

1234

1235 Mr. Vanarsdall - I would feel better if you put that in there.

1236

1237 Mr. Kennedy - That would be fine. We could add that as a third condition.

1238

1239 Mr. Vanarsdall - OK. And, there are a couple of mysteries on this plan. What is a  
1240 reserve area?

1241

1242 Mr. Kennedy - Those reserved lots are going to be transferred to the adjoining parcels,  
1243 and he intends on resubdividing them at a later date.

1244

1245 Mr. Vanarsdall - And it does not say anything about the Department of Public  
1246 Works curb and gutter. It wasn't under what I read.

1247

1248 Mr. Kennedy - On these lots, there is no requirement for curb and gutter, in order to make  
1249 drainage work. They are doing street improvements as far as widening the street and  
1250 improving the street, but my understanding is that in order to give positive drainage, they  
1251 are not putting in required curb and gutter.

1252

1253 Mr. Vanarsdall - Is the applicant here today? I hope you hear our remarks and the  
1254 concern that I have, and I think the rest of the Commission should have it. It is wetlands  
1255 over in there, and the reason I am saying this is that we've in the past, we've had people  
1256 buy homes in dry weather, so to speak, and then when the wet weather came their  
1257 backyard was like a swimming pool. And so I don't want this to happen over there. I

1258 think we should watch it very closely. I know you are and I appreciate it. I don't think I  
1259 have any more questions, unless some of the rest of you do.

1260  
1261 Mr. Thornton - Mr. Chairman.

1262  
1263 Mr. Taylor - Yes.

1264  
1265 Mr. Thornton - As a matter of principle, I'd like to add my approbation to the  
1266 comments of Mr. Vanarsdall, because I think this whole question of building homes and  
1267 the number of homes, multiplicity of homes, is a very fine and good idea. But along with  
1268 that is the role of the Commission here and staff to be as visionary and as assertive as  
1269 possible to make sure that the future owners of these homes will have what is expected of  
1270 them, a good home, which means that we need to look, I think even more astutely at these  
1271 lots, and see if we can, if possible, obviate creating subdivisions where future  
1272 homeowners are going to have these problems with flooding and water-logged homes  
1273 there. It is no reason that that has to be, and I would sure, at least speaking for myself,  
1274 like to see the Commission here be a little bit more assertive in that regard. What I simply  
1275 do is the principle that I use is I put myself in that condition of a purchaser. If I buy a  
1276 home, it is like buying a new car. Sometimes there is a little glitz at the beginning, but  
1277 then after a year or so, then I see the defects, and I am just simply saying that it is our job  
1278 to be good stewards and to look at that a little more intently than what we have done in  
1279 the past, and it is OK if a prospective developer wants to get as many lots as possible, but  
1280 our one concern is the quality of those homes on the lots, and I hope that that will be  
1281 taken under advisement by the total Commission here.

1282  
1283 Mr. Taylor - Thank you, Mr. Thornton. I completely agree with you in terms of  
1284 the vision and what we need to enhance the quality, so I will address just a brief question  
1285 to Mr. Kennedy to ascertain that on this particular project, and every project, we need to  
1286 do exactly what Mr. Thornton says. Your comments indicate that much of this has  
1287 already been done. You have checked the drainage, you've checked the site, and you  
1288 find it acceptable to our, to your high standards.

1289  
1290 Mr. Kennedy - Actually, yes, sir. If you look at the location plan that we have that  
1291 actually shows additional lots, those lots have not come into development in this  
1292 subdivision and the reason we are only moving forward with the five (5). It is because  
1293 the developer has to revise a construction plan to come up with a different way of  
1294 draining that area. Those lots don't currently drain, and the developer is working on a  
1295 revised plan and trying to work out the wetlands issues with the Army Corps and with the  
1296 State Division of Conservation and Resources so that they can use those lots, but in the  
1297 meantime, they are moving forward with these five lots, which they can provide positive  
1298 drainage. And that is something that has been very clear from Public Works, and from  
1299 Planning, and I don't think there has been any dispute from the developer with us, and  
1300 their dispute is more with the Army Corps. They realize that they are developing a lot of  
1301 houses in this area they have to establish a reputation for. If they start having problems,  
1302 they are not going to be able to sell the rest of the lots, so in a sense it does help that  
1303 they're not coming in, you know, and shot-gunning a house and leaving, and not having

1304 to establish a reputation. They realize that they have to do that in order to sell their lots. I  
1305 don't want to speak for the developer, and he is here.

1306

1307 Mr. Vanarsdall - I would like for him to speak, if he would like to. Mr. Kennedy, I  
1308 want to thank you for bringing it to our attention. I was concerned with it, and you knew  
1309 that, and Mr. Chairman, thank you, and Mr. Thornton, I appreciate all of your remarks in  
1310 that. You see, if we, this is not the developer's responsibility, but to see what we are  
1311 doing is putting up potential houses for rent, and we don't need any more that I know of;  
1312 rental houses in the community. That is just a personal opinion there, not a legal one.

1313

1314 Mr. Taylor - No. I think that is a reasonable and good opinion, and sir if you  
1315 would identify yourself for the record.

1316

1317 Mr. Holt - Sure. My name is Gil Holt and I represent Dakota Associates,  
1318 L.L.C.

1319

1320 Mr. Vanarsdall - I didn't catch your name.

1321

1322 Mr. Holt - Gil Holt. This particular area we refer to as Lakeside Forest is  
1323 actually a combination of several subdivisions that have been recorded from 1911, 1923,  
1324 1952 and 1954. If you look, and we divide this as the eastern part of Impala, on that side  
1325 there exists today 37 recorded lots in Henrico County with unimproved streets, and we  
1326 are taking those existing plats and running the site development plans through the various  
1327 departments to provide positive drainage. Because you are correct. If you go out there  
1328 today you have standing water out there, because as Mr. Kennedy referred to the existing  
1329 condition, it is because they don't have positive drainage. I think what is being proposed  
1330 and what is in front of you today, with these five lots, we worked very closely with the  
1331 various departments to provide and correct the situation that exists out there right now. If  
1332 you go out there in the middle of one of the monsoon seasons, you do have pooling water  
1333 out there. I believe what we are proposing to the Commission and to the various  
1334 departments is going to correct the situation that exists out there by the design criteria of  
1335 TIMMONS and being approved by the various departments in Henrico. And like Mr.  
1336 Kennedy shared with you all, we do plan to move further west of the area that is shaded  
1337 towards the, I don't want to call it an industrial building, but let's just say to the  
1338 commercial building to the west of the site, and we are doing that slowly, to make sure.  
1339 Because one of the statements that Public Works would like to see happen in this  
1340 particular location is the removal of the existing standing water. What we have is a  
1341 situation where the public right of ways drain onto this property, and there is no where  
1342 for the water to go, and what we are trying to do is reverse that, where the existing public  
1343 right of ways drain into the site are collected into a new system and then go out towards a  
1344 new outfall, which runs to the west, down Greenway, and then out to Dumbarton, which  
1345 is an area that the County has been working in and has improved, so the water can go out  
1346 in that direction. But, the plans that are, that have been submitted, and are in the approval  
1347 process, and I believe we are in that last phase meet the criteria that Mr. Kennedy was  
1348 sharing with you, that we have positive drainage and, first of all, these are homes for sale,  
1349 and we value the concerns that you all have, because the last thing we want to do,

1350 because we will be in this neighborhood for some time, is to create five homes and then  
1351 turn around and have a situation where we have a problem that has to be corrected, but I  
1352 believe it is fair to state that going through the approval process, once again with the  
1353 various departments, we are correcting a situation that exists today and making an  
1354 improvement on it.

1355  
1356 Mr. Vanarsdall - So you don't have any problem with him adding in Condition No.  
1357 12 the 65 feet?

1358  
1359 Mr. Holt - No, sir.

1360  
1361 Mr. Vanarsdall - Thank you, Mr. Holt.

1362  
1363 Mr. Taylor - Mr. Holt, I hear you have been working, I presume, closely with  
1364 the staff, which I believe would be Mr. Perry and his group, as well, do the Corps of  
1365 Engineers enter into this?

1366  
1367 Mr. Holt - Not on these five lots. No, sir. We are dealing with the DEQ. I  
1368 think it is fair to say that there were, once again as we refer to the west side of Impala and  
1369 the east side of Impala, we had a strange situation occur. On the west side of Impala, the  
1370 Army Corps says they have jurisdiction. On the east side of Impala, the Army Corps said  
1371 they do not have jurisdiction and as of October 1, the DEQ had, the revisions for the  
1372 DEQ would be involved whether or not the wetlands were isolated or not. So, in working  
1373 with the DEQ in here as well as the other side, that is all in process. And that is another  
1374 reason why the lots are coming on in a timely fashion. As the approvals are obtained  
1375 from the Army Corps and DEQ, we move those lots into a situation where we can meet  
1376 the criteria that has been established by Public Works.

1377  
1378 Mr. Taylor - And you stated that you are working with Public Works as a matter  
1379 of routine?

1380  
1381 Mr. Holt - Oh, yes, sir. We are working with them as well as the Corps. Yes,  
1382 sir.

1383  
1384 Mr. Taylor - And I think that Mr. Thornton's comments that we should look  
1385 astutely at this and Mr. Vanarsdall's is right on the mark. Certainly, I don't think any of  
1386 us want to build a house on a lot that is really not fully up to the design standards that we  
1387 need and meet all of the Corps criteria. But I hope that you understand that we have  
1388 certain inspection procedures that we can do, but to a degree we trust in every developer  
1389 to do the high quality of work that we expect of them, irrespective of the fact that the  
1390 Corps probably inspects it. Building and grounds probably inspects it, and Public Works  
1391 inspects it, but if we don't have scrupulously competent and diligent developers,  
1392 sometimes the best plans that we have are, and the best indications of drainage are missed  
1393 and left, and certainly we don't want to do that here.

1394

1395 Mr. Holt - We are working, as Mr. Kennedy shared with you, on a  
1396 combination of side and rear yard swales, and in some cases we have even gone to a  
1397 paved swale to insure the integrity of that swale. I mean, a dirt-type swale can erode, but  
1398 a paved swale will stay there, and also we are adding the addition of storm drain pipe in  
1399 this particular location, which doesn't exist today.

1400  
1401 Mr. Taylor - On this particular item here, would you accept another condition  
1402 that I would state something like "Developer will coordinate with Public Works to  
1403 evaluate and resolve drainage problems."

1404  
1405 Mr. Vanarsdall - I think he has already, I hate to interrupt you, but he is already  
1406 doing that. Don't you think, Mr. Kennedy?

1407  
1408 Mr. Kennedy - He is.

1409  
1410 Mr. Vanarsdall - I don't have any problems. He is doing everything else.

1411  
1412 Mr. Taylor - Thank you, sir.

1413  
1414 Mr. Vanarsdall - I appreciate your suggestion, Mr. Chairman. Thank you, Mr. Holt.

1415  
1416 Mr. Holt - You are welcome.

1417  
1418 Mr. Vanarsdall - I move that Dumarton, Section A, be approved with the standard  
1419 conditions for subdivisions served by public utilities and conditions Nos. 12, 13 and 14,  
1420 and on Condition No. 12 I would like for each lot, I would like for it to read "Each lot  
1421 shall have a minimum of 65 feet width and then contain at least 8,000 sq. ft. exclusive of  
1422 the flood plain area."

1423  
1424 Mr. Taylor - I will second that motion. Motion made by Mr. Vanarsdall and  
1425 seconded by Mr. Taylor . All in favor say aye. All opposed say no. The motion is  
1426 approved.

1427  
1428 The Planning Commission granted conditional approval to subdivision Dumbarton,  
1429 Section A, (May 2002 Plan), subject to the annotations on the plans, the standard  
1430 conditions for subdivisions served by public utilities and the following additional  
1431 conditions.

- 1432  
1433 12. Each lot shall have a minimum of 65 feet width and contain at least 8,000 sq. ft.  
1434 exclusive of the flood plain area.  
1435 13. Any necessary offsite drainage easements must be obtained prior to approval of  
1436 the construction plan by the Department of Public Works.  
1437 14. The reserved parcels shall be incorporated into an adjoining parcel or lot prior to  
1438 the recordation of the final plat.

1439  
1440 **SUBDIVISION**

1441

Herndon Townes  
(May 2002 Plan)

**Foster & Miller, P. C. for Robert G. Herndon, Brenda R. Herndon and Mountain-Woodman, L.L.C.:** The 8.039 acre site is located on the southeast corner of Woodman and Mountain Roads on parcels 776-765-5797 and 776-766-2949. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Fairfield) 56 Lots**

1442

1443 Mr. Marles - The staff report will be given by Mr. Kennedy.

1444

1445 Mr. Taylor - Is anybody remaining who is opposed to Herndon Townes  
1446 Subdivision? Mr. Kennedy.

1447

1448 Mr. Kennedy - Ladies and gentlemen, this is a 56-townhouse subdivision. The zoning  
1449 case was recently heard by the Planning Commission to rezone this, so you should be at  
1450 least reasonably familiar with it. There were a whole bunch of issues that were identified  
1451 in the Staff/Developer meeting. The applicant has asked for certain exceptions from  
1452 Public Works, and we just received confirmation that those exceptions were granted only  
1453 late yesterday, so we have some revised annotations, and I am just going to go over them  
1454 with you briefly.

1455

1456 The major issue was the alignment of the entrance with the Mountain Laurel Townhouses  
1457 across the street. The actual location point is a little bit off on the location plan itself,  
1458 which is on the screen (referring to slide). This area here (referring to slide) is actually  
1459 within the right of way, so actually everything shifted over, so the entrance would  
1460 actually line up with this side of the townhouses here (referring to slide) on the plan. The  
1461 applicant has agreed to do that. The other request which was originally made by Public  
1462 Works was that they put in a right turn lane. Given that there are only 56 lots and there  
1463 isn't a lot of traffic going to be generated by this, Public Works has agreed that to give  
1464 them a waiver for the right turn lane, and that relieves a lot of other site plan issues,  
1465 because that would have forced, if they put a right turn lane in, it would have forced  
1466 reorientation of several buildings, and had an immediate impact. As far as Planning  
1467 issues, the major Planning issue is that there is a proffer that they will retain to the extent  
1468 possible the trees to provide tree preservation and the developer has agreed that in the  
1469 perimeter area around the property, where trees cannot be maintained, that he would  
1470 place it in accordance with the development standards, which is equivalent to a 25-foot  
1471 transitional buffer. So, they have agreed to that, and along Mountain Road they have  
1472 agreed to maintain it in accordance with a 35-foot transitional buffer, which is, in effect,  
1473 the fence and the 25-foot. So, there will be a fence along that side. So it will protect the  
1474 children from getting out into that major thoroughfare. The last thing is that there is  
1475 written condition that they provide sidewalk along both Mountain and Woodman Road.  
1476 The sidewalk on Woodman Road would only be required to be provided to the return,  
1477 and that is because that is where there is a handicap ramp. There is actually no necessity  
1478 to provide it down Woodman Road along that little stem piece, and they are working with  
1479 the adjoining property owner to kind of do some exchange to give them frontage and,

1480 meanwhile, give this property a little more depth. If there are any further questions, I'd  
1481 be happy to answer them.

1482  
1483 Mr. Taylor - Mr. Kennedy, when this came up, I think before at the zoning  
1484 stage, Mr. Attack was, I thought, pretty clear in stating that he would work with, I guess,  
1485 the neighbors on the A-1 parcel and the R-2A parcel, and by virtue of the fact that the  
1486 neighbors are not here today, I make the assumption that they have been, this has been  
1487 discussed with them and they are satisfied. Do you know that to be true?  
1488

1489 Mr. Kennedy - Yes, sir. The orientation of the building is such that they get the greatest  
1490 benefit of the buffer.

1491  
1492 Mr. Taylor - OK, so there are no residual neighborhood reservations to this  
1493 proceeding with this project?  
1494

1495 Mr. Kennedy - No, there isn't.

1496  
1497 Mr. Taylor - Thank you.

1498  
1499 Mr. Archer - Mr. Kennedy, what was to become of that parcel at the corner of  
1500 Woodman and Mountain, that little triangular piece?  
1501

1502 Mr. Kennedy - That is going to be incorporated within the development actually, so they  
1503 will have, actually, the return to this portion. The object is, hopefully, that when they  
1504 vacate Old Woodman Road, which actually goes through this last townhouse, that they  
1505 work an exchange to make these lots a little bit deeper and give that property a little bit  
1506 more frontage.

1507  
1508 Mr. Archer - Will there be any green space left over there?  
1509

1510 Mr. Kennedy - There will be green space. There will be at least a 35-foot buffer there.

1511  
1512 Mr. Archer - OK. I don't have any more questions unless somebody else on the  
1513 Commission does.

1514  
1515 Mr. Taylor - I believe, sir, a motion may be in order.  
1516

1517 Mr. Archer - With that, Mr. Chairman, I will move approval of Subdivision  
1518 Herndon Townes (May 2002 Plan), subject to the annotations on the plans, and the  
1519 additional conditions as stated by Mr. Kennedy, the standard conditions for subdivisions  
1520 served by public utilities, as well as the additional conditions No. 13, 14, 15 and 16.  
1521

1522 Mr. Taylor - Second. Motion made by Mr. Archer and seconded by Mr. Taylor.  
1523 All in favor say aye. All opposed say no. The motion is approved.  
1524

1525 The Planning Commission approved granted conditional approval to subdivision  
1526 Herndon Townes (May 2002 Plan), subject to the annotations on the plans, the standard  
1527 conditions for subdivisions served by public utilities and the following additional  
1528 conditions:

1529

1530 13. A County standard sidewalk shall be constructed along the south side of Mountain  
1531 Road.

1532 14. A County standard sidewalk shall be constructed along the east side of Woodman  
1533 Road.

1534 15. The proffers approved as part of zoning case C-61C-01 shall be incorporated in this  
1535 approval.

1536 16. Storm water retention, based on the 50-10 concept, shall be incorporated into the  
1537 drainage plans.

1538

1539 Mr. Vanarsdall - Mr. Chairman, I had a correction on the minutes, but they spelled  
1540 Mr. Stepanian name like it was "Stupanion" like it was stupid, and I couldn't find it in the  
1541 phone book to change it, so we will just leave it like it is. **(After the meeting, the**  
1542 **correct spelling was found and corrected)**. He owns Loveland Distributors, and his  
1543 name is Leon Stepanian.

1544

1545 Mr. Taylor - I must say, Mr. Vanarsdall, in that discussion we have four pages  
1546 of text, and that was a very interesting case to reread. Thank you very much for all of  
1547 your hard work on that case. Any other comments from the Commission?

1548

1549 Mr. Vanarsdall - Are we going to approve the minutes like they are?

1550

1551 Mr. Archer - Do we have the minutes on the agenda?

1552

1553 Mr. Taylor - We do. I think that we have minutes.

1554 Mr. Marles - April 24 is what you are approving.

1555

1556 Mr. Archer - I am missing a page. My apologies.

1557

1558 Mr. Taylor - I will move approval of the minutes of the Planning Commission  
1559 of Henrico County for April 24, 2002 meeting.

1560

1561 Mr. Vanarsdall - Second.

1562

1563 Mr. Taylor - Motion made by Mr. Taylor and seconded by Mr. Vanarsdall. All  
1564 in favor say aye. All opposed say no. The minutes are approved.

1565

1566 The Planning Commission approve the minutes for the April 24, 2002, Planning  
1567 Commission meeting.

1568

1569 **DISCUSSION:** Set work session for 5:00 p.m. June 13, 2002, to Discuss Urban Mixed  
1570 Use Ordinance Amendment.



1571  
1572 Mr. Marlles - Staff is requesting that the Commission set a work session on June  
1573 13 at 5:00 p.m. to discuss the proposed Urban Mixed Use Ordinance Amendment. This  
1574 was one of the recommendations that was presented to the Board.  
1575  
1576 Mr. Vanarsdall - Isn't this a joint work session with the Board?  
1577  
1578 Mr. Marlles - Yes, sir. Exactly. Almost a year ago, it is something that last  
1579 week the staff did present the concept to the Board of Supervisors at a work session, and  
1580 they did authorize the staff to move forward with it, so this is the next step in the process.  
1581  
1582 Mr. Archer - What time is that meeting?  
1583  
1584 Mr. Marlles - It is at 5:00 p.m. This is not a joint work session. It is a Planning  
1585 Commission work session. I was referring to it was a joint session a year ago.  
1586  
1587 Mr. Vanarsdall - Oh, OK.  
1588  
1589 Mr. Marlles - I am sorry if I mislead you.  
1590  
1591 Mr. Vanarsdall - I heard from the Third Floor that we were going to have a joint  
1592 one. That is the reason I asked.  
1593  
1594 Mr. Marlles - That might be a consideration at the public hearing stage, Mr.  
1595 Vanarsdall. I have not heard that yet. But the schedule is for, we'd like to have it at 5:00  
1596 p.m. on June 13, most likely in the County Manager's Conference Room, but we will  
1597 notify you, obviously, before June 13.  
1598  
1599 Mr. Archer - That is zoning night. Right?  
1600  
1601 Mr. Taylor - That is zoning night. Do we know what kind of a zoning agenda  
1602 that is going to be, Mr. Secretary? I understood, from the grapevine, that we have a large  
1603 number of cases that evening.  
1604  
1605 Mr. Marlles - I know we have a large number of PODs that were just submitted,  
1606 but I am not sure what the zoning docket looks like.  
1607  
1608 Mr. Taylor - All in favor of showing up for the work session in June, signify by  
1609 saying aye.  
1610  
1611 Mr. Marlles - The only other item is adjournment.  
1612  
1613 Mr. Taylor - Maybe Mr. Vanarsdall would care to move for adjournment.  
1614  
1615 Mr. Vanarsdall - Not yet. We have another unusual, I don't know what happened  
1616 but I was fortunate enough to get the agenda yesterday. Some of the members didn't.

1617 Mr. Archer and Mr. Jernigan and Ms. Ware never did get their agendas nor what  
1618 happened. I brought this up before, and my personal opinion is we wait too late to see  
1619 who is going to be on it, and we wait, maybe until 4:00 p.m. It seems like to me that you  
1620 could fax them all by 2:00 p.m. and there is no big problem, because when we come in  
1621 the next day, if somebody has added two more, we just handle them then.  
1622

1623 Ms. Ware - Well, I was called and told that it was being faxed to me, but I  
1624 never received anything, so I think there were some problems.  
1625

1626 Mr. Vanarsdall - Mr. Jernigan didn't receive it either.  
1627

1628 Mr. Taylor - Well, actually, I think what happened last night was,  
1629

1630 Mr. Vanarsdall - Mr. Taylor came after his. He took the easy way out instead of  
1631 calling somebody and saying, "Where is my agenda? He came over here and got it  
1632 himself.  
1633

1634 Mr. Taylor - Well, actually, Diana called me and said she was having trouble  
1635 with the fax. I checked my fax machine and I thought my fax machine was working OK,  
1636 which would leave it somewhere between the transmission and reception.  
1637

1638 Mr. Vanarsdall - If you keep paper in it, it will work all right, but once it does not  
1639 have paper, you will not be able to make it work, Mr. Chairman.  
1640

1641 Mr. Taylor - Mr. Vanarsdall, I actually went to the check-off list and tried to  
1642 figure it out, and I thought that I pretty much had it. I called Diana and the easiest thing  
1643 for me to do, frankly, was just drive down and get it. But I do know that there was a  
1644 serious problem in the transmission last evening, and what I would suggest, is either a  
1645 back-up machine or an alternate source of machine that can send it out. I will also say,  
1646 with Mr. Vanarsdall, when these come out at 5:00 p.m. the night before, it really is  
1647 difficult to reorganize all of the material, and his point is if we could get those earlier in  
1648 the business day, we would avoid some of the problems that we had last evening. I know  
1649 that Ms. Carver was doing all that she could to get the word out, so it was really a  
1650 technical malfunction, not a staff limitation.  
1651

1652 Mr. Marles - Mr. Chairman, I was not aware it was a problem until this morning  
1653 when Ms. Ware mentioned it to me, but I do intend on bringing it up at our debriefing  
1654 session, which follows this meeting, and I hear the suggestion that perhaps faxing these  
1655 out earlier in the afternoon may be one way to help that problem, and we will certainly  
1656 discuss that.  
1657

1658 Mr. Taylor - I think that is reasonable. I think if we just get a back-up machine  
1659 in the event that one machine malfunctions, we've got another way to transmit it, and we  
1660 do it early enough in the afternoon so that we have enough time.  
1661

1662 Mr. Vanarsdall - Now that the Secretary knows the problem, they can solve it.

1663  
1664 Mr. Taylor - Thank you, Mr. Vanarsdall.  
1665  
1666 Mr. Vanarsdall - I don't know who was kind enough to make these brownies. Mr.  
1667 Kennedy.  
1668  
1669 Mr. Taylor - Actually it wasn't Mr. Kennedy, it was Ms. Kennedy.  
1670  
1671 Mr. Vanarsdall - I think it ought to be entered into the minutes that Ms. Kennedy,  
1672 not the first lady, it used to be, but Ms. Kennedy, Michael's wife, baked these for us and I  
1673 think we are forced to eat them now, and we won't have to go to lunch.  
1674  
1675 Mr. Taylor - I certainly think we should say thank you to Ms. Kennedy, who  
1676 was thinking about us. So, thank you very much, Ms. Kennedy.  
1677  
1678 Mr. Archer - Mr. Chairman, there being seemingly no further business to bring  
1679 before this Commission, I hereby move for immediate adjournment.  
1680  
1681 Mr. Jernigan - Second.  
1682  
1683 Mr. Taylor - Motion made by Mr. Archer and seconded by Mr. Jernigan. All in  
1684 favor say aye. All opposed say no. There being no opposition, this meeting is adjourned  
1685 at 10:22 a.m.  
1686  
1687 There being no further business, the Planning Commission adjourned its May 22, 2002,  
1688 meeting at 10:22 a.m.  
1689  
1690  
1691  
1692 \_\_\_\_\_  
Allen Taylor, P.C., C.P.C. Chairman  
1693  
1694  
1695  
1696 \_\_\_\_\_  
John R. Marlles, AICP, Secretary  
1697