

1 Minutes of the regular monthly meeting of the Planning Commission of Henrico County,
2 held in the Board Room of the County Administration Building in the Government Center
3 at Parham and Hungary Spring Roads, beginning at 9:00 a.m. Wednesday, November
4 14, 2007.

5
6

Members Present: Mr. E. Ray Jernigan, C.P.C., Acting Chairperson (Varina)
Mr. C. W. Archer, C.P.C. (Fairfield)
Mr. Ernest B. Vanarsdall, C.P.C. (Brookland)
Mrs. Bonnie-Leigh Jones (Tuckahoe)
Mr. Randall R. Silber, Director of Planning, Secretary

Members Absent: Mr. Tommy Branin, Chairperson (Three Chopt)
Mr. Frank Thornton (Fairfield)
Board of Supervisors Representative

Others Present: Mr. David D. O'Kelly, Assistant Director of Planning
Ms. Leslie A. News, CLA, Principal Planner
Mr. James P. Strauss, CLA, County Planner
Mr. Kevin D. Wilhite, C.P.C., AICP, County Planner
Mr. Michael F. Kennedy, County Planner
Ms. Christina L. Goggin, AICP, County Planner
Mr. Tony Greulich, C.P.C., County Planner
Mr. Matt Ward, County Planner
Mr. Gregory Garrison, County Planner
Mr. Lee Pambid, C.P.C., County Planner
Mrs. Aimee Berndt, County Planner
Mr. Jonathan W. Steele, G.I.S. Manager
Mr. Michael Jennings, Traffic Engineer
Ms. Diana B. Carver, Recording Secretary
Ann B. Cleary, Office Assistant

7

8 **Mr. Frank J. Thornton, the Board of Supervisors representative, abstains from**
9 **voting on all cases unless otherwise noted.**

10

11 Mr. Jernigan - Good morning. I'd like to bring the meeting to order, please.
12 On behalf of the Planning Commission and the Planning staff, we'd like to welcome you
13 this morning to our November 14, 2007 meeting for Subdivisions and Plans of
14 Development. With that, I will turn the meeting over to our Secretary, Mr. Silber.

15

16 Mr. Silber - Yes, sir. Thank you, Mr. Jernigan. The Chairman is away
17 today, so Mr. Jernigan, as Vice Chair, is running the meeting. And our Board of
18 Supervisors representative, Mr. Thornton, is also not able to be here this morning. But
19 we do have a quorum, so we can conduct business.

20

21 First on the agenda would be consideration of deferrals and withdrawals. We have
22 several deferrals. Ms. News, can you tell us about those, please?
23

24 Ms. News - Yes, sir, Mr. Secretary. We had an added case to our
25 agenda. Did we want to talk about that first or go through our deferrals?
26

27 Mr. Silber - Why don't we go ahead and talk about the item on the
28 addendum. First on your addendum is a zoning case, C-60C-07. This was a case that
29 the Planning Commission heard at their last meeting. You may recall it was Allen Twedt
30 representing the hotels and their signs. If you recall, it was deferred from the November
31 8th meeting to today's meeting. We failed to mention to the Commission when they
32 deferred this that we did not have adequate time to send out notification letters.
33 Notification letters, by law, require five-days notice. When the Planning Commission
34 deferred this, there were only four days remaining on the calendar, so we could not
35 meet that requirement. So, this cannot be heard today. It's not on your agenda
36 because the agenda went out before this item was even deferred. Needless to say, C-
37 60C-07 will need to be deferred. We're suggesting it be deferred to your next Zoning
38 hearing, which is December 6, 2007. I'll be happy to answer any questions if that's
39 confusing.
40

41 **Fairfield**

42
43 **C-60C-07 Allen Twedt for Kalyan III Inc.:** Request to conditionally
44 rezone from O-3C Office District (Conditional) to B-2C Business District (Conditional),
45 Parcels 786-770-7883 and 786-770-9586, containing 3.575 acres, located between the
46 east line of Telegraph Road and the west line of I-95 approximately 1,170 feet north of
47 JEB Stuart Parkway. The applicant proposes increased signage for a hotel use. The
48 use will be controlled by zoning ordinance regulations and proffered conditions. The
49 Land Use Plan recommends Office.
50

51 Mr. Jernigan - Is there any opposition to the deferral of C-60C-07, Allen
52 Twedt for Kalyan III, Inc.? No opposition.
53

54 Mr. Archer - Okay. Then I move for deferral of C-60C-07, Allen Twedt for
55 Kalyan III, Inc., to the December 6, 2007 meeting, at the applicant's request.
56

57 Mr. Vanarsdall - Second.
58

59 Mr. Jernigan - Motion by Mr. Archer, seconded by Mr. Vanarsdall. All in
60 favor say aye. All opposed say no. The ayes have it, the motion is passed.
61

62 The Planning Commission deferred C-60C-07, Allen Twedt for Kalyan III, Inc, to its
63 December 6, 2007 Zoning meeting.
64

65 Mr. Silber - Thank you. Now on to the deferrals.
66

95 **TRANSFER OF APPROVAL** *(Deferred from the October 24, 2007 Meeting)*

96

POD-47-84 **Donald N. Blake:** Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Landmark Office Center, LLC to Donald Blake. The 0.98-acre site is located on the east line of Staples Mill Road approximately 525 feet south of E. Parham Road and 275 feet north of Janway Road on parcel 770-754-483. The zoning is O-2, Office District. County water and sewer. **(Brookland)**

97

98 Mr. Jernigan - Is there any opposition to the deferral of POD-47-84,
99 Landmark Office Center, Phase 2? No opposition.

100

101 Mr. Vanarsdall - I move that POD-47-84, Landmark Office Center, Phase 2,
102 be deferred to the December 12, 2007 meeting, per the applicant's request.

103

104 Mrs. Jones - Second.

105

106 Mr. Jernigan - Motion made by Mr. Vanarsdall, seconded by Mrs. Jones. All
107 in favor say aye. All opposed say no. The ayes have it, the motion passes.

108

109 At the request of the applicant, the Planning Commission deferred POD-47-84,
110 Landmark Office Center, Phase 2, to its December 12, 2007 meeting.

111

112 Ms. News - Next on page 7 of your agenda, and located in the Tuckahoe
113 District, is POD-68-07, The Shire @ Pump and Church. The applicant has requested a
114 deferral to the December 12, 2007 meeting.

115

116 **PLAN OF DEVELOPMENT & MASTER PLAN**

117

POD-68-07 **Kimley Horn for Kevin McFadden:** Request for approval
The Shire @ Pump and of a plan of development and master plan as required by
Church – Church Road Chapter 24, Section 24-106 of the Henrico County Code,
and Pump Road to construct four, one-story retail buildings totaling 35,810
square feet and a master plan for two future one-story
retail buildings totaling 27,550 square feet. The 21-acre
site is located at the southwest corner of the intersection of
Pump and Church Roads on parcels 739-754-7156 and
739-753-1396. The zoning is B-2C, Business District
(Conditional), C-1C, Conservation District, RTHC,
Residential Townhouse District (Conditional) and R-3AC,
One-Family Residence District (Conditional). County water
and sewer. **(Tuckahoe)**

118

119 Mr. Jernigan - Is there any opposition to the deferral of POD-68-07, The
120 Shire @ Pump and Church? No opposition.

121
122 Mrs. Jones - I move deferral of POD-68-07, The Shire @ Pump and
123 Church, to the December 12, 2007 meeting, by request of the applicant.

124
125 Mr. Vanarsdall - Second.

126
127 Mr. Jernigan - Motion made by Mrs. Jones, seconded by Mr. Vanarsdall. All
128 in favor say aye. All opposed say no. The ayes have it, the motion passes.

129
130 At the request of the applicant, the Planning Commission deferred POD-68-07, The
131 Shire @ Pump and Church, to its December 12, 2007 meeting.

132
133 Ms. News - Next on page 15 of your agenda, and located in the Varina
134 District, is SUB-58-07, South Lake (October 2007 Plan). The applicant has requested a
135 deferral to the December 12, 2007 meeting.

136
137 **SUBDIVISION (Deferred from the October 24, 2007 Meeting)**

138
SUB-58-07 **Foster & Miller, P.C. for Roger B. Riggle, E. W. Riggle**
South Lake **and David Riggle:** The 1.100-acre site proposed for a
(October 2007 Plan) subdivision of 3 single-family homes is located at 6115
Hawkes Lane and S. Lake Avenue on the southwest corner of Hawkes Lane
and S. Lake Avenue on parcel 819-724-8059. The zoning
is R-2A, One-Family Residence District. County water and
sewer. **(Varina) 3 Lots**

139
140 Mr. Jernigan - Is there any opposition to the deferral of SUB-58-07, South
141 Lake (October 2007 Plan)? There is no opposition. With that, I will move for deferral of
142 SUB-58-07, South Lake (October 2007 Plan), to the December 12, 2007 meeting, by
143 request of the applicant.

144
145 Mrs. Jones - Second.

146
147 Mr. Jernigan - Motion made by Mr. Jernigan, seconded by Mrs. Jones. All
148 in favor say aye. All opposed say no. The ayes have it, the motion passes.

149
150 At the request of the applicant, the Planning Commission deferred SUB-58-07, South
151 Lake (October 2007 Plan), to its December 12, 2007 meeting.

152
153 Ms. News - Next on page 20 of your agenda, and located in the Varina
154 District, is POD-76-07, Laburnum Station. The applicant has requested a deferral to the
155 December 12, 2007 meeting.

156

157 **PLAN OF DEVELOPMENT & MASTER PLAN**

158

POD-76-07 **Vanasse Hangen Brustlin for Retail South**
Laburnum Station – 4201 **Development:** Request for approval of a plan of
Gay Avenue development and master plan, as required by Chapter 24,
Section 24-106 of the Henrico County Code, to construct a
shopping center with three, one-story retail buildings
totaling 48,940 square feet and two future one-story
retail/office buildings totaling 15,000 square feet. The
10.19-acre site is located at the southern corner of the
intersection of S. Laburnum and Gay Avenues on parcels
814-717-0480 and 813-717-7951 (part). The zoning is B-
2C, Business District (Conditional) and ASO, Airport
Safety Overlay District. County water and sewer. **(Varina)**

159

160 Mr. Jernigan - Is there any opposition to the deferral of POD-76-07,
161 Laburnum Station? No opposition. With that, I will move for deferral of POD-76-07,
162 Laburnum Station, to the December 12, 2007 meeting, by request of the applicant.

163

164 Mrs. Jones - Second.

165

166 Mr. Jernigan - Motion made by Mr. Jernigan, seconded by Mrs. Jones. All
167 in favor say aye. All opposed say no. The ayes have it, the motion carries.

168

169 At the request of the applicant, the Planning Commission deferred POD-76-07,
170 Laburnum Station, to its December 12, 2007 meeting.

171

172 Ms. News - Next on page 23 of your agenda, and located in the Fairfield
173 District, is POD-77-07 (POD-83-00 Revised), Ennis Paint Company. The applicant has
174 requested a deferral to the December 12, 2007 meeting.

175

176 **PLAN OF DEVELOPMENT**

177

POD-77-07 **Engineering Design Associates for Ennis Paint, Inc.:**
Ennis Paint Company – Request for approval of a plan of development, as required
4400 Vawter Avenue by Chapter 24, Section 24-106 of the Henrico County
(POD-83-00 Revised) Code, to improve and enlarge an outdoor storage area
with related site improvements, for an existing paint
manufacturing facility. The 9.7-acre site is located
approximately 1450 feet north of E. Laburnum Avenue on
the west line of Vawter Avenue at 4400 Vawter Avenue on
parcel 799-739-2764. The zoning is M-2, General
Industrial District and ASO, Airport Safety Overlay District.
County water and sewer. **(Fairfield)**

178

179 Mr. Jernigan - Anyone in opposition to the deferral of POD-77-07 (POD-83-
180 00 Revised) Ennis Paint Company? No opposition, Mr. Archer.

181
182 Mr. Archer - Mr. Chairman, I move deferral of POD-77-07 (POD-83-00
183 Revised) Ennis Paint Company, to the December 12, 2007 meeting, at the applicant's
184 request.

185
186 Mr. Vanarsdall - Second.

187
188 Mr. Jernigan - Motion made by Mr. Archer, seconded by Mr. Vanarsdall. All
189 in favor say aye. All opposed say no. The ayes have it, the motion passes.

190
191 At the request of the applicant, the Planning Commission deferred POD-77-07 (POD-
192 83-00 Revised) Ennis Paint Company, to its December 12, 2007 meeting.

193
194 Ms. News - The final item is on page 28 of your agenda and located in
195 the Three Chopt District. This is POD-53-07, formally POD-51-97 revised, Home Depot
196 @ Brookhollow Garden Center Expansion. The applicant has requested a deferral to
197 the December 12, 2007 meeting.

198
199 **PLAN OF DEVELOPMENT (Deferred from the September 26, 2007 Meeting)**
200

201 202 203 204 205 206 207 208	POD-53-07 Home Depot @ Brookhollow Garden Center Expansion – W. Broad Street and I-64 (POD-51-97 Revised)	McKinney & Company for Home Depot USA Inc.: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 6,372 square feet of outdoor garden center display areas for an existing building. The 7.95-acre site is located at 11260 W. Broad Street on parcel 742- 762-4307 in the Brookhollow Shopping Center. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. (Three Chopt)
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209 Mr. Jernigan - Anyone in opposition to the deferral of POD-53-07 (POD-51-
210 97 Revised) Home Depot @ Brookhollow Garden Center Expansion? No opposition.

211 Mr. Vanarsdall - Then I move that POD-53-07 (POD-51-97 Revised) Home
212 Depot @ Brookhollow Garden Center Expansion, be deferred to the December 12,
213 2007 meeting, at the applicant's request.

214
215 Mrs. Jones - Second.

216
217 Mr. Jernigan - Motion by Mr. Vanarsdall, seconded by Mrs. Jones. All in
218 favor say aye. All opposed say no. The ayes have it, the motion passes.

219

214 At the request of the applicant, the Planning Commission deferred POD-53-07 (POD-
215 51-97 Revised) Home Depot @ Brookhollow Garden Center Expansion, to its
216 December 12, 2007 meeting.

217
218 Mr. Silber - If there are no other deferrals, we can move on to the
219 expedited agenda. These are plans that have been placed on a special agenda to be
220 considered without hearing. Staff has reviewed each of these plans and is
221 recommending approval, the applicant is agreeable to all the conditions and annotations
222 on the plan, and the Planning Commission member from the district is comfortable with
223 the plan. Therefore, it is placed on an expedited agenda. We have several on the
224 agenda this morning that can be considered under this special agenda. Ms. News?

225
226 Ms. News - Yes sir. There are five items on the expedited agenda. The
227 first item is on page 6 of your agenda and located in the Varina District. This is a
228 landscape and lighting plan for LP/POD-64-04 and LP/POD-11-06, Settler's Ridge,
229 Sections A & B. I'd like to clarify that the approval is for the landscape plan for Section
230 A and for the landscape and lighting plan for Section B. Staff can recommend approval.

231
232 **LANDSCAPE & LIGHTING PLAN**

233
LP/POD-64-04 and **Balzer & Associates, Inc. for Settler's Ridge, LLC:**
LP/POD-11-06 Request for approval of a landscape plan for Section A and
Settler's Ridge, Sections a landscape and lighting plan for Section B, as required by
A&B – Laburnum Avenue Chapter 24, Sections 24-106 and 24-106.2 of the Henrico
and Burning Tree Drive County Code. The 34.595-aces site is located on the
southwest corner of Burning Tree Road and S. Laburnum
Avenue on parcels 806-693-2166, 805-692-9288, 806-697-
0994 and 805-693-7145. The zoning is R-5AC, General
Residence District (Conditional). **(Varina)**

234
235 Mr. Jernigan - Is there any opposition to approval of LP/POD-64-04 and
236 LP/POD-11-06, Settler's Ridge, Sections A & B? No opposition. With that, I will for
237 approval of LP/POD-64-04 and LP/POD-11-06, Settler's Ridge, Sections A & B, subject
238 to the annotations on the plans and the standard conditions for landscape and lighting
239 plans.

240
241 Mrs. Jones - Second.

242
243 Mr. Jernigan - Motion made by Mr. Jernigan, seconded by Mrs. Jones. All
244 in favor say aye. All opposed say no. The ayes have it, the motion passes.

245
246 The Planning Commission approved the landscape for Section A and the landscape and
247 lighting plan for Section B for LP/POD-64-04 and LP/POD-11-06, Settler's Ridge,
248 Sections A & B, subject to the standard conditions attached to these minutes for
249 landscape and lighting plans.

250

251 Ms. News - The next item is on 14 of your agenda and is located in the
252 Fairfield District. This is SUB-63-07, Chamberlayne Estates, November 2007 Plan for
253 two lots. Staff can recommend approval.

254
255 **SUBDIVISION**

256
SUB-63-07 **Balzer & Associates, Inc. for JMG Joy, LLC:** The 0.648-
Chamberlayne Estates acre site proposed for a subdivision of 2 single-family
(November 2007 Plan) homes is located at the southeast corner of Tamiani
O'Brian and Tamiani Avenue and O'Brian Road (unimproved) at 5321 Tamiani
Avenues Avenue on parcel 790-746-7823. The zoning is R-4, Single-
Family Residential District. County water and sewer.
(Fairfield) 2 Lots

257
258 Mr. Jernigan - Is anyone in opposition to SUB-63-07 (November 2007 Plan)
259 Chamberlayne Estates? No opposition, Mr. Archer.

260
261 Mr. Archer - Mr. Chairman, I move approval of SUB-63-07 (November
262 2007 Plan) Chamberlayne Estates, subject to the annotations on the plan and the
263 standard conditions for subdivisions served by public utilities.

264
265 Mrs. Jones - Second.

266
267 Mr. Jernigan - Motion made by Mr. Archer, seconded by Mrs. Jones. All in
268 favor say aye. All opposed say no. The ayes have it, the motion passes.

269
270 The Planning Commission granted conditional approval to SUB-63-07 (November 2007
271 Plan) Chamberlayne Estates, subject to the standard conditions attached to these
272 minutes for subdivisions served by public utilities and the annotations on the plans.

273
274 Ms. News - Next on page 17 of your agenda, and located in the Three
275 Chopt District, is POD-75-07 (POD-42-06 Revised). This is for McCormick and
276 Schmick's @ West Broad Village. Staff can recommend approval.

277

278 **PLAN OF DEVELOPMENT**

279

POD-75-07 **Timmons Group for West Broad Village LLC & West
McCormick and Schmick's Broad Village II LLC and McCormick & Schmick's:**
 @ West Broad Village – Request for approval of a plan of development, as required
 W. Broad Street by Chapter 24, Section 24-106 of the Henrico County
 (POD-42-06 Revised) Code, to construct a one-story, 8,090 square foot
 restaurant with outdoor dining. The 0.49-acre site is
 located at the southeast intersection of W. Broad Street
 (U.S. Route 250) and Whittall Way (private) on part of
 parcel 742-760-7866. The zoning is UMUC, Urban Mixed
 Use District (Conditional) and WBSO, West Broad Street
 Overlay District. County water and sewer. **(Three Chopt)**

280

281 Mr. Jernigan - Is there any opposition to POD-75-07 (POD-42-06 Revised),
282 McCormick and Schmick's @ West Broad Village? No opposition, Mr. Vanarsdall.

283

284 Mr. Vanarsdall - I move that POD-75-07 (POD-42-06 Revised), McCormick
285 and Schmick's @ West Broad Village, be approved on the expedited agenda, as
286 recommended by staff, with the annotations on the plans, standard conditions for
287 developments of this type, and the following additional conditions 24 through 30.

288

289 Mrs. Jones - Second.

290

291 Mr. Jernigan - Motion by Mr. Vanarsdall, seconded by Mrs. Jones. All in
292 favor say aye. All opposed say no. The ayes have it, the motion passes.

293

294 The Planning Commission approved POD-75-07 (POD-42-06 Revised), McCormick and
295 Schmick's @ West Broad Village, subject to the annotation on the plans, the standard
296 conditions attached to these minutes for developments of this type, and the following
297 additional conditions:

298

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

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

306 26. Outside storage shall not be permitted.

307 27. The proffers approved as a part of zoning case C-12C-06 shall be incorporated in
308 this approval.

309 28. The developer shall install an adequate restaurant ventilating and exhaust
310 system to minimize smoke, odors, and grease vapors. The plans and
311 specifications shall be included with the building permit application for review and
312 approval. If, in the opinion of the County, the type system provided is not

313 effective, the Commission retains the rights to review and direct the type of
314 system to be used.

315 29. Deviations from County standards for pavement, curb or curb and gutter design
316 shall be approved by the County Engineer prior to final approval of the
317 construction plans by the Department of Public Works.

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

323
324 Ms. News - Next on page 25 of your agenda, and located in the Varina
325 District, is POD-73-07, the Village @ Miller's Lane. Staff can recommend approval.

326
327 **PLAN OF DEVELOPMENT**

328
329
330 **POD-73-07 Bay Design Group for Millers Lane, LLC and**
331 **Village @ Miller's Lane – Community Development Partners, LLC:** Request for
332 **Terminus of Miller Lane near I-64 W** approval of a plan of development, as required by Chapter
333 24, Section 24-106 of the Henrico County Code, to
334 construct 78, single-family attached townhouses. The
335 13.5-acre site is located on the south line of I-64 and the
336 northern terminus of Millers Lane, approximately 1,200
337 feet north of the intersection of Millers Lane and Gay
338 Avenue, on parcels 812-718-1638, 1655 and 3628. The
339 zoning is RTHC, Residential Townhouse District
340 (Conditional) and ASO, Airport Safety Overlay District.
341 County water and sewer. **(Varina)**

329
330 Mr. Jernigan - Is anyone in opposition to POD-73-07, Village @ Miller's
331 Lane? There is no opposition. With that, I will move for approval of POD-73-07, Village
332 @ Miller's Lane, subject to the annotations on the plans, the standard conditions for
333 developments of this type, and the following additional conditions #9 amended, and 24
334 through 41.

335
336 Mr. Vanarsdall - Second.

337
338 Mr. Jernigan - Motion made by Mr. Jernigan, seconded by Mr. Vanarsdall.
339 All in favor say aye. All opposed say no. The ayes have it, the motion passes.

340
341 The Planning Commission approved POD-73-07, Village @ Miller's Lane, subject to the
342 annotations on the plans, the standard conditions attached to these minutes for
343 developments of this type, and the following additional conditions:
344

- 345 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
346 Planning for review and Planning Commission approval prior to the issuance of
347 any occupancy permits.
- 348 24. The right-of-way for widening of Miller's Lane shown on approved plans shall be
349 dedicated to the County prior to any occupancy permits being issued. The right-
350 of-way dedication plat and any other required information shall be submitted to
351 the County Real Property Agent at least sixty (60) days prior to requesting
352 occupancy permits.
- 353 25. The easements for drainage and utilities as shown on approved plans shall be
354 granted to the County in a form acceptable to the County Attorney prior to any
355 occupancy permits being issued. The easement plats and any other required
356 information shall be submitted to the County Real Property Agent at least sixty
357 (60) days prior to requesting occupancy permits.
- 358 26. The limits and elevations of the 100-year frequency flood shall be conspicuously
359 noted on the plan "Limits of 100 Year Floodplain." In addition, the delineated
360 100-year floodplain must be labeled "Variable Width Drainage and Utility
361 Easement." The easement shall be granted to the County prior to the issuance of
362 any occupancy permits.
- 363 27. The developer shall provide fire hydrants as required by the Department of Public
364 Utilities and Division of Fire.
- 365 28. The proffers approved as a part of zoning case C-68C-06 shall be incorporated in
366 this approval.
- 367 29. All exterior lighting fixtures shall be designed and arranged so the source of light
368 is not visible from the roadways or adjacent residential properties. The lighting
369 shall be low intensity, residential in character, and the height or standards shall
370 not exceed 15 feet.
- 371 30. Prior to issuance of a building permit, the developer must furnish a letter from
372 **Dominion Virginia Power** stating that this proposed development does not
373 conflict with their facilities.
- 374 31. Any necessary off-site drainage and/or water and sewer easements must be
375 obtained in a form acceptable to the County Attorney prior to final approval of the
376 construction plans.
- 377 32. Deviations from County standards for pavement, curb or curb and gutter design
378 shall be approved by the County Engineer prior to final approval of the
379 construction plans by the Department of Public Works.
- 380 33. The pavement shall be of an SM-2A type and shall be constructed in accordance
381 with County standard and specifications. The developer shall post a defect bond
382 for all pavement with the Department of Planning - the exact type, amount and
383 implementation shall be determined by the Director of Planning, to protect the
384 interest of the members of the Homeowners Association. The defect bond shall
385 remain in effect for a period of three years from the date of the issuance of the
386 final occupancy permit. Prior to the issuance of the last Certificate of Occupancy,
387 a professional engineer must certify that the roads have been designed and
388 constructed in accordance with County standards.

- 389 34. Insurance Services Office (ISO) calculations must be included with the plans and
- 390 contracts and must be approved by the Department of Public Utilities prior to the
- 391 issuance of a building permit.
- 392 35. Approval of the construction plans by the Department of Public Works does not
- 393 establish the curb and gutter elevations along the Henrico County maintained
- 394 right-of-way. The elevations will be set by Henrico County.
- 395 36. The developer shall provide signage, the wording and location as deemed
- 396 appropriate by the Director of Public works, which addresses the possible future
- 397 extension of any stub street.
- 398 37. The location of all existing and proposed utility and mechanical equipment
- 399 (including HVAC units, electric meters, junction and accessory boxes,
- 400 transformers, and generators) shall be identified on the landscape plans. All
- 401 equipment shall be screened by such measures as determined appropriate by
- 402 the Director of Planning or the Planning Commission at the time of plan approval.
- 403 38. The portion of excess existing right-of-way for Millers Lane within the bounds of
- 404 the development shall be vacated prior to recordation of the subdivision plat.
- 405 39. Prior to final subdivision approval, the applicant shall submit an application for C-
- 406 1 zoning of the floodplain area.
- 407 40. The unit house numbers shall be visible from the parking areas and drives.
- 408 41. The names of streets, drives, courts and parking areas shall be approved by the
- 409 Richmond Regional Planning District Commission and such names shall be
- 410 included on the construction plans prior to their approval. The standard street
- 411 name signs shall be installed prior to any occupancy permit approval.
- 412

413 Ms. News - The final item is on page 27 of your agenda, and located in
 414 the Varina District. This is SUB-62-07, Village @ Olde Colony (November 2007 Plan).
 415 This was deferred from your meeting last month and was formerly called SUB-14-07,
 416 Village @ Olde Colony (February 2007 Plan). There was a proffer amendment that
 417 needed to be processed and they've submitted a substituted plan. So, this is in place of
 418 that. Staff can recommend approval.

419 **SUBDIVISION** *(Deferred from the October 24, 2007 Meeting)*

420 SUB-62-07 421 Village @ Olde Colony (November 2007 Plan) (Formerly SUB-14-07, Village @ Olde Colony – February 2007 Plan)	Bay Design Group, P.C. for Shurm Construction, Inc. and Sydney and Sydney Development, LLC: The 3.673-acre site proposed for a subdivision of 9 single-family homes is located along the south line of Harmony Avenue and the northern terminus of Woodside Street on parcel 803-696-9576. The zoning is R-3C, One-Family Residence District (Conditional). County water and sewer. (Varina) 9 Lots
--	---

422 Mr. Jernigan - Is there any opposition to SUB-62-07, Village @ Olde
 423 Colony (November 2007 Plan)? There is no opposition. With that, I will move for
 424 approval of SUB-62-07, Village @ Olde Colony (November 2007 Plan), subject to the
 425

426 annotations on the plan, the standard conditions for subdivisions served by public
427 utilities, and the following additional conditions #12, #13, and #14.

428
429 Mr. Vanarsdall - Second.

430
431 Mr. Jernigan - Motion made by Mr. Jernigan, seconded by Mr. Vanarsdall.
432 All in favor say aye. All opposed say no. The ayes have it, the motion carries.

433
434 The Planning Commission granted conditional approval to SUB-62-07, Village @ Olde
435 Colony (November 2007 Plan), subject to the standard conditions attached to these
436 minutes for subdivisions served by public utilities, the annotations on the plans, and the
437 following additional conditions:

- 438
439 12. Each lot shall contain at least 11,000 square feet.
440 13. The proffers approved as a part of zoning cases C-78C-05 and C-36C-07 shall be
441 incorporated in this approval.
442 14. Any future building lot containing a BMP, sediment basin or trap and located within
443 the buildable area for a principal structure or accessory structure, may be
444 developed with engineered fill. All material shall be deposited and compacted in
445 accordance with the Virginia Uniform Statewide Building Code and geotechnical
446 guidelines established by a professional engineer. A detailed engineering report
447 shall be submitted for the review and approval by the Building Official prior to the
448 issuance of a building permit on the affected lot. A copy of the report and
449 recommendations shall be furnished to the Directors of Planning and Public Works.

450
451 Ms. News - That concludes our expedited agenda.

452
453 Mr. Jernigan - Thank you, ma'am.

454
455 Mr. Silber - Next on the agenda would be consideration of extension of
456 conditional subdivision approvals. As you can see, all of these on the agenda this
457 morning are for informational purposes only. These can be handled administratively;
458 they do not require Planning Commission action. There are five up for consideration
459 and Ms. Goggin is here if you have any questions.

460

461 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL:**
 462 **FOR INFORMATIONAL PURPOSES ONLY**
 463

Subdivision	Original No. of Lots	Remaining Lots	Previous Extensions	Magisterial District	Recommended Extension
Pemberton Grove, Sec. A (November 2005 Plan)	16	16	1	Brookland	11/19/08
River Mill Estates (October 2004 Plan)	12	12	2	Brookland	11/19/08
Rocketts Landing Townhouses (Nov. 2005 Plan)	42	42	1	Varina	11/19/08
Sweetbay Hills (October 2005 Plan)	144	144	1	Fairfield	11/19/08
Woodman Hills (November 2001 Plan)	34	1	2	Fairfield	11/19/08

464
 465 Ms. Goggin - Good morning.
 466
 467 Mrs. Jones - Good morning.
 468
 469 Mr. Jernigan - Good morning.
 470
 471 Ms. Goggin - No questions? Okay.
 472
 473 Mr. Silber - Then staff will handle these, since they are capable of being
 474 handled administratively. On page 4 of your agenda is a transfer of approval that was
 475 deferred from October 24, 2007. This is POD-52-03, Virginia Center Station. I will point
 476 out that on the agenda there is one condition that staff is recommending. There is one
 477 correction that needs to be made to this condition, and staff is recommending a bond in
 478 the amount of \$10,000 or deficiencies being corrected before December 14th. The
 479 conditions currently says, "and deficiencies." It should say, "or deficiencies."
 480

481 **TRANSFER OF APPROVAL** *(Deferred from the October 24, 2007 Meeting)*

482

TOA
POD-52-03
Virginia Center Station –
Kim Property – Brook Rd.

Jeffrey Meyer for Kim Won Kim and Boo Ok Kim (The Kims): Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Virginia Center Inc. and VC Silver, LLC to Kim Wan Kim and Boo Ok Kim. The 2.439-acre site contains Building B and is a portion of the overall 7.324-acre site. It is located at the northeast corner of Brook Road (U.S. Route 1) and Virginia Center Parkway on parcel 784-768-2228. The zoning is M-1, Light Industrial District. County water and sewer. **(Fairfield)**

483

484 Mr. Garrison - I have received a statement by the representative of the
485 owner that deficient landscaping has been remedied. However, the added dumpsters
486 are still on site. Staff has suggested to remove the dumpsters or revise a plan to
487 properly locate and screen the additional dumpster; the applicant has done neither.
488 You may recall this TOA has been deferred four times without any improvements to site
489 deficiencies. Therefore, in order to expedite this transfer request, staff is recommending
490 TOA POD-52-03, with the following condition: “Deficiencies shall be corrected within 30
491 days, or a bond in the amount of \$10,000 shall be posted.” Staff and representatives
492 are available to answer any questions you may have.

493

494 Mr. Jernigan - Is that going to have to be number two or?

495

496 Mr. Silber - No. Just amend number one.

497

498 Mrs. Jones - May I ask a question of Mr. Garrison? Are there extenuating
499 circumstances or situations for why this is been such a struggle?

500

501 Mr. Garrison - I think it’s a combination of getting to the original developer,
502 Mr. Silver or Silver Companies. He’s the original developer and he’s slowly selling off
503 each parcel. There’s one parcel left. I think it’s just a matter of going through third
504 parties to get to him, or going through a middle person to get to him. It’s been a
505 struggle.

506

507 Mrs. Jones - Okay, thank you.

508

509 Mr. Jernigan - Any more questions for Mr. Garrison from the Commission?
510 Thank you, Greg.

511

512 Mr. Archer - All right, then, Mr. Chairman, I will move—

513

514 Mr. Jernigan - Did I ask for opposition on that? I don’t think I did.

515

516 Mr. Silber - I don’t recall.

517 Mr. Jernigan - All right. Is there any opposition to TOA POD-52-03, Virginia
518 Center Station-Kim Property? Okay. No opposition. Sorry, Mr. Archer.

519
520 Mr. Archer - That's all right. In that case, I will move for approval of TOA
521 POD-52-03, Virginia Center Station-Kim Property, subject to the amended condition #1
522 that's shown in the staff report and as stated by the Secretary.

523
524 Mrs. Jones - Second.

525
526 Mr. Jernigan - Motion by Mr. Archer, seconded by Mrs. Jones. All in favor
527 say aye. All opposed say no. The ayes have it, the motion passes.

528
529 The Planning Commission approved the transfer of approval request for POD-52-03,
530 Virginia Center Station-Kim Property, subject to the standard and added conditions
531 previously approved, and the following amended additional condition.

- 532
533 1. A bond in the amount of \$10,000 shall be posted to cover the site deficiencies as
534 identified in the inspection reports dated **June 13, 2007** and **October 18, 2007**,
535 **and or** such deficiencies shall be corrected by **December 14, 2007**.

536
537

538 **PLAN OF DEVELOPMENT RECONSIDERATION**

539
POD-62-06 **Balzer & Associates for Hindu Center of Virginia:**
Hindu Center of Virginia Request for approval of a reconsideration of a plan of
6061 Springfield Road development and master plan, as required by Chapter 24,
Section 24-106 of the Henrico County Code, to construct a
one-story, 5,476 square foot dining hall, a one-story, 3028
square foot classroom building and a one-story, 12,474
square foot temple. The 15.00-acre site is located on the
south line of Springfield Road, approximately 500 feet west
of the intersection of Springfield Road (State Route 157)
and Staples Mill Road (U.S. Route 33) at 6061 Springfield
Road on parcel 760-769-9631. The zoning is A-1,
Agricultural District. County water and sewer. **(Brookland)**

540
541

542 Mr. Jernigan - Is there any opposition to POD-62-06, Hindu Center of
543 Virginia? There is no opposition.

544
545 Mr. Kennedy - Good morning members of the Commission. The plan
546 before you is a revised plan. The original plan was approved in October 2006. Basically,
547 they took the architectural plan and sent it to India to get it approved. It wasn't quite
548 orthodox and they had to do some revisions. The revised plan increased the size of the
549 building from 9,298 square feet to 12,479 square feet. So, it's a large enough difference
550 that we felt we should come back to the Planning Commission. The elevation before

551 you now is classic Hindu architecture. Staff has no opposition to the change, as it
552 meets all the zoning requirements. After speaking to Mr. Vanarsdall, he asked for a
553 couple of additional conditions. They've been added to the addendum. The applicant is
554 in agreement with those added conditions. The first is that both 9 and 11 are amended.
555 Condition #35, which is on page 2 on the addendum, provides that the BMP would have
556 a fountain or water feature. Number 36 would be that the landscaping between the
557 BMP and the property line would meet at least the 10-foot transitional buffer standards.
558 Number 37 would be that no exterior public address system will be on the site. Number
559 38 would be that there would be no further encroachment to the wetlands to the rear of
560 the property. There are about 200 feet of wetlands here. That just provides some buffer
561 for this large building. The BMP is here and the landscaping would be there. There are
562 existing structures here. There's no change to this buffer here. There is a fence there
563 on the adjoining property that separates them as well. They are pretty well buffered and
564 they are well set back from the road. It's a house of worship, so it's going to be a large
565 building. We find it very attractive and we recommend approval. If you have any further
566 questions, I'd be happy to answer them.

567
568 Mr. Jernigan - Any questions for Mr. Kennedy from the Commission?

569
570 Mr. Vanarsdall - Mr. Kennedy and I talked about this a few times. Thank you
571 for handling it the way you did, Mike.

572
573 Mr. Jernigan - Did you want to hear from the applicant?

574
575 Mr. Vanarsdall - Is the applicant here? Do you want to come on down?

576
577 Mr. Jernigan - Sir, please state your name for the record.

578
579 Mr. Midha - My name is Inder Midha and I am the co-chairperson and
580 [unintelligible] manager.

581
582 Mr. Vanarsdall - I don't have any problem with this. For the benefit of my
583 fellow Commissioners, the only change here is 3,000 more square feet. I'll say the only
584 change; that's a pretty good change, but nothing else has changed since we approved it
585 before. I remember when this first surfaced, I think the temple was going to be
586 something like 75 feet or so in height. They came to 53, I believe it is now. I want to
587 thank you for agreeing to the fountain, PA system and so forth.

588
589 Mr. Midha - Thank you. Yes.

590
591 Mr. Vanarsdall - Across the street, as you know, the Church of Christ, they
592 agreed to the PA system, too.

593
594 Mr. Midha - Right. Well, we agreed to this condition, yes we do.

595

596 Mr. Vanarsdall - When Mr. Kennedy said #9 amended, it means that it's
597 coming back for landscaping. I just wanted to say that on the side, we want to really
598 have some nice landscaping there because there's almost nothing there now.
599

600 Mr. Midha - Right.
601

602 Mr. Vanarsdall - We'll be addressing that and I appreciate all your help.
603

604 Mr. Midha - Yes. We intend to do that, actually. We're already thinking
605 about it.
606

607 Mr. Vanarsdall - Okay. I don't have any more.
608

609 Mr. Silber - Sir, could you spell your name for us, please?
610

611 Mr. Midha - Yeah. The first name is Inder (I-n-d-e-r). The last name
612 Midha (M-i-d-h-a).
613

614 Mr. Silber - Thank you very much.
615

616 Mr. Jernigan - Thank you, sir.
617

618 Mr. Vanarsdall - Thank you.
619

620 Mr. Jernigan - All right, Mr. Vanarsdall, we'll entertain a motion, if you're
621 ready.
622

623 Mr. Vanarsdall - I move that POD-62-06, Hindu Center of Virginia, be
624 approved with the annotations on the plan, standard conditions for developments of this
625 type, and the following conditions: #9 amended, #11 amended on the addendum, and
626 24 through 34, and 35 through 38 on the addendum.
627

628 Mrs. Jones - Second.
629

630 Mr. Jernigan - Motion by Mr. Vanarsdall, seconded by Mrs. Jones. All in
631 favor say aye. All opposed say no. The ayes have it, the motion passes.
632

633 The Planning Commission approved POD-62-06, Hindu Center of Virginia, subject to
634 the annotations on the plans, the standard conditions attached to these minutes for
635 developments of this type, and the following additional conditions:
636

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

640 11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan
641 including depictions of light spread and intensity diagrams, and fixture and

- 642 specifications and mounting height details shall be submitted for Department of
643 Planning review and Planning Commission approval.
- 644 24. The easements for drainage and utilities as shown on approved plans shall be
645 granted to the County in a form acceptable to the County Attorney prior to any
646 occupancy permits being issued. The easement plats and any other required
647 information shall be submitted to the County Real Property Agent at least sixty
648 (60) days prior to requesting occupancy permits.
- 649 25. The entrances and drainage facilities on Springfield Road shall be approved by
650 the Virginia Department of Transportation and the County.
- 651 26. A notice of completion form, certifying that the requirements of the Virginia
652 Department of Transportation entrances permit have been completed, shall be
653 submitted to the Department of Planning prior to any occupancy permits being
654 issued.
- 655 27. The developer shall provide fire hydrants as required by the Department of Public
656 Utilities and Division of Fire.
- 657 28. A standard concrete sidewalk shall be provided along the south side of
658 Springfield Road.
- 659 29. Any necessary off-site drainage and/or water and sewer easements must be
660 obtained in a form acceptable to the County Attorney prior to final approval of the
661 construction plans.
- 662 30. Deviations from County standards for pavement, curb or curb and gutter design
663 shall be approved by the County Engineer prior to final approval of the construction
664 plans by the Department of Public Works.
- 665 31. The applicant shall furnish proof to the Department of Planning that conditions
666 satisfactory to the Health Department have been met that insure the proposed
667 septic tank drainfield system is suitable for this project prior to the issuance of a
668 building permit.
- 669 32. Insurance Services Office (ISO) calculations must be included with the plans and
670 contracts and must be approved by the Department of Public Utilities prior to the
671 issuance of a building permit.
- 672 33. 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 34. 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
680 the Director of Planning or the Planning Commission at the time of plan approval.
- 681 35. The BMP shall have a water feature (fountain) which shall be shown on the
682 construction plan prior to signature.
- 683 36. Landscaping satisfying the 10-foot transitional buffer standards shall be provided
684 between the BMP and the adjoining property line on the landscape plan.
- 685 37. A bold note shall be added to the construction plan indicating "No exterior public
686 address system is permitted."

687 38. A bold note shall be added to the construction plan indicating "No further
688 encroachment into the wetlands is permitted."
689

690 **LANDSCAPE, LIGHTING PLAN & ALTERNATIVE FENCE HEIGHT**

691 *(Deferred from the October 24, 2007 Meeting)*
692

LP/POD-36-06

Trinity Baptist Church
Addition - Dill Road and
Barrington Road

Balzer & Associates, Inc. for Trinity Baptist Church:

Request for approval of a landscape, lighting and
alternative fence height plan, as required by Chapter 24,
Sections 24-106, 24-106.2 and 24-95(l)7 of the Henrico
County Code. The 12.10-acre site is located at the
southwest corner of Dill Road and Barrington Road on
parcel 799-733-1982. The zoning is M-2, General
Industrial District and R-4, One-Family Residence District.
(Fairfield)

693

694 Mr. Jernigan - Is there any opposition to LP/POD-36-06, Trinity Baptist
695 Church Addition? There is no opposition.
696

697

698 Mr. Garrison - The applicant is requesting approval of a lighting, landscape,
699 and alternative fence height plan for POD-36-06, Trinity Baptist. The landscape plan
700 submitted meets County standards. Originally, however, the lighting plan submitted
701 shows four light poles directly on top of a private storm sewer. Christina's handing out
702 the annotated plan that shows the four light poles being moved to the center of a
703 parking stall. These stalls would be striped to prevent any parking in that area. Due to
704 budget constraints and the existing storm sewer, staff has no objections to this.

705

706 A request for an alternative fence height was submitted that would allow an eight-foot
707 tall white vinyl fence with masonry columns to extend from a previously-approved POD
708 and will provide screening between the approved single-family lots and Trinity Baptist.

709

710 To date, staff has received no phone calls in opposition to this landscape, lighting, and
711 alternative fence height proposal. Staff has no objections to approving this plan subject
712 to the standard conditions for lighting, landscape, and alternative fence plans, and the
713 added condition #6 in your agenda. Any questions?

714

715 Mr. Jernigan - Any questions for Mr. Garrison from the Commission? Mr.
716 Archer, do you want to hear from the applicant?

717

718 Mr. Archer - I don't think it's necessary. Mr. Chairman, with that, I will
719 first move on the alternative fence height plan. Some of you may recall this first came
720 up a few years ago and at that time, the owner, the original owner of the property had
721 insisted on having this fence between his property and the amount of property that he
722 sold to the church, and we approved it. This would be an extension of that fence. So, I
723 will move for approval of the alternative fence height request.

724 Mr. Jernigan - I have a motion by Mr. Archer.
725
726 Mr. Vanarsdall - Second.
727
728 Mr. Jernigan - And a second by Mr. Vanarsdall. All in favor say aye. All
729 opposed say no. The ayes have it, the motion passes.
730
731 Mr. Archer - All right. And then I will move for approval of LP/POD-36-06,
732 Trinity Baptist Church Addition, subject to the annotated plan, the revised plan that we
733 received this morning, and the additional condition #6.
734
735 Mr. Vanarsdall - Second.
736
737 Mr. Jernigan - Motion by Mr. Archer, seconded by Mr. Vanarsdall. All in
738 favor say aye. All opposed say no. The ayes have it, the motion passes.
739

740 **SUBDIVISION** (*Deferred from the October 24, 2007 Meeting*)
741

SUB-56-07 Morgan Estates (October 2007 Plan) 12520 Bacova Drive	E. D. Lewis & Associates, P.C. for Darrell H. Bowman: The 3.98-acre site proposed for a subdivision of 3 single-family homes is located on the northern line of Bacova Road, approximately one mile west of Pouncey Tract Road (State Route 271) on parcel 735-766-2261. The zoning is A-1, Agricultural District. Individual well and septic tank/drainfield. (Three Chopt) 3 Lots
--	--

742
743 Mr. Jernigan - Is there any opposition to SUB-63-07, Chamberlayne
744 Estates (sic)? **(Wrong case – later restarted)**
745

746 Ms. Goggin - Good morning. This subdivision request was deferred from
747 your October 24th meeting in order to obtain additional information regarding the
748 proposed North Gayton extension because the proposed subdivision is in conflict with
749 the location of the connector. Just to point out on the map, you can see the North
750 Gayton Road extension. Here's the subject parcel and here is the approximate location.
751 Here's the aerial. You can see where it cuts through the proposed subdivision. At this
752 time, the County has a comprehensive design build contract with English Construction
753 Company for Gaskin (sic) Gayton Road, extended, and Bacova Road, realigned.
754 Bacova Road is right here, which is the frontage of the proposed subdivision. Currently,
755 the road is under design and preliminary hearings for the proposed design will be held
756 April/May of 2008. Once an alignment has been finalized, English will enter into all
757 necessary negotiations to obtain required right-of-way. The anticipated start of
758 construction is late 2008, early 2009, with an anticipated completion and opening in
759 2011/2012.

760
761 Both Public Works and Planning are concerned about the conflict that this proposed
762 road will have on any future property owners within this proposed subdivision, and has
763 created an additional condition that would help notify prospective owners of the

764 proposed roads so that they can make a decision with this important piece of
765 information readily available. The condition is #14 on page 3 in your handout
766 addendum, and reads as follows: "Prior to recordation of the plat, the subdivider shall
767 obtain a statement from the Director of Public Works concerning the location of the
768 proposed right-of-way on the property. The subdivider shall prominently show the
769 location of the proposed right-of-way on the plat." Should the Commission choose to
770 approve this subdivision, in addition to the standard conditions for subdivisions not
771 served by public utilities, conditions 11 through 13 in the agenda and 14 in the handout
772 addendum are recommended. I would be happy to answer any questions the
773 Commission may have. Mike Jennings, the County's Traffic Engineer is here, as well as
774 Byron Traynham, the applicant's engineer, should the Commission have any questions
775 for them.

776
777 Mr. Jernigan - First of all, I need to restate this case because I was on the
778 wrong page. So, is there any opposition to SUB-56-07, Morgan Estates (October 2007
779 Plan)? Okay, there is no opposition. Okay. Do we have questions for Ms. Goggin from
780 the Commission?

781
782 Ms. Goggin - I just knew it was my turn.

783
784 Mr. Jernigan - You did everything right. I was on the wrong page. I know
785 you all had to do a lot of work on this. We've checked with the County Attorney on this.
786 This has to follow through as it is, even though it shows a concept road through there.
787 So, #14 will cover any problems we've had. Is the owner here, of this parcel?

788
789 Ms. Goggin - No sir, the owner is not here, but his engineer is.

790
791 Mr. Jernigan - Okay. We just need to know if an agent goes out to sell this,
792 they have to make sure that they know this concept road is on the property. Okay. All
793 right. Any more questions for Ms. Goggin? All right, thank you. With that, I will move for
794 approval of SUB-56-07, Morgan Estates (October 2007 Plan), subject to standard
795 conditions for subdivisions not served by public utilities and the following additional
796 conditions #11, 12, and 13, and #14 on the addendum.

797
798 Mrs. Jones - Second.

799
800 Mr. Jernigan - Motion made by Mr. Jernigan, seconded by Mrs. Jones. All
801 in favor say aye. All opposed say no. The ayes have it, the motion passes.

802
803 The Planning Commission granted conditional approval to SUB-56-07, Morgan Estates
804 (October 2007 Plan), subject to the standard conditions attached to these minutes for
805 subdivisions not served by public utilities, the annotations on the plans, and the
806 following additional conditions:

807

- 808 11. The detailed plant list and specifications for the landscaping to be provided within
809 the 25-foot-wide planting strip easement along Bacova Drive shall be submitted to
810 the Department of Planning for review and approval prior to recordation of the plat.
811 12. Any necessary offsite drainage easements must be obtained prior to approval of
812 the construction plan by the Department of Public Works.
813 13. Any future building lot containing a BMP, sediment basin or trap and located within
814 the buildable area for a principal structure or accessory structure, may be
815 developed with engineered fill. All material shall be deposited and compacted in
816 accordance with the Virginia Uniform Statewide Building Code and geotechnical
817 guidelines established by a professional engineer. A detailed engineering report
818 shall be submitted for the review and approval by the Building Official prior to the
819 issuance of a building permit on the affected lot. A copy of the report and
820 recommendations shall be furnished to the Directors of Planning and Public Works.
821 14. Prior to recordation of the plat, the subdivider shall obtain a statement from the
822 Director of Public Works concerning the location of the proposed right-of-way on
823 the property. The subdivider shall prominently show the location of the proposed
824 right-of-way on the plat.
825

826 **PLAN OF DEVELOPMENT ARCHITECTURAL PLANS**
827

828 829 830 831 832 833 834 835 836 837 838 839 840 841	POD-18-07 Westmark Two, Phase II – W. Broad Street and Dominion Boulevard	<p>Vanasse Hangen Brustlin and Baskervill for RER/New Boston West Broad Street, LLC and First Capital Bank: Request for approval of the architectural plans for a previously approved plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 3,400 square foot bank with drive thru facilities. The .83-acre site is located at the southeast corner of the intersection of I-64 and W. Broad Street (U.S. Route 250) on part of parcel 746-760-8608. The zoning is O-3, Office District. County water and sewer. (Three Chopt)</p>
--	--	--

828
829 Mr. Jernigan - Is there any opposition to POD-18-07, Westmark Two,
830 Phase II? No opposition. Mr. Strauss, how are you this morning?
831

832 Mr. Strauss - Very good, thank you. Mr. Chairman, members of the
833 Commission. This application is for approval of the architectural plans for the proposed
834 drive-thru bank. The Commission may recall that the plan of development for this
835 project was approved in April of 2007 for two restaurant pad sites and a bank. At that
836 time, the end user of the bank was not known, so no architectural plans were available
837 for Commission approval. Since that time, First Capital Bank has been identified as the
838 proposed end user and the staff now has architectural plans. As you can see from the
839 rendering, this one-story bank is predominately brick with a standing seam metal roof,
840 metal framing system for the windows, and a metal coping. Staff had requested
841 additional detailed plans and they're in your packet. So, with that, staff is

842 recommending approval of the architectural plans before you today. I'll be happy to
843 answer any questions. I believe Mr. Allen Davis is here also.
844
845 Mr. Jernigan - Okay. Are there any questions for Mr. Strauss from the
846 Commission?
847
848 Mrs. Jones - The color rendering, there are several shades here. Which
849 one is going to be used, lighter or darker?
850
851 Mr. Strauss - I have a sample board over here on the document table.
852
853 Mrs. Jones - So, it's this darker tone.
854
855 Mr. Strauss - It's the darker brick and the charcoal is metal/standing seam.
856
857 Mrs. Jones - We just had two different colors here. Just curious.
858
859 Mr. Vanarsdall - It looks good from here.
860
861 Mrs. Jones - Thank you. It's very attractive.
862
863 Mr. Jernigan - Was that in your packet?
864
865 Mrs. Jones - Yes. I didn't know if I were to choose.
866
867 Mr. Jernigan - All right, I have a complaint. How come she got color and
868 we didn't?
869
870 Mrs. Jones - Because I'm special.
871
872 Mr. Strauss - I have no answer for that, sir.
873
874 Mr. Vanarsdall - I got gypped, too.
875
876 Mr. Jernigan - All right. Any more questions for Mr. Strauss? Okay. With
877 that, I will move for approval of POD-18-07, Westmark Two, Phase II, with the
878 conditions of the previously approved plan as it was recommended before.
879
880 Mr. Vanarsdall - Second.
881
882 Mr. Jernigan - Motion by Mr. Jernigan, seconded by Mr. Vanarsdall. All in
883 favor say aye. All opposed say no. The ayes have it, the motion passes.
884
885 The Planning Commission approved POD-18-07, Westmark Two, Phase II, subject to
886 the annotations on the plans, the standard conditions attached to these minutes for
887 developments of this type, and the conditions previously approved with this plan.

888
889 Mr. Silber - That concludes the plan for consideration on your agenda
890 this morning. The only remaining item would be consideration of your minutes from the
891 October 24, 2007 meeting.
892
893 Mr. Jernigan - Are there any corrections to the minutes?
894
895 Mrs. Jones - I have several. Just to make sure that we go down in history,
896 that these are correctly spelled. These are typographical things. I'll do this very quickly.
897 Page 20, line 675, Mr. Kennedy says, "members," plural. Page 22, line 743, after the
898 word "looks," should be the word, "like." Page 23, line 813, the word "the" after "for"
899 should be deleted.
900
901 Mr. Silber - Mrs. Jones, you said line 813?
902
903 Mrs. Jones - Yes sir. "The zoning process for their property." Page 47,
904 line 1851, "complementary" is spelled with an "e" as opposed to an "i" in that context.
905 Page 51, line 2038, the last word should be "asked" with an "ed" on it. Page 62, line
906 2530, there should not be the word, "a" in front of "compromise." Page 73, line 3019,
907 the word "from" should be "for." I'm almost done. And page 89, line 3710, it should be
908 "staff have any comments." And I appreciate having all of this to refer to, especially as it
909 has to do with our hearings and citizen comments. It's very helpful to have this. I move
910 for approval of the minutes as corrected.
911
912 Mr. Vanarsdall - Second.
913
914 Mr. Jernigan - I have a motion by Mrs. Jones, seconded by Mr. Vanarsdall.
915 All in favor say aye. All opposed say no. The ayes have it, the motion passes. I believe
916 that's one of the thickest minutes we've ever had, 129 pages.
917
918 Mr. Silber - I understand it was a long meeting.
919
920 Mrs. Jones - This is what happens when Tuckahoe doesn't have any
921 cases on the agenda.
922
923 Mr. Jernigan - All right. If there is no further business, Mr. Secretary?
924
925 Mr. Silber - I have nothing. Motion to adjourn?
926
927 Mr. Jernigan - Do we have a motion to adjourn?
928
929 Mr. Archer - So moved, Mr. Chairman.
930
931 Mrs. Jones - Second.
932
933 On a motion by Mr. Archer and seconded by Mrs. Jones, the Planning Commission

934 adjourned its November 14, 2007 meeting at 9:42 a.m.

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E. Ray Jernigan, Acting Chairman

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Randall R. Silber, Secretary.