

1 Minutes of the regular monthly meeting of the Planning Commission of the County of Henrico,
2 Virginia, held in the Board Room of the County Administration Building in the Government
3 Center at Parham and Hungary Springs Roads, Beginning at 9:00 a.m. Wednesday, September
4 28, 2005.

5

6 Members Present: Mr. Ernest B. Vanarsdall, C.P.C., Chairperson (Brookland)
7 Mr. C. W. Archer, C.P.C., Vice Chairperson (Fairfield)
8 Mr. Tommy Branin (Three Chopt)
9 Mrs. Bonnie-Leigh Jones (Tuckahoe)
10 Mr. E. Ray Jernigan, C.P.C. (Varina)
11 Mr. David A. Kaechele (Three Chopt) Board of Supervisors
12 Representative
13 Mr. Randall R. Silber, Director of Planning, Secretary

14

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

26

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

29

30 Mr. Vanarsdall - Good morning, everybody. You, gentlemen, in the back if you will
31 have a seat we will start. Good morning everyone, all of the Commissioners, staff over on the
32 right. We have a few cases to go through this morning, and I'll turn the meeting over to our
33 Secretary and Director of Planning, Mr. Silber.

34

35 Mr. Silber - Thank you, Mr. Chairman, good morning. We do have all members of
36 the Commission present this morning so we can conduct business. The first item on the
37 agenda involves requests for deferrals and withdrawals. Ms. News, can you walk us through
38 those please.

39

40 Ms. News - Yes, sir. Good morning, Mr. Chairman, members of the Commission.
41 There are two requests for deferrals and withdrawals. The first is on page 3 of your agenda in
42 the Brookland District. The applicant is requesting deferral until the October 28 26, 2005,
43 meeting.

44 **TRANSFER OF APPROVAL**

45

POD-55-75 and POD-46-94 **Hirschler Fleischer for Direct Invest Ventures, LLC:**
Brookfield Commons Request for transfer of approval as required by Chapter 24,
Section 24-106 of the Henrico County Code from Chamberlin,
L.P. to Direct Invest Ventures, LLC. The 6.822-acre site is
located at 6600 W. Broad Street (U. S. Route 250) at the
northeast corner of the intersection of W. Broad Street and
Dickens Road on parcel 768-743-7194 The zoning is O-3,
Office District. County water and sewer. **(Brookland)**

46

47 Mr. Vanarsdall - Is there anyone in the audience in opposition to the deferral of the
48 transfer of approval request for POD-55-75 and POD-46-94 Brookfield Commons, until
49 October ~~28~~ **26**, 2005, in the Brookland District? No opposition. I move POD-55-75 and
50 POD-46-94, Brookfield Commons, be deferred until the October ~~28~~ **26**, 2005, meeting at the
51 applicant's request.

52

53 Mr. Archer - Second, Mr. Chairman.

54

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

57

58 Pursuant to the applicant's request, the Planning Commission deferred the transfer of approval
59 request for POD-55-75 and POD-46-94, Brookfield Commons, until the October 26, 2005,
60 meeting.

61

62 Ms. News - Next on page 38 of your agenda and located in the Tuckahoe District is
63 POD-68-02, Blackwood Retail – Glen Eagles Shopping Center. This case was deferred from
64 the November 17, 2004, meeting and the applicant has requested a withdrawal of this case.
65 On page 7 in your addendum, a case map was included for your reference.

66

67 **PLAN OF DEVELOPMENT (Deferred from the November 17, 2004 Meeting)**

68

POD-68-02 **Balzer & Associates, Inc. for Richfield Associates, LLC:**
Blackwood Retail – Glen Request for approval of a plan of development as required by
Eagles Shopping Center – Chapter 24, Section 24-106 of the Henrico County Code, to
10410 Ridgefield Parkway construct a 6,600 square foot building addition in an existing
shopping center. The 0.90-acre site is located on the northwest
corner of Ridgefield Parkway and Eagles View Drive in the
Glen Eagles Shopping Center on part of parcel 740-750-0178.
The zoning is B-2C, Business District (Conditional). County
water and sewer. **(Tuckahoe)**

69

70 Mr. Vanarsdall - Mrs. Jones, we just need you to recognize this.

71

72 Mrs. Jones - I move that the withdrawal of POD-68-02, Blackwood Retail – Glen
73 Eagles Shopping Center, be accepted.

74

75 Mr. Jernigan - Second.

76

77 Mr. Vanarsdall - The motion was made by Mrs. Jones and seconded by Mr. Jernigan. All
78 in favor say aye...all opposed say nay. The motion passes.

79

80 Pursuant to the applicant's request, the Planning Commission withdrew POD-68-02,
81 Blackwood Retail – Glen Eagles Shopping Center, from any further consideration

82

83 Ms. News - That's all we have.

84

85 Mr. Silber - So, that's all of the deferrals and withdrawals?

86

87 Ms. News - Yes, sir.

88

89 Mr. Silber - Okay. Next on the agenda would be the Expedited items. These are
90 items that are placed on the Planning Commission's consent or expedited list of considerations.
91 These are plans that have been reviewed, there are no outstanding issues that staff is aware of,
92 the Commissioner from the district has no difficulty with the plan and the applicant has agreed
93 to all of the conditions found on the agenda and the annotations on the plans. So, these are
94 placed on an Expedited Agenda so that we can handle these without a particular hearing on
95 these cases. If there is opposition on any of these plans, they would be removed from the
96 Expedited Agenda and heard in the order in which it is found on the full agenda.

97

98 Mr. Vanarsdall - Is the screen blurry or is that just me?

99

100 Ms. News - It's blurry. That's the best we can get it to come up.

101

102 Mr. Vanarsdall - All right. Go ahead, Ms. News.

103

104 Ms. News - All right. We have 15 items on the Expedited Agenda. First on page 2
105 of your agenda, and located in the Three Chopt District, is a transfer of approval for POD-74-
106 73, Parham 64 Building.

107 **TRANSFER OF APPROVAL**

108

POD-74-73
Parham 64 Building –
2807 N. Parham Road

Hodes, Ulman, Pressin & Katz, P.A. for 2807 N. Parham Road LLC: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Parham Road Operating Association Limited Partnership to 2807 N. Parham Road LLC. The 3.804-acre site is located on the east line of N. Parham Road, approximately 300 feet northeast of the intersection of Mayland Drive and N. Parham Road on parcel 758-752-5795. The zoning is 0-2, Office District. County water and sewer. **(Three Chopt)**

109

110 Mr. Vanarsdall - Is there anyone in the audience in opposition to the transfer of approval
111 request for POD-74-73, Parham 64 Building, in the Three Chopt District? No opposition.

112

113 Mr. Branin - Mr. Chairman, I move that POD-74-73, Parham 64 Building, transfer of
114 approval be approved.

115

116 Mr. Jernigan - Second.

117

118 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mr. Jernigan. All
119 in favor say aye...all opposed say nay. The motion passes.

120

121 The Planning Commission approved the transfer of approval request for POD-74-73, Parham
122 64 Building, subject to the new owners accepting and agreeing to be responsible for continued
123 compliance with the conditions for the original approval, and the following additional
124 condition:

125

126 1. The site deficiencies, as identified in the inspection report, dated **May 23, 2005 and**
127 **September 2, 2005** shall be corrected by **November 1, 2005**.

128

129 Ms. News - Next on page 4 of your agenda and located in the Fairfield District is
130 transfer of approval, POD-52-03, which is POD-4-03 Revised, Virginia Center Station
131 Shopping Center – Building A.

132

133 **TRANSFER OF APPROVAL**

134

POD-52-03
Virginia Center Station
Shopping Center –
Building A - Brook Road
(POD-4-03 Revised)

Hirschler Fleischer for Stephen Chen and Julie Chen: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from VC Silver, LLC to Stephen Chen and Julie Chen. The 1.399-acre site will contain building A and is a portion of the overall 8.714 acre site. It is located on the east line of Brook Road (U.S. Route 1) between Virginia Center Parkway and Technology Park Drive (private) on parcel 784-768-1805. The zoning is M-1,

Light Industrial District. County water and sewer. **(Fairfield)**

135 Mr. Vanarsdall - Is there anyone in the audience in opposition to the transfer of approval
136 request for POD-52-03, Virginia Center Station Shopping Center – Building A, in the Fairfield
137 District? No opposition.

138

139 Mr. Archer - Mr. Chairman, I move approval of the transfer of POD-52-03, Virginia
140 Center Station Shopping Center – Building A.

141

142 Mr. Jernigan - Second, Mr. Chairman.

143

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

146

147 The Planning Commission approved the transfer of approval request for POD-52-03, Virginia
148 Center Station Shopping Center – Building A (POD-4-03 Revised), subject, to the new owners
149 accepting and agreeing to be responsible for continued compliance with the conditions for the
150 original approval.

151

152 Ms. News - Next on page 5 of your agenda and located in the Three Chopt District is
153 transfer of approval POD-6-82, Virginia Business Systems (Formerly Johnson Controls).

154

155 **TRANSFER OF APPROVAL**

156

POD-6-82 Virginia Business Systems – 9899 Mayland Drive (Formerly Johnson Controls)	James F. Dotter for Edwards Par IV, LP: Request for transfer of approval as required by Chapter 24, Section 24-106 of the Henrico County Code from Johnson Controls, Inc. to Edwards Par IV, LP. The 1.860-acre site is located on the south line of Mayland Drive, approximately 525 feet east of N. Gaskins Road on parcel 752-757-6083. The zoning is M-1C, Light Industrial District. County water and sewer. (Three Chopt)
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157

158 Mr. Vanarsdall - Is there anyone in the audience in opposition to the transfer of approval
159 request for POD-6-82, Virginia Business Systems, in the Three Chopt District? No
160 opposition. Mr. Branin.

161

162 Mr. Branin - Mr. Chairman, I move for approval of the transfer of POD-6-82,
163 Virginia Business Systems, with additional condition No. 1.

164

165 Mr. Jernigan - Second, Mr. Chairman.

166

167 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mr. Jernigan. All
168 in favor say aye...all opposed say nay. The motion passes.

169

170 The Planning Commission approved the transfer of approval request for POD-6-82, Virginia

171 Business Systems (Formerly Johnson Controls) subject to the new owners accepting and
172 agreeing to be responsible for continued compliance with the conditions for the original
173 approval and the following additional condition:

174

175 1. The site deficiencies, as identified in the inspection report, dated **August 3, 2005**, shall
176 be corrected prior to issuance of a Certificate of Occupancy for the building addition.

177

178 Ms. News - Next on page 6 of your agenda and located in the Brookland District is a
179 landscape and lighting plan, LP/POD-28-05, The Shops @ Tripps. There is an addendum item
180 on page 1 of your addendum, which has a revised recommendation indicating that the applicant
181 has addressed landscape concerns regarding the overall site, including replacement of all the
182 dead or dying trees and the foundation plans. And there is a revised plan in the addendum.

183

184 **LANDSCAPE & LIGHTING PLAN**

185

LP/POD-28-05

The Shops @ Tripps –
9320 W. Broad Street

Timmons Group for Tripps Properties II Limited Partnership: 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 2.99-acre site is located on the north line of W. Broad Street (U. S. Route 250) approximately 1000 feet west of its intersection with Tuckernuck Drive at 9318-9320 W. Broad Street (U.S. Route 250) on part of parcel 757-757-0843. The zoning is B-2, Business District. **(Brookland)**

186

187 Mr. Vanarsdall - Is there anyone in the audience in opposition to the landscape and
188 lighting plan for LP/POD-28-05, The Shops @ Tripps, in the Brookland District? No
189 opposition.

190

191 I move that LP/POD-28-05, The Shops @ Tripps, be approved under the Expedited Agenda,
192 recommended by staff and the standard conditions for landscape and lighting as recommended
193 and then on the addendum it says that staff is recommending it. I want to thank Christina
194 Goggin for all the work she did and we have more landscaping there now than there ever was.
195 Thank you. That's the end of my motion.

196

197 Mr. Archer - Second, Mr. Chairman.

198

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

201

202 The Planning Commission approved the landscape and lighting request for LP/POD-28-05,
203 The Shops @ Tripps, subject, to the standard conditions attached to these minutes for
204 landscape and lighting plans and the annotations on the plans.

205 Ms. News - Next on page 7 of your agenda and located in the Three Chopt District is
206 a lighting plan, LP/POD-27-04, Three Notch Place.

207

208 **LIGHTING PLAN**

209

LP/POD-27-04
Three Notch Place –
Pump Road

Balzer & Associates, Inc. for TC&P, LLC: Request for approval of a lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code. The 14.83-acre site is located at the southeast intersection of Three Chopt Road and Pump Road on part of parcel 739-759-6746. The zoning is RTHC, Residential Townhouse District (Conditional and WBSO, West Broad Street Overlay District. **(Three Chopt)**

210

211 Mr. Vanarsdall - Is there anyone in the audience in opposition to LP/POD-27-04, Three
212 Notch Place, lighting plan, in the Three Chopt District? No opposition.

213

214 Mr. Branin - Mr. Chairman, I move for approval of the lighting plan for LP/POD-27-
215 04, Three Notch Place, on the Expedited Agenda in accordance with staff's recommendation
216 and standard conditions.

217

218 Mr. Archer - Second.

219

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

222

223 The Planning Commission approved the lighting plan for LP/POD-27-04, Three Notch Place,
224 subject to the standard conditions attached to these minutes for lighting plans and the
225 annotations on the plans.

226

227 Ms. News - Next on page 8 of your agenda and located in the Three Chopt District is
228 a landscape plan, LP/POD-47-04, Retail Buildings – Town Center @ Twin Hickory.

229

230 **LANDSCAPE PLAN**

231

LP/POD-47-04
Retail Buildings – Town
Center @ Twin Hickory

Purvis & Associates, Inc. for Twin Hickory, LLC: Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 1.61-acre site is located at the southwest corner of the intersection of Old Nuckols Road and Nuckols Road in the Town Center @ Twin Hickory Shopping Center on parcel 746-773-2071. The zoning is B-2C, Business District (Conditional). **(Three Chopt)**

232

233 Mr. Vanarsdall - Is there anyone in the audience in opposition to the landscape plan for
234 LP/POD-47-04, Retail Buildings – Town Center @ Twin Hickory, in the Three Chopt
235 District? No opposition.

236

237 Mr. Branin - Mr. Chairman, I move for approval under the Expedited Agenda for
238 landscape plan LP/POD-47-04, Retail Buildings.

239

240 Mr. Jernigan - Second.

241

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

244

245 The Planning Commission approved the landscape plan for LP/POD-47-04, Retail Buildings –
246 Town Center @ Twin Hickory subject to the standard conditions attached to these minutes for
247 landscape plans and the annotations on the plan.

248

249 Ms. News - Next on page 9 of your agenda and located in the Three Chopt District,
250 is the lighting plan for LP/POD-92-04, Goddard School Expansion at the Town Center at Twin
251 Hickory.

252

253 **LIGHTING PLAN**

254

LP/POD-92-04 Goddard School Expansion – Town Center @ Twin Hickory – Nuckols Road	B.O.B. Architecture for D & B Holdings, LLC: Request for approval of a lighting plan, as required by Chapter 24, Section 24-106 of the Henrico County Code. The 2.0-acre site is located along the south line of Old Nuckols Road, approximately 600 feet west of the intersection of Old Nuckols Road and Nuckols Road, between the existing Goddard School and Shady Grove Animal Clinic in the Town Center @ Twin Hickory Shopping Center on parcels 745-773-6955 and 745-773-9641. The zoning is B-2C, Business District (Conditional). (Three Chopt)
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255

256 Mr. Vanarsdall - Is there anyone in the audience in opposition to the lighting plan for
257 LP/POD-92-04, Goddard School Expansion, in the Three Chopt District? No opposition.

258

259 Mr. Branin - Mr. Chairman, I move for approval on the Expedited Agenda, the
260 lighting plan for LP/POD-92-04, Goddard School.

261

262 Mr. Archer - Second.

263

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

266 The Planning Commission approved the lighting plan for LP/POD-92-04, Goddard School
267 Expansion – Town Center @ Twin Hickory, subject to the standard conditions attached to
268 these minutes for lighting plans and the annotations on the plan.

269

270 Ms. News - Next on page 10 of your agenda and located in the Three Chopt District,
271 is a landscape plan, LP/POD-65-02, Fairfield Inn & Suites. There is an addendum item on
272 page 1 of your addendum indicating that there has been a revised plan included and a revised
273 recommendation for approval, and that the applicant has coordinated all conflicts between
274 easements and lighting and landscaping.

275

276 **LANDSCAPE PLAN**

277

LP/POD-65-02 Fairfield Inn & Suites – Mayland Drive	Mark Dowdy for Innkeeper Properties, Inc.: Request for approval of a landscape plan, as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code. The 2.0-acre site is located at 9937 Mayland Drive, south of Mayland Drive and east of Gaskins Road, on parcel 751-757-3597. The zoning is M-1, Light Industrial District. (Three Chopt)
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278

279 Mr. Vanarsdall Is there anyone in the audience in opposition to the landscape plan for
280 LP/POD-65-02, Fairfield Inn & Suites, in the Three Chopt District. No opposition.

281

282 Mr. Branin - Mr. Chairman, I move approval for landscape plan LP/POD-65-02,
283 Fairfield Inn & Suites, per staff's recommendation listed on page 1 of the addendum.

284

285 Mr. Archer - Second.

286

287 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mr. Archer. All
288 in favor say aye...all opposed say nay. The motion passes.

289

290 The Planning Commission approved the landscape plan for LP/POD-65-02, Fairfield Inn &
291 Suites, subject to the standard conditions attached to these minutes for landscape plans and the
292 annotations on the plan.

293

294 Ms. News - On page 24 of your agenda, and located in the Varina District, is POD-
295 50-05, which is POD-9-01 Expired, Elko Junction.

296 **PLAN OF DEVELOPMENT**

297

POD-50-05
Elko Junction – Elko Road
(POD-9-01 Expired)

E. D. Lewis & Associates, P.C. for Wilton Development Corporation: 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, 4,000 square foot office building. The 3.968-acre site is located at the northwest corner of Elko Road (State Route 156) and Old Elko Road on parcel 847-711-9746. The zoning is O-1C, Office District (Conditional). County water and sewer. **(Varina)**

298

299 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-50-05, Elko
300 Junction, in the Varina District? No opposition. Mr. Jernigan.

301

302 Mr. Jernigan - Mr. Chairman, I move for approval of POD-50-05, Elko Junction, on
303 Elko Road, subject to the annotations on the plans, the standard conditions for developments of
304 this type, and the following additional conditions Nos. 23 through 35, on the Expedited
305 Agenda.

306

307 Mr. Archer - Second.

308

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

311

312 The Planning Commission approved POD-50-05, Elko Junction (POD-9-01 Expired) subject to
313 the standard conditions attached to these minutes for developments of this type, the annotations
314 on the plans, and the following additional conditions:

315

316 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
317 screens, walls, fences, lighting and other site improvements shall be properly
318 maintained in good condition at all times. Any necessary repairs shall be made in a
319 timely manner.

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

325 25. The entrances and drainage facilities on Elko Road (State Route 156) shall be approved
326 by the Virginia Department of Transportation and the County.

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

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

- 332 28. The proffers approved as a part of zoning case C-7C-00 shall be incorporated in this
333 approval.
- 334 29. Any necessary off-site drainage and/or water and sewer easements must be obtained in
335 a form acceptable to the County Attorney prior to final approval of the construction
336 plans.
- 337 30. Deviations from County standards for pavement, curb or curb and gutter design shall be
338 approved by the County Engineer prior to final approval of the construction plans by
339 the Department of Public Works.
- 340 31. The applicant shall furnish proof to the Department of Planning that conditions
341 satisfactory to the Health Department have been met that insure the proposed septic
342 tank drainfield system is suitable for this project prior to the issuance of a building
343 permit.
- 344 32. Insurance Services Office (ISO) calculations must be included with the plans and
345 contracts and must be approved by the Department of Public Utilities prior to the
346 issuance of a building permit.
- 347 33. Approval of the construction plans by the Department of Public Works does not
348 establish the curb and gutter elevations along the Henrico County maintained right-of-
349 way. The elevations will be set by Henrico County.
- 350 34. Approval of the construction plans by the Department of Public Works does not
351 establish the curb and gutter elevations along the Virginia Department of Transportation
352 maintained right-of-way. The elevations will be set by the contractor and approved by
353 the Virginia Department of Transportation.
- 354 35. The location of all existing and proposed utility and mechanical equipment (including
355 HVAC units, electric meters, junction and accessory boxes, transformers, and
356 generators) shall be identified on the landscape plans. All equipment shall be screened
357 by such measures as determined appropriate by the Director of Planning or the
358 Planning Commission at the time of plan approval.

359
360 Ms. News - On page 28 of your agenda, located in the Three Chopt District, is POD-52-05,
361 which is POD-67-04 Revised, Primrose School @ Westerre Commons.

362

363 **PLAN OF DEVELOPMENT**

364

POD-52-05 Primrose School @ Westerre Commons - Westerre Parkway (POD-67-04 Revised)	Jordan Consulting Engineers, P.C. for Westerre Commons, LLC and Primrose School Franching Company: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 10,200 square foot children's day care facility. The 1.875-acre site is located on the south line of Westerre Parkway, approximately 500 feet east of Cox Road on part of parcel 748- 759-6017. The zoning is B-2C, Business District (Conditional). County water and sewer. (Three Chopt)
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365

366 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-52-05, Primrose
367 School @ Westerre Commons, in the Three Chopt District? No opposition. Mr. Branin.

368 Mr. Branin - Mr. Chairman, I move for approval of POD-52-05, Primrose School @
369 Westerre Commons, per staff's recommendation, on the Expedited Agenda.

370

371 Mr. Jernigan - Second.

372

373 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mr. Jernigan. All
374 in favor say aye...all opposed say nay. The motion passes.

375

376 The Planning Commission approved POD-52-05, Primrose School @ Westerre Commons
377 (POD-67-04 Revised) subject to the standard conditions attached to these minutes for
378 developments of this type, the annotations on the plan and the following additional conditions:

379

380 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
381 screens, walls, fences, lighting and other site improvements shall be properly
382 maintained in good condition at all times. Any necessary repairs shall be made in a
383 timely manner.

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

386 25. Outside storage shall not be permitted.

387 26. A 25-foot planting strip to preclude ingress or egress along the south side of Westerre
388 Parkway shall be shown on the approved plans. The details shall be included with the
389 required landscape plans for review and approval.

390 27. The certification of building permits, occupancy permits and change of occupancy
391 permits for individual units shall be based on the number of parking spaces required for
392 the proposed uses and the amount of parking available according to approved plans.

393 28. Any necessary off-site drainage and/or water and sewer easements must be obtained in
394 a form acceptable to the County Attorney prior to final approval of the construction
395 plans.

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

399 30. Storm water retention, based on the 50-10 concept, shall be incorporated into the
400 drainage plans.

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

404 32. Approval of the construction plans by the Department of Public Works does not
405 establish the curb and gutter elevations along the Henrico County maintained right-of-
406 way. The elevations will be set by Henrico County.

407 33. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
408 Department of Planning and approved prior to issuance of a certificate of occupancy for
409 this development.

410 34. The location of all existing and proposed utility and mechanical equipment (including
411 HVAC units, electric meters, junction and accessory boxes, transformers, and
412 generators) shall be identified on the landscape plans. All equipment shall be screened
413 by such measures as determined appropriate by the Director of Planning or the
414 Planning Commission at the time of plan approval.

415

416 Ms. News - Next on page 32 of your agenda and located in the Tuckahoe District, is
417 POD-55-05, Quioccasin Baptist Church – Parking Lot Addition (POD-57-02 Revised). There
418 is an addendum on page 5 of your addendum which includes a revised recommendation and
419 indicates that the outstanding issues regarding water quality have been addressed to the
420 satisfaction of the Department of Public Works and staff can now recommend approval.

421

422 **PLAN OF DEVELOPMENT**

423

POD-55-05 Quioccasin Baptist Church Parking Lot Addition– Quioccasin Road (POD-57-02 Revised)	Hulcher & Associates, Inc. for Trustees of Quioccasin Baptist Church: 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 parking lot addition. The 3.542-acre site is located along the south line of Quioccasin Road, approximately 260 feet east of Blue Jay Lane on parcel 751-745-9705. The zoning is R-3, One-Family Residential District. County water and sewer. (Tuckahoe)
-----------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

424

425 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-55-05, Quioccasin
426 Baptist Church Parking Lot Addition, in the Tuckahoe District? No opposition. Mrs. Jones.

427

428 Mrs. Jones - I move acceptance of POD-55-05, Quioccasin Baptist Church Parking
429 Lot Addition on the Expedited Agenda with the revised recommendation.

430

431 Mr. Archer - Second.

432

433 Mr. Vanarsdall - The motion was made by Mrs. Jones and seconded by Mr. Archer. All
434 in favor say aye...all opposed say nay. The motion passes.

435

436 The Planning Commission approved POD-55-05 Quioccasin Baptist Church Parking Lot
437 Addition (POD-57-02 Revised) subject to the standard conditions attached to these minutes for
438 developments of this type, the annotations on the plans, and the following additional
439 conditions:

440

441 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
442 screens, walls, fences, lighting and other site improvements shall be properly
443 maintained in good condition at all times. Any necessary repairs shall be made in a
444 timely manner.

- 445 24. The easements for drainage and utilities as shown on approved plans shall be granted to
446 the County in a form acceptable to the County Attorney prior to any occupancy permits
447 being issued. The easement plats and any other required information shall be submitted
448 to the County Real Property Agent at least sixty (60) days prior to requesting
449 occupancy permits.
- 450 25. The developer shall provide fire hydrants as required by the Department of Public
451 Utilities and Division of Fire.
- 452 26. Any necessary off-site drainage and/or water and sewer easements must be obtained in
453 a form acceptable to the County Attorney prior to final approval of the construction
454 plans.
- 455 27. Deviations from County standards for pavement, curb or curb and gutter design shall be
456 approved by the County Engineer prior to final approval of the construction plans by
457 the Department of Public Works.
- 458 28. Storm water retention, based on the 50-10 concept, shall be incorporated into the
459 drainage plans.

460
461 Ms. News - Next we have on page 36 of your agenda, and located in the Varina
462 District, POD-56-05, Coastal Towing. There is an addendum item on page 6 of your
463 addendum, which indicates that there has been a revised plan included in the addendum, which
464 shows a revised parking layout to provide the required drive aisle separation from Charles City
465 Road and shifting the BMP to allow for landscaping between the BMP and Charles City Road
466 and staff is now able to recommend approval.

467

468 **PLAN OF DEVELOPMENT**

469

POD-56-05
Coastal Towing -
2035 Charles City Road

Balzer & Associates, Inc. for Coastal Towing: Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 6,000 square foot building and storage yard for automobile repair and a towing service for inoperable vehicles. The 2.13-acre site is located at 2035 Charles City Road on parcel 810-712-1824. The zoning is M-2, General Industrial District. County water and septic tank/drainfield. **(Varina)**

470

471 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-56-05, Coastal
472 Towing, in the Varina District. No opposition. Mr. Jernigan.

473

474 Mr. Jernigan - Mr. Chairman, I move for approval of POD-56-05, Coastal Towing,
475 subject to the standard conditions for developments of this type, and the following additional
476 conditions Nos. 23 through 30 and the recommendation by staff on the addendum, and on the
477 Expedited Agenda.

478

479 Mr. Archer - Second.

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

482

483 The Planning Commission approved POD-56-05, Coastal Towing, subject to the standard
484 conditions attached to these minutes for developments of this type, the annotations on the
485 plans, and the following additional conditions:

486

487 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
488 screens, walls, fences, lighting and other site improvements shall be properly
489 maintained in good condition at all times. Any necessary repairs shall be made in a
490 timely manner.

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

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

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

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

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

506 29. Approval of the construction plans by the Department of Public Works does not
507 establish the curb and gutter elevations along the Henrico County maintained right-of-
508 way. The elevations will be set by Henrico County.

509 30. Storage of damaged and inoperable vehicles is limited to a maximum of 30 days provided
510 they are located within an enclosed area and screened by an opaque fence from public
511 view.

512 Ms. News - Next on page 45 of your agenda, and located in the Fairfield District, is
513 POD-60-05, which is POD-62-98 expired, Comfort Suites, which was formerly the Holiday Inn
514 Express. There is an addendum item on page 8 just to incorporate the name change to Comfort
515 Suites.

516

517 **PLAN OF DEVELOPMENT & LIGHTING PLAN**

518

POD-60-05
Comfort Suites
~~Holiday Inn Express—~~
~~Telegraph Road~~
(POD-62-98 Expired)

BGBT Design Group, PC for Prime Hospitality, LLC and Kaylan, Inc.: 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 two, five-story hotels, one with a total of 102 rooms and the second with a total of 64 rooms. The 3.57-acre site is located 400 feet north of the intersection of Debartolo Road and Telegraph Road, 1,130 feet north of JEB Stuart Parkway on parcel 786-770-8488. The zoning is O-3C, Office District (Conditional). County water and sewer. **(Fairfield)**

519

520 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-60-05, Comfort
521 Suites, in the Fairfield District? No opposition. Mr. Archer.

522

523 Mr. Archer - Mr. Chairman, I move approval on the Expedited Agenda of POD-60-
524 05, Comfort Suites, subject to the annotations on the plans, the standard conditions for
525 developments of this type, and additional condition No. 11B, Nos. 23 through 30 and the item
526 on the addendum.

527

528 Mr. Jernigan - Second.

529

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

532

533 The Planning Commission approved POD-60-05, Comfort Suites, subject to the standard
534 conditions attached to these minutes for developments of this type, the annotations on the
535 plans, and the following additional conditions:

536

537 11B. Prior to the approval of an electrical permit application and installation of the site lighting
538 equipment, a plan including light spread and intensity diagrams, and fixture specifications
539 and mounting heights details shall be revised as annotated on the staff plan and included
540 with the construction plans for final signature.

541 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
542 screens, walls, fences, lighting and other site improvements shall be properly
543 maintained in good condition at all times. Any necessary repairs shall be made in a
544 timely manner.

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

- 547 25. The proffers approved as a part of zoning case C-116C-88 shall be incorporated in this
 548 approval.
- 549 26. Any necessary off-site drainage and/or water and sewer easements must be obtained in
 550 a form acceptable to the County Attorney prior to final approval of the construction
 551 plans.
- 552 27. Deviations from County standards for pavement, curb or curb and gutter design shall be
 553 approved by the County Engineer prior to final approval of the construction plans by
 554 the Department of Public Works.
- 555 28. Insurance Services Office (ISO) calculations must be included with the plans and
 556 contracts and must be approved by the Department of Public Utilities prior to the
 557 issuance of a building permit.
- 558 29. Approval of the construction plans by the Department of Public Works does not
 559 establish the curb and gutter elevations along the Henrico County maintained right-of-
 560 way. The elevations will be set by Henrico County.
- 561 30. The location of all existing and proposed utility and mechanical equipment (including
 562 HVAC units, electric meters, junction and accessory boxes, transformers, and
 563 generators) shall be identified on the landscape plans. All equipment shall be screened
 564 by such measures as determined appropriate by the Director of Planning or the
 565 Planning Commission at the time of plan approval.

566
 567 Ms. News - On page 47 of your agenda, we have a subdivision, located in the Fairfield
 568 District, which is Spring Lake (July 2005 Plan) for 86 lots.

569
 570 **SUBDIVISION**

571
 Spring Lake
 (July 2005 Plan) -
 Mountain Road

**Timmons Group for Thomas W. Kenney and Terry Cave,
 c/o Rogers Chenault, Inc.:** The 43.34-acre site proposed for a
 subdivision of 86 single-family homes located at 2019
 Mountain Road along the south line of Mountain Road, 800
 feet south of Francis Road on parcel 777-764-6922. The
 zoning is R-3C, One-Family Residence District (Conditional)
 and C-1, Conservation District. County water and sewer.
(Fairfield) 86 Lots

572
 573 Mr. Vanarsdall - Is there anyone in the audience in opposition to subdivision Spring Lake
 574 (July 2005 Plan), in the Fairfield District? No opposition. Mr. Archer.

575
 576 Mr. Archer - Mr. Chairman, I move approval of Spring Lake (July 2005 Plan) on
 577 Mountain Road subject to the standard conditions for subdivisions served by water and sewer
 578 and the additional conditions Nos. 12, 13, and 14.

579
 580 Mr. Jernigan - Second.

581
 582 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mr. Jernigan.
 583 All in favor say aye...all opposed say nay. The motion passes.

584 The Planning Commission granted conditional approval to Spring Lake (July 2005 Plan)
585 subdivision, subject to the standard conditions attached to these minutes for subdivisions served
586 by public utilities, the annotations on the plans, and the following additional conditions:

587

588 12. The proffers approved as part of zoning case C-11C-05 shall be incorporated in this
589 approval.

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

593 14. The detailed plant list and specifications for the landscaping to be provided within the
594 25-foot-wide planting strip easement along Mountain Road shall be submitted to the
595 Department of Planning for review and approval prior to recordation of the plat.

596

597 Ms. News - Our final item is found on page 49 of the agenda, and it is located in the
598 Tuckahoe District, this is a subdivision for the Starling Drive Extension (September 2005 Plan)
599 which is the extension of Starling Drive in front of the new Tuckahoe Library.

600

601 **SUBDIVISION**

602

Starling Drive Extension (September 2005 Plan) Starling Drive @ Tuckahoe Library	Hankins & Anderson, Inc. for Henrico County, VA: The 9.25-acre site proposed for a public road dedication is located at 1901 Starling Drive, approximately 630 feet west of the intersection of the existing Starling Drive and Parham Road, on parcel 753-747-1611. The zoning is O-2, Office District, B-1, Business District and R-6C, General Residence District (Conditional). County water and sewer. (Tuckahoe) 0 Lot
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603

604 Mr. Vanarsdall - Is there anyone in the audience in opposition to this case, in the
605 Tuckahoe District, which is the Starling Drive Extension in the Tuckahoe Library? No
606 opposition. Mrs. Jones.

607

608 Mrs. Jones - I move for approval of Starling Drive Extension subdivision (September
609 2005 Plan) subject to the annotations on the plans and the standard conditions for subdivisions
610 served by public utilities and the additional conditions Nos. 12 and 13.

611

612 Mr. Jernigan - Second.

613

614 Mr. Vanarsdall - The motion was made by Mrs. Jones and seconded by Mr. Jernigan. All
615 in favor say aye...all opposed say nay. The motion passes.

616

617 The Planning Commission granted conditional approval to Starling Drive Extension
618 (September 2005 Plan) Starling Drive @ Tuckahoe Library, subject to the standard conditions
619 attached to these minutes for subdivisions served by public utilities and the following additional
620 conditions:

621

622 12. Any necessary offsite drainage easements must be obtained prior to approval of the
623 construction plan by the Department of Public Works.

624 13. The applicant shall submit a request for vacation of the excess right-of-way in the
625 existing Starling Drive to the Real Property Office prior to the recordation of the
626 subdivision plat.

627

628 Mr. Vanarsdall - I believe that is the last one.

629

630 Ms. News - That's all we have.

631

632 Mr. Vanarsdall - Thank you, Ms. News, you did a good job.

633

634 Mr. Silber - Next on the agenda would be the consideration of subdivision extensions
635 of conditional approval. All of those on the agenda today are being handled administratively.
636 So, these are listed for the Planning Commission's information only. It does not require any
637 action by the Planning Commission. Ms. Goggin is here if you have any questions of her on
638 any of these on any of these six subdivisions that are up for extension.

639

640 **FOR INFORMATIONAL PURPOSES ONLY**

641

Subdivision	Magisterial District	Original No. of Lots	Remaining Lots	Previous Extensions	Year(s) Extended Recommended
Bridleton Landing (September 2004 Plan)	Varina	158	158	0	1 Year 9/27/06
Britton Oaks, Section 1 (September 2004 Plan)	Varina	26	26	0	1 Year 9/27/06
Eagle's Nest (September 2003 Plan)	Varina	77	41	1	1 Year 9/27/06
Gill Dale Forest (September 2004 Plan)	Varina	34	34	0	1 Year 9/27/06
Hidden Haven (September 2004 Plan)	Varina	50	50	0	1 Year 9/27/06
Newstead Landing (September 2002 Plan)	Varina	30	17	2	1 Year 9/27/06

642

643 Mr. Vanarsdall - Are there any questions by Commission members? Mr. Jernigan, you
644 have all of them.

645

646 Mr. Jernigan - Yes, I do. That was the five-acre scare there.

647

648 Mr. Vanarsdall - Is that it?

649

650 Mr. Jernigan - Yes, sir.

651 Mr. Silber - If there are no questions on these extensions of subdivisions, we will
652 move on to the regular agenda to page 11. There is an addendum on this case with an
653 additional condition No. 7.

654

655 **LANDSCAPE & LIGHTING PLAN**

656

LP/POD-21-04 **Dayton Thompson & Associates for Bowl America:** Request
Bowl America - Pouncey for approval of a landscape and lighting plan, as required by
Tract Road Chapter 24, Sections 24-106 and 24-106.2 of the Henrico
County Code. The 3.61-acre site is located at the southwest
corner of Pouncey Tract Road and I-64 on parcel 739-763-
7089. The zoning is M-1C, Light Industrial District
(Conditional). **(Three Chopt)**

657

658 Mr. Vanarsdall - Is there anyone in the audience in opposition to LP/POD-21-04, Bowl
659 America, in the Three Chopt District? No opposition. Good morning, Mr. Kennedy.

660

661 Mr. Kennedy - Good morning. The revised landscape plan satisfies staff's
662 concerns regarding peripheral landscape screening around the Bowl America site. However,
663 additional peripheral and interior parking lot landscaping is required around the additional
664 parking provided next to the American Family Fitness site and that has not been shown. So,
665 staff has added a condition that would require that portion of the plan to come back to the
666 Planning Commission, at that time. They won't be able to get a CO until that time, but this
667 gives them the ability to start construction on the lighting and landscaping improvements on the
668 Bowl America site. There is an additional concern that staff has with regard to access to ring
669 Road of the Short Pump Town Center and that will be addressed prior to that time as well. We
670 will have that addressed as well before then. I should note, as part of the landscaping, that
671 there is a specimen oak tree on the site that staff have the developer redesign their site to save,
672 that specimen oak tree, which is over sixty inches in diameter has been saved and it's thriving
673 and was protected during construction. And they have maintained it, and we hope to maintain
674 it through the development of the complete shopping center.

675

676 Mr. Vanarsdall - Are there any questions of Mr. Kennedy by Commission members?

677

678 Mr. Branin - Mr. Kennedy, is the applicant here today?

679

680 Mr. Weisensale? - I'm Stephen Weisensale of Architects, Dayton & Thompson,
681 representing Bowl America.

682

683 Mr. Branin - Okay, Mr. Thompson, (sic) with your plan I don't see the additional
684 road that is suppose to go around the back of Bowl America into the mall. Wouldn't this affect
685 your landscaping plan? I know in the original POD....

686

687 Mr. Weisensale - Mr. Kennedy, do you have the actual plan from Jordan that shows it?

688

689 Mr. Branin - Are you familiar with what I am referring to?
690

691 Mr. Weisensale - Not entirely because Bowl America actually hired Jordan Engineers to
692 develop the original POD for all of the site improvement, when we were retained, we are
693 designing the building, and we were retained to do the landscape and lighting plan subsequent
694 to that because Jordan Engineers does not do landscape and lighting plans. So, I'm not
695 familiar, unfortunately, with the road issues. I do know there are some agreements in hand
696 between Levy Properties and Bowl America on some of that development.
697

698 Mr. Branin - And that is the one thing that is concerning me because if I'm going to
699 approve the landscaping plan and the actual site is going to change then the landscaping plan
700 that I'm going to hold you to won't include that.
701

702 Mr. Weisensale - Oh, you are talking about the road that runs along side which is shown
703 as Short Pump Mini Storage, a future development off of the Bowl America site.
704

705 Mr. Silber - The Planning Commissioner is referring to an access from this property
706 to the west that would go through the Park Place development and tie into the ring road at the
707 Town Center.
708

709 Mr. Weisensale - And while Bowl America does not have direct control over that because
710 that is off of their property, Bowl America purchased their property from Levy some time ago,
711 but purchased the Bowl America property only. And, then also agreed to facilitate the
712 landscape and lighting approval on the expanded parking lot that you see down at the bottom of
713 the sheet above the American Family (referring to rendering). That's the extent of the Bowl
714 America involvement. I also have Mr. Tom Elbel here from Sandmarks & Anderson who may
715 be able to address that somewhat. He's Bowl America counsel. But in terms of Levy's, I'm
716 not sure of a schedule for Levy's plans in terms of developing that road but we could certainly
717 pose that question to them as we develop the landscape and lighting plan for them on the other
718 parcel. We will certainly have them address that.
719

720 Mr. Branin - I would like for the counsel to speak as well, but I would just hate to get
721 tied into a plan that I approve with you that's going to change and then you have to go through
722 the whole process again to alter it.
723

724 Mr. Weisensale - And unfortunately, as I said, being that that's actually another property
725 owner that we are not working for, I can't speak to whether they have changed anything
726 regarding that mini-storage parking lot layout that you see there. I can't speak to whether they
727 have changed anything on there or not. I'm not aware that they have, but I can't say that they
728 haven't. I would think that would have to come back via Jordan Engineering through the
729 process since that road is already shown on here. I think it is implied that, that it is agreed to,
730 I would certainly agree to that but I can't speak on Levy's behalf because I'm not here to
731 represent them.

732 Mr. Silber - Mr. Branin, I think it would be appropriate to hear from the legal
733 adviser for Bowl America. I think in this particular case there is a condition that was approved
734 with the Bowl America plan of development that does require that access be provided to the
735 west, as a part of that POD, and I think that it indicates that has to be provided prior to the
736 issuance of a certificate of occupancy. I believe there is some requirement that ties Bowl
737 America to having this completed, and who make those improvements may be elaborated on by
738 their attorney.

739

740 Mr. Ebel - Good morning. I'm Tom Ebel with Sandsmark & Anderson for Bowl
741 America. It is my understanding, and we are focusing today on the landscape and lighting
742 plan, but it is my understanding that the issues, with respect to the ring road or in the process
743 of being resolved, and I haven't seen this particular site plan, but I believe that that road goes
744 across the Short Pump property. And if that road is required and is put in, in advance of this
745 CO, then it would be part of the landscape and lighting plan on the Short Pump property and
746 that is what we would be coming back with. I do have to say that I am not.... It was my
747 understanding that that road would not necessarily be required in order to get a CO because it
748 is in part something beyond our control and I have the documentation on that in my office.
749 But, it's certainly something I understand that everybody is working on and we are negotiating
750 with the Park Place people in order to get that road through there. It was my understanding
751 that the final, at the time of the issuance of the POD, that was an issue and it would not
752 necessarily be required in order for Bowl America to get its CO but it would be required in
753 order for Short Pump to develop its property.

754

755 Mr. Vanarsdall - Was there any kind of proffer on it at the rezoning case?

756

757 Mr. Silber - I do not believe there was a proffer condition that required it. I do
758 believe there was a condition with a plan of development for the Bowl America.

759

760 Mr. Vanarsdall - I think it was on something because I remember us discussing it.

761

762 Mr. Silber - What I may recommend to the Commission is that this landscape plan be
763 approved as it has been indicated their obligation is to provide a landscape and lighting plan for
764 Bowl America and the access that heads out, basically, to the south. I think the obligation to
765 provide landscaping to this access to the west, would fall in someone else's dime. I think that it
766 is important that everyone be informed that that road will be expected to be constructed and it
767 may be required, we may need to check the conditions, but maybe required prior to the
768 issuance of CO for Bowl America. So, I think that needs to be explored further and clarified.

769

770 Mr. Ebel - We will certainly look into it further. I know that was an issue at the
771 time of the issuance of the POD and there was discussion about it. It was my understanding
772 that everyone certainly hoped it would be there and we are working to try to get it through
773 there, but some of it is beyond the control of Short Pump and Bowl America. I understand the
774 Commission's position. We will definitely explore that.

775

776 Mr. Branin - Counsel, what is your name, again?

777 Mr. Ebel - My name is Tom Ebel, E B E L.
778

779 Mr. Branin - Tom, if you could, we will proceed further with this, but it does concern
780 me because I know that that road is in the original conditions, which was prior to me being on
781 the Commission. I'm going to give you my card, when you come off the stand, please. And
782 give me a call and update me as soon as possible.
783

784 Mr. Ebel - I will and we will definitely explore it.
785

786 Mr. Branin - I don't want to hold up Bowl America with its CO.
787

788 Mr. Ebel - Thank you. We will look into it.
789

790 Mr. Branin - Okay. Thank you.
791

792 Mr. Vanarsdall - Mr. Secretary, how will this be notated other than this conversation we
793 just had? Should something be added to the plan?
794

795 Mr. Silber - Mr. Chairman, I'm not sure if we need to add anything to the plan. I
796 think staff will stay on top of this. It is an issue that's important to us and I think we will be
797 tracking it.
798

799 Mr. Vanarsdall - All right. Are there any questions by Commission members? Mr.
800 Branin.
801

802 Mr. Branin - Mr. Chairman, I move for approval of LP/POD-21-04, Bowl America,
803 per the staff's recommendation including addendum No. 7.
804

805 Mr. Archer - Second.
806

807 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mr. Archer. All
808 in favor say aye...all opposed say nay. The motion passes.
809

810 The Planning Commission approved the landscape and lighting plan for LP/POD-21-04, Bowl
811 America, subject to the standard conditions attached to these minutes for landscape and lighting
812 plans, the annotations on the plans and the following additional condition:
813

814 7. A landscape and lighting plan for the additional parking area adjacent to American
815 Family Fitness site shall be submitted for Planning Commission review and approval
816 prior to the approval of a final Certificate of Occupancy.

817 **PLAN OF DEVELOPMENT RECONSIDERATION**

818

POD-91-04
Nova Addition and
Temporary Trailer –
Gayton Road

Wiley & Wilson, Inc. for Ridgeview Inc. and Nova of Virginia Aquatics: Request for reconsideration of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code, for approval of a revised, phased plan to construct the previously approved one-story building addition totaling 53,880 square feet with a pool addition, parking, site improvements, and to authorize a temporary sales/office trailer. The 5.5-acre site is located on the east side of Gayton Road, 925 feet north of Cambridge Drive on parcel 732-749-5405. The zoning is B-1, Business District. County water and sewer. **(Tuckahoe)**

819

820 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-91-04, Nova
821 Addition and Temporary Trailer, in the Tuckahoe District? No opposition. Good morning,
822 again, Mr. Kennedy.

823

824 Mr. Kennedy - Good morning, again. The plan submitted for reconsideration permits
825 the proposed pool expansion to be constructed in phases. Basically, what they are doing, they
826 ran out of money to construct the whole thing. So, what they are going to be doing is
827 constructing the first pool addition which is to the north which is a 25-meter pool. There is a
828 plan for a future expansion of the existing 25-meter pool to the south which would turn that
829 into a 50-meter pool, that will be a later phase, and a therapeutic pool in the front which will
830 also be a later phase. So, what they are going to move forward with now is the 25-meter pool
831 to the north and all of the parking improvements that they proposed.

832

833 In the meantime, what they are also requesting is a temporary trailer, office trailer/sales trailer,
834 to put their shop in. The intention is just to permit them to do, on a temporary basis, to
835 relocate those facilities rather than do any construction. They intend to relocate those facilities
836 back inside the building because their sales are actually better when it's inside the building.
837 People won't shop when it's separated by a construction area. But, they do need to relocate
838 those facilities temporarily, so they have requested a temporary trailer. And this would
839 authorize the trailer for a two-year period.

840

841 Mr. Vanarsdall - Are there any questions for Mr. Kennedy?

842

843 Mrs. Jones - Mr. Kennedy, is the applicant here?

844

845 Mr. Kennedy - Yes.

846

847 Mrs. Jones - I have just one or two questions, if someone wouldn't mind coming
848 forward.

849

850 Mr. Vanarsdall - Good morning.

851 Mrs. Jones - Good morning.

852

853 Mr. Downey - Good morning. My name is Norman Downey with Wiley & Wilson.
854 We are representing Nova of Virginia. With me today is Wayne Kitch. He is on the Board of
855 Directors with Nova.

856

857 Mrs. Jones - Let me just ask, either one of you. The trailer for sale of bathing suits
858 and other items, if this is approved, it is a two-year approval? Realistically, how long do you
859 think you are going to have it on the site?

860

861 Mr. Downey - The plans are to move forward with the front expansion as soon as
862 money is available. The fundraising is looking for about a million dollars to get to that point.
863 Realistically, I think it's going to take all of two years to do that.

864

865 Mrs. Jones - And there are other trailers on the site related to construction at the
866 moment, is there not?

867

868 Mr. Downey - There are construction trailers on site which will move off-site once the
869 Phase I is complete, that's the project that is under construction now. If money becomes
870 available, appropriately, they may stay on site for the Phase II construction which will be the
871 front area. The front area would then house the main entrance to the pool. It would house the
872 swim shop and also some coach's offices.

873

874 Mrs. Jones - How has the unfortunately, unearthing, of the Gayton mines impacted
875 your construction?

876

877 Mr. Downey - That's interesting. In my opinion, it's a little bit overzealous the way the
878 articles are read. We have found what they call maybe a vent shaft, which is a small diameter
879 shaft, that may run out into where the parking lot is but it is fairly deep, which runs down to a
880 fairly deep shaft that is overlaid by rocks. We are having some CORP samples taking around
881 the building now. But, the fee that was giving to us by the geotechnical engineer indicates that
882 there's going to be about 20 feet of rock just that we have bore though just to get into the area
883 where they expect they may find a mine shaft. What we have done with the vent shaft is we
884 filled that with concrete, and that is completely closed off. And that vent shaft actually falls
885 into a portion of the pool and a portion of the building. So, we feel like we have covered the
886 building support and the pool support by the vent shaft with the concrete. The shaft that they
887 are exploring, that may be out there farther, is located in the north parking lot. That's where
888 they seem to think that is. And with the loads that we are putting on the parking loads, we
889 have actually taking about seven feet of fill material to get down to the parking lot grade. The
890 loads that we are taking off the ground by taking the fill off is much more than what the load
891 of the parking area would be. So, we feel like we are unloading the weight on the shaft as it
892 may be, so to speak, as opposed to putting more weight on it.

893 Mrs. Jones - Would you say that's a major contributor to the request to phase or it just
894 happen to come along after you needed to phase it anyhow?

895

896 Mr. Downey - It came along after we needed to phase it anyhow. I think the funding....
897 The issue is, basically, from the time we did our initial concept design for the pool, the cost of
898 construction has skyrocketed and these initial concepts we did several years ago. And also the
899 fundraising has not been as zealous as we have expected. So, we are really looking at a more
900 slower pace as far as expansion goes. But, I think the initial thing is to get the next 25-meter
901 pool in which we are doing now. That will really take a lot of burden off of the pool that is
902 there and allow the swimmers to have a better competitive program. The program now is just
903 overloaded. We've got our senior group going in at 4:00 a.m. in the morning as opposed to
904 4:30. So, that they can have two senior practices, basically.

905

906 Mrs. Jones - I know this is a successful program and I wish you well with the
907 expansion. I would sincerely expect the sales trailer be gone within the timeframe and
908 hopefully no extension of that will need to be requested.

909

910 Mr. Downey - We hope so too. And the sales are very important to the club. If we
911 could locate that off site, we would do that. But, do feel like it's primarily there to serve the
912 kids and pool. To get their mother's a bathing suit and everything like that, they have to buy,
913 and they can do that while they are there at practice. And to move it off site would hinder it
914 even more. And it's a big fundraiser for Nova. It raises probably \$60,000.00 a year in profits
915 and it's all volunteered.

916

917 Mrs. Jones - Well, I just wanted to let you know how I felt about that.

918

919 Mr. Downey - We understand. We feel the same.

920

921 Mrs. Jones - We wish you well in the next two years. Thank you.

922

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

924

925 Mrs. Jones - I move for the approval of POD-91-04, Nova Addition and Temporary
926 Trailer on Gayton Road. In addition to the standard conditions for this type of development,
927 there will be additional conditions Nos. 23 through 32.

928

929 Mr. Jernigan - Second.

930

931 Mr. Vanarsdall - The motion was made by Mrs. Jones and seconded by Mr. Jernigan. All
932 in favor say aye...all opposed say nay. The motion passes.

933

934 The Planning Commission approved POD-91-04, Nova Addition and Temporary Trailer,
935 subject to the standard conditions attached to these minutes for developments of this type, the
936 annotations on the plans and the following additional conditions:

937

- 938 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
939 screens, walls, fences, lighting and other site improvements shall be properly
940 maintained in good condition at all times. Any necessary repairs shall be made in a
941 timely manner.
- 942 24. The right-of-way for widening of Gayton Road as shown on approved plans shall be
943 dedicated to the County prior to any occupancy permits being issued. The right-of-way
944 dedication plat and any other required information shall be submitted to the County
945 Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
- 946 25. The easements for drainage and utilities as shown on approved plans shall be granted to
947 the County in a form acceptable to the County Attorney prior to any occupancy permits
948 being issued. The easement plats and any other required information shall be submitted
949 to the County Real Property Agent at least sixty (60) days prior to requesting
950 occupancy permits.
- 951 26. The developer shall provide fire hydrants as required by the Department of Public
952 Utilities and Division of Fire.
- 953 27. Any necessary off-site drainage and/or water and sewer easements must be obtained in
954 a form acceptable to the County Attorney prior to final approval of the construction
955 plans.
- 956 28. Deviations from County standards for pavement, curb or curb and gutter design shall be
957 approved by the County Engineer prior to final approval of the construction plans by
958 the Department of Public Works.
- 959 29. Insurance Services Office (ISO) calculations must be included with the plans and
960 contracts and must be approved by the Department of Public Utilities prior to the
961 issuance of a building permit.
- 962 30. Approval of the construction plans by the Department of Public Works does not
963 establish the curb and gutter elevations along the Henrico County maintained right-of-
964 way. The elevations will be set by Henrico County
- 965 31. The location of all existing and proposed utility and mechanical equipment (including
966 HVAC units, electric meters, junction and accessory boxes, transformers, and
967 generators) shall be identified on the landscape plans. All equipment shall be screened
968 by such measures as determined appropriate by the Director of Planning or the
969 Planning Commission at the time of plan approval.
- 970 32. A plan for the removal of the trailer shall be submitted or the trailers shall be removed
971 within two years of the date of this approval.

972 **PLAN OF DEVELOPMENT & MASTER PLAN**

973

POD-25-05 –Rocketts
Landing Phase I –
Land Bay 4B –
Old Osborne Turnpike

Wiley & Wilson, Inc. for Central Virginia Investments/Rocketts Landing LLC: Request for approval of a plan of development and master plan as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct Phase 1 improvements in Land Bay 4B consisting of a 39,000 square foot, four-story office building (12E), a 100,000 square foot, five-story building containing 83 residential condominium units (14A), an 11,000 square foot, three-story office building (14B), seven, three and four-story buildings containing a total of 32 residential townhouse units each having an attached 2-car garage (14C-F and 15A-C), an 88,000 square foot, four-story parking deck for 242 vehicles (12C) and a 113,000 square foot, seven-story building containing 49 residential condominium units with parking under the building (15E). The master plan would authorize proposed improvements to be constructed in separate phases. The 9.82-acre site is located on the south side of Old Osborne Turnpike (State Route 5), where it intersects the Richmond City line, 150 feet east of Orleans Street on parcels 797-713-5542 and 797-713-4210. The zoning is UMUC, Urban Mixed Use District (Conditional). County water and sewer. **(Varina)**

974

975 Mr. Vanarsdall - In addition to that, I see that Mr. R. L. Ablehoff has just joined us. We
976 call him Rocketts Landing Ablehoff now. Is there anyone in the audience in opposition to
977 POD-25-05, Rocketts Landing Phase I, in the Varina District? No opposition. Mr. Strauss.

978

979 Mr. Strauss - Thank you, Mr. Chairman. The application before you this morning is
980 for Phase I of the Rocketts Landing project which is one of three UMU (Urban Mixed Uses)
981 districts currently in progress in Henrico County. This phase is for POD approval of
982 approximately 10 acres of the project area. That is referred to as Land Bay 4B which is
983 bounded by Orleans Street to the north, Route 5 to the east, and Hudson Street to the south.
984 At the center of the site is Old Main Street and Rocketts Way which intersects in a roundabout
985 and there are two other land bays, Land Bay 5 and 6 which this Commission will see at a later
986 date. The applicant currently has subdivision plan approval, subdivision construction plan
987 approval, and water and sewer plan approval for the utilities on Old Main street. This POD
988 approval would allow the applicant to pursue approval of final construction plans for some of
989 the buildings in Land Bay 4B. You can see in this graphic (referring to rendering on the
990 screen) there are heavily shaded or colored in buildings. These are the buildings which this
991 POD would grant approval for. These buildings, here, in 4B would be approved later. And
992 Randy read the list of buildings. We have a four-story office building, 12E, here, that's a 41-
993 foot-high four-story office building. There is a parking deck to the immediate west of that, a
994 242-space parking deck. There is also a condominium project, the Cedar Works 14A, in this
995 location. That's a five-story building of 62 feet in height. And then the rest of these
996 buildings, here, are townhouses. There are 32 townhouses of three and four stories. And

997 finally there is a condominium building, here, I believe it is called the Fall Line Condominium,
998 with 49 dwelling units.

999

1000 The staff and various agencies have reviewed this plan of development extensively and they are
1001 recommending approval. You will note in your agenda this morning that there are numerous
1002 conditions of approval some of which are unique to this project. This is a multi-jurisdictional
1003 project involving the City of Richmond, it involves Route 5 and then it, again, involves VDOT
1004 and CSX Railroad, they are also involved.

1005

1006 The applicant is currently working through the road design issues with those agencies in order
1007 to get final approval of the road widening and the construction plans for Route 5. Therefore,
1008 we have conditions Nos. 36 through 56 many of which deal with the timing and approval of
1009 the right-of-way dedication plats, easement plats, for the widening of Route 5 and the extension
1010 of utilities and the internal streets to Route 5. And that would be conditions Nos. 39, 40, 41,
1011 42, 44 and 45.

1012

1013 There are also conditions Nos. 46 and 47 that address the need to bond the improvements for
1014 Route 5 prior to building permit, and to complete these road-widening improvements, prior to
1015 CO. Conditions Nos. 48 through 51 address the need for the applicant to come back to this
1016 Commission to seek conditional approval for subdivision plats for the dedication of the internal
1017 streets and the townhouse unit lots and the timing of recordation of these plats prior to
1018 approval of construction plans and building permits.

1019

1020 The last conditions Nos. 52 through 56 address such things as decorative treatment of service
1021 alleyways, traffic control and construction operation staging plans and a CEPTED plan to
1022 follow through with recommendation from the Division of Police.

1023

1024 So, you can see that there are quite a few details to this first phase of the project and of course
1025 this Commission will be seeing this project again in the near future. With that, I will be happy
1026 to answer any questions you may have and we have Mr. Ablehoff here, and he has his
1027 architect and civil engineer here with us today as well.

1028

1029 Mr. Vanarsdall - Are there any questions for Mr. Strauss? Thank you, Jim. Do you want
1030 to hear from the applicant, Mr. Jernigan?

1031

1032 Mr. Jernigan - No. I think staff and myself have been over this enough. I think we
1033 have got all of the basics covered on this. I want to start out by saying that I want to thank Jim
1034 Strauss and Mike Kennedy for both putting a lot of effort in on this case. It required a lot of
1035 detail work. Of course, one of the things is that we do not have Route 5 yet and we wanted to
1036 move forward with this project and that is what we normally don't do. We like to have all of
1037 our roads and everything correct. And staff had on the addendum their concerns and they are
1038 so noted in the conditions Nos. 39 through 45. But with that, unless Mr. Ablehoff, or Jason,
1039 Richard, y'all want to say anything, I'm ready to make a motion on this.

1040

1041 Mr. Silber - Mr. Jernigan, let me maybe just point out one comment, if I may, before

1042 you make a motion.

1043

1044 Mr. Jernigan - Okay.

1045

1046 Mr. Silber - As you can see there are a lot of conditions that staff has placed on this
1047 plan of development. Many of these conditions reflect the lack of information we have on
1048 Route 5 at this point. I just want to put the applicant on notice that we are moving forward.
1049 We are excited about this. We do want to move forward but there is a lot that's in your court
1050 as far as needing information. We need information that relates to Route 5. Without that
1051 information there will be delays in the future. We are satisfied with moving forward at this
1052 point but there are many conditions here that have requirements that need to be fulfilled in the
1053 near future. So, I just wanted to remind you that we are looking forward to more detailed
1054 information on Route 5. It does involve some additional information and property from the
1055 Railroad, but there are a lot of conditions here that will be expected to be met. I just wanted to
1056 make that comment. I think there is also, on condition No. 47, there may be a word missing.

1057

1058 Mr. Vanarsdall - Yes, I marked that too.

1059

1060 Mr. Silber - On the third line I think it should say "Land Bay 4 shall "be" completed
1061 prior to...." Insert the word "be" after the word shall. Thank you, Mr. Jernigan.

1062

1063 Mr. Vanarsdall - I just want to say as long as I've been on the Commission I've never
1064 seen one to equal this. And I don't mean the three or four pages of conditions, I mean....
1065 When I came to Richmond I always wondered why there was nothing on the river because I've
1066 traveled a bit in the Air Force and different places and cities, in and out of the country, and
1067 they always had something at the river. So, this is wonderful.

1068

1069 Mr. Branin - Mr. Chairman, I would like to congratulate Mr. Jernigan on hard work.
1070 When other districts started to take on UMUs, like Three Chopt is about to, it is a ton of work
1071 and a lot goes into it. So, Mr. Jernigan, congratulations.

1072

1073 Mr. Jernigan - Thank you. Well, I want to tell you. Staff did the work on this. I mean,
1074 when they gave it to me it was (unintelligible). Mr. Kennedy and Mr. Strauss did a lot of
1075 work on this. Plus, the owners, the developers and all.

1076

1077 Mr. Vanarsdall - You ought to see the plans when they roll them up. They look like one
1078 of the drainpipes that they are going to use.

1079

1080 Mr. Jernigan - This is the small version.

1081

1082 Mr. Vanarsdall - Yes, we got the small version.

1083

1084 Mr. Jernigan - But, anyway, we are happy to have this project in Varina and we are
1085 happy to have it in Henrico County and we are looking forward to it and that's reason we are
1086 willing to work with you a little bit and get this Route 5 situation straight, but as Mr. Silber

1087 said the ball is in your court and you need to move with it. So, Mr. Chairman, with that, I
1088 will move for approval of POD-25-05, Rocketts Landing Phase 1 – Land Bay 4B on Old
1089 Osborne Turnpike subject to the annotations on the plans, the standard conditions for
1090 developments of this type and the following additional conditions Nos. 23 through 56. And
1091 with staff’s recommendation, but also note in there the staff concerns on the addendum.

1092

1093 Mrs. Jones - Second.

1094

1095 Mr. Vanarsdall - The motion was made by Mr. Jernigan and seconded by Mrs. Jones. All
1096 in favor say aye...all opposed say nay. The motion passes.

1097

1098 The Planning Commission approved POD-25-05, Rocketts Landing Phase 1 – Land Bay 4B,
1099 subject to the standard conditions attached to these minutes for developments of this type, the
1100 annotations on the plans and the following additional conditions are recommended:

1101

1102 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
1103 screens, walls, fences, lighting and other site improvements shall be properly
1104 maintained in good condition at all times. Any necessary repairs shall be made in a
1105 timely manner.

1106 24. The unit house numbers shall be visible from the parking areas and drives.

1107 25. The names of streets, drives, courts and parking areas shall be approved by the Richmond
1108 Regional Planning District Commission and such names shall be included on the
1109 construction plans prior to their approval. The standard street name signs shall be
1110 ordered from the County and installed prior to any occupancy permit approval.

1111 26. The easements for drainage and utilities as shown on approved plans shall be granted to
1112 the County in a form acceptable to the County Attorney prior to any occupancy permits
1113 being issued. The easement plats and any other required information shall be submitted
1114 to the County Real Property Agent at least sixty (60) days prior to requesting
1115 occupancy permits.

1116 27. The limits and elevations of the 100-year frequency flood shall be conspicuously noted
1117 on the plan “Limits of 100 Year Floodplain.” In addition, the delineated 100-year
1118 floodplain must be labeled “Variable Width Drainage and Utility Easement.” The
1119 easement shall be granted to the County prior to the issuance of any occupancy permits.

1120 28. The entrances and drainage facilities on Old Osborne Turnpike (State Route 5) shall be
1121 approved by the Virginia Department of Transportation and the County.

1122 29. A notice of completion form, certifying that the requirements of the Virginia
1123 Department of Transportation entrances permit have been completed, shall be submitted
1124 to the Department of Planning prior to any occupancy permits being issued.

1125 30. The developer shall provide fire hydrants as required by the Department of Public
1126 Utilities and Division of Fire.

1127 31. The proffers and conditions approved as a part of zoning case C-55C-04 and
1128 provisional use permit cases P-14-04 and P-4-05 shall be incorporated in this approval.

1129 32. Any necessary off-site drainage and/or water and sewer easements must be obtained in
1130 a form acceptable to the County Attorney prior to final approval of the construction
1131 plans.

- 1132 33. Deviations from County standards for pavement, curb or curb and gutter design shall be
1133 approved by the County Engineer prior to final approval of the construction plans by
1134 the Department of Public Works.
- 1135 34. Insurance Services Office (ISO) calculations must be included with the plans and
1136 contracts and must be approved by the Department of Public Utilities prior to the
1137 issuance of a building permit.
- 1138 35. Approval of the construction plans by the Department of Public Works does not
1139 establish the curb and gutter elevations along the Virginia Department of Transportation
1140 maintained right-of-way. The elevations will be set by the contractor and approved by
1141 the Virginia Department of Transportation.
- 1142 36. The portion of proposed Main Street right of way located within the City of Richmond
1143 and any necessary offsite easements for the proposed sanitary sewer outfalls into the
1144 City of Richmond system shall be recorded prior to the approval of final construction
1145 plans.
- 1146 37. The portion of proposed Main Street right of way located within the County and any
1147 necessary offsite easements shown on the tentative plat for Rocketts Landing Phase One
1148 shall be recorded prior to the approval of final construction plans.
- 1149 38. The proposed sanitary sewer outfall into the City of Richmond system shall be accepted
1150 by the City for maintenance prior to the issuance of any Certificates of Occupancy. The
1151 Developer shall coordinate plan review with the City and provide evidence to the
1152 Director of Public Utilities that the City's requirements are satisfied.
- 1153 39. The owner of the strip of property adjacent to the west side of State Route 5 (Old
1154 Osborne Turnpike) shall dedicate all right of way and easements determined necessary
1155 by the Director of Public Works and the Virginia Department of Transportation
1156 (VDOT), for the widening of State Route 5 (Old Osborne Turnpike), in accordance
1157 with the proffers and the traffic impact study, prior to the approval of final construction
1158 plans for any portion of the property adjacent to State Route 5.
- 1159 40. The owner of the strip of property adjacent to the west side of State Route 5 (Old
1160 Osborne Turnpike) shall dedicate all right of way easements determined necessary by
1161 the Director of Public Works for the extension of Rocketts Way and Old Hudson Street
1162 in accordance with the proffers and the traffic impact study, prior to the approval of
1163 final construction plans for any portion of the property adjacent to State Route 5.
- 1164 41. A construction plan for the proposed offsite water main extension along State Route 5
1165 (Old Osborne Turnpike) and connection into the City of Richmond system shall be
1166 approved by the Department of Public Utilities, the City of Richmond, VDOT and the
1167 State Health Department prior to the approval of final construction plans. The
1168 Developer shall coordinate plan review with the City of Richmond, VDOT and the
1169 State Health Department, and provide evidence that their requirements are satisfied.
- 1170 42. offsite easements necessary for the proposed offsite water main extension along State
1171 Route 5 (Old Osborne Turnpike) and connection into the City of Richmond system shall
1172 be recorded prior to the approval of final construction plans.
- 1173 43. The proposed water main connection into the City of Richmond system shall be
1174 accepted by the City for maintenance prior to the issuance of any Certificates of
1175 Occupancy. The developer shall coordinate plan review with the City and provide
1176 evidence to the Director of Public Utilities that the City's requirements are satisfied.

- 1177 44. The proposed offsite water main extension along State Route 5 (Old Osborne Turnpike)
1178 shall be accepted by the County for maintenance prior to the issuance of any
1179 Certificates of Occupancy.
- 1180 45. A construction plan for the widening of State Route 5 (Old Osborne Turnpike) and
1181 streetscape improvements along the west side of State Route 5 (Old Osborne Turnpike)
1182 abutting Land Bay 4, in accordance with the proffers and the developer's traffic study,
1183 shall be approved by the Department of Public Works, the Department of Planning, and
1184 VDOT prior to the approval of final construction plans for any portion of the property
1185 adjacent to State Route 5 (Old Osborne Turnpike). The Developer shall coordinate plan
1186 review with VDOT, and provide evidence that VDOT's requirements are satisfied.
- 1187 46. A performance bond for all required improvements to State Route 5 (Old Osborne
1188 Turnpike) including streetscape improvements along the west side of State Route 5 (Old
1189 Osborne Turnpike) abutting Land Bay 4 shall be posted prior to the issuance of any
1190 building permits for any portion of the property adjacent to State Route 5 (Old Osborne
1191 Turnpike).
- 1192 47. All improvements to State Route 5 (Old Osborne Turnpike) including streetscape
1193 improvements along the west side of State Route 5 (Old Osborne Turnpike) abutting
1194 Land Bay 4 shall be completed prior to the issuance of any Certificates of Occupancy
1195 for any portion of the property adjacent to State Route 5 (Old Osborne Turnpike),
1196 unless an exception is approved by the Directors of Public Works and Planning.
- 1197 48. A conditional subdivision plat for the dedication of Rocketts Way and Old Hudson
1198 Street shall be submitted for Planning Commission review and approval prior to the
1199 approval of any final construction plans abutting any portion of those proposed streets.
- 1200 49. A subdivision plat for the dedication of Rocketts Way and Old Hudson Street shall be
1201 recorded prior to the approval of any building permits for property abutting any portion
1202 of those proposed streets.
- 1203 50. A conditional subdivision plat for the townhouse lots shall be submitted for Planning
1204 Commission review and approval prior to the approval of any construction plans for
1205 any portion of the proposed townhouses.
- 1206 51. A subdivision plat for the townhouses shall be recorded prior to the approval of any
1207 building permits for any portion of the proposed townhouses.
- 1208 52. The service alleys shall be improved in accordance with the proffered design guidelines
1209 with a decorative pavement treatment that shall be submitted for review and approval
1210 by the Director of Planning prior to approval of final construction plans.
- 1211 53. A traffic control plan shall be approved by the County Traffic Engineer prior to the
1212 final approval of construction plans for any restricted structured parking.
- 1213 54. A CPTED plan shall be submitted to the Division of Police for review, prior to the
1214 approval of construction plans for any office building or multi-family residential
1215 building.
- 1216 55. A construction staging plan which includes details for traffic control, fire protection,
1217 stockpile locations, construction fencing, and construction trailer locations, shall be
1218 submitted for County review and prior to the approval of any final construction plans.
- 1219 56. The unfinished walls of the parking deck (Building No. 12C) shall be covered with a
1220 cityscape mural, of such design as approved by the Director of Planning, within no
1221 more than two years from the date a Certificate of Occupancy is issued for the parking

1222 deck. However, this requirement may be waived at the discretion of the Director of
1223 Planning, if a POD is approved for the adjoining property within two years; or if a
1224 building permit is approved for an adjoining property within three years; or other
1225 cause. This requirement shall apply separately to each unfinished face of the building.

1226

1227 **PLAN OF DEVELOPMENT RECONSIDERATION**

1228

POD-53-03 Revised
Dominion Village –
Creighton Road and
Laburnum Avenue
(Formerly POD-53-03
and POD-47-03)

Koontz & Bryant for EDJ Associates, Inc.: Request for reconsideration of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, 4,030 square foot retail building, a one-story, 3,400 square foot bank and a one-story, 12,187 square foot day care center. The 2.92-acre site is located at the southeast corner of Creighton Road and Laburnum Avenue on parcels 809-728-3075 and 809-729-7165. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Fairfield)**

1229

1230 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-53-03, Revised
1231 Dominion Village, in the Fairfield District? No opposition. Mr. Kennedy.

1232

1233 Mr. Kennedy - Good morning, again. This plan was substituted for a previous plan that
1234 authorize a slightly smaller day care center, a smaller bank facility with fewer drive-thru lanes,
1235 and add in an office building. Otherwise, it's coordinated with the design of the previous plan.
1236 All of the buildings are of colonial design. We have a landscape plan which will be moved
1237 forward next month. It is a significant development in the area, and behind it is a large
1238 townhouse project which is considered a part of this project and we are happy to recommend
1239 approval.

1240

1241 Mr. Vanarsdall - Are there any questions of Mr. Kennedy by Commission members?

1242

1243 Mr. Archer - I don't have any, Mr. Chairman. I don't think we need to hear from
1244 anyone on this. Mr. Kennedy and I discussed this yesterday and it seems like everything has
1245 been worked out satisfactorily. There was a little more than a minor deviation from original
1246 plan but certainly acceptable. So with that, I would move for approval subject to the
1247 annotations on the plan, the standard conditions for developments of this type, and the
1248 additional conditions Nos. 23 through 35.

1249

1250 Mr. Jernigan - Second.

1251

1252 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mr. Jernigan.
1253 All in favor say aye...all opposed say nay. The motion passes.

1254 The Planning Commission approved POD-53-03, Revised Dominion Village (Formerly POD-
1255 53-03 and POD-47-03) subject to the standard conditions attached to these minutes for
1256 developments of this type, the annotations on the plans and the following additional conditions:

- 1257
- 1258 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
1259 screens, walls, fences, lighting and other site improvements shall be properly
1260 maintained in good condition at all times. Any necessary repairs shall be made in a
1261 timely manner.
- 1262 24. Only retail business establishments permitted in a B-3 zone may be located in this center.
- 1263 25. The ground area covered by all the buildings shall not exceed in the aggregate 25 percent
1264 of the total site area.
- 1265 26. No merchandise shall be displayed or stored outside of the building(s) or on sidewalk(s).
- 1266 27. The right-of-way for widening of Laburnum Avenue as shown on approved plans shall
1267 be dedicated to the County prior to any occupancy permits being issued. The right-of-
1268 way dedication plat and any other required information shall be submitted to the County
1269 Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
- 1270 28. The easements for drainage and utilities as shown on approved plans shall be granted to
1271 the County in a form acceptable to the County Attorney prior to any occupancy permits
1272 being issued. The easement plats and any other required information shall be submitted
1273 to the County Real Property Agent at least sixty (60) days prior to requesting
1274 occupancy permits.
- 1275 29. Outside storage shall not be permitted.
- 1276 30. The proffers approved as a part of zoning case C-9C-03 shall be incorporated in this
1277 approval.
- 1278 31. Any necessary off-site drainage and/or water and sewer easements must be obtained in
1279 a form acceptable to the County Attorney prior to final approval of the construction
1280 plans.
- 1281 32. Deviations from County standards for pavement, curb or curb and gutter design shall be
1282 approved by the County Engineer prior to final approval of the construction plans by
1283 the Department of Public Works.
- 1284 33. Insurance Services Office (ISO) calculations must be included with the plans and
1285 contracts and must be approved by the Department of Public Utilities prior to the
1286 issuance of a building permit.
- 1287 34. Approval of the construction plans by the Department of Public Works does not
1288 establish the curb and gutter elevations along the Henrico County maintained right-of-
1289 way. The elevations will be set by Henrico County.
- 1290 35. The location of all existing and proposed utility and mechanical equipment (including
1291 HVAC units, electric meters, junction and accessory boxes, transformers, and
1292 generators) shall be identified on the landscape plans. All equipment shall be screened
1293 by such measures as determined appropriate by the Director of Planning or the
1294 Planning Commission at the time of plan approval.

1295

1296 **PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION**

1297

POD-43-05

Dave's Auto Spa – Sadler
Road

**Bay Design Group, P.C. for The Allante Corporation and
Dave's Auto Spa:** Request for approval of a plan of
development and transitional buffer deviation as required by
Chapter 24, Sections 24-106 and 24-106.2(e)(3) of the Henrico

County Code, to construct a 3,720 square foot automatic car wash facility. The 1.16-acre site is located on the south line of Sadler Road, approximately 350 feet west of Dominion Boulevard on part of parcel 747-761-2937. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Three Chopt)**

1298

1299 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-43-05, Dave's Auto
1300 Spa, in the Three Chopt District? No opposition. Good morning, Ms. Goggin.

1301

1302 Ms. Goggin - Good morning. The site is adjacent to R-6 zoning on the western
1303 property line and the new Moore Hummer on the south and eastern property lines. Code
1304 requires a 35-foot transitional buffer which is being reduced with a proffered six-foot,
1305 decorative, concrete wall to 23 feet. The applicant can provide 19 feet from the western
1306 property line and request that the Planning Commission reduce the buffer an additional four
1307 feet to meet Public Works Traffic Division's drive aisle with requirements and still provide a
1308 parking lot landscape strip between the proposed vehicle drying area and the Hummer
1309 Dealership. A four-foot deviation was requested and approved by the Planning Commission
1310 for the Hummer Dealership earlier this year, so this development will not be any closer to the
1311 western property line than the dealership.

1312

1313 I would like to take a moment to note that on the annotated plan in your agenda, it indicates
1314 that a 24-foot buffer is required, after the wall reduction, but the annotation should be 23 feet.
1315 Should the Commission choose to grant this transitional buffer deviation, staff can recommend
1316 approval subject to the annotations on the plans, the standard conditions for developments of
1317 this type, conditions Nos. 23 through 35 in the agenda. A separate motion should be made if
1318 the Commission chooses to grant this transitional buffer reduction. Dan Caskie, the site
1319 engineer and the developer, are here if you have any questions for them. And I will be happy
1320 to answer any questions the Commission may have.

1321

1322 Mr. Vanarsdall - Are there any questions for Ms. Goggin by Commission members? No
1323 questions. Do you want to hear from the applicant, Mr. Branin?

1324

1325 Mr. Branin - No, I don't think it's necessary.

1326

1327 Mr. Vanarsdall - Thank you, Ms. Goggin. Entertain a motion.

1328 Mr. Branin - Okay, Mr. Chairman. I move for approval of POD-43-05, Dave's Auto
1329 Spa, per staff's recommendations and standard conditions, the annotations on the plans and
1330 including conditions Nos. 23 through 35 as well as the transitional buffer of four feet
1331 deviation.

1332

1333 Mr. Archer - Second.

1334

1335 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mr. Archer. All
1336 in favor say aye...all opposed say nay. The motion passes.

1337

1338 The Planning Commission approved POD-43-05, Dave's Auto Spa, subject to the standard
1339 conditions attached to these minutes for developments of this type, the annotations on the
1340 plans, the transitional buffer deviation and the following additional conditions:

1341

1342 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
1343 screens, walls, fences, lighting and other site improvements shall be properly
1344 maintained in good condition at all times. Any necessary repairs shall be made in a
1345 timely manner.

1346 24. The easements for drainage and utilities as shown on approved plans shall be granted to
1347 the County in a form acceptable to the County Attorney prior to any occupancy permits
1348 being issued. The easement plats and any other required information shall be submitted
1349 to the County Real Property Agent at least sixty (60) days prior to requesting
1350 occupancy permits.

1351 25. The developer shall provide fire hydrants as required by the Department of Public
1352 Utilities and Division of Fire.

1353 26. Outside storage shall not be permitted.

1354 27. The proffers approved as a part of zoning case C-26C-05 shall be incorporated in this
1355 approval.

1356 28. The certification of building permits, occupancy permits and change of occupancy
1357 permits for individual units shall be based on the number of parking spaces required for
1358 the proposed uses and the amount of parking available according to approved plans.

1359 29. Any necessary off-site drainage and/or water and sewer easements must be obtained in
1360 a form acceptable to the County Attorney prior to final approval of the construction
1361 plans.

1362 30. Deviations from County standards for pavement, curb or curb and gutter design shall be
1363 approved by the County Engineer prior to final approval of the construction plans by
1364 the Department of Public Works.

1365 31. Insurance Services Office (ISO) calculations must be included with the plans and
1366 contracts and must be approved by the Department of Public Utilities prior to the
1367 issuance of a building permit.

1368 32. Approval of the construction plans by the Department of Public Works does not
1369 establish the curb and gutter elevations along the Henrico County maintained right-of-
1370 way. The elevations will be set by Henrico County.

1371 33. The owner or manager on duty shall be responsible for temporarily closing the car
1372 facility when the on-site stacking space is inadequate to serve customer demand to

1373 prevent a backup of vehicles onto the public right-of-way. The owner shall arrange with
1374 the Traffic Engineer to provide standard traffic control signs to notify customers that
1375 stopping or standing on the public right-of-way shall not be permitted near the entrances
1376 to the car wash facility.
1377 34. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
1378 Department of Planning and approved prior to issuance of a certificate of occupancy for
1379 this development.
1380 35. The location of all existing and proposed utility and mechanical equipment (including
1381 HVAC units, electric meters, junction and accessory boxes, transformers, and
1382 generators) shall be identified on the landscape plans. All equipment shall be screened
1383 by such measures as determined appropriate by the Director of Planning or the
1384 Planning Commission at the time of plan approval.
1385

1386 **PLAN OF DEVELOPMENT**

1387

POD-49-05
Ridgefield Commons –
Ridgefield Parkway
and Pump Road

Dean Hawkins, ASLA for Ridgefield Commons, LLC:
Request for approval of a plan of development as required by
Chapter 24, Section 24-106 of the Henrico County Code, to
construct three, one-story office buildings totaling 17,700
square feet. The 2.06-acre site is located at the northeast
corner of Pump Road and Ridgefield Parkway on parcel 741-
751-7865. The zoning is O-2C, Office District (Conditional).
County water and sewer. **(Tuckahoe)**

1388

1389 Mr. Silber - There is an addendum item for this case which includes the addition of
1390 No. 9 and No. 11 amended.

1391

1392 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-49-05, Ridgefield
1393 Commons, in the Tuckahoe District? No opposition. Mr. Kennedy.

1394

1395 Mr. Kennedy - You may know that this building is readily recognized by the flag painted
1396 on the side of the cinderblock building. It is an old farmhouse that is currently abandon. The
1397 farm has fallen into disrepair. The neighborhood has significant participation in this process
1398 and as of a result there are significant transitional buffers around all four sides of the property
1399 that are required. In order to keep the involvement of the process we are recommending Nos.
1400 9 and 11 amended and with that we can recommend approval. The neighborhood hopes we
1401 move forward to remove the building that's there, it is kind of an eyesore now, and to get
1402 started with construction as soon as possible. The buildings themselves will be one-story brick
1403 buildings with gable roofs. We have asked for the decorative gables to be added on all sides of
1404 the buildings and the developer has agreed to that. So, they will have residential appearance
1405 and will have minimal impact on the adjoining neighborhood. It's at a significant intersection
1406 so it is not appropriate for residential use but a great transitional use and we feel that this will
1407 be a very successful project. Thank you.

1408 Mr. Vanarsdall - Are there any questions for Mr. Kennedy? No questions. Would you
1409 like to hear from the applicant, Mrs. Jones?

1410

1411 Mrs. Jones - No, I don't think so.

1412

1413 Mr. Vanarsdall - All right, entertain a motion.

1414

1415 Mrs. Jones - This is another one of these cases that far predates me but I'm happy to
1416 see it moving forward. I move for approval of POD-49-05, Ridgefield Commons, subject to
1417 the annotations on the plans, the standard conditions for developments of this type, additional
1418 conditions Nos. 23 through 34 and Nos. 9 and 11 amended.

1419

1420 Mr. Jernigan - Second.

1421

1422 Mr. Vanarsdall - The motion was made by Mrs. Jones and seconded by Mr. Jernigan. All
1423 in favor say aye...all opposed say nay. The motion passes.

1424

1425 Mr. Silber - Before we move on, Mr. Hawkins were you representing the applicant
1426 on this case? It has come to our attention that there is an existing house on the property that is
1427 vacant and may be being vandalized and there is some concern expressed by adjacent property
1428 owners. Can you speak to that please?

1429

1430 Mr. Hawkins - We are glad to have the approval this morning and we are ready to move
1431 ahead as soon as we possibly can to remove the structures from the site. If you give me a land
1432 disturbance permit this afternoon, we will do it tomorrow.

1433

1434 Mr. Silber - We will move as quickly as we can.

1435

1436 Mrs. Jones - Full speed ahead.

1437

1438 The Planning Commission approved POD-49-05, Ridgefield Commons, subject to the standard
1439 conditions attached to these minutes, the annotations on the plans and the following additional
1440 conditions:

1441

1442 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
1443 Planning for review and Planning Commission approval prior to the issuance of any
1444 occupancy permits.

1445 11. **AMENDED** - Prior to the installation of the site lighting equipment, a plan including
1446 depictions of light spread and intensity diagrams, and fixture and specifications and
1447 mounting height details shall be submitted for Department of Planning review and
1448 Planning Commission approval.

1449 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
1450 screens, walls, fences, lighting and other site improvements shall be properly
1451 maintained in good condition at all times. Any necessary repairs shall be made in a
1452 timely manner.

- 1453 24. The easements for drainage and utilities as shown on approved plans shall be granted to
1454 the County in a form acceptable to the County Attorney prior to any occupancy permits
1455 being issued. The easement plats and any other required information shall be submitted
1456 to the County Real Property Agent at least sixty (60) days prior to requesting
1457 occupancy permits.
- 1458 25. Outside storage shall not be permitted.
- 1459 26. The proffers approved as a part of zoning case C-63C-03 shall be incorporated in this
1460 approval.
- 1461 27. Any necessary off-site drainage and/or water and sewer easements must be obtained in
1462 a form acceptable to the County Attorney prior to final approval of the construction
1463 plans.
- 1464 28. Deviations from County standards for pavement, curb or curb and gutter design shall be
1465 approved by the County Engineer prior to final approval of the construction plans by
1466 the Department of Public Works.
- 1467 29. Storm water retention, based on the 50-10 concept, shall be incorporated into the
1468 drainage plans.
- 1469 30. Insurance Services Office (ISO) calculations must be included with the plans and
1470 contracts and must be approved by the Department of Public Utilities prior to the
1471 issuance of a building permit.
- 1472 31. Approval of the construction plans by the Department of Public Works does not
1473 establish the curb and gutter elevations along the Henrico County maintained right-of-
1474 way. The elevations will be set by Henrico County.
- 1475 32. The location of all existing and proposed utility and mechanical equipment (including
1476 HVAC units, electric meters, junction and accessory boxes, transformers, and
1477 generators) shall be identified on the landscape plans. All equipment shall be screened
1478 by such measures as determined appropriate by the Director of Planning or the
1479 Planning Commission at the time of plan approval.
- 1480 33. Prior to approval of construction plans a draft declaration of covenants and deed
1481 restrictions for the maintenance of the common area by a owners association and for
1482 architectural control must be submitted for review and approval by the Department of
1483 Planning and shall be in form and substance satisfactory to the County Attorney and
1484 shall be recorded prior to the issuance of Building Permits.
- 1485 34. The certification of building permits, occupancy permits and change of occupancy
1486 permits for individual units shall be based on the number of parking spaces required for
1487 the proposed uses and the amount of parking available according to approved plans.

1488 **PLAN OF DEVELOPMENT & LIGHTING PLAN**

1489

POD-51-05
Cracker Barrel @ Gaskins
Place

Design & Engineering, Inc. for Commonwealth Foundation for Cancer Research and Cracker Barrel Old Country Stores, Inc.: 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 one-story, 10,101 square foot restaurant and retail building. The 2.87-acre site is located along the east line of Gaskins Road, approximately 300 feet south of Mayland Drive, on part of parcel 752-757-0556. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Three Chopt)**

1490

1491 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-51-05, Cracker
1492 Barrel @ Gaskins Place, in the Three Chopt District? It will seem funny to go to a nearby
1493 Cracker Barrel without a suitcase. When you travel you stop by the Cracker Barrel. I guess
1494 we'll just have to pack a smaller bag. No opposition. Mr. Wilhite.

1495

1496 Mr. Wilhite - Good morning. You just received a revised lighting plan. One was
1497 included in your packet but staff did not have the opportunity to do the review. We have
1498 completed a review of that plan at this time and the annotations that staff have is provided on
1499 the copy that you just received. There are a couple of issues dealing with the lighting. First of
1500 all, along Gaskins Road there is an area of low-light levels which staff has recommended that
1501 the applicant address either by adding another light fixture along Gaskins Road or possibly it
1502 could be done by moving the two light fixtures at either corner of that parking lot there, more
1503 towards the middle. The applicant has agreed to address that situation. In addition, there are
1504 two decorative post type fixtures in the front of the building along the Gaskins Road side which
1505 are using 250-watt metal halide fixtures which staff feels could cause a glare problem. We
1506 recommended the applicant reduce that down to 175-foot watt fixtures. I think the applicant is
1507 in agreement with the rest of the staff's comments on the revised lighting plan.

1508

1509 As far as the architectural plans are concerned, there are no proffers on this site that deal with
1510 architectural design. However, there are covenants which require the applicant to go through
1511 architectural review approval through the Deep Run Association. At this point, staff had
1512 requested a confirmation that they had approved the plans and we have yet to receive that at
1513 this point. The applicant is here, Kevin Kerbo, from Cracker Barrel can address that item. I'll
1514 be happy to answer any questions that you have.

1515

1516 Mr. Vanarsdall - Are there any questions of Mr. Wilhite from Commission members?

1517

1518 Mr. Branin - I would like to hear from the applicant. Good morning.

1519

1520 Mr. Kerbo - Good morning. My name is Kevin Kerbo with Cracker Barrel Old
1521 Country Stores.

1522 Mr. Branin - Good morning, Mr. Kerbo. How are you?
1523

1524 Mr. Kerbo - I'm doing fine.
1525

1526 Mr. Branin - Have you guys spoken with Deep Run?
1527

1528 Mr. Kerbo - Yes, sir. I know it seems unbelievable that we are here this morning
1529 asking you folks to approve our plans when we don't have the architectural review board
1530 approval. We have had more than a couple of meetings with them and we are making very
1531 good progress in my estimation toward that. There are a couple of issues out there that... Let
1532 me say that I think they are going to be worked out. We know that we have to work them out.
1533 It has nothing to do with the color of the building or the size of the building or the location of
1534 the building on the plans. You know, as much as we travel trying to open the number of
1535 stores that we do every year. One of the reasons that we don't have resolution on this is
1536 because we have been trying to work in earnest with the other party and they are working with
1537 us, but the last conversation we had was a couple of weeks ago and I know it is hard to believe
1538 but it's going to be the end of October before the travel schedules of both parties permit us to
1539 have another meeting up here with them. I'm basically, and this may fall on death ear, but I'm
1540 asking you to please give consideration and go ahead and approve our plans with the
1541 understanding that we know that we can't go forward with breaking ground or anything like
1542 that or pulling permits until we have the ARB approval, and we think that we are going to get
1543 that.

1544

1545 Mr. Branin - First, I would like to say I think Cracker Barrel is a great restaurant and
1546 I would be happy to have it in Henrico County and I would be happy to have it in the Three
1547 Chopt District. Now I know you guys have a standard design and I want to know what, if you
1548 may allow me to know, what is being discussed between you and Deep Run because their
1549 architectural standards are very strict and from what I understand, Cracker Barrel has a pretty
1550 strict idea of what you all want your shops to look like.

1551

1552 Mr. Kerbo - I'll answer the questions in the order that you posed them. The concern
1553 that Deep Run has to my understanding, and this was in a meeting that I was present at back in
1554 mid August. To the best of my knowledge it has to do with the board and batten appearance of
1555 our building.

1556

1557 Mr. Branin - Correct.
1558

1559 Mr. Kerbo - Okay. There was some confusion in some submittals that were made
1560 early on, and that wasn't faired out until deep into the process. To my knowledge that is the
1561 outstanding issue.

1562

1563 Mr. Branin - And can you tell me where you all stand on that issue?
1564

1565 Mr. Kerbo - To my knowledge, we are going to have to have those battens. That's
1566 my understanding. But, there again, sir, both parties are going to be meeting just as soon as

1567 schedules allow. And, again, I've been told it will be late October before that's possible. To
1568 answer your second question, in recent years we've moved off of the, this is the way it's going
1569 to be or we are not going into this development. We have moved off of that quite a bit. I
1570 think that, I know Mr. Wilhite has a lot projects he works on, but I think that we have come in
1571 with quite a few embellishments to the building from our standard prototype. I think from
1572 everything I've heard from Deep Run so far that they are okay. They are impressed with our
1573 efforts to be aware that we are in a very nice, upscale, development and we want to fit in as
1574 much as we can. I know when you go into a development like this you want the theme to run
1575 through the entire development. For instance, we are putting about a 32-inch stone knee wall
1576 all around the building. That's one of the many things that we are doing. We are doing more
1577 to this building than we did at the building we constructed about two years ago in Chesterfield
1578 County, down on Highway 360.

1579

1580 Mr. Silber - Mr. Kerbo, do you ever put pitched roofs on your buildings?

1581

1582 Mr. Kerbo - No, sir. We just typically have the straight walls and then on the front
1583 of the building we will have the slanted, metal, porch overhang.

1584

1585 Mr. Silber - I guess the question I might have, and maybe Mr. Wilhite can help me
1586 with this, if the Planning Commissioner approves this plan of development and lighting plan
1587 with these elevations, and some other plan comes out of this approval process with Deep Run,
1588 to what extent would the Planning Commission need to see those elevations, or reconsider
1589 those elevations?

1590

1591 Mr. Wilhite- That's the key question. Depending on what happens with the
1592 architectural review committee we may see changes from where the plan was submitted here.
1593 We would have to make a determination whether or not the changes are significant enough to
1594 have them to come back before the Planning Commission for re-approval. At this point, we
1595 can't anticipate what those changes are going to be.

1596

1597 Mr. Silber - Okay. So as long as the applicant understands that if the Commission
1598 decides to move forward today, it may require them to come back before the Planning
1599 Commission if significant changes are made.

1600

1601 Mr. Wilhite - Yes.

1602

1603 Mr. Jernigan - I want to ask Mr. Kerbo a question. Anywhere in the country do you
1604 have any buildings that don't look like the rest of them around here that have the lapboard
1605 siding?

1606

1607 Mr. Kerbo - No, sir.

1608

1609 Mr. Jernigan- So, you kind of consider that your corporate logo?

1610

1611 Mr. Kerbo - It's a part of our trade dress, yes, sir.

1612 Mr. Vanarsdall - You say, you don't have any others in the country that don't look like
1613 each other? Is that what you said?
1614

1615 Mr. Kerbo - With regard to the battens on the walls, all the stores have the board and
1616 batten appearance.
1617

1618 Mr. Branin - Mr. Chairman, they've never done a brick one.
1619

1620 Mr. Jernigan - Yes. Well, that's what I want.
1621

1622 Mr. Kerbo - Well, not Chesterfield. We did what we call the brick-knee wall which is
1623 32 inches all the way around the building. That's all that we have done here.
1624

1625 Mr. Branin - Now, just for conservation sake, would Cracker Barrel ever consider
1626 doing a complete brick building?
1627

1628 Mr. Kerbo - With my knowledge of our standards, I'll call them, our desires, no, sir,
1629 we wouldn't.
1630

1631 Mr. Branin - Okay.
1632

1633 Mr. Jernigan - Mr. Kerbo, let me ask you. Were you ever in discussions with another
1634 building in Varina, now off of Route 5, were you around for that?
1635

1636 Mr. Kerbo - Sir, I wouldn't be involved in that. I'm in the construction department in
1637 the permitting section and I'm not involved in the procurement of the land or the seeking out
1638 the sites.
1639

1640 Mr. Jernigan - Well, I head at one time that you all were looking down our way but
1641 there was a discussion on brick and your people said flat "no, it's not going to be a brick
1642 building" and I was just wondering if you were involved in that.
1643

1644 Mr. Kerbo - Well, again, I don't know about that particular site but the second part of
1645 what you said, it wouldn't surprise me.
1646

1647 Mr. Jernigan - I don't blame you.
1648

1649 Mr. Branin - Mr. Kerbo, can you tell me when your meeting is going to be exactly
1650 with Deep Run?
1651

1652 Mr. Kerbo - The latest information I received earlier, well last week, was that it was going to
1653 be toward the end of October. Sir, that's as good as can give you. I know efforts our being
1654 made to secure a date for it.

1655 Mr. Vanarsdall - I don't know if you have enough information that you want to
1656 recommend approval, Mr. Branin.

1657

1658 Mr. Branin - Mr. Chairman, I think Deep Run will be the deciding factor as much as
1659 we would because if they can't come to an understanding, and my main concern is not that the
1660 building itself, it's the Deep Run Association, the standards they've set. And if they are not
1661 capable of meeting the Deep Run standards then it wouldn't be approved by Deep Run.

1662

1663 Mr. Kerbo - I think both parties want to do this deal. I think when you deal with a
1664 site as long as the period we've been involved in it, you can kind of get a feel as to whether or
1665 not there is some interests on both parties, on both sides, in getting things wrapped up, and I
1666 think that's there.

1667

1668 Mr. Branin - Would you do me one more favor before we make a motion on this?
1669 Would you call your corporate headquarters and tell them that Tommy said they really need to
1670 change their attitude with the siding. Just tell them Tommy said it.

1671

1672 Mr. Kerbo - With the what?

1673

1674 Mr. Branin - With the siding. Tell them we like brick in Virginia.

1675

1676 Mr. Kerbo - Okay. I'll pass it along, I promise you.

1677

1678 Mr. Branin - If they have any questions, tell them to call me.

1679

1680 Mr. Kerbo - Okay.

1681

1682 Mr. Branin - Mr. Chairman, I'm going to go ahead and proceed forward with this
1683 because if the elevations do change, they will have to bring them back to us and I'll be in
1684 contact with the Deep Run Association to make sure that they are on top of it.

1685

1686 Mr. Archer - Is that a condition or a matter of record or what?

1687

1688 Mr. Silber - I think it is just a matter of record. I think if the elevations change
1689 substantially we will bring them back.

1690

1691 Mr. Archer - Okay.

1692

1693 Mr. Vanarsdall - All right.

1694

1695 Mr. Branin - So, Mr. Chairman, I move for approval of POD-51-05, per staff's
1696 recommendation, including conditions Nos. 11B and 23 through 33.

1697

1698 Mr. Jernigan - Second.

1699

1700 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mr. Jernigan. All
1701 in favor say aye...all opposed say nay. The motion passes.

1702

1703 The Planning Commission approved POD-51-05, Cracker Barrel @ Gaskins Place, subject to
1704 the standard conditions attached to these minutes for developments of this type, the annotations
1705 on the plans and the following additional conditions:

1706

1707 11B. Prior to the approval of an electrical permit application and installation of the site lighting
1708 equipment, a plan including light spread and intensity diagrams, and fixture specifications
1709 and mounting heights details shall be revised as annotated.

1710 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
1711 screens, walls, fences, lighting and other site improvements shall be properly
1712 maintained in good condition at all times. Any necessary repairs shall be made in a
1713 timely manner.

1714 24. The easements for drainage and utilities as shown on approved plans shall be granted to
1715 the County in a form acceptable to the County Attorney prior to any occupancy permits
1716 being issued. The easement plats and any other required information shall be submitted
1717 to the County Real Property Agent at least sixty (60) days prior to requesting
1718 occupancy permits.

1719 25. The developer shall provide fire hydrants as required by the Department of Public
1720 Utilities and Division of Fire.

1721 26. Outside storage shall not be permitted.

1722 27. The proffers approved as a part of zoning case C-7C-81 shall be incorporated in this
1723 approval.

1724 28. The developer shall install an adequate restaurant ventilating and exhaust system to
1725 minimize smoke, odors, and grease vapors. The plans and specifications shall be
1726 included with the building permit application for review and approval. If, in the
1727 opinion of the County, the type system provided is not effective, the Commission
1728 retains the rights to review and direct the type of system to be used.

1729 29. Any necessary off-site drainage and/or water and sewer easements must be obtained in
1730 a form acceptable to the County Attorney prior to final approval of the construction
1731 plans.

1732 30. Deviations from County standards for pavement, curb or curb and gutter design shall be
1733 approved by the County Engineer prior to final approval of the construction plans by
1734 the Department of Public Works.

1735 31. Approval of the construction plans by the Department of Public Works does not
1736 establish the curb and gutter elevations along the Henrico County maintained right-of-
1737 way. The elevations will be set by Henrico County.

1738 32. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
1739 Department of Planning and approved prior to issuance of a certificate of occupancy for
1740 this development.

1741 33. The location of all existing and proposed utility and mechanical equipment (including
1742 HVAC units, electric meters, junction and accessory boxes, transformers, and
1743 generators) shall be identified on the landscape plans. All equipment shall be screened
1744 by such measures as determined appropriate by the Director of Planning or the
1745 Planning Commission at the time of plan approval.

1746

1747 **PLAN OF DEVELOPMENT & TRANSITIONAL BUFFER DEVIATION**

1748

POD-53-05 **Hulcher & Associates, Inc. for D. W. Thomas:** Request for
Hillbilly Red's Barbeque – approval of a plan of development and transitional buffer
353 E. Williamsburg Road deviation as required by Chapter 24, Sections 24-106 and 24-
106.2(e)(3) of the Henrico County Code, to construct a one-
story, 2,200 square foot restaurant. The .5-acre site is located
on the south line of E. Williamsburg Road (U.S. Route 60)
approximately 100 feet east of Eastlake Drive on parcel 829-
715-7028. The zoning is B-1 Business District and ASO,
Airport Safety Overlay District. County water and sewer.
(Varina)

1749

1750 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-53-05, Hillbilly
1751 Red's Barbeque, in the Varina District? No opposition. Good morning, again, Ms. Goggin.

1752

1753 Ms. Goggin - Good morning. A revised annotated plan is in your handout addendum.
1754 The staff has completed its review of the plan and it addresses concerns with possible traffic
1755 conflicts with customer parking and Williamsburg Road. Staff annotated the plan and the
1756 applicant has agreed to work with staff to move the dumpster away from the rear property line
1757 as much as possible while still permitting refuse vehicles maneuvering. The proposed
1758 restaurant is located on a small parcel and is adjacent to Hunters Run subdivision. The zoning
1759 classification requires a 10-foot transitional buffer which can be reduced to a five-foot planting
1760 strip with a six-foot fence. The applicant proposes a six-foot vinyl-clad fence that will match
1761 the fence at Roma's Pizzeria which is located approximately 200 feet east of this development,
1762 right over here (referring to map on screen). Unfortunately, the applicant isn't able to provide
1763 the five-foot planting strip due to site constraints and right-of-way dedication. Therefore, the
1764 applicant requests the Planning Commission approve a transitional buffer deviation to waive
1765 the five-foot planting strip. And, to make Cracker Barrel a little bit jealous, here are their
1766 architectural (referring to architectural on the screen).

1767

1768 Should the Planning Commission approve the transitional buffer deviation request, staff can
1769 recommend approval subject to the annotations on the revised plan, the standard conditions for
1770 developments of this type, conditions Nos. 23 through 27 on the agenda. A separate motion
1771 should be made if the Commission chooses to grant the transitional buffer reduction. Bruce
1772 Hulcher, the site engineer, and Mr. Thomas the developer are here for any questions the
1773 Commission may have and I will be happy to answer any that the Commission may have.

1774 Mr. Jernigan - Christina, we've worked out all of the additional problems we had the
1775 day we met.
1776
1777 Ms. Goggin - Yes, sir.
1778
1779 Mr. Jernigan - On this building... This is a nice looking building and I think it will be an
1780 asset to the east end. This building originally started out at 2,600 feet and with parking
1781 constraints has cut it to 2,200 square feet. On the transitional buffer I believe Mr. Thomas said
1782 he would be willing to put a little extra landscaping up on the front portion to make sure that
1783 we have plenty because he's not putting it in the back. Correct?
1784
1785 Ms. Goggin - Yes, sir.
1786
1787 Mr. Vanarsdall - Are there any more questions for Ms. Goggin? Thank you, Ms. Goggin.
1788 Do you want to hear from the applicant, Mr. Jernigan?
1789
1790 Mr. Jernigan - No, sir, I don't. I think this is ready.
1791
1792 Mr. Vanarsdall - Entertain a motion.
1793
1794 Mr. Jernigan - I'm going to let Mr. Archer make the motion on this, please.
1795
1796 Mr. Archer - All right. Mr. Chairman, I will first move for approval of the
1797 transitional buffer deviation.
1798
1799 Mr. Jernigan - Second.
1800
1801 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mr. Jernigan.
1802 All in favor say aye...all opposed say nay. I really don't understand. If he couldn't make the
1803 motion, how he could seconded it.
1804
1805 Mr. Jernigan - Because a second is just so you can vote on it.
1806
1807 Mr. Vanarsdall - Okay.
1808
1809 Mr. Archer - Okay. With that, I will move for approval of POD-53-05, Hillbilly
1810 Red's Barbeque subject to the standard conditions for developments of this type, the additional
1811 conditions Nos. 23 through 37 and the revised plan that was received with the addendum this
1812 morning.
1813
1814 Mrs. Jones - Second.
1815
1816 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mrs. Jones. All
1817 in favor say aye...all opposed say nay. The motion passes.
1818

1819 Mr. Jernigan - Mr. Chairman, I abstained on that vote.

1820

1821 Mr. Vanarsdall - Okay. So noted.

1822

1823 The Planning Commission approved the transitional buffer deviation and the plan of
1824 development for POD-53-05, Hillbilly Red's Barbeque, subject to the standard conditions
1825 attached to these minutes, the annotations on the plans and the following additional conditions.

1826 Mr. Jernigan abstained on the vote.

1827

1828 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
1829 screens, walls, fences, lighting and other site improvements shall be properly
1830 maintained in good condition at all times. Any necessary repairs shall be made in a
1831 timely manner.

1832 24. The right-of-way for widening of Williamsburg Road (U.S. Route 60) as shown on
1833 approved plans shall be dedicated to the County prior to any occupancy permits being
1834 issued. The right-of-way dedication plat and any other required information shall be
1835 submitted to the County Real Property Agent at least sixty (60) days prior to requesting
1836 occupancy permits.

1837 25. The easements for drainage and utilities as shown on approved plans shall be granted to
1838 the County in a form acceptable to the County Attorney prior to any occupancy permits
1839 being issued. The easement plats and any other required information shall be submitted
1840 to the County Real Property Agent at least sixty (60) days prior to requesting
1841 occupancy permits.

1842 26. The entrances and drainage facilities on Williamsburg Road (U.S. Route 60) shall be
1843 approved by the Virginia Department of Transportation and the County.

1844 27. A notice of completion form, certifying that the requirements of the Virginia
1845 Department of Transportation entrances permit have been completed, shall be submitted
1846 to the Department of Planning prior to any occupancy permits being issued.

1847 28. The developer shall provide fire hydrants as required by the Department of Public
1848 Utilities and Division of Fire.

1849 29. A standard concrete sidewalk shall be provided along the south side of Williamsburg
1850 Road.

1851 30. Outside storage shall not be permitted.

1852 31. The developer shall install an adequate restaurant ventilating and exhaust system to
1853 minimize smoke, odors, and grease vapors. The plans and specifications shall be
1854 included with the building permit application for review and approval. If, in the
1855 opinion of the County, the type system provided is not effective, the Commission
1856 retains the rights to review and direct the type of system to be used.

1857 32. This business shall not remain in operation after midnight and no exterior signs shall
1858 remain lighted after (12:00 midnight - B-1 zone).

1859 33. Any necessary off-site drainage and/or water and sewer easements must be obtained in
1860 a form acceptable to the County Attorney prior to final approval of the construction
1861 plans.

- 1862 34. Deviations from County standards for pavement, curb or curb and gutter design shall be
 1863 approved by the County Engineer prior to final approval of the construction plans by
 1864 the Department of Public Works.
- 1865 35. Insurance Services Office (ISO) calculations must be included with the plans and
 1866 contracts and must be approved by the Department of Public Utilities prior to the
 1867 issuance of a building permit.
- 1868 36. Approval of the construction plans by the Department of Public Works does not
 1869 establish the curb and gutter elevations along the Virginia Department of Transportation
 1870 maintained right-of-way. The elevations will be set by the contractor and approved by
 1871 the Virginia Department of Transportation.
- 1872 37. The location of all existing and proposed utility and mechanical equipment (including
 1873 HVAC units, electric meters, junction and accessory boxes, transformers, and
 1874 generators) shall be identified on the landscape plans. All equipment shall be screened
 1875 by such measures as determined appropriate by the Director of Planning or the
 1876 Planning Commission at the time of plan approval.

1877
 1878 **SUBDIVISION WITH EXCEPTION**

1879

<p>Cole Run (September 2005 Plan) Cole Boulevard @ I-295 and Brook Road</p>	<p>Hulcher & Associates for RMA/Hunton, L.C.: The 2.9 2.77- acre site proposed for a subdivision of 14-13, single-family homes with zero lot lines is located approximately, 600 feet east of the intersection of Berrymeade Hills Terrace and Cole Boulevard on parcel 783-763-5602. The zoning is R-5AC, General Residence District (Conditional). County water and sewer. (Fairfield) 14 13 Lots</p>
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1880

1881 Mr. Vanarsdall - Is there anyone in the audience in opposition to Cole Run (September
 1882 2005 Plan) in the Fairfield District? No opposition. Good morning, Mr. Greulich.

1883

1884 Mr. Greulich - Good morning, Mr. Chairman, Planning Commission members, the
 1885 applicant, RMA Hunton originally proposed a 0 lot line subdivision of approximately 2.77
 1886 acres into 14 lots with a proposed cul-de-sac road. The area was recently re-zoned and a
 1887 layout was provided for reference. This layout was submitted to staff, but based on review
 1888 comments such as setbacks; the applicant reduced the number of proposed lots by one, to a
 1889 new total of 13 lots. At the time of preparation of this packet, the applicant was requesting a
 1890 waiver from the Planning Commission from the required, additional setback from I-295 for lot
 1891 13. With coordination from staff, the applicant has since submitted a revised plan that meets
 1892 all setbacks as prescribed by Code. This revised plan is in the addendum, along with the
 1893 revised recommendation by staff. Essentially, the main difference between the plan in your
 1894 packet and the latest plan in the addendum is that the proposed, Everson Road and the lots
 1895 fronting on Cole Boulevard have been shifted to the left. With this change, the required, side
 1896 yard on lot 13 can be met without an exception being requested.

1897 Staff can recommend approval of the latest, submitted plan for 13 lots. It is subject to the
1898 annotations on the plan, the standard conditions for conditional subdivisions served by public
1899 utilities and additional conditions 12 through 16. Staff and representatives of the applicant are
1900 available to answer any questions you may have. Thank you.

1901

1902 Mr. Vanarsdall - Are there any questions for Mr. Greulich by Commission members? No
1903 questions. Thank you, Tony. Would you like to hear from the applicant, Mr. Archer?

1904

1905 Mr. Archer - I don't think we need to. We met earlier this week and I would like to
1906 thank Mr. Greulich, Ms. News, Mr. O'Kelly and also Mr. Strauss for his participation and
1907 helping to draw up the revised plan. And, with that, I will move for approval of Cole Run
1908 subject to the standard conditions for subdivisions served by public utilities, additional
1909 conditions Nos. 12 through 16 and the revised plan that was in the addendum this morning.

1910

1911 Mr. Jernigan - And the caption change.

1912

1913 Mr. Archer - And the caption change.

1914

1915 Mr. Silber - It's for 13 lots.

1916

1917 Mr. Jernigan - Second.

1918

1919 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mr. Jernigan.
1920 All in favor say aye...all opposed say nay. The motion passes.

1921

1922 The Planning Commission granted conditional approval to Cole Run (September 2005 Plan)
1923 subject to the standard conditions attached to these minutes for subdivisions served by public
1924 utilities, the annotations on the plans and the following additional conditions:

1925

1926 12. Each lot shall contain at least 5,625 square feet.

1927 13. The detailed plant list and specifications for the landscaping to be provided with the 10-
1928 foot-wide planting strip easement along the proposed Everson Terrace and on the
1929 building side of the sewer easement along the property line abutting I-295.

1930 14. The proffers approved as part of zoning case C-5C-05 shall be incorporated in this
1931 approval.

1932 15. Prior to requesting the final approval, a draft of the covenants and deed restrictions for
1933 the maintenance of the common area by a homeowners association shall be submitted to
1934 the Department of Planning for review. Such covenants and restrictions shall be in
1935 form and substance satisfactory to the County Attorney and shall be recorded prior to
1936 recordation of the subdivision plat.

1937 16. Eight-foot easements for construction, drainage, and maintenance access for abutting
1938 lots shall be provided and shown on the plat.

1939 **PLAN OF DEVELOPMENT**

1940

POD-54-05

Gaskins Road Office
Building –Gaskins Road
and Three Chopt Road
(POD-77-00 Revised)

Balzer & Associates, Inc. for Balance & Ear Centre Pension Plan: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a one-story, ~~6,763~~ **8,420** square foot office building ~~(Phase 1) and a future 2,000 square foot addition (Phase 2)~~. The 1.11-acre site is located at the northwest intersection of Gaskins Road and Three Chopt Road on parcel 750-754-0386. The zoning is R-6C, General Residence District (Conditional). County water and sewer. **(Three Chopt)**

1941

1942 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-54-05, Gaskins
1943 Road Office Building, in the Three Chopt District? No opposition. Mr. Wilhite.

1944

1945 Mr. Wilhite - You've just received a revised site plan layout as well as revised
1946 architectural plans. The layout of the site was changed to accommodate the requested right-of-
1947 way dedication along Three Chopt Road. In addition, the entrance on Three Chopt was also
1948 shifted northwest to near the property line of the site. These changes did require them to
1949 change the layout on the parking lot as well. In addition, the architectural plans have been
1950 changed. The footprint of the building has changed, it is now a 8,420 square foot building.
1951 Staff has done the review of the revised plans and we do find them acceptable for approval.
1952 On page 6 of your addendum there is a revised recommendation for approval as well as the
1953 caption has been changed to reflect the change in the square footage of the building. If you
1954 have any questions I'll be happy to try to answer them.

1955

1956 Mr. Vanarsdall - Are there any questions for Mr. Wilhite by Commission members? No
1957 questions. Would you like to hear from the applicant, Mr. Branin?

1958

1959 Mr. Branin - No, sir.

1960

1961 Mr. Vanarsdall - All right, entertain a motion.

1962

1963 Mr. Branin - Okay. Mr. Chairman, I move for approval of POD-54-05, Gaskins
1964 Road Office Building per staff recommendations and conditions Nos. 23 through 34.

1965

1966 Mr. Jernigan - Second.

1967

1968 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mr. Jernigan. All
1969 in favor say aye...all opposed say nay. The motion passes.

1970

1971 The Planning Commission approved POD-54-05, Gaskins Road Office Building (POD-77-00
1972 Revised) subject to the standard conditions attached to these minutes for developments of this
1973 type, the annotations on the plans and the following additional conditions:

1974

- 1975 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
1976 screens, walls, fences, lighting and other site improvements shall be properly
1977 maintained in good condition at all times. Any necessary repairs shall be made in a
1978 timely manner.
- 1979 24. The right-of-way for widening of Three Chopt Road as shown on approved plans shall
1980 be dedicated to the County prior to any occupancy permits being issued. The right-of-
1981 way dedication plat and any other required information shall be submitted to the County
1982 Real Property Agent at least sixty (60) days prior to requesting occupancy permits.
- 1983 25. The easements for drainage and utilities as shown on approved plans shall be granted to
1984 the County in a form acceptable to the County Attorney prior to any occupancy permits
1985 being issued. The easement plats and any other required information shall be submitted
1986 to the County Real Property Agent at least sixty (60) days prior to requesting
1987 occupancy permits.
- 1988 26. The developer shall provide fire hydrants as required by the Department of Public
1989 Utilities and Division of Fire.
- 1990 27. A standard concrete sidewalk shall be provided along the north side of Three Chopt
1991 Road.
- 1992 28. Outside storage shall not be permitted.
- 1993 29. The proffers approved as a part of zoning case C-61C-78 shall be incorporated in this
1994 approval.
- 1995 30. The certification of building permits, occupancy permits and change of occupancy
1996 permits for individual units shall be based on the number of parking spaces required for
1997 the proposed uses and the amount of parking available according to approved plans.
- 1998 31. Any necessary off-site drainage and/or water and sewer easements must be obtained in
1999 a form acceptable to the County Attorney prior to final approval of the construction
2000 plans.
- 2001 32. Deviations from County standards for pavement, curb or curb and gutter design shall be
2002 approved by the County Engineer prior to final approval of the construction plans by
2003 the Department of Public Works.
- 2004 33. Approval of the construction plans by the Department of Public Works does not
2005 establish the curb and gutter elevations along the Henrico County maintained right-of-
2006 way. The elevations will be set by Henrico County.
- 2007 34. The location of all existing and proposed utility and mechanical equipment (including
2008 HVAC units, electric meters, junction and accessory boxes, transformers, and
2009 generators) shall be identified on the landscape plans. All equipment shall be screened
2010 by such measures as determined appropriate by the Director of Planning or the
2011 Planning Commission at the time of plan approval.
2012

2013 **PLAN OF DEVELOPMENT**

2014

POD-57-05
Villas @ Grey Oaks –
Grey Oaks Park Drive

Youngblood, Tyler & Associates, P.C. for Shady Grove Company, Inc. and Loftis Real Estate & Development, Inc.:
Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct 84, 3,000 square foot, two-story condominium for sale units. The 24.22-acre site is located on the south side of Grey Oaks Park Drive, approximately 0.2 miles east of Pouncey Tract Road on part of parcel 738-772-9227. The zoning is RTHC, Residential Townhouse District (Conditional). County water and sewer. **(Three Chopt)**

2015

2016 Mr. Vanarsdall - Is there anyone in the audience in opposition to POD-57-05, Villas @
2017 Grey Oaks, in the Three Chopt District? No opposition. Mr. Kennedy.

2018

2019 Mr. Kennedy - The revised plan satisfied staff's concerns regarding adequacy and safety
2020 of the proposed dry ponds within a residential subdivision. The ponds have been replaced with
2021 sand filters. The engineer has indicated that he is exploring other methods to address the
2022 Department of Public Works drainage concerns to substitute something else for this sand
2023 filters. In the meantime, the developer has agreed to address staff's concerns regarding the
2024 appearance of those sand filters, at the time of the landscape plan is submitted. The added
2025 condition addresses an additional concern addressed by staff regarding final grading for
2026 positive drainage around these units. The property is pretty flat and we want to make sure that
2027 there is adequate, positive drainage. So, the additional condition requires the engineer to
2028 certify it as each certificate of occupancy is issued. This way we will know that there is
2029 positive drainage for each building at the time it is constructed.

2030

2031 Mr. Vanarsdall - Are there any questions for Mr. Kennedy by Commission members?

2032

2033 Mr. Silber - Mr. Chairman, I would really like to have the applicant come forward.

2034

2035 Mr. Branin - As I would.

2036

2037 Mr. Vanarsdall - Would the applicant please come forward please.

2038

2039 Mr. Cochran - Mr. Chairman, members of the Commission, my name is John Cochran
2040 with Youngblood, Tyler & Associates and I'll be happy to answer any questions you may
2041 have.

2042

2043 Mr. Branin - Good morning, John, how are you?

2044

2045 Mr. Cochran - I'm well, thank you.

2046

2047 Mr. Branin - This project, the topo is very flat.

2048 Mr. Cochran - Yes, sir.

2049

2050 Mr. Branin - How are you guys addressing it because we have been running into
2051 problems with developers building and really neglecting drainage issues. And what concerns
2052 me the most about your project is the topo.

2053

2054 Mr. Cochran - We recognize from the beginning that this was going to be a challenge
2055 unless we masquerade the site. So, we are not utilizing the topo as it is, we are making it much
2056 better by masquerading the site and creating a positive slope. These are not slaps on grade,
2057 they are foundation units, therefore, enable us to put a much greater slope around the units
2058 than we ordinarily would if they were slabs.

2059

2060 Mr. Branin - So, you have addressed it?

2061

2062 Mr. Cochran - Yes, sir.

2063

2064 Mr. Branin - With most projects that is always one of my concerns because we are
2065 having numerous people come in when we are putting in new subdivisions that are saying “hey
2066 by yard is already a swamp because of the adjacent subdivision.”

2067

2068 Mr. Cochran - We have had similar concerns and projects of this nature. Where we
2069 have had to go back in, after the units were occupied and fix problems, but we believe that the
2070 type of construction with the foundation and the units sitting up will alleviate any of those
2071 concerns.

2072

2073 Mr. Branin - Okay. Mr. Silber, do you have any questions?

2074

2075 Mr. Silber - No. I think your point is well taking. I think the engineer has indicated
2076 that they will design this in a fashion that we won't have drainage problems on these lots, and I
2077 think that the County will be inspecting to make sure that that is taking care of. We have had
2078 issues and problems with this type of development in the past with the proximity of the homes
2079 being so close together. I think it might be more of an issue on slab construction. So, I think
2080 that the crawl space should allow them to better design their lots.

2081

2082 Mr. Branin - I have no further questions, Mr. Chairman.

2083

2084 Mr. Vanarsdall - Are there any more questions for Mr. Cochran? Thank you, John. All
2085 right. Entertain a motion.

2086

2087 Mr. Branin - Mr. Chairman, I move for approval of POD-57-05, subject to the
2088 standard conditions and the following additional conditions Nos. 23 through 35 on the agenda
2089 and No. 36 on the addendum.

2090

2091 Mr. Archer - Second.

2092

2093 Mr. Vanarsdall - The motion was made by Mr. Branin and seconded by Mr. Archer. All
2094 in favor say aye...all opposed say nay. The motion passes.

2095

2096 The Planning Commission approved POD-57-05, Villas @ Grey Oaks, subject to the standard
2097 conditions attached to these minutes, the annotations on the plans and the following additional
2098 conditions:

2099

2100 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
2101 screens, walls, fences, lighting and other site improvements shall be properly
2102 maintained in good condition at all times. Any necessary repairs shall be made in a
2103 timely manner.

2104 24. The unit house numbers shall be visible from the parking areas and drives.

2105 25. The names of streets, drives, courts and parking areas shall be approved by the Richmond
2106 Regional Planning District Commission and such names shall be included on the
2107 construction plans prior to their approval. The standard street name signs shall be
2108 ordered from the County and installed prior to any occupancy permit approval.

2109 26. The easements for drainage and utilities as shown on approved plans shall be granted to
2110 the County in a form acceptable to the County Attorney prior to any occupancy permits
2111 being issued. The easement plats and any other required information shall be submitted
2112 to the County Real Property Agent at least sixty (60) days prior to requesting
2113 occupancy permits.

2114 27. The limits and elevations of the 100-year frequency flood shall be conspicuously noted
2115 on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year
2116 floodplain must be labeled "Variable Width Drainage and Utility Easement." The
2117 easement shall be granted to the County prior to the issuance of any occupancy permits.

2118 28. The developer shall provide fire hydrants as required by the Department of Public
2119 Utilities and Division of Fire.

2120 29. The proffers approved as a part of zoning cases C-16C-03 and C-4C-05 shall be
2121 incorporated in this approval.

2122 30. Any necessary off-site drainage and/or water and sewer easements must be obtained in
2123 a form acceptable to the County Attorney prior to final approval of the construction
2124 plans.

2125 31. Deviations from County standards for pavement, curb or curb and gutter design shall be
2126 approved by the County Engineer prior to final approval of the construction plans by
2127 the Department of Public Works.

2128 32. The pavement shall be of an SM-2A type and shall be constructed in accordance with
2129 County standard and specifications. The developer shall post a defect bond for all
2130 pavement with the Department of Planning - the exact type, amount and implementation
2131 shall be determined by the Director of Planning, to protect the interest of the members
2132 of the Homeowners Association. The bond shall become effective as of the date that
2133 the Homeowners Association assumes responsibility for the common areas. Prior to the
2134 issuance of the last Certificate of Occupancy, a professional engineer must certify that
2135 the roads have been designed and constructed in accordance with County standards.

- 2136 33. Insurance Services Office (ISO) calculations must be included with the plans and
 2137 contracts and must be approved by the Department of Public Utilities prior to the
 2138 issuance of a building permit. Insurance Services Office (ISO) calculations must be
 2139 included with the plans and contracts and must be approved by the Department of
 2140 Public Utilities prior to the issuance of a building permit.
- 2141 34. Approval of the construction plans by the Department of Public Works does not
 2142 establish the curb and gutter elevations along the Henrico County maintained right-of-
 2143 way. The elevations will be set by Henrico County.
- 2144 35. Prior to final approval a draft declaration of covenants and deed restrictions for the
 2145 maintenance of the common area by a owners association and for architectural control
 2146 must be submitted for review and approval by the Department of Planning and shall be
 2147 in form and substance satisfactory to the County Attorney and shall be recorded prior to
 2148 the issuance of Building Permits.
- 2149 36. Prior to issuance of a certificate of occupancy for any building in this development, the
 2150 engineer of record shall certify that the site has been graded in accordance with the
 2151 approved grading plans.

2152

2153 **PLAN OF DEVELOPMENT**

2154

POD-58-05
 JEB Stuart Place – JEB
 Stuart Parkway and
 Technology Park Drive

Vanasse Hangen Brustlin, Inc. for Clarke Jones, III and Sauer Properties, Inc.: Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code, to construct a 23,388 square foot, two-story office building. The 3.38-acre site is located at the northwest corner of the intersection of JEB Stuart Parkway and Technology Park Drive, approximately 1,100 feet north of the intersection of JEB Stuart Parkway and Virginia Center Parkway on parcel 785-768-9646. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer.
(Fairfield)

2155

2156 Mr. Vanarsdall - Any opposition to JEB Stuart Place – POD-58-05, in the Fairfield
 2157 District. No opposition. Good morning, Mr. Cooper.

2158

2159 Mr. Cooper - Good morning, Mr. Chairman and members of the Commission.

2160

2161 Mr. Branin - Mr. Cooper, how are you? Is everybody aware that this is Mr. Cooper's
 2162 last meeting with us?

2163

2164 Mr. Jernigan - Yes, I am.

2165

2166 Mr. Vanarsdall - Yes, he is going over behind the Dunkin' Donuts.

2167

2168 Mr. Cooper - Well, fortunately I can afford a few of those donuts on the way in
 2169 everyday, so I am actually looking forward to that part.

2170 The proposed two-story office building before you today is located along JEB Stuart Parkway,
2171 north of Virginia Center Parkway. As you may recall, the rezoning case for this site was
2172 approved by the Board of Supervisors at their public hearing earlier this month.

2173

2174 A revised plan was just handed out to you this morning, which does match the layout provided
2175 during that rezoning case. Some of the highlighted proffers reflected in that revised plan
2176 include a 25 foot landscape buffer along JEB Stuart Parkway and drive-in doors for loading
2177 and unloading at the rear of the building. The elevations for the proposed building also match
2178 those provided during the rezoning hearing. As you will note in the staff report listed in your
2179 original agenda, staff had several concerns for the original plan submitted, including right-of-
2180 way dedication, encroachments in the SPA buffer, flood plain delineation, and the missing
2181 floor plan for the second floor. Those items have since been addressed and are reflected in the
2182 revised plan and the additional condition provided to you this morning. Specifically, an
2183 annotation has been added to the revised plan requiring the necessary right-of-way dedication
2184 along JEB Stuart Parkway be provided as required by the Traffic Engineer. As well, the
2185 proposed entrance to Technology Park Drive will be permitted in the SPA by Public Works,
2186 however, all other encroachments in the SPA have been removed. Public Works is also going
2187 to require a flood plain study to be completed prior to construction plan approval, and that is
2188 reflected in Condition No. 38, which was handed out to you this morning. Finally, we did
2189 receive the second floor plan for the building. That was also handed out to you this morning.
2190 That has been reviewed by County agencies including the Police Department and all are
2191 recommending approval of that, as well.

2192

2193 So, with these revisions, the annotations on the plan and the added condition handed out to you
2194 this morning, staff can recommend approval of this plan. The applicant's representative is
2195 here today if you have any questions for them, and I will be happy to answer any as well.

2196

2197 Mr. Vanarsdall - Any questions for Mr. Cooper?

2198

2199 Mr. Silber - Mr. Cooper, on the original plan, it looks like staff had crossed through
2200 two loading spaces in the rear of the building that has not been crossed through on the revised
2201 plan.

2202

2203 Mr. Cooper - Yes, sir. There were actually some questions when the original plan was
2204 submitted, the rezoning case was still pending Board approval. The verbiage in the proffer
2205 related to loading docks indicates that no loading docks shall be utilized on the property or
2206 shall be provided on the property, and that drive-in doors shall be utilized. With that, staff
2207 took the stance that that was to indicate that loading and unloading of vehicles should take
2208 place inside of the building. There was some discussion about that during our meeting with the
2209 applicant. He had a different understanding, so with the original plan, we had to X out the
2210 loading space to the rear. However, since that time, it has been determined that the loading
2211 space to the rear is not a loading dock, and, therefore, could be permitted to utilize smaller
2212 trucks to be parked there, but the loading and unloading would take place inside the building,
2213 if that makes sense.

2214

2215 Mr. Silber - And there is also an annotation on the revised plan that says additional
2216 right-of-way will be required along JEB Stuart Parkway.

2217

2218 Mr. Cooper - That is correct. Public Works is requiring seven feet from the front of
2219 curb, and if you notice at the intersection of Technology Park Drive and JEB Stuart Parkway,
2220 if you look where the proposed right-of-way line is versus the current curb, they need
2221 additional right-of-way, and it will impact slightly the setback because they have the required
2222 25-foot landscape buffer. However, they do have some flexibility in their parking. It will
2223 probably cost them a space or two in that immediate vicinity there at that intersection, but they
2224 can afford to lose a couple of spaces if need be, and there is also opportunities in other areas
2225 on the site to pick up those spaces if they choose to do that.

2226

2227 Mr. Silber - So they will be able to maintain the 25-foot landscape buffer?

2228

2229 Mr. Cooper - Yes, sir. That was our most important concern, and the applicant has
2230 committed to making sure that does happen.

2231

2232 Mr. Vanarsdall - Any more questions for Mr. Cooper? All right. Mr. Archer.

2233

2234 Mr. Archer - I don't think I need to hear from the applicant, Mr. Chairman, and Mr.
2235 Cooper did call me yesterday and we discussed those issues that the secretary raised this
2236 morning. As he explained in his presentation, there were four revisions to conditions that
2237 needed to be met, and they all have been, and the additional condition No. 38 takes care of the
2238 flood plain study. So with that, I will move for approval of POD-58-05, JEB Stuart Place -
2239 JEB Stuart Parkway and Technology Park Drive, subject to the additional conditions Nos. 23
2240 through 38, 38 being an added condition that we received this morning and the revised plan.

2241

2242 Mr. Jernigan - Second.

2243

2244 Mr. Vanarsdall - Motion made by Mr. Archer and seconded by Mr. Jernigan. All in
2245 favor say aye. All opposed say no. The motion passes.

2246

2247 The Planning Commission approved POD-58-05, JEB Stuart Place - JEB Stuart Parkway and
2248 Technology Park Drive, subject to the standard conditions attached to these minutes for
2249 developments of this type, the annotations on the plans and the following additional conditions:

2250

2251 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
2252 screens, walls, fences, lighting and other site improvements shall be properly
2253 maintained in good condition at all times. Any necessary repairs shall be made in a
2254 timely manner.

2255 24. The right-of-way for widening of JEB Stuart Parkway as shown on approved plans shall
2256 be dedicated to the County prior to any occupancy permits being issued. The right-of-
2257 way dedication plat and any other required information shall be submitted to the County
2258 Real Property Agent at least sixty (60) days prior to requesting occupancy permits.

2259 25. The easements for drainage and utilities as shown on approved plans shall be granted to

2260 the County in a form acceptable to the County Attorney prior to any occupancy permits
2261 being issued. The easement plats and any other required information shall be submitted
2262 to the County Real Property Agent at least sixty (60) days prior to requesting
2263 occupancy permits.

2264 26. The limits and elevations of the 100-year frequency flood shall be conspicuously noted
2265 on the plan "Limits of 100 Year Floodplain." In addition, the delineated 100-year
2266 floodplain must be labeled "Variable Width Drainage and Utility Easement." The
2267 easement shall be granted to the County prior to the issuance of any occupancy permits.

2268 27. The required building setback shall be measured from the proposed right-of-way line
2269 and the parking shall be located behind the proposed right-of-way line.

2270 28. The developer shall provide fire hydrants as required by the Department of Public
2271 Utilities and Division of Fire.

2272 29. Outside storage shall not be permitted.

2273 30. The proffers approved as a part of zoning case C-39C-05 shall be incorporated in this
2274 approval.

2275 31. The certification of building permits, occupancy permits and change of occupancy
2276 permits for individual units shall be based on the number of parking spaces required for
2277 the proposed uses and the amount of parking available according to approved plans.

2278 32. Any necessary off-site drainage and/or water and sewer easements must be obtained in
2279 a form acceptable to the County Attorney prior to final approval of the construction
2280 plans.

2281 33. Deviations from County standards for pavement, curb or curb and gutter design shall be
2282 approved by the County Engineer prior to final approval of the construction plans by
2283 the Department of Public Works.

2284 34. Storm water retention, based on the 50-10 concept, shall be incorporated into the
2285 drainage plans.

2286 35. Insurance Services Office (ISO) calculations must be included with the plans and
2287 contracts and must be approved by the Department of Public Utilities prior to the
2288 issuance of a building permit.

2289 36. Approval of the construction plans by the Department of Public Works does not
2290 establish the curb and gutter elevations along the Henrico County maintained right-of-
2291 way. The elevations will be set by Henrico County.

2292 37. The location of all existing and proposed utility and mechanical equipment (including
2293 HVAC units, electric meters, junction and accessory boxes, transformers, and
2294 generators) shall be identified on the landscape plans. All equipment shall be screened
2295 by such measures as determined appropriate by the Director of Planning or the
2296 Planning Commission at the time of plan approval.

2297 38. A floodplain study shall be submitted to the Department of Public Works for review
2298 and approval prior to construction plan approval.

2299

2300 Mr. Vanarsdall - On a serious note, Mike is going over to Community Revitalization
2301 Division, and I have already told him that we wish him well and we are going to miss him
2302 where he is. Good luck.

2303

2304 Mr. Cooper - I appreciate everything you all have done to help me through this. This

2305 was my first job out of school, so it will be a little different to move on, but I am looking
2306 forward to it, but will definitely miss everybody here. So, thank you very much.

2307

2308 Mr. Jernigan - You have done well.

2309

2310 Mr. Vanarsdall - You are not going away where we won't see you anymore.

2311

2312 Mr. Cooper - That is right, and if you ever want to have a meeting at Dunkin'

2313 Donuts...

2314

2315 Mr. Vanarsdall - It is not like you are going to Hanover or somewhere like that.

2316

2317 **PLAN OF DEVELOPMENT**

2318

POD-59-05
Brown Distributing
Company-Villa Park
Drive

Vanasse Hangen Brustlin, Inc. for Avalon Investments, LLC and Brown Distributing Company, 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 126,620 square foot office/warehouse and distribution building. The 18.79-acre site is located along the western side of Villa Park Drive, approximately 2,500 feet southwest of the intersection of Villa Park Drive and Parham Road on parcel 781-754-0930. The zoning is O/S-2C, Office/Service District (Conditional). County water and sewer. **(Fairfield)**

2319

2320 Mr. Silber - This is in the Fairfield District.

2321

2322 Mr. Vanarsdall - Is anyone in the audience in opposition to POD-59-05, Brown
2323 Distributing Company, Villa Park? No opposition.

2324

2325 Mr. Cooper - Good morning, again. This project presented before you right now is
2326 for a proposed office/warehouse and distribution building, totaling approximately 126,620 sq.
2327 ft. This property was also recently rezoned by the Board of Supervisors earlier this month.
2328 The plan submitted for review is in conformance with the plan provided at the time of the
2329 rezoning, as are the building elevations, which will allow this development to blend well with
2330 the surrounding buildings also located in Villa Park. Specifically highlighting some of the
2331 proffers, again both the fleet parking area and the loading area are located to the rear of the
2332 property and will be sufficiently screened from view as required by the proffers. To help
2333 further enhance the property, a 20-foot landscape buffer is being provided along Villa Park
2334 Drive, also proffered with the rezoning case.

2335

2336 To provide the Planning Commission an additional opportunity to insure those screening
2337 measures are in place, particularly related to the fleet parking and loading area, staff is
2338 recommending No. 9 Amended to bring the landscape plan back to the Planning Commission
2339 at a later time. As is indicated in the original staff report, we did have some concern for, and

2340 asked the applicant to address some verification that work being done off-site in the existing
2341 access easements is permitted in the existing agreements related to those easements. The
2342 agreement for the easement located between the subject parcel and the parcel to the north,
2343 which would be the Ben Hogan Building, does provide that authorization. We have been
2344 provided the documentation to verify that they can do the work within that easement, however,
2345 no such agreement appears to be in place for the work to be done off-site along the southern
2346 property line, which would be here (referring to rendering). There is an existing access
2347 easement coming off of Villa Park Drive, which will include some construction, but then the
2348 additional road improvements, some will actually fall completely off-site on the adjacent parcel
2349 and outside of that easement.

2350

2351 There has been some concern on the applicant's part in verifying that the adjacent property has
2352 been recently sold. So, they are in the process of trying to determine who exactly they need to
2353 obtain authorization from. We did meet with the applicant and their attorney earlier yesterday.
2354 They have agreed to provide us the necessary information and evidence of that authorization
2355 prior to final construction plan approval. So, with that, we did add Condition No. 37 to the
2356 Addendum to address that. So, with that condition, and the plans before you today, staff can
2357 recommend approval. The applicant's representative is here today and I'd be happy to answer
2358 any questions as well.

2359

2360 Mr. Vanarsdall - Any questions for Mr. Cooper by Commission members?

2361

2362 Mr. Archer - So, Mr. Cooper, 37 takes care of the issue concerning the southern
2363 property line? Is that what you are saying?

2364

2365 Mr. Cooper - Yes, sir. That is correct. Once they determine who exactly they need to
2366 obtain a signature from, who is the owner of that property, they will proceed with obtaining
2367 that. They are committed to doing it and obviously we require it through this condition before
2368 we would approve any construction plans.

2369

2370 Mr. Silber - Mr. Cooper, one of the issues brought up at the time of zoning was the
2371 proper screening of the fleet parking. I see on page 2 of the plans that it shows a security
2372 fence. To what extent have we made sure that the screening of this fleet parking will be
2373 adequate?

2374

2375 Mr. Cooper - Well, the security fence is proffered. That was requested by the Police
2376 Department in regards to insuring that safety and security of the fleet parking area. However,
2377 we did verify that they understand that chain link security fence is not to be considered a
2378 screening, and, in fact, we want that to be screened as well. They have agreed to that, so at
2379 this time they did submit a preliminary landscape plan that showed some plantings in front of
2380 the fleet parking and the security fence and staff feels at this time that what they have initially
2381 submitted is probably not sufficient to achieve full screening from Villa Park Drive. However,
2382 they have agreed to work with us on that during the landscape plan phase, so, we feel that the
2383 proffers are written so that they have an opportunity to use some natural vegetation in addition
2384 to supplemental plantings and berms, or, if necessary, they may need to construct an additional

2385 screening wall or some type of architectural treatment to make sure that it is not visible from
2386 Villa Park Drive, but all of those are explicitly stated in the proffers, so we feel confident we
2387 can achieve those during the landscape plan phase.

2388

2389 Mr. Vanarsdall - Thank you, Mike. Are you ready for a motion, Mr. Archer?

2390

2391 Mr. Archer - I think so. I don't think it is necessary to have the applicant come
2392 forward. I do remember an issue coming up in the zoning case concerning screening and
2393 landscaping and we do have No. 9 Amended, also. Does anybody else have any questions?

2394

2395 Mr. Silber - Mr. Archer, let me just point out that I think the screening and the fleet
2396 parking can be handled with the landscape plan, but that was very important at the time of
2397 rezoning. If it can't be handled with additional landscaping, as Mr. Cooper indicated, it may
2398 require berming or some type of screening wall, so the applicant needs to recognize that at this
2399 point in time the Planning Commission is approving the plan of development that, the issue
2400 associated with the screening of the vehicle parking has not been addressed.

2401

2402 Mr. Archer - OK. Is the applicant's representative here? Sir, I would just like you to
2403 come up and make sure that you understand that I am in agreement with what Mr. Secretary
2404 just said before we move on this.

2405

2406 Mr. Quisenberry - I am Gabe Quisenberry with Vanasse Hangen Brustlin, Inc., the site
2407 engineer.

2408

2409 Mr. Archer - How are you, sir?

2410

2411 Mr. Quisenberry - Good. We are very aware of the proffer requirements for that and
2412 extensive discussions we had with staff, and the community during the rezoning case, and we
2413 fully intend to comply with that in the additional landscaping phase of this.

2414

2415 Mr. Archer - OK. I understand from Mr. Thornton there were some community
2416 people who didn't show up at our meeting, but got involved between then and now.

2417

2418 Mr. Quisenberry - There is some good involvement as part of that process. We are also
2419 working through some of the staff comments, a couple of the comments on the POD regarding
2420 fire access on the south side of the building to be able to incorporate that and achieve our
2421 screening, so that is why we are going to have to work through that during the final plan
2422 approval piece of the POD and then at the landscape plan, bring that piece back to you for
2423 approval.

2424

2425 Mr. Archer - So you are in agreement with Mr. Silber's comments then?

2426

2427 Mr. Quisenberry - Yes.

2428

2429 Mr. Archer - All right. Then we have that on the record.

2430

2431 Mr. Quisenberry - Thank you.

2432

2433 Mr. Archer - Thank you, sir. Anything else from Commission members? Any more
2434 questions?

2435

2436 Mr. Silber - No, sir.

2437

2438 Mr. Archer - OK, Mr. Chairman. With that, I will move approval of POD-59-05,
2439 Brown Distributing Company, Villa Park Drive, subject to the standard conditions for
2440 developments of this type and the additional conditions, No. 9 Amended, and 23 through 37
2441 with 37 being an added condition and condition No. 27 being changed in the Addendum this
2442 morning.

2443

2444 Mr. Jernigan - Motion made by Mr. Archer and seconded by Mr. Jernigan. All in
2445 favor say aye. All opposed say no. The ayes have it. The motion passes.

2446

2447 The Planning Commission approved POD-59-05, Brown Distributing Company, Villa Park
2448 Drive, subject to the standard conditions for developments of this type and the following
2449 additional conditions:

2450

2451 9. **AMENDED** - A detailed landscaping plan shall be submitted to the Department of
2452 Planning for review and Planning Commission approval prior to the issuance of any
2453 occupancy permits.

2454 23. The site including paving, pavement markings, signage, curb and gutter, dumpster
2455 screens, walls, fences, lighting and other site improvements shall be properly
2456 maintained in good condition at all times. Any necessary repairs shall be made in a
2457 timely manner.

2458 24. The easements for drainage and utilities as shown on approved plans shall be granted to
2459 the County in a form acceptable to the County Attorney prior to any occupancy permits
2460 being issued. The easement plats and any other required information shall be submitted
2461 to the County Real Property Agent at least sixty (60) days prior to requesting
2462 occupancy permits.

2463 25. The developer shall provide fire hydrants as required by the Department of Public
2464 Utilities and Division of Fire.

2465 26. The proffers approved as a part of zoning case C-23C-05 shall be incorporated in this
2466 approval.

2467 27. Prior to **construction plan approval**, the developer must furnish a letter from
2468 **Dominion Virginia Power** stating that this proposed development does not conflict
2469 with their facilities.

2470 28. Any necessary off-site drainage and/or water and sewer easements must be obtained in
2471 a form acceptable to the County Attorney prior to final approval of the construction
2472 plans.

2473

- 2474 29. Deviations from County standards for pavement, curb or curb and gutter design shall be
2475 approved by the County Engineer prior to final approval of the construction plans by
2476 the Department of Public Works.
- 2477 30. Storm water retention, based on the 50-10 concept, shall be incorporated into the
2478 drainage plans.
- 2479 31. Insurance Services Office (ISO) calculations must be included with the plans and
2480 contracts and must be approved by the Department of Public Utilities prior to the
2481 issuance of a building permit.
- 2482 32. Approval of the construction plans by the Department of Public Works does not
2483 establish the curb and gutter elevations along the Henrico County maintained right-of-
2484 way. The elevations will be set by Henrico County.
- 2485 33. The owners shall not begin clearing of the site until the following conditions have been
2486 met:
- 2487 (a) The site engineer shall conspicuously illustrate on the plan of development or
2488 subdivision construction plan and the Erosion and Sediment Control Plan, the
2489 limits of the areas to be cleared and the methods of protecting the required
2490 buffer areas. The location of utility lines, drainage structures and easements
2491 shall be shown.
- 2492 (b) After the Erosion and Sediment Control Plan has been approved but prior to any
2493 clearing or grading operations of the site, the owner shall have the limits of
2494 clearing delineated with approved methods such as flagging, silt fencing or
2495 temporary fencing.
- 2496 (c) The site engineer shall certify in writing to the owner that the limits of clearing
2497 have been staked in accordance with the approved plans. A copy of this letter
2498 shall be sent to the Department of Planning and the Department of Public
2499 Works.
- 2500 (d) The owner shall be responsible for the protection of the buffer areas and for
2501 replanting and/or supplemental planting and other necessary improvements to
2502 the buffer as may be appropriate or required to correct problems. The details
2503 shall be included on the landscape plans for approval.
- 2504 34. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the
2505 Department of Planning and approved prior to issuance of a certificate of occupancy for
2506 this development.
- 2507 35. The location of all existing and proposed utility and mechanical equipment (including
2508 HVAC units, electric meters, junction and accessory boxes, transformers, and
2509 generators) shall be identified on the landscape plans. All equipment shall be screened
2510 by such measures as determined appropriate by the Director of Planning or the
2511 Planning Commission at the time of plan approval.
- 2512 36. In accordance with the proffers of rezoning case C-23C-05, product delivery vehicles
2513 shall not be routed to travel on Hungary Road between the Parham Road and Cleveland
2514 Road intersection and Woodman Road.
- 2515 37. Evidence of approval from the owner of parcel 781-753-5583 for work to be done on
2516 their property and within the existing access easement shall be provided to the Planning
2517 Department prior to construction plan approval.
- 2518

2519 **SUBDIVISION**

2520

Techpark
(September 2005 Plan) -
Technology Boulevard

Timmons Group for Redford Brick Company, Inc. 131 LC, Payne 13 LLC, and YY&E, LLC: The 156.72-acre site proposed for an industrial park is located on the south line of Technology Boulevard and the north line of Portugee Road, approximately 900 feet east of Memorial Drive on parcels 841-703-5255 and 8053, 842-704-7131, 842-703-6528 and 1045, 842-705-0939, 843-705-8879 and part of 844-706-4747. The zoning is M-1C, Light Industrial District (Conditional) and O-3C, Office District (Conditional). County water and sewer. **(Varina) 0 Lot**

2521

2522 Mr. Silber - This does not include any lots. This is for the dedication of roads. This is
2523 in the Varina District.

2524

2525 Mr. Vanarsdall - Anyone in the audience in opposition to Techpark? No opposition. Mr.
2526 Wilhite, again.

2527

2528 Mr. Wilhite - I handed out a revised subdivision plan that staff requested to address the
2529 road network. Originally, we had the Techpark (June 2005 Plan) recently approved for the road
2530 layout. In this particular section of Techpark there was no access shown to the southern and
2531 southwestern portion of the site, including the extension of the stub street provided to the common
2532 property line. The revised plan does show the extension of the stub street, more or less paralleling
2533 Portugee Road to the south. They have eliminated the roadway connection from Road A in the
2534 middle portion of the site down to the southern portion. This is a change to the schematic plan that
2535 was approved with the rezoning case. Staff has reviewed it. We do find this change acceptable.
2536 We had requested some information about two parcels that were part of the rezoning case but
2537 weren't included within the subdivision. They were two small parcels with homes on them
2538 belonging to the Robins family. They are in this area here that I have indicated on the screen
2539 (referring to rendering). The developer nor the engineer did not provide the information and I
2540 think staff would like to see this addressed as to what the status of those properties are.
2541 Otherwise, staff is in a position to recommend approval of the revised plan.

2542

2543 Mr. Vanarsdall - Any questions for Mr. Wilhite? Kevin, on the original plan they had that
2544 road coming off the main road going through the wetlands.

2545

2546 Mr. Wilhite - Actually, the original plan did not include it. We had just sketched it in.
2547 Both of these actual roads to the southern portion of the property do go through wetlands. It is
2548 probably less impact with the extension of the stub street from the original Techpark plan. So that
2549 would be an improvement.

2550

2551 Mr. Jernigan - OK, so staff approves it now.

2552

2553 Mr. Vanarsdall - All right. Any more questions?

2554 Mr. Jernigan - Mr. Chairman, with that I will move for approval of Techpark Subdivision
2555 subject to the standard conditions for subdivisions served by Public Utilities and the following
2556 additional conditions, Nos. 12 through 16, and staff recommendation on the Addendum.

2557

2558 Mr. Archer - Second.

2559

2560 Mr. Vanarsdall - Motion made by Mr. Jernigan, seconded by Mr. Archer. All in favor say
2561 aye. All opposed say no. The ayes have it. The motion passes.

2562

2563 The Planning Commission granted conditional approval to Techpark (September 2005), subject to
2564 the standard conditions attached to these minutes for subdivisions served by Public Utilities and the
2565 following additional conditions:

2566

2567 12. The limits and elevation of the 100-year frequency flood shall be conspicuously noted on
2568 the plat and construction plans and labeled "Limits of 100-year floodplain." Dedicate
2569 floodplain as a "Variable Width Drainage & Utilities Easement."

2570 13. The proffers approved as part of zoning cases C-73C-98 and C-47C-00 shall be
2571 incorporated in this approval.

2572 14. A second point of vehicular access will be required when the development exceeds
2573 500,000 square feet of floor area.

2574 15. A revised conceptual master plan for this development shall be provided with the first
2575 Plan of Development submitted and updated with every subsequent POD submittal.

2576 16. The developer shall conduct a Phase I archaeological study of the property prior to
2577 County approval of the subdivision construction plans and shall provide copies to the
2578 Department of Planning and Recreation and Parks.

2579

2580 **APPROVAL OF POD MINUTES: July 27, 2005 Minutes**

2581

2582 Mr. Silber - That concludes the plans for consideration. We do have two sets of
2583 minutes that were provided to you that hopefully you have reviewed and are ready for approval
2584 or consideration.

2585

2586 The first set would be the July 27, 2005 minutes.

2587

2588 Mr. Vanarsdall - Mr. Archer called me up and said that he had eyestrain having two
2589 minutes like this. I know you read them.

2590

2591 Mr. Archer - Actually, to be factual, I haven't. I have been away on vacation.

2592

2593 Mrs. Jones - May I make a motion to approve the July 27, 2005 minutes of the Planning
2594 Commission meeting?

2595

2596 Mr. Jernigan - Second.

2597 Mr. Vanarsdall - Motion made by Mrs. Jones and seconded by Mr. Jernigan. All in favor
2598 say aye. All opposed say no. The minutes are approved.

2599

2600 **APPROVAL OF REZONING MINUTES: August 11, 2005, Minutes**

2601

2602 The next are the August 11, 2005 minutes, isn't it, Mr. Secretary?

2603

2604 Mr. Silber - That is correct, August 11, 2005.

2605

2606 Mrs. Jones - I have a correction. On page 7, line 332, I think the reason needs to be
2607 completed so it is officially on the record.

2608

2609 Mr. Jernigan - What line is it?

2610

2611 Mrs. Jones - Line 332. The wording needs to be completed. I am not sure who is in a
2612 position to do that.

2613

2614 Mr. Archer - Looks like we did it just because...

2615

2616 Mr. Silber - We will look into that. Any other comments?

2617

2618 Mr. Vanarsdall - Did we have a motion?

2619

2620 Mr. Jernigan - I make a motion we accept the minutes from August 11, 2005 subject to an
2621 extension of because.

2622

2623 Mr. Archer - I will second.

2624

2625 Mr. Vanarsdall - Motion made by Mr. Jernigan and seconded by Mr. Archer. All in favor
2626 say aye. The minutes are approved.

2627

2628 **DISCUSSION ITEM: Resolution to Initiate Amendment to the Major Thoroughfare Plan**
2629 **(Adding Extension of Three Chopt Road from Lauderdale Drive to N. Gayton Road).**

2630

2631 Mr. Silber - The final thing on the agenda today is the discussion item which is a
2632 Resolution to Initiate Amendment to the Major Thoroughfare Plan by adding an extension of a
2633 road, which would be the extension of Three Chopt Road from Lauderdale Drive to N. Gayton
2634 Road. This Resolution has been provided to the Commission. If approved, it would authorize
2635 the staff to begin this study and bring it back to the Planning Commission, in the form of a public
2636 hearing, at the Commission's November 10 meeting, the study to add this to the Major
2637 Thoroughfare Plan. We have provided you a map showing this alignment with the Resolution.

2638

2639 Mr. Archer - So, we are going to approve one and not take one off?

2640

2641 Mr. Silber - Actually, it would be amending the MTP to add a road.

2642
2643 Mr. Archer - I meant add and not take off.
2644
2645 Mr. Silber - Yes, and this would not remove, and this would be authorizing the study.
2646
2647 Mr. Branin - I would like to make a motion to approve the Resolution for initiating a
2648 study for the MTP.
2649
2650 Mr. Jernigan - Second.
2651
2652 Mr. Vanarsdall - Motion made by Mr. Branin and seconded by Mr. Jernigan. All in favor
2653 say aye. All opposed say no. The motion passes.
2654
2655 Do you have anything, Mr. Secretary?
2656
2657 Mr. Silber - No, sir.
2658
2659 Mr. Vanarsdall - Anybody else have anything to say?
2660
2661 Mr. Jernigan - Can I say something?
2662
2663 Mr. Vanarsdall - Anybody else have anything to say, Mr. Jernigan?
2664
2665 Mr. Jernigan - As I may have stated in a couple of meetings through the years, the
2666 situation with Cracker Barrel, and Cracker Barrel does consider their building as their logo, that
2667 anywhere that you see them, you know that is a Cracker Barrel. And one reason I asked are
2668 there any buildings out there, and it is brick, because I did hear that they came to Varina off of
2669 Route 5, where the Dairy Queen and all is there, and they talked to somebody. They actually
2670 talked to the developer, and the developer talked to Varina Beautification, and Varina told them if
2671 they can't build a brick building, don't even come. That is second hearsay, but that is what I was
2672 told.
2673
2674 Mr. Branin - With the Cracker Barrel going into, they usually situate themselves right
2675 on the highway, which that is their logo, and they don't have to have big signage because people
2676 can see it, and then, bam, they are there. But as they move into more suburban or urban areas,
2677 they are going to have to...
2678
2679 Mr. Jernigan - And that is the reason I have said that this Commission needs to identify
2680 whether you can consider a building as a logo, or that they have to meet the standards of what the
2681 Commissioner wants, because we may have another situation coming one day to where that will
2682 be a factor.

2683 Mr. Vanarsdall - Well, that is the same thing that we had with the Silver Dinner. The Silver
2684 Dinner did not want to offer anything. Remember, Dave?

2685

2686 Mr. Kaechele - hen we had the same thing with Wawa and their canopy design.

2687

2688 Mr. Vanarsdall - Al Taylor told us that the Silver Dinner might hit some parts of the County
2689 and I noticed he looked down at you when he said it, Ray. But it doesn't belong out in Short
2690 Pump.

2691

2692 Mr. Silber - Well, a lot of these prototype establishments are beginning to make
2693 changes as localities are trying to deal with uniformity and design and quality control, so I think
2694 you will see some reluctance from people like this gentleman that was here today, but I think if
2695 they really have a location they want to go into, I think you can begin to talk to them about
2696 changes, and it may be subtle changes. It may be making the building all brick, Mr. Jernigan,
2697 but still keeping some of the design features so you can still tell that there is a Cracker Barrel.

2698

2699 Mr. Vanarsdall - I think that is what they would do.

2700

2701 Mr. Silber - I think it really warrants consideration when they really think that there is
2702 a site that they really want, and you want to have some changes made. I think by all means you
2703 need to talk to them...

2704

2705 Mr. Jernigan - Well, I think you just need, for the future, to make sure, I don't know
2706 whether it is a legal situation, but I think we want to identify whether people can come in and
2707 say, "This is what our standard building is. This is our logo, and this is what it is." It is kind of
2708 like the NASCAR Café.

2709

2710 Mr. Vanarsdall - We haven't had much problem with that.

2711

2712 Mr. Jernigan - No, we haven't.

2713

2714 Mr. Vanarsdall - With Rite Aid, I asked them to reduce the logo, and two gentlemen told
2715 me they couldn't do that. I said, "Well, what about the one up on Libbie Avenue and Grove?"
2716 And they looked at the other one and said, "We didn't do that one, did we?" I said, "Well, it
2717 doesn't matter to me who does it. You just told me your headquarters wouldn't allow it." So I
2718 think if you meet with them and talk about it, I think that is a good location for them. Don't
2719 you, Randy?

2720

2721 Mr. Silber - Yes, sir.

2722

2723 Mr. Branin - I think it is a great location.

2724

2725 Mr. Vanarsdall - And I think they would do something, but I know what Ray is saying, and
2726 we might as well nip it in the bud in this one.

2727 Mr. Jernigan - I am not saying that, the Cracker Barrel buildings look all right to me. It

2728 was kind of like we had, what was that place in Short Pump Town Center that was the...

2729

2730 Mr. Vanarsdall - The Silver Dinner had chrome on the outside, stainless steel, and had neon
2731 lights.

2732

2733 Mr. Jernigan - We had another place, Hearth and Home, or something like that. All of
2734 their buildings fell under the same design, and they had to make some changes on that.

2735

2736 Mr. Branin - Mr. Kaechele and I just saw this past Friday a McDonald's that was
2737 beautiful. It was all brick.

2738

2739 Mr. Jernigan - You will see that McDonald's, if you get into McDonald's plan, they have
2740 a bunch of different architectural plans for McDonald's.

2741

2742 Mrs. Jones - But they still have the golden arches prominently displayed.

2743

2744 Mr. Branin - It was very small. It was on this brick building with glass.

2745

2746 Mrs. Jones - Well, I am sure we are going to run into all kinds of variations on the
2747 theme, but it really needs paying attention to by each individual Commissioner, I am sure.

2748

2749 Mr. Jernigan - Well, one thing, when we had study on the Comp Plan, a fellow showed
2750 us that Arby's up in Mass. And all they had was a sign on a post that was that big that said
2751 "Arby's". There was nothing else. The building was a white lapboard building and it had a,
2752 like a mail box sign out there, and the sign was that big and said "Arby's" and that was the only
2753 thing that said Arby's on it.

2754

2755 Mr. Branin - If the company wants to go there, then they will conform. Have we
2756 adjourned yet? I will make a motion to adjourn.

2757

2758 Mr. Archer - Before we adjourn, I would just like to note for the record that we
2759 acknowledged the passing of Mr. John Marlles, our former Director, so we will have it on the
2760 record.

2761 Mr. Jernigan - I will second it.

2762 On a motion by Mr. Branin and seconded by Mr. Jernigan, the Planning Commission adjourned
2763 its September 28, 2005, meeting at 11:03 a.m.

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Ernest B. Vanarsdall, C.P.C., Chairperson

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Randall R. Silber, Secretary

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