

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, June 27,  
4 2001.

5

6 Members Present: C. W. Archer, C.P.C., Chairperson (Fairfield)  
7 Mr. Ernest B. Vanarsdall, C.P.C. (Brookland)  
8 Mr. Allen Taylor, P. E., C.P.C. (Three Chopt)  
9 Mr. E. Ray Jernigan (Varina)  
10 Mr. David A. Kaechele, Board of Supervisors Representative  
11 (Three Chopt)

12

13 Member Absent: Ms. Elizabeth G. Dwyer, C.P.C., Vice Chairperson (Tuckahoe)

14

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

25

26 Other Absent: Mr. Randall R. Silber, Assistant Director of Planning

27

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

30

31 Mr. Archer - The Planning Commission will come to order. Good morning everyone.  
32 We've got a rather full agenda today and hopefully we can move through it as swiftly as we  
33 can. Is there anyone here from the press who would like to be recognized? Ms. Dwyer will  
34 be absent today. With that, I'll turn it over to our Secretary, Director of Planning, Mr. John  
35 Marlles. Mr. Marlles.

36

37 Mr. Marlles - Good morning, Mr. Chairman. Good morning, ladies and gentlemen.  
38 We do have a full agenda. However, we do have a number of requests for deferrals and I'm  
39 going to ask Mr. Kevin Wilhite to review the requests for deferrals and withdrawals.

40

41 Mr. Wilhite - Thank you. Good morning, Mr. Chairman, Commission members,  
42 ladies and gentlemen. We have a number of requests for deferrals. The first deferral appears  
43 on page 8 of your agenda.

44 **LANDSCAPE & LIGHTING PLAN (Deferred from the May 23, 2001, Meeting)**

45

LP/POD-42-00  
Springfield Commons -  
Springfield Road

**Higgins Gerstenmaier:** 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 4.29 acre site is located along the west line of Springfield Road (State Route 157) approximately 900 feet north of W. Broad Street (U.S. Route 250) on parcel 48-A-23B. The zoning is O-2C, Office District (Conditional). **(Three Chopt)**

46

47 Mr. Wilhite - The applicant request deferral to July 25, 2001.

48

49 Mr. Archer - All right. Is there anyone present opposed to this deferment? No  
50 opposition. Mr. Taylor.

51

52 Mr. Taylor - Mr. Chairman, I move deferment of LP/POD-42-00, Springfield  
53 Common, to July 25, 2001, at the applicant's request.

54

55 Mr. Vanarsdall - Second.

56

57 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall.  
58 All in favor say aye...all opposed say nay. The motion carries.

59

60 At the request of the applicant, the Planning Commission deferred LP/POD-42-00, Springfield  
61 Commons, to its July 25, 2001, meeting.

62

63 **LANDSCAPE & LIGHTING PLAN (Deferred from the May 23, 2001, Meeting)**

64

LP/POD-93-00  
Capitol Floors & Decorating

**TIMMONS:** 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 3.0 acre site is located along the east side of Brookriver Drive on part of parcels 37-4-A-2B and 47-4-A-2. The zoning M-1C, Light Industrial District (Conditional) and WBSO (W. Broad Street Overlay) District. **(Three Chopt)**

65

66 Mr. Wilhite - The applicant request deferral to July 25, 2001.

67

68 Mr. Archer - All right. Is there anyone in opposition to the deferment of LP/POD-93-  
69 00, Capitol Floors & Decorating? No opposition. Mr. Taylor.

70

71 Mr. Taylor - Mr. Chairman, I move deferral of LP/POD-93-00, Capitol Floors &  
72 Decorating, to July 25, 2001, at the applicant's request.

73

74 Mr. Vanarsdall - Second.



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

100

POD-41-01  
Windsor Business Park -  
West Buildings 5, 6, and 7  
(POD-3-00 Revised)

**TIMMONS and John Frost for Robert B. Ball, Sr., Edna H. Ball, Robert B. Ball, Jr., Roberta B. Rivers and Windsor Business Park, LLC:** Request for approval of a revised plan of development and transitional buffer deviation as required by Chapter 24, Sections 24-106 and 24-106.2 of the Henrico County Code to construct three office/warehouse buildings totaling 165,797 square feet. The 16.66 acre site is located on the west line of Magellan Parkway, approximately 450 feet north of Parham Road on parcel 54-A-1A and part of 54-A-2. The zoning is M-1C, Light Industrial District (Conditional). County water and sewer. **(Fairfield)**

101

102 Mr. Wilhite - The applicant request deferral to July 25, 2001.

103

104 Mr. Archer - Is there anyone in opposition to this deferral, POD-41-01, Windsor  
105 Business Park? No opposition. I move deferral of POD-41-01, Windsor Business Park, West  
106 Buildings 5, 6, and 7, to the July 25, 2001 meeting, at the applicant's request.

107

108 Mr. Taylor- Second.

109

110 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr. Taylor. All  
111 in favor say aye...all opposed say nay. The motion carries.

112

113 At the request of the applicant, the Planning Commission deferred POD-41-01, Windsor  
114 Business Park - West Buildings 5, 6, and 7 (POD-3-00 Revised), to its July 25, 2001, meeting.

115

116 **PLAN OF DEVELOPMENT (Deferred from the May 23, 2001, Meeting)**

117

POD-35-01  
Gayton Baptist Church - N.  
Gayton Road  
(POD-98-90 Revised)

**C. E. Duncan & Associates, for Gayton 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 two-story, 12,000 square foot classroom addition (phase 1), a one-story, 12,000 square foot sanctuary with 900 seats (phase 2), and a two-story, 20,800 square foot gymnasium and fellowship hall (phase 3) at an existing church. The 11.75 acre site is located along the east line of Gayton Road, approximately 1,200 feet south of W. Broad Street (U.S. Route 250) on parcel 35-A-28A. The zoning is A-1, Agricultural District. County water and sewer. **(Three Chopt)**

118

119 Mr. Wilhite - The applicant request deferral to July 25, 2001.

120

121 Mr. Archer - Is there anyone in opposition to this deferral, POD-35-01, Gayton

122 Baptist Church? No opposition. Mr. Taylor.

123

124 Mr. Taylor - Mr. Chairman, I move deferral of POD-35-01, Gayton Baptist Church,  
125 to the July 25, 2001, meeting, at the applicant's request.

126

127 Mr. Vanarsdall - Second.

128

129 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall.

130 All in favor say aye...all opposed say nay. The motion carries.

131

132 At the request of the applicant, the Planning Commission deferred POD-35-01, Gayton Baptist  
133 Church - N. Gayton Road (POD-98-90 Revised), to its July 25, 2001, meeting.

134

135 **LANDSCAPE & LIGTING PLAN (Deferred from the May 23, 2001, Plan)**

136

LP/POD-81-00                                    **Bay Design Group:** Request for approval of a landscape and  
Extra Attic Mini Storage -                    lighting plan, as required by Chapter 24, Sections 24-106 and  
Springfield Road                                24-106.2 of the Henrico County Code. The 4.33 acre site is  
located at the northeast intersection of Springfield Road (State  
Route 157) and Huron Avenue on parcel 49-A-33. The zoning  
is M-1C, Light Industrial District (Conditional). **(Brookland)**

137

138 Mr. Wilhite - The applicant request deferral to July 25, 2001.

139

140 Mr. Archer - Is there anyone in opposition to this deferral, LP/POD-81-00, Extra  
141 Attic Mini Storage? No opposition. Mr. Vanarsdall.

142

143 Mr. Vanarsdall - I move that LP/POD-81-00, Extra Attic Mini Storage, be deferred to the  
144 July 25, 2001, meeting, at the applicant's request.

145

146 Mr. Taylor - Second.

147

148 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Taylor.

149 All in favor say aye...all opposed say nay. The motion carries.

150

151 At the request of the applicant, the Planning Commission deferred LP/POD-81-00, Extra Attic  
152 Mini Storage, to its July 25, 2001, meeting.

153

154 Mr. Wilhite - Mr. Chairman, we have received two more requests recently that don't  
155 appear on your list. The first one is on page 24 of your agenda.

156 **PLAN OF DEVELOPMENT (Deferred from the May 23, 2001, Meeting)**

157

POD-95-00  
Superstar, Inc. Service  
Center - 9999 Brook Road  
(POD-3-96 Revised)

**Foster & Miller, P. C. and Harry Pradham For Superstar, Inc.:** Request for approval of a revised plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, two service bay addition to an existing convenience store with fuel pumps. The 1.316 acre site is located at 9999 Brook Road at the southeast corner of Brook Road (U.S. Route 1) and J.E.B. Stuart Parkway on parcel 33-A-3C. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Fairfield)**

158

159 Mr. Wilhite - The applicant requests deferral until September 26, 2001.

160

161 Mr. Archer - Mr. McGarry, how many deferrals has this POD had?

162

163 Mr. McGarry - He has five deferrals already and this will be number six.

164

165 Mr. Archer - We have met and talked about this case quite a bit and I don't know if  
166 there is much more that we can do with it, but perhaps we can. I would like to advise that  
167 when it comes up again that we will hear it one way or the other and dispose of it. So, with  
168 that I will move for deferment of.....

169

170 Mr. McGarry - Excuse me, Mr. Chairman, but I think there is opposition to the  
171 deferment.

172

173 Mr. Archer - I'm sorry. Is there opposition to this deferment? All right. We have  
174 opposition. Good morning, Mrs. Erskine.

175

176 Mrs. Erskine - I am Jane Erskine, 1010 Ethelwood Road. I'm secretary of the  
177 Neighborhood Association. We would like for this to be heard now. At the very least that  
178 possibly some recommendations to help us work closer with Harry to alleviate some of the  
179 problems that all of us are having. I think if we just defer it again there probably won't be  
180 much communication until September and it could be deferred continuously. And we are not  
181 really getting a whole lot accomplished as far as working out everybody's problem with this.  
182 We would like it to at least be heard now so that the problems that everybody is having with  
183 this could be heard and addressed.

184

185 Mr. Archer - You don't think you can gain anything between now and September?

186

187 Mrs. Erskine - I don't think so.

188

189 Unknown ? - As Chris Archer mentioned, we did have a meeting. Certain things we  
190 thought had been decided upon were consequently, later as I talked to Ted McGarry, were not  
191 agreed to at the last minute by Mr. Pradham. He decided not to include them today so it's

192 kind of hard to pin him down, as far as agreements go. So, we really don't know where we  
193 are.

194

195 Mr. Archer - I'll tell you what, if we can, let's let Mr. Pradham come down and tell us  
196 why he wants to defer and maybe we can gain some knowledge. Is he here?

197

198 Mr. McGarry - To my knowledge he is not here. He dropped this deferral off.

199

200 Mr. Mistr - Harry has been handling this pretty well himself. Foster & Miller did  
201 the plan. I understood that he had had some meetings but I don't know the results of what  
202 happen in that, but he's not here. If you would like to hear it, we can try to get in touch with  
203 him. I'll see if we can get him, but I think maybe all we can do is hear the concerns and the  
204 complaints because I don't think we can make any commitments on his behalf as to what he  
205 will or won't do or can or can't do.

206

207 Mr. Archer - Okay. Do you think you can get in touch with him?

208

209 Mr. Mistr - I'll try in just a minute, yes.

210

211 Mr. Archer - All right. If you would, sir, we will move this to later in the agenda.

212

213 Mr. Vanarsdall - Spud, would you identify yourself for the record.

214

215 Mr. Mistr - Yes, sir. Spud Mistr with Foster & Miller.

216

217 Mr. Vanarsdall - Fifty years from now we want to know who said that.

218

219 Mr. Archer - Okay. We will pass this by for now and if you try to contact him I  
220 would appreciate it and we will see where we are. I wouldn't want to defer this without him  
221 being able to address whatever he wants to defer it for. Okay. Now where are we?

222

223 **THIS CASE WAS PASSED BY AND HEARD LATER DURING THE MEETING - SEE**  
224 **PAGE 18.**

225

226 Mr. Wilhite - Mr. Chairman, the last request that we received, that we are aware of,  
227 appears on page 28 of your agenda, Hollybrook Townhouses.

228

229 **SUBDIVISION**

230

Hollybrook Townhouses  
(Formerly Parkview  
Townhouses)  
(June 2001 Plan)

**Balzer & Associates, Inc. and Skip Gelletly for Marvin F.  
Cole and EJD Associates, Inc.:** The 6.42 acre site is located  
2,200 feet east of Mechanicsville Turnpike (U.S. Route 360)  
on St Clair Lane on parcel 139-A-10. The zoning is RTH,  
Residential Townhouse District. County water and sewer.  
**(Fairfield) 58 Lots**

231 Mr. Wilhite - The applicant is requesting deferral until July 25, 2001. This had  
232 appeared on the Expedited Agenda, but the applicant is requesting deferral.

233

234 Mr. Archer - All right. Is there anyone here in opposition to this deferral? No  
235 opposition. Then, I will move deferral of Hollybrook Townhouses to the July 25, 2001,  
236 meeting, at the applicant's request.

237

238 Mr. Jernigan - Second.

239

240 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr. Jernigan.  
241 All in favor say aye...all opposed say nay. The motion carries.

242

243 At the request of the applicant, the Planning Commission deferred subdivision Hollybrook  
244 Townhouses) (June 2001 Plan) (Formerly Parkview Townhouses), to its July 25, 2001,  
245 meeting.

246

247 Mr. Vanarsdall I have one that I would like to discuss but I'll wait until we finish with  
248 the Expedited Agenda. I'll come back to this deferment, if you don't mind.

249

250 Mr. Archer - That's fine.

251

252 Mr. Marlles - Mr. Chairman, the next item on the agenda is our Expedited Agenda.  
253 Again, that will be presented by Mr. Wilhite.

254

255 Mr. Wilhite - This first case appears on page 5.

256

257 **TRANSFER OF APPROVAL**

258

POD-51-86  
Granville Square, Phase 1

**Joseph P. Marchetti, Jr. for C. B. Richard Ellis of Virginia:**  
Request for approval of a transfer of approval, as required by  
Chapter 24, Section 24-106 of the Henrico County Code, from  
Earl Thompson, Inc. to Philip J. Kennedy Estate/Wachovia  
Bank Trustee. The 0.959 acre site is located at 11051 Three  
Chopt Road on parcel 57-A-57A. The zoning is B-1, Business  
District and B-2C, Business District (Conditional). **(Three  
Chopt)**

259

260 Mr. Wilhite - On page 3 of your addendum there is a revised recommendation for this  
261 case. Staff recommends approval.

262

263 Mr. Archer - All right. Is there anyone here in opposition to the transfer of approval  
264 request for POD-51-86, Granville Square, Phase 1? No opposition. Mr. Taylor.

265

266 Mr. Taylor - Mr. Chairman, I move approval of POD-51-86, Granville Square, Phase  
267 1.

268 Mr. Vanarsdall - Second.

269

270 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall.

271 All in favor say aye...all opposed say nay. The motion carries.

272

273 The Planning Commission approved the transfer of approval request for POD-51-86, Granville  
274 Square, Phase 1, with the new owner accepting and agreeing to be responsible for continued  
275 compliance with the conditions of the original approval.

276

277 **TRANSFER OF APPROVAL (Deferred from the May 23, 2001, Meeting)**

278

POD-34-73

Days Inn -

5500 Williamsburg Road

**Kantilal M. Patel:** Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code, from Day Realty of Richmond, Inc. and Cecil Associates Limited Partnership to Kantilal M. Patel. The 2.06 acre site is located at 5500 Williamsburg Road, on the northeast corner of Williamsburg Road (U.S. Route 60) and Sanburne Parkway on parcel 163-0F-B-9. The zoning is B-3, Business District and ASO (Airport Safety Overlay) District. County water and Sewer. **(Varina)**

279

280 Mr. Archer - All right. Is there anyone here in opposition to the transfer of approval  
281 request for POD-34-73, Days Inn? No opposition. Mr. Jernigan.

282

283 Mr. Jernigan - Mr. Chairman, I make a motion to approve POD-34-73, transfer of  
284 approval from Days Realty of Richmond, Inc. and Cecil Associates Limited Partnership to  
285 Kantilal M. Patel.

286

287 Mr. Vanarsdall - Second.

288

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

290 All in favor say aye...all opposed say nay. The motion carries.

291

292 The Planning Commission approved the transfer of approval request for POD-34-73, Days Inn  
293 - 5500 Williamsburg Road, with the new owner accepting and agreeing to be responsible for  
294 continued compliance with the conditions of the original approval.

295 **TRANSFER OF APPROVAL**

296

POD-14-96  
Spaghetti Warehouse @  
Virginia Center Commons

**Hill City Chop House @ Virginia Center Commons (Formerly Spaghetti Warehouse Restaurant):** Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code, from North Park Peripheral Associates, LP to Chickahominy Group, LLC. The 1.752 acre site is located 350 feet east of the east line of Brook Road (U.S. Route 1) approximately 500 feet north of J.E.B. Stuart Parkway on parcel 24-A-7L. The zoning is B-3C, Business District. **(Fairfield)**

297

298 Mr. Archer - All right. Is there anyone here in opposition to this transfer of approval  
299 POD-14-96, Spaghetti Warehouse? No opposition. I move approval of POD-14-96, Spaghetti  
300 Warehouse @ Virginia Center Commons.

301

302 Mr. Jernigan - Second.

303

304 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr. Jernigan.  
305 All in favor say aye...all opposed say nay. The motion carries.

306

307 The Planning Commission approved the transfer of approval request for POD-14-96, Spaghetti  
308 Warehouse @ Virginia Center Commons, with the new owner accepting and agreeing to be  
309 responsible for continued compliance with the conditions of the original approval.

310

311 **SUBDIVISION (Deferred from the May 23, 2001, Meeting)**

312

Keaton Estates  
(May 2001 Plan)

**Foster & Miller, P. C. for James E. Keaton:** The 1.246 acre site is located on the northeast corner of Birch Brook Road and Wistar Road on parcel 71-5-C-6 and part of 71-A-28. The zoning is R-2, One-Family Residence District. County water and sewer **(Brookland) 3 Lots**

313

314 Mr. Archer - All right. Is there anyone in opposition to Keaton Estates (May 2001  
315 Plan)? No opposition. Mr. Vanarsdall.

316

317 Mr. Vanarsdall - I move that Keaton Estates (May 2001 Plan) be approved on the  
318 expedited agenda with the annotations on the plan and the standard conditions for subdivisions  
319 served by public utilities and also additional conditions Nos. 12, 13, and 14.

320

321 Mr. Taylor - Second.

322

323 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Taylor.  
324 All in favor say aye...all opposed say nay. The motion carries.

325

326 The Planning Commission granted conditional approval to subdivision Keaton Estates (May  
327 2001 Plan) subject to the standard conditions for subdivisions served by public utilities attached  
328 to these minutes, the annotations on the plan and the following additional conditions.

329

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

331 13. The plan must provide at least the 100 foot minimum lot width required and as regulated  
332 by Chapter 24, of the Henrico County Code.

333 14. Portions of parcel "B-2" will be dedicated to provide ultimate 60' right-of-way (30' from  
334 centerline) along Wistar Road and 8' utility and drainage easements along the west and  
335 north property line, prior to plat recordation.

336

### 337 **TRANSFER OF APPROVAL**

338

POD-10-97

Texaco Eagle Markets -  
Staples Mill Road

**Foster & Miller for Motiva Enterprises:** Request for approval of a transfer of approval, as required by Chapter 24, Section 24-106 of the Henrico County Code, from Davis Investments LLC to Motiva Enterprises. The 1.6 acre site is located on the northeast corner of Staples Mill Road and Aspen Avenue on parcel 82-11-D-22. The zoning is B-2C, Business District (Conditional). **(Brookland)**

339

340 Mr. Archer - Is there anyone in opposition to this transfer of approval request for  
341 POD-10-97, Texaco Eagle Markets? No opposition. Mr. Vanarsdall.

342

343 Mr. Vanarsdall - I move POD-10-97, Texaco Eagle Market, transfer of approval, be  
344 approved on the expedited agenda.

345

346 Mr. Taylor - Second.

347

348 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Taylor.  
349 All in favor say aye...all opposed say nay. The motion carries.

350

351 The Planning Commission approved the transfer of approval request for POD-10-97, Texaco  
352 Eagle Markets - Staples Mill Road, with the new owner accepting and agreeing to be  
353 responsible for continued compliance with the conditions of the original approval.

354

### 355 **SUBDIVISION**

356

Grove Park, Section B  
(June 2001 Plan)  
(A Dedication of an Extension of  
School Avenue, north of Aspen)

**Foster & Miller, P.C. for Staples Mill South Associates and Motiva Enterprises, LLC:** The 0.137 acre site is located on the northern terminus of School Avenue 117 feet north of the intersection of School and Aspen Avenues on part of parcel 82-A-41. The zoning is M-1, Light Industrial District and B-2C, Business District (Conditional). County water and sewer.  
**(Brookland) 0 Lot**

357

358 Mr. Wilhite - There is a revised recommendation for approval on your addendum for  
359 this case.

360

361 Mr. Archer - Is there anyone here in opposition to Grove Park, Section B? No  
362 opposition. Mr. Vanarsdall.

363

364 Mr. Vanarsdall - I move Grove Park, Section B (June 2001 Plan) be approved on the  
365 expedited agenda, at staff's request with the annotations on the plan and the standard  
366 conditions for developments of this type.

367

368 Mr. Taylor - Second.

369

370 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Taylor.  
371 All in favor say aye...all opposed say nay. The motion carries.

372

373 The Planning Commission granted conditional approval to Grove Park, Section B (June 2001  
374 Plan) (A Dedication of an Extension of School Avenue, north of Aspen) subject to the standard  
375 conditions attached to these minutes for subdivisions served by public utilities and the  
376 annotations on the plan.

377

#### 378 **PLAN OF DEVELOPMENT**

379

POD-40-01

Showbest Fixture

Corporation - Sarellen Road  
(POD-15-97 Revised)

**Engineering Design Associates for Alliant Foodservice, Inc.  
and Showbest Fixture 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 one-story, 22,260  
square foot addition to an existing manufacturing facility. The  
5.67 acre site is located on the northeast corner of Sarellen  
Road and Klockner Drive on parcel 172-3-D-3. The zoning is  
M-1, Light Industrial District. County water and sewer.  
**(Varina)**

380

381 Mr. Wilhite - There is a revised recommendation of approval on page 5 of your  
382 addendum.

383

384 Mr. Archer - Is there anyone here in opposition to POD-40-41, Showbest Fixture  
385 Corporation? No opposition. Mr. Jernigan.

386

387 Mr. Jernigan - Mr. Chairman, I make motion to approve POD-40-41, Showbest Fixture  
388 Corporation, on the expedited agenda, and subject to the standard conditions for developments  
389 of this type with additional conditions Nos. 23 through 26.

390

391 Mr. Vanarsdall - Second.

392

393 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mr. Vanarsdall.  
394 All in favor say aye...all opposed say nay. The motion carries.

395 The Planning Commission approved POD-40-41, Showbest Fixture Corporation (POD-15-97  
396 Revised) subject to the standard conditions for developments of this type attached to these  
397 minutes, the annotations on the plans and the following additional conditions:

398

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

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

406 25. Deviations from County standards for pavement, curb or curb and gutter design shall be  
407 approved by the County Engineer prior to final approval of the construction plans by  
408 the Department of Public Works.

409 26. Insurance Services Office (ISO) calculations must be included with the plans and  
410 approved by the Department of Public Utilities prior to the issuance of a building  
411 permit.

412

#### 413 **PLAN OF DEVELOPMENT**

414

POD-43-01  
Lewis Road  
Office/Warehouse

**Balzer & Associates, Inc. for Aragon Group:** 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, 9,400 square foot, office/warehouse building. The 8.1 acre site is located along the west line of Lewis Road, approximately 750 feet south of Williamsburg Road on parcel 173-A-4. The zoning is M-1, Light Industrial District. County water and sewer. **(Varina)**

415

416 Mr. Wilhite - There is a revised recommendation for approval on page 6 of your  
417 addendum for this case.

418

419 Mr. Archer - Is there anyone in the audience in opposition to POD-43-01, Lewis Road  
420 Office/Warehouse? No opposition. Mr. Jernigan.

421

422 Mr. Jernigan - Mr. Chairman, I make a motion to approved POD-43-01, Lewis Road  
423 Office Warehouse, subject to the standard conditions for developments of this type, with the  
424 following additional conditions Nos. 23 through 27.

425

426 Mr. Vanarsdall - Second.

427

428 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mr. Vanarsdall.  
429 All in favor of the motion say aye...all opposed say nay. The motion carries.

430 The Planning Commission approved POD-43-01, Lewis Road Office/Warehouse, subject to the  
431 standard conditions attached to these minutes for developments of this type, the annotations on  
432 the plans and the following additional conditions:

433

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

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

441 25. The certification of building permits, occupancy permits and change of occupancy  
442 permits for individual units shall be based on the number of parking spaces required for  
443 the proposed uses and the amount of parking available according to approved plans.

444 26. Deviations from County standards for pavement, curb or curb and gutter design shall be  
445 approved by the County Engineer prior to final approval of the construction plans by the  
446 Department of Public Works.

447 27. Insurance Services Office (ISO) calculations must be included with the plans and  
448 approved by the Department of Public Utilities prior to the issuance of a building permit.

449

#### 450 **SUBDIVISION**

451

Scandia Lake  
(June 2001 Plan)

**E. D. Lewis & Associates and Henry Wickham for Kenny  
Wilborne Realty & Construction Company:** The 2.24 acre  
site is located at the intersection of Scandia Road and Somerton  
Place adjacent to 5286 Scandia Road on parcel 200-A-5E. The  
zoning is A-1, Agricultural District. County water and septic  
tank/drainfield. **(Varina) 2 Lots**

452

453 Mr. Archer - Is there anyone here in opposition to Scandia Lake (June 2001 Plan)?

454 No opposition. Mr. Jernigan.

455

456 Mr. Jernigan - Mr. Chairman, I make motion to approve lot split 200-A-5E, Scandia  
457 Lake subdivision, subject to the annotations on the plan and the standard conditions for  
458 subdivision served by public water and on site disposal sewage system.

459

460 Mr. Vanarsdall - Second.

461

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

463 All in favor say aye...all opposed say nay. The motion carries.

464

465 The Planning Commission granted conditional approval to Scandia Lake (June 2001 Plan)  
466 subject to the standard conditions for subdivision served by public water and septic  
467 tank/drainfield and the annotations on the plans.

468

469 **PLAN OF DEVELOPMENT**

470

POD-39-01  
The Wright Buildings -  
W. Broad Street (Formerly  
Virginia Paper Company)

**Mozingo & Associates and John Tighe for 8066 W. Broad St. Property Inc.:** Request for approval of a plan of development as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a two-story, 4,608 square foot office building. The 1.121 acre site is located on the south line of W. Broad Street (U.S. Route 250), 91.50 feet west of the west line of Gaskins Road on parcel 48-4-B-1. The zoning is M-1C, Light Industrial District (Conditional) and C-1C, Conservation District (Conditional). County water and sewer.  
**(Three Chopt)**

471

472 Mr. Wilhite - There is a revised recommendation for approval on page 6 of your  
473 addendum, and it is also recommended that No. 27, dealing with the sidewalk along W. Broad  
474 Street, be deleted. There was also a revised plan already included in your packet for this case.

475

476 Mr. Archer - Is there anyone in the audience in opposition to POD-39-01, The Wright  
477 Buildings? No opposition. Mr. Taylor.

478

479 Mr. Taylor - Mr. Chairman, I'll move POD-39-01 be approved on the expedited  
480 agenda subject to the standard conditions for developments of this type, with the following  
481 additional conditions Nos. 23 through 36, the annotations on the plans and deleting condition  
482 No. 27.

483

484 Mr. Vanarsdall - Second.

485

486 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall.  
487 All in favor of the motion say aye...all opposed say nay. The motion carries.

488

489 The Planning Commission approved POD-39-01, The Wright Buildings (Formerly Virginia  
490 Paper Company), subject to the standard conditions attached to these minutes for developments  
491 of this type, the annotations on the plans and the following additional conditions:

492

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

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

502 25. The entrances and drainage facilities on W. Broad Street (U. S. Route 250) shall be  
503 approved by the Virginia Department of Transportation and the County.

- 504 26. The developer shall provide fire hydrants as required by the Department of Public  
505 Utilities and Division of Fire.
- 506 27. Outside storage shall not be permitted.
- 507 28. The proffers approved as a part of zoning case **C-7C-81** shall be incorporated in this  
508 approval.
- 509 29. Before the final plan is approved, the developer shall submit to the Department of  
510 Public Works and the Planning Office a report prepared by a qualified professional  
511 engineer specifying the proposed treatment of mine shafts and scars.
- 512 30. The certification of building permits, occupancy permits and change of occupancy  
513 permits for individual units shall be based on the number of parking spaces required for  
514 the proposed uses and the amount of parking available according to approved plans.
- 515 31. Any necessary off-site drainage and/or water and sewer easements must be obtained in  
516 a form acceptable to the County Attorney prior to final approval of the construction  
517 plans.
- 518 32. Deviations from County standards for pavement, curb or curb and gutter design shall be  
519 approved by the County Engineer prior to final approval of the construction plans by  
520 the Department of Public Works.
- 521 33. Storm water retention, based on the 50-10 concept, shall be incorporated into the  
522 drainage plans.
- 523 34. Insurance Services Office (ISO) calculations must be included with the plans and  
524 approved by the Department of Public Utilities prior to the issuance of a building  
525 permit.
- 526 35. Approval of the construction plans by the Department of Public Works does not  
527 establish the curb and gutter elevations along the Henrico County maintained right-of-  
528 way. The elevations will be set by Henrico County.

529  
530 Mr. Vanarsdall - Mr. Chairman, I have a request, more or less for Mr. Marlles. When I  
531 was Chairman I asked, whether it was rezoning or this meeting, to fax me the expedited  
532 agenda, the addendum and the deferrals. Then halfway through my regime I figured that  
533 everybody else would like that. For some reason I haven't been able to get that without  
534 calling. So, Mr. Marlles, would you set it up where all of us will automatically, probably  
535 around 4:30 p.m. the evening before the day of the meeting. Or, with rezoning we had it set  
536 up the day before. We have so much paper work, we almost have to get here a half an hour  
537 early to figure out what we are doing and it really helps.

538  
539 Mr. Marlles - Mr. Vanarsdall, I think we can send that information out. Of course, as  
540 you know, we get requests for deferrals right up practically to the morning of the meeting.  
541 But we will send you the most up-to-date information that we have.

542  
543 Mr. Vanarsdall - Thank you.

544  
545 Mr. Archer - Thank you for bringing that to everybody's attention, Mr. Vanarsdall.  
546

547 Mr. Taylor - It was handy to get that last night. I did get it but it was a frantic effort  
548 to get it all together because my fax machine ran out of paper.

549 Mr. Archer - All right, Mr. Secretary, where are we sir?

550

551 Mr. Vanarsdall - Mr. Chairman, before we go on I would like to do this one. Turn to  
552 page 31 in your agenda, POD-55-01, Ingenco. Is Mr. Hurte in the audience?

553

554 Mr. Kennedy - Mr. Hurte has left and he is willing to accept a deferral at the  
555 Commission's request.

556

557 **PLAN OF DEVELOPMENT**

558

POD-55-01

Ingenco

(POD-116-86 Revised)

**Draper Aden Associates for Rowin Plant Properties LLC and Ingenco:** Request for approval of a revised plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, 11,250 square foot generating plant and a tank farm with 5, 50,000 gallon fuel oil tanks and 2, 22,000 gallon fuel oil tanks with maximum height of 40 feet. The 5.70 acre site is located at the intersection of Tomlin and Dabney Road on parcel 116-A-5. The zoning is M-2, General Industrial District. **(Brookland)**

559

560 Mr. Vanarsdall - I'll have to throw this speech away. I had a speech a whole page long.  
561 Thank you very much. You have really made my job a lot easier. All right. Mr. Chairman, I  
562 move that POD-55-01, Ingenco, be deferred to July 25, 2001, at the applicant's request.

563

564 Mr. Kennedy - He didn't say at the applicant's request, he said he would accept your  
565 deferral.

566

567 Mr. Vanarsdall - That's good enough for me. At the applicant's request.

568

569 Mr. Taylor - Second.

570

571 Mr. Vanarsdall - If we send him \$100.00 bill, if he don't want to pay it he can send it  
572 back. I don't like freebies because as I told Mr. Taylor the last time it comes off of our bonus.

573

574 Mr. Archer - Was that July 25?

575

576 Mr. Vanarsdall - Yes, the 25<sup>th</sup>.

577

578 Mr. Taylor - I'll second that, Mr. Chairman.

579

580 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Taylor.  
581 All in favor of the motion say aye...all opposed say nay. The motion carries.

582

583 Mr. Vanarsdall - Mr. Kennedy, thank you for following and tracking this. Not just the  
584 deferment but the other thing.

585

586 **(SEE PAGE 45 FOR THE REVISED MOTION)**

587

588 At the request of the applicant, the Planning Commission deferred POD-55-01, Ingenco (POD-  
589 116-86 Revised) to the July 25, 2001, meeting.

590

591 Mr. Archer - It appears you have something to say. Go right ahead.

592

593 **CONTINUED FROM PAGE 7**

594

595 Mr. McGarry - Yes. I have an update on POD-95-00, Superstar.

596

597 **PLAN OF DEVELOPMENT (Deferred from the May 23, 2001, Meeting)**

598

POD-95-00  
Superstar, Inc. Service  
Center - 9999 Brook Road  
(POD-3-96 Revised)

**Foster & Miller, P. C. and Harry Pradham For Superstar, Inc.:** Request for approval of a revised plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, two service bay addition to an existing convenience store with fuel pumps. The 1.316 acre site is located at 9999 Brook Road at the southeast corner of Brook Road (U.S. Route 1) and J.E.B. Stuart Parkway on parcel 33-A-3C. The zoning is B-3C, Business District (Conditional). County water and sewer. **(Fairfield)**

599

600 Mr. McGarry - Mr. Pradham has asked for the deferral. He's not able to meet with us  
601 this morning. And the opposition has withdrawn its opposition to the deferral and will accept a  
602 September meeting with him.

603

604 Mr. Vanarsdall - The opposition has withdrawn the opposition.

605

606 Mr. McGarry - Yes, to the deferral.

607

608 Mr. Taylor - Mr. McGarry, has there been any statements by the applicant that he will  
609 meet at some certain time with the people that are in the neighborhood? It seems like this one  
610 here, everybody was waiting for somebody else to have a meeting and there was no meeting so  
611 there was really no forward motion. Can we assure that the next time there will be active  
612 interest to get a meeting together and that we will get some resolution between the applicant  
613 and the affected neighbors?

614

615 Mr. McGarry - Mr. Archer and I have met....

616

617 Mr. Archer - We can pretty much assure that there will be a meeting. Whether or not  
618 we resolve anything or not I'm not sure, but there will definitely be a meeting. Mr. McGarry  
619 and I may not attend that meeting. I don't know if we helped being at the last one or not, but  
620 apparently Mr. Pradham has something that he wants to offer the neighborhood in terms of

621 reconciliation. But in any event, that was the September 26 or 25 meeting?

622

623 Mr. McGarry - The September 25 meeting.

624

625 Mr. Archer - Then I will move deferment of POD-95-00, Superstar, Inc. to the  
626 September 25, 2001, meeting at the applicant's request.

627

628 Mr. Vanarsdall - The motion was made by Mr. Archer and seconded by Mr. Vanarsdall.  
629 All in favor say aye...all opposed say nay. The motion carries.

630

631 At the request of the applicant, the Planning Commission deferred POD-95-00, Superstar, Inc.  
632 Service Center, to the September 25, 2001, meeting.

633

634 Mr. Archer - Okay, where are we and how did we get here?

635

636 Mr. Marlles - Mr. Chairman, the next item on the agenda is, and we are back to page  
637 1, is the requests for subdivision extensions of conditional approval. These are for  
638 informational purposes only for the Commission and they will be briefly reviewed by Mr.  
639 Wilhite.

640

641 **SUBDIVISION EXTENSIONS OF CONDITIONAL APPROVAL**

642

643 **(FOR INFORMATIONAL PURPOSE ONLY)**

644

<b>Subdivision</b>	<b>Magisterial District</b>	<b>Original No. of Lots</b>	<b>Remaining Lots</b>	<b>Previous Extensions</b>	<b>Year(s) Extended</b>
<b>Bell Tower (June 2000 Plan)</b>	<b>Three Chopt</b>	<b>38</b>	<b>10</b>	<b>0</b>	<b>1 Year 06/26/02</b>
<b>Berkeley (June 1999 Plan)</b>	<b>Three Chopt</b>	<b>137</b>	<b>44</b>	<b>1</b>	<b>3 Years 06/23/04</b>
<b>Harvest Crest (January 2000 Plan) Reconsideration</b>	<b>Fairfield</b>	<b>47</b>	<b>47</b>	<b>1</b>	<b>1 Year 06/26/02</b>
<b>Hunton Estates (June 1999 Plan)</b>	<b>Brookland</b>	<b>165</b>	<b>115</b>	<b>1</b>	<b>3 Years 06/23/04</b>
<b>Hunton Park Town- houses (May 2000 Plan)</b>	<b>Brookland</b>	<b>245</b>	<b>166</b>	<b>0</b>	<b>1 Year 06/26/02</b>
<b>Westerre Parkway (June 1999 Plan)</b>	<b>Three Chopt</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1 Year 06/26/02</b>
<b>Wyndham Forest, Section 7 (June 1999 Plan)</b>	<b>Three Chopt</b>	<b>51</b>	<b>6</b>	<b>1</b>	<b>3 Years 06/23/04</b>

645 Mr. Wilhite - Mr. Chairman, the only thing I would add at this point, unless there are

646 any questions, is that Wyndham Forest, Section 7, we may be in a position to grant final  
647 approval of the remaining lots today. Therefore it would not be any need to extend the  
648 subdivision.

649

650 Mr. Archer - All right. Are there any comments by the Commission? Okay. We  
651 need to take any action on that, Mr. Secretary?

652

653 Mr. Marlles - No, sir. That information is for informational purposes only.

654

655 Mr. Archer - All right, next.

656

657 Mr. Marlles - Mr. Chairman, the next item on your agenda is not actually on your agenda.  
658 There was a request for an alternative fence height that was included in your packet. That location is  
659 at 415 Westham Parkway. Mr. Jernigan, in the absence of Mrs. Dwyer, is going to handle this and I  
660 believe Mr. Strauss is going to brief us on that request. Mr. Strauss.

661

## 662 **LATE ADDITION TO AGENDA**

663

### 664 **ALTERNATIVE FENCE HEIGHT PLAN**

665

#### **#415 Westham Parkway (Lot 36, Section L)**

**Richard Bergstrom:** Request for approval of an alternative fence height, as required by Chapter 24, Section 24-95.(1.)(7)b of the Henrico County Code. The .4 acre site is located at the southwest corner of Westham Parkway and Beechwood Drive on parcel 113-9-8-36. The zoning is R-1, One-Family Residence District. **(Tuckahoe)**

666

667 Mr. Strauss - Thank you, Mr. Secretary. The owner of the residence, Mr. Bergstrom,  
668 is requesting Planning Commission approval of a five-foot, six-inch-high fence that is proposed  
669 in the front yard of this lot. The house is located at the intersection of Westham Parkway and  
670 Beechwood Drive. The fence is shown in this photograph (pointing to photo on screen) in  
671 what is to be considered the front yard for this lot. The staff has reviewed this request for the  
672 traffic engineer and can recommend approval in accordance for the recommendations for this  
673 case, which were handed out this morning in your addendum. And those conditions are: The  
674 owner shall provide additional landscaping in the form of low evergreen shrubs at the base of  
675 the fence, facing Beechwood Drive. And that's the view you see here in this photograph.  
676 Secondly, the owner shall acquire any necessary permits for the construction of the fence.  
677 And that, in conclusion, is staff's recommendations and I can answer any questions and Mr.  
678 Bergstrom is here as well.

679

680 Mr. Archer - Are there questions from the Commission?

681

682 Mr. Jernigan - Is there any opposition?

683

684 Mr. Taylor - Mr. Strauss, as I look at this, I'm I looking at the same corner in the

685 photograph that shows a split rail fence? And then I understand that he wants to put up a....

686

687 Mr. Strauss - This indeed is the fence which he started. This is the fence that he is  
688 asking of the alternative fence height approval for.

689

690 Mr. Taylor - This is what it is going to like, in elevation?

691

692 Mr. Strauss - Yes. We do have the benefit of seeing it.

693

694 Mr. Taylor - And that's going to go over to the other side, over there (referring to  
695 photo)?

696

697 Mr. Strauss - And this is the street, Beechwood Drive.

698

699 Mr. Taylor - And what he is doing, after putting in that fence, he's going to put  
700 shrubbery in front of it, evergreen shrubs at the edge.

701

702 Mr. Strauss - In this area, right here (referring to photo on the screen) to soften the  
703 effect of the width of the fence.

704

705 Mr. Taylor - And that fence is on his backyard.

706

707 Mr. Strauss - This is the front yard, according today's definition. But, the fence does  
708 run across the side and the back. So, being in the front yard requires Commission approval  
709 being higher than three foot, six inches.

710

711 Mr. Taylor - Now, as it starts to go back, it looks like it is a solid board fence.

712

713 Mr. Strauss - This is a gate. But there will be the same technique put across the post  
714 in this area (referring to photo) in this area.

715

716 Mr. Taylor - So, it will all be shrubs.

717

718 Mr. Strauss - Well, there will be shrubs in this area. And the lot, actually, is quite  
719 nicely landscaped. I imagine they will do a pretty nice job. Here is a picture of the front of  
720 the house. This view is Westham Parkway (referring to photo).

721

722 Mr. Jernigan - In reality, it is his backyard, even though it's on a corner.

723

724 Mr. Strauss - From a practical standpoint.

725

726 Mr. Jernigan - Yes, sir.

727

728 Mr. Taylor - And the purpose of the fence is simply decorating....

729 Mr. Strauss - Privacy for his children and his dog, as I understand it, but if you want

730 he can elaborate on that further.

731

732 Mr. Vanarsdall - There's no opposition to the case is it?

733

734 Mr. Archer - Mr. Jernigan asked that, and I neglected to ask. Is there opposition?

735 There is none, not present anyway. Are there any more questions? All right, Mr. Jernigan.

736

737 Mr. Jernigan - Well, if there are no problems, then I'll recommend approval of the  
738 alternative fence height for 415 Westham Parkway.

739

740 Mr. Vanarsdall - Second.

741

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

743 All in favor say aye...all opposed say nay. The motion carries.

744

745 The Planning Commission approved the alternative fence height plan for 415 Westham  
746 Parkway, (Lot 36, Section L) subject to the standard conditions for fence height plans and the  
747 following additional conditions:

748

749 1. The owner shall provide additional landscaping in the form of low evergreen shrubs at the  
750 base of the fence, facing Beechwood Drive.

751 2. The owner shall acquire any necessary permits for the construction of the fence.

752

753 **BROOKLAND:**

754 **Deferred from the June 14, 2001 Meeting:**

755 **C-23C-01 J. W. Keith for F. Cristiano Attems:** Request to conditionally rezone from B-  
756 2C Business District (Conditional) to O-2C Office District (Conditional), Parcel 70-10-1-1,  
757 containing 9.097 acres, located on the north line of Shrader Road approximately 520 feet north  
758 of Fountain Avenue. An office development is proposed. The Land Use Plan recommends  
759 Office.

760

761 Mr. Archer - All right. Is there anyone present in opposition to this zoning case, C-  
762 23C-01? No opposition. Mr. Householder.

763

764 Mr. Householder - Thank you, Mr. Chairman. The subject request would rezone 9.097  
765 acres to O-2C for an office development. The property is currently zoned B-2C and it's  
766 located along Shrader Road. Here you have surrounding zoning to the rear that is R-3, which  
767 is the Woodlawn Subdivision, and we have nine lots that abuts this property, B-3C, across  
768 Shrader and B-2C across the property on Shrader Road. The subject property was rezoned  
769 from O-2 to B-2C in 1996 for a 46,000 square foot shopping center. This case at the time was  
770 carefully debated because it was in intensification of the land use. And the impact that it could  
771 have on the Woodlawn Farm subdivision was looked at very closely. Proffers approved with  
772 that case eliminated several objectionable uses and other elements that would ensure quality  
773 development on the site. The most significant aspect of the proffers in that case, was the  
774 proffer for an eight-foot-high, two-sided split face block wall that would be constructed along

775 the entire length of the property bordering these nine lots. In addition to this eight-foot wall,  
776 the 25-foot buffer was proffered to remain heavily wooded. The applicant in this case has  
777 indicated that they plan to develop the middle third of this property for a medial office use.  
778 They indicated that this will be developed in phases, and I have a site plan on the screen that  
779 show the phases. The first building would be this building here (referring to rendering on the  
780 screen). In the future they plan to expand into this area. They also have provided a color  
781 elevation that shows how the building may look. The remaining portions of the property do  
782 not have any purpose users at this time. The applicant has submitted proffers that address the  
783 overall quality of the development. They include a 15-foot landscape strip along Shrader  
784 Road. They have limited the hours of refuse collection and trash pick up. They have a proffer  
785 for lighting that would minimize glare in a residential scale, coordinated architectural  
786 appearance, with quality materials, reduced the signage and they have limited the O-2 uses on  
787 the site. These proffers are similar to what was proffered with the case C-33C-96. The major  
788 difference is a 20-foot buffer strip is proffered instead of the 25-foot buffer strip. And, instead  
789 of a split face two-sided wall, they proffer to construct a precast modular masonry wall, which  
790 is a new product, that I have sample of that I can show you. I have a picture here and then this  
791 (passing out sample of material). This thing is really heavy. I don't know if you can get a feel  
792 for it... You can pass it around.

793

794 There was a lot of debate on what would be best to protect the neighborhood in this case. And  
795 the two-sided split face wall was extremely expensive and it was difficult to construct and since  
796 it was a down zoning in this case from B-2 to O-2, maybe a different material could be used.  
797 The applicant found this material and staff sees it to be acceptable. And they have proffered to  
798 build the wall out of this material and that's what was handed out to you today. These proffers  
799 were submitted past the deadline because of debates over what the material would be, up until  
800 Monday. So, the time limit would have to BE waived. Overall, this request is consistent with  
801 the office designation for the property and staff feels the proposed use is an appropriate  
802 transition between intense commercial uses along Broad Street and the Woodlawn Farm  
803 subdivision. Staff recommends approval of this case and I will be happy to answer any  
804 questions you may have.

805

806 Mr. Archer - Mr. Householder, have we seen that material before?

807

808 Mr. Householder - We have not seen it in the County, to my knowledge. Based on limited  
809 research, what the applicant has told me, there is an example of it in the City, I think at the  
810 Virginia Housing Development Authority, in that area. So that was part of the difficulties.  
811 We couldn't actually go out and take a look at an existing product. The applicant provided us  
812 a sample on Thursday. Some other aspects of this sample, from what I've learned is that it  
813 wouldn't disturb as much land to put it in because it is thinner. And it wouldn't require  
814 footing but they have proffered to provide footing.

815

816 Mr. Archer - I was getting ready to ask with the weight of that thing it almost need a  
817 footing on it, it could sink.

818

819 Mr. Householder - They proffered to include footing even though it might need be necessary

820 for the construction.

821

822 Mr. Vanarsdall - Mr. Chairman and Commission members, under No. 2, "more  
823 landscaping" it has in there, in the last sentence of paragraph (a); The wall shall set on  
824 concrete footings of a design..... and shall be approved by the County Building Official. So,  
825 it's not like a pig in a bag. Did you ever find out how much the panel weighs?

826

827 Mr. Householder - Eighty-five pounds per rail.

828

829 Mr. Vanarsdall - The reason I asked you that question Mr. Keith told me before that  
830 the.... Let me explain this. The poster is 12 x 12 inches and it's concrete set in the ground.  
831 It's five feet apart and he told me it weighs 85 pounds.

832

833 Mr. Jack Keith - Per rail. Each rail is one-foot high.

834

835 Mr. Vanarsdall - The point I'm making is when I picked that thing up, I said, good Lord,  
836 it must weigh more than 85 pounds.

837

838 Mr. Keith - Each rail, which is one-foot high, weighs 85 pounds and it takes eight  
839 rails. So, you are looking at 680 pounds per five-foot section of just the weight of the rails.  
840 And it is post in beam construction. And, needless to say, it's engineered in five-foot  
841 increments. It's like a door. You've got post on either side of your door and you've got a  
842 beam across the top that's carrying the weight and it's engineered to carry the weight as the  
843 structure above it or you will rip a window out because it broke and replace the window and  
844 the building doesn't fall down, because, again, it's post in beam. The two posts, and you've  
845 got a beam across the top carrying the weight of the building and it's engineered by the length  
846 of the span.

847

848 Mr. Vanarsdall - Are you selling them, Jack?

849

850 Mr. Keith - I wish I were, I think I would make some money.

851

852 Mr. Vanarsdall - Did you identify yourself?

853

854 Mr. Keith - My name is Jack Keith. I am an attorney representing the  
855 owner/applicant.

856

857 Mr. Taylor - Mr. Keith, on the top of that there is a....

858

859 Mr. Keith - There is an engineered cap that fits into the top of it.

860

861 Mr. Jernigan - When these posts go in, in other words, they are slotted and these rails  
862 lay in that slot.

863

864 Mr. Keith - That is correct. And needless to say, the post will go, so I'm told three

865 feet into the ground. Here, again, the golden mean, roughly one-third of the height is in the  
866 ground for stability and structure. The hole is 12 inches wide, filled with concrete. The  
867 concrete takes 4000 PSI after 26 days. From all I can tell, you couldn't ask for anything  
868 better.

869

870 Mr. Vanarsdall - In between the posts, it does not come with footing, and Mr. Keith  
871 agreed to put footing all the way.

872

873 Mr. Keith - No, no. They go into the post holes. The footings are engineered, like  
874 you door and like your windows, to take the span and they are five-foot spans. The beam is  
875 engineered to take the weight above it and so is the column.

876

877 Mr. Taylor - The lowest beam, then, rest directly on earth, no footing.

878

879 Mr. Keith - It does not rest on the earth, it rest on the pilings.

880

881 Mr. Archer - Oh, that will stop it from sinking. Now I understand.

882

883 Mr. Taylor - And the color is molded in, there is no painting?

884

885 Mr. Keith - No. The color is premixed and blended as it is poured.

886

887 Mr. Vanarsdall - And you can get other colors.

888

889 Mr. Keith - And you can get all kinds of colors.

890

891 Mr. Taylor - Nice product.

892

893 Mr. Vanarsdall - If you feel more comfortable, you can get a color that looks like a wood  
894 fence like up and down Ridgefield Parkway.

895

896 Mr. Kaechele - Are the concrete posts colored to match the fence?

897

898 Mr. Keith - Yes, and they are reinforced with steel and so is the wall. Basically,  
899 what you have got is a steel fence incased in concrete.

900

901 Mr. Kaechele - It looks like a continuous masonry fence, although the fence portion is  
902 suspended rather than....

903

904 Mr. Keith - Correct.

905

906 Mr. Archer - All right. Are there any further questions of Mr. Keith?

907

908 Mr. Keith - I would request that the Commission waive the deadline for filing the  
909 proffers and accept the proffers and recommend to the Board the down zoning of this property

910 from B-2C to O-2C. Thank you.

911

912 Mr. Archer - Thank you, sir. All right, Mr. Vanarsdall.

913

914 Mr. Vanarsdall - I want to add to that, the reason he would like to waive the proffers is  
915 because Mr. Marion, who is sitting beside Mr. Keith, is the attorney for the people who want  
916 to use the property. And he is on a tight schedule. So he and Lee Householder and Mr. Keith  
917 worked it all out. And I would like to waive the proffers on this case, C-23C-01.

918

919 Mr. Jernigan - Second.

920

921 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Jernigan  
922 to waive the time limit. All in favor say aye...all opposed say nay. The motion carries.

923

924 Mr. Vanarsdall - Let me elaborate on the wall a little bit before I make my motion. In the  
925 last 10 to 15 years or less in the banking business, they went to this type of for vaults. Now,  
926 most people think that a vault is a safe. A vault is a walk-in vault, a vault is when two or more  
927 persons can pass freely, that's a vault, that's why when you go in a bank you see a vault.

928 A safe is something else, it's under the counter and things like that. Well, always in history, a  
929 vault was 12 inches thick and had a lot of rebar in it. Then, if you had a class II it was 18  
930 inches thick. The industry came out with six inches of concrete for one and eight inches for  
931 the other and the banking industry said that they didn't think it would hold up and they found  
932 out that it would. So, this wall is about the same thing. It's thinner but it does the same job  
933 and it's made of a different kind of concrete. The good news is that they don't have to tear  
934 down the world to install it. That's why fences are so popular because you can put up a fence  
935 without disturbing a lot of landscaping, but you can't with a wall. The other good news is that  
936 this is going to be a wall behind the neighborhood instead of a wooden fence where the boards  
937 fall off through the years and then we can't find Mr. Keith to get them put back up. This is a  
938 good case. They agreed to put the wall across the back of the entire nine acres right now, and  
939 they only have the middle three acres spoken for now, but they think have some else on the  
940 other three acres and I suspect it will turn out exactly like they predicted it. And the Land Use  
941 Plan is in favor of this, that's another thing. So, it's probably a better use then we could get.

942 And I want to thank Mr. Marion and Mr. Keith for their patience in getting this all together. I  
943 want to thank Lee Householder for everything he did on it. He got the proffers together  
944 yesterday afternoon. With that, I recommend approval to the Board of Supervisors, C-23C-01.

945

946 Mr. Taylor - Second.

947

948 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Taylor.  
949 All in favor say aye...all opposed say nay. The motion carries.

950

951 **REASON:** Acting on a motion by Mr. Vanarsdall, and seconded by Mr. Taylor, the Planning  
952 Commission voted 4-0, (Mrs. Dwyer was absent) (one abstention) to recommend that the  
953 Board of Supervisors **grant** the request because it conforms to the recommendations of the  
954 Land Use Plan; and the office use is compatible with surrounding development.

955

956 **PLAN OF DEVELOPMENT RECONSIDERATION**

957 **(Deferred from the May 23, 2001, Meeting)**

958

POD-111-77

Swann Oil Company - Fuel  
Oil Storage Terminal -  
New Market Road

**IMTT-Richmond:** Request for a reconsideration of a previously approved plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to approve a change in condition No. 18 (POD-111-77) to allow a change in paint color of above ground storage tanks. The 5.8 acre site is located on the southeast corner of Osborne Turnpike (State Route 5) and Bickerstaff Road on parcel 170-A-9. The zoning is M-3, Heavy Industrial District. County water and sewer. **(Varina)**

959

960 Mr. Archer - Is there anyone here opposed to this plan of development  
961 reconsideration? No opposition. Mr. Strauss.

962

963 Mr. Strauss - Thank you, Mr. Chairman. The owner of the above ground storage  
964 tanks wishes to repaint the existing tanks. This project is located at Bickerstaff Road and  
965 Route 1, Osborne Turnpike. The applicant is requesting Planning Commission approval as the  
966 conditions of the original POD required that the tanks be painted to blend with the scenery. I  
967 believe No. 18 is an error and it should be No. 19. The applicant has worked extensively with  
968 the Varina Beatification Committee and the County staff and after much discussion a paint  
969 color has been determined. In addition, the landscaping technique, which is mutually  
970 agreeable to both the committee and the staff has also been discussed. The proposed color is  
971 "tank white." As you can see from the photographs, the existing color is kind of a mint green  
972 and that dates back to 1977. The insulation on the tank is in need of replacement and the  
973 applicant would like to use this tank-white color, which is an off white and staff is agreeable to  
974 that. We think that it would blend in with the scenery quite nicely because it would blend in  
975 with the sky and background color. This morning staff is recommending approval, based on  
976 the addendum we've handed out, and after some additional discussion this morning we would  
977 like to propose a change to condition No. 1 to read " The owner shall submit a landscape plan  
978 for staff review and approval within 60 days after Commission approval of this reconsideration  
979 of the POD." In addition, the last sentence of No. 1: "Installation will take place by October  
980 30, 2001." You will note also that we have a condition No. 2: "The owner shall coordinate  
981 with the Virginia Department of Transportation and submit the proposed landscape plan for  
982 review and approval by VDOT." That is because the planting will be in right-of-way as  
983 determined by the resident engineer yesterday. And with that, I'll be happy to answer any  
984 questions you may have and Mr. Mike Spence is here as well this morning.

985

986 Mr. Jernigan - What's the numbers of the conditions, Jim?

987

988 Mr. Strauss - In the addendum, page 2, condition No. 1 and condition No. 2. And that  
989 would be in addition to the standard conditions for landscape plans. These will be the first two  
990 conditions and condition No. 1 would be revised per my statement this morning.

991  
992 Mr. Vanarsdall - How high is that tank, 40 feet?  
993  
994 Mr. Strauss - Oh, gosh, I don't have that information with me at hand.  
995  
996 Mr. Spence - Forty-eight.  
997  
998 Mr. Strauss - It's 48, according to Mr. Spence.  
999  
1000 Mr. Vanarsdall - I see it's in the M-3 zone, Mr. Marlles.  
1001  
1002 Mr. Strauss - Right.  
1003  
1004 Mr. Marlles - Noted.  
1005  
1006 Mr. Jernigan - And we are all right on, like you said, October 30, that they will have  
1007 the plants in 60 days, but because of weather.  
1008  
1009 Mr. Strauss - We would like to avoid the heat of summer and plant this fall.  
1010  
1011 Mr. Jernigan - You don't need the irrigation systems.  
1012  
1013 Mr. Archer - Mr. Jernigan, would you like to get the applicant on the record for  
1014 anything?  
1015  
1016 Mr. Jernigan - We've discussed this and I think he is all right with everything.  
1017  
1018 Mr. Archer - All right. We are ready for a motion.  
1019  
1020 Mr. Jernigan - All right, Mr. Chairman, with that, I'll make a motion to approve POD-  
1021 111-77, Swann Oil Company, subject to the change in condition No. 19, the paint job or the  
1022 color of the paint, excuse me. And on the addendum Nos. 1 and 2, that the ivy that we are  
1023 going to use will be installed by October 30, 2001.  
1024  
1025 Mr. Vanarsdall - Second.  
1026  
1027 Mr. Kaechele - One and two as amended, right.  
1028  
1029 Mr. Jernigan - One and two as amended.  
1030  
1031 Mr. Archer - The motion was made by Mr. Jernigan and seconded by Mr. Vanarsdall.  
1032 All in favor of the motion say aye...all opposed say nay. The motion is granted.  
1033  
1034 The Planning Commission approved the reconsideration for POD-111-77, Swann Oil Company  
1035 - Fuel Oil Storage Terminal, subject to the standard conditions for developments of this type,

1036 the original added conditions, amending No. 19 and the following additional amended added  
1037 conditions:

1038

1039 1. The owner shall submit a landscape plan for staff review and approval within 60 days  
1040 after the Planning Commission approval of this reconsideration of the plan of  
1041 development. The landscape plan shall indicate the quantity, size, and planting location  
1042 for all material necessary to provide a landscaped buffer along the existing fence line of  
1043 Osborne Turnpike (State Route 5). The buffer shall consist of evergreen trees such as  
1044 Leyland Cypresses, in combination with ivy or evergreen climbing vines, which will be  
1045 planted along the base of the chain link fence. Installation will take place by October  
1046 30, 2001.

1047 2. The owner shall coordinate with the Virginia Department of Transportation and submit  
1048 the proposed landscape plan for review and approval by VDOT.

1049

1050 1. ~~The owner shall submit a landscape plan for staff review and approval. The landscape plan~~  
1051 ~~shall indicate the quantity, size, and planting location for all material necessary to provide a~~  
1052 ~~landscaped buffer along the existing fence line of Osborne Turnpike (State Route 5). The~~  
1053 ~~buffer shall consist of evergreen trees such as Leyland Cypresses, in combination with ivy~~  
1054 ~~or evergreen climbing vines, which will be planted along the base of the chain link fence.~~  
1055 ~~Installation will take place upon completion of the repainting of the first tank.~~

1056

#### 1057 **TRANSFER OF APPROVAL**

1058

POD-7-76  
Huntington Village  
Apartments (Formerly  
Westminister Commons  
Apartments)  
(POD-38-73 and POD-40-74  
Revised)

**Morton G. Thalhimier, Inc. for SLSM, LLC:** Request for  
approval of a transfer of approval, as required by Chapter 24,  
Section 24-106 of the Henrico County Code, from  
Westminister Commons Association to SLSM, LLC, Inc. The  
21.83 acre site is located at the northeast corner of U.S. Route  
301 and Crenshaw Road Extended on parcel 84-A-25. The  
zoning is R-5, One-Family Residence District and R-6, General  
Residence District. **(Fairfield)**

1059

1060 Mr. Archer - Is there anyone present opposed to this transfer of approval, POD-7-76,  
1061 Huntington Village Apartments? No opposition. Ms. Goggin.

1062

1063 Ms. Goggin - Good morning, Planning Commission members, Mr. Secretary, Mr.  
1064 Chairperson. This plan of development is 24 years old and the new owners have come in and  
1065 they want to make some changes. They are very excited, the County is very excited.  
1066 Unfortunately, because of the age of the plan of development there are some deficiencies on  
1067 the site. Mr. Marles has been working with the new owners. A plan should be submitted  
1068 today. I talked to the engineer and the submitted plan should address the deficiencies and  
1069 issues that staff has with the site. Therefore, at this time staff feels that this transfer of  
1070 approval isn't ready to go forward even though there's nothing outstanding on it. Staff is  
1071 recommending deferral until next month.

1072

1073 Mr. Archer - Can you just briefly summarize what some of the deficiencies might be?  
1074

1075 Ms. Goggin - Yes, sir. There were a number of trees that seemed to have never quite  
1076 made into the parking islands. There were some light poles that were not installed, and when I  
1077 went out there the new owners are out there picking up and improving the site. Every time I  
1078 go out there they are rehabbing the apartments interior and exterior. They are doing a good  
1079 job. We just need to get them into compliance with what was promised back in 1976.  
1080

1081 Mr. Marlls - Mr. Chairman, this is not unusual with some of some of these older  
1082 apartment complexes. When there is a transfer of ownership, staff does obviously work very  
1083 closely with the new ownership to bring the site into conformance with the originally approved  
1084 plans. Often the new owners when they purchase these sites aren't aware that they are  
1085 required to do that. So, sometimes it comes as a surprise, but in this case the management and  
1086 ownership has been very cooperative and we think by next month that this will be in good  
1087 shape and we will be able to recommend approval of the transfer of approval request.  
1088

1089 Mr. Archer - Good. So, you are making a recommendation in favor.  
1090

1091 Ms. Goggin - Well, I was going to say deferral for this month until we get the plan in  
1092 to see what it addresses and make sure everything is taking care of that is missing. We just  
1093 think that it is premature to ask the applicant for a bond because it would be a large amount.  
1094

1095 Mr. Taylor - It would be deferred to the July meeting.  
1096

1097 Ms. Goggin - To the July 25 meeting.  
1098

1099 Mr. Archer - Okay. Are there any other questions by the Commission? Then, with  
1100 that I'll move.... Are we doing this at the applicant's request?  
1101

1102 Ms. Goggin - No. Actually, it is at staff's request because we just feel that it is not  
1103 quite ready.  
1104

1105 Mr. Archer - Well, as long as they are being cooperative.  
1106

1107 Ms. Goggin - Yes, they are.  
1108

1109 Mr. Archer - I move deferral to the July 25, 2001, meeting at the request of the  
1110 Commission.  
1111

1112 Mr. Taylor - Second.  
1113

1114 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr. Vanarsdall.  
1115 All in favor say aye...all opposed say nay. The motion carries.  
1116

1117 The Planning Commission deferred the transfer of approval request for POD-7-76, Huntington

1118 Village Apartments (Formerly Westminster Commons Apartments) (POD-38-73 and POD-40-1119 74 Revised) to its July 25, 2001, meeting.

1120

1121 **PLAN OF DEVELOPMENT**

1122

POD-46-01

Commerce Bank at

Virginia Center Station -

Brook Road

**Vanase Hangen Brustlin, Inc. (VHB) for Virginia Center Ventures, LLC and EDC:** Request for approval of a plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code for a master plan and construction of a first phase bank, consisting of a two-story, 3,750 square foot building infrastructure improvements and internal roadways. The 11.2 acre site is located on the northeast corner of the intersection of Brook Road (U.S. Route 1) and Virginia Center Parkway on parcels 33-A-53, 54, 56, 56A and 57. The zoning is M-1C, Light Industrial District (Conditional) and M-1, Light Industrial District. County water and sewer. **(Fairfield)**

1123

1124 Mr. Archer - All right. Is there anyone in opposition to POD-46-01, Commerce Bank  
1125 at Virginia Center Station? No opposition. Mr. McGarry.

1126

1127 Mr. McGarry - Good morning, Mr. Chairman. You are being handed out a revised site  
1128 plan for this project. It was received this morning, so you will have to waive the time limits in  
1129 your motion. The revised site plan does address all of staff's concerns regarding the BMP  
1130 design, access points internal and external. So, staff can recommend approval of the plan  
1131 subject to the standard conditions plus Nos. 23 through 31 and Nos. 32 and 33 on the  
1132 addendum. I'll be happy to answer any questions.

1133

1134 Mr. Archer - Are there any questions for Mr. McGarry by Commission members?

1135

1136 Mr. Taylor - Mr. McGarry, we have the specific block design here.

1137

1138 Mr. McGarry - You have a site plan, you also have the master plan.

1139

1140 Mr. Taylor - Are we approving the master plan?

1141

1142 Mr. McGarry - Not officially. This is the development of many portions of this site.  
1143 We asked for a revised master plan because it has changed since the rezoning case.

1144

1145 Mr. Taylor - In fact, I noticed that on this particular plat the center parcel, facing  
1146 Route 1, the orientation of the bank building is different from the orientation on the master  
1147 plan. Is that material?

1148

1149 Mr. McGarry - Not really.

1150 Mr. Taylor -

1151 in conformance with the master plan and this is just schematic that it serves to explain the use

1152 in the context of the whole site interpreting the specific plan.

1153

1154 Mr. McGarry - Correct.

1155

1156 Mr. Taylor - But, basically, the orientation of the building will be in accordance with  
1157 the plan that we have today.

1158

1159 Mr. McGarry - That's correct.

1160

1161 Mr. Taylor - Thank you.

1162

1163 Mr. Archer - Mr. McGarry, in relation to the companion case that's coming up next,  
1164 does this all fit in pretty well?

1165

1166 Mr. McGarry - Yes, sir. This case was the key of the dominoes, and we are now able to  
1167 recommend approval. So, the companion case that is next on your agenda can also get  
1168 approval.

1169

1170 Mr. Archer - Okay. Are there any other questions? Well, then, with that, I'll first  
1171 move to waive the time limits on the new site plan that was presented this morning.

1172

1173 Mr. Vanarsdall - Second.

1174

1175 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr. Vanarsdall.  
1176 All in favor say aye...all opposed say nay. The motion carries.

1177

1178 The Planning Commission approved to waive the time limits on POD-46-01, Commerce Bank  
1179 at Virginia Station.

1180

1181 Mr. Archer - And with that, I'll move approval of POD-46-01 revised plan, subject to  
1182 the standard conditions and additional conditions Nos. 23 through 31 and Nos. 32 and 33 as  
1183 added on the addendum we received this morning.

1184

1185 Mr. Vanarsdall - Second.

1186

1187 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr. Vanarsdall.  
1188 All in favor say aye...all opposed say nay. The motion carries.

1189

1190 The Planning Commission approved POD-46-01, Commerce Bank at Virginia Station, subject  
1191 to the standard conditions attached to these minutes for developments of this type, the  
1192 annotations on the plans and the following additional conditions:

1193

1194 23. The developer shall provide fire hydrants as required by the Department of Public  
1195 Utilities and Division of Fire.

1196 24. Any necessary off-site drainage and/or water and sewer easements must be obtained in

- 1197 a form acceptable to the County Attorney prior to final approval of the construction  
 1198 plans.  
 1199 25. Deviations from County standards for pavement, curb or curb and gutter design shall be  
 1200 approved by the County Engineer prior to final approval of the construction plans by  
 1201 the Department of Public Works.  
 1202 26. Insurance Services Office (ISO) calculations must be included with the plans and  
 1203 approved by the Department of Public Utilities prior to the issuance of a building  
 1204 permit.  
 1205 27. Approval of the construction plans by the Department of Public Works does not  
 1206 establish the curb and gutter elevations along the Henrico County maintained right-of-  
 1207 way. The elevations will be set by Henrico County.  
 1208 28. The proffers approved as a part of zoning case **C-40C-97** shall be incorporated in this  
 1209 approval.  
 1210 29. Proof of ownership of the existing 25 foot-wide private drive shall be submitted to the  
 1211 County Attorney and accepted prior to construction plan approval.  
 1212 30. The entrances and drainage facilities on Brook Road (U.S. Route 1) shall be approved  
 1213 by the Virginia Department of Transportation and the County.  
 1214 31. A notice of completion form, certifying that the requirements of the Virginia  
 1215 Department of Transportation entrances permit have been completed, shall be submitted  
 1216 to the Planning Office prior to any occupancy permits being issued.  
 1217 32. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the  
 1218 Planning Office and approved prior to issuance of a certificate of occupancy for this  
 1219 development.  
 1220 33. The owner/developer shall provide either continuous all weather access on the 25-foot-  
 1221 wide private drive serving parcel 33-A-55 or temporary alternate all weather access.  
 1222

1223 **PLAN OF DEVELOPMENT**

1224

POD-44-01  
 Silver Finance & Retail  
 Building - Brook Road

**TIMMONS for Virginia Center Ventures, L.L.C. and  
 Tricounty Commercial L.P.:** 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, 6,628  
 square foot office building and a one-story, 9,800 square foot,  
 retail building. The 1.56 acre site is located at the southeast  
 corner of Brook Road (U.S. Route 1) and Technology Park  
 Drive on part of parcel 33-A-58. The zoning is M-1, Light  
 Industrial District. County water and sewer. **(Fairfield)**

1225

1226 Mr. Archer - Is there anyone in opposition to POD-44-01, Silver Finance & Retail  
 1227 Building? No opposition. Mr. McGarry.

1228

1229 Mr. McGarry - We can recommend approval of the revised site plan that is included in  
 1230 your packet. All of the issues have been resolved and staff can recommend approval with  
 1231 conditions Nos. 23 through 29 plus Nos. 30, 31 and 32 on your addendum. I'll be happy to  
 1232 answer any questions.

1233

1234 Mr. Archer - Are there any questions for Mr. McGarry? No questions. Mr.  
1235 McGarry, would you like to just briefly explain the relationship of who goes first in terms of  
1236 the infrastructure?

1237

1238 Mr. McGarry - The Commerce Bank, which is the first POD that you saw, is providing  
1239 all of the infrastructure for internal access roads, water and sewer as well as the BMP basin to  
1240 serve the whole project. That's why the master plan is important to us. The Silver parcel is a  
1241 purchase of a portion of the site, which will be handled totally independently of the Commerce  
1242 Bank POD. Yet, they do need to be aware that the Silver project is getting all of its  
1243 infrastructure from the plans for the Commerce Bank. And that's why condition No. 32 was  
1244 added to make it clear that they can't have a divorce here.

1245

1246 Mr. Archer - Thank you. I just wanted to make that clear to the rest of the  
1247 Commission. All right. Are there any further questions concerning that? Mr. McGarry and I  
1248 did meet with the applicant on Monday, I believe it was, and were very pleased with their  
1249 willingness to be cooperative in the things that we asked of them. So with that, I will move for  
1250 approval of POD-44-01 subject to the standard conditions and additional conditions Nos. 23  
1251 through 29 and 30 through 32 on the addendum.

1252

1253 Mr. Vanarsdall - Second.

1254

1255 Mr. Archer - The motion was made by Mr. Archer and seconded by Mr. Vanarsdall.  
1256 All in favor say aye...all opposed say nay. The motion is granted.

1257

1258 The Planning Commission approved POD-44-01, Silver Finance & Retail Building, subject to  
1259 the standard conditions attached to these minutes for developments of this type, the annotations  
1260 on the plans and the following additional conditions:

1261

1262 23. The developer shall provide fire hydrants as required by the Department of Public  
1263 Utilities and Division of Fire.

1264 24. Any necessary off-site drainage and/or water and sewer easements must be obtained in  
1265 a form acceptable to the County Attorney prior to final approval of the construction  
1266 plans.

1267 25. Deviations from County standards for pavement, curb or curb and gutter design shall be  
1268 approved by the County Engineer prior to final approval of the construction plans by  
1269 the Department of Public Works.

1270 26. Insurance Services Office (ISO) calculations must be included with the plans and  
1271 approved by the Department of Public Utilities prior to the issuance of a building  
1272 permit.

1273 27. Approval of the construction plans by the Department of Public Works does not  
1274 establish the curb and gutter elevations along the Henrico County maintained right-of-  
1275 way. The elevations will be set by Henrico County.

1276 28. The entrances and drainage facilities on Brook Road (U.S. Route 1) shall be approved  
1277 by the Virginia Department of Transportation and the County.

- 1278 29. A notice of completion form, certifying that the requirements of the Virginia  
1279 Department of Transportation entrances permit have been completed, shall be submitted  
1280 to the Planning Office prior to any occupancy permits being issued.
- 1281 30. Evidence of a joint ingress/egress and maintenance agreement must be submitted to the  
1282 Planning Office and approved prior to issuance of a certificate of occupancy for this  
1283 development.
- 1284 31. The owner/developer shall provide either continuous all weather access on the 25-foot-  
1285 wide private drive serving parcel 33-A-55 or temporary alternate all weather access.
- 1286 32. Design of a BMP serving this development shall be approved prior to or concurrent  
1287 with any construction plans for POD-44-01. BMP installation timing shall meet the  
1288 requirements of the Department of Public Works.

1289

1290 **SUBDIVISION**

1291

Cobblestone Landing @  
Twin Hickory  
(June 2001 Plan)

**Youngblood, Tyler & Associates, P.C. for HHHunt Corporation:** The 50.97 acre site is located on the southeast side of Twin Hickory Lake Drive approximately 2,300 feet east of Pouncey Tract Road and across from Hickory Woods subdivision on part of parcels 27-A-7, 8, and 9A and part of 37-A-1, part of 2, 10, 11, 12 and part of 13. The zoning is R-5AC, General Family Residence District (Conditional), R-3AC, One-Family Residence District (Conditional) and R-2AC, One-Family Residence District (Conditional). County water and sewer **(Three Chopt) 138 Lots**

1292

1293 Mr. Archer - Is there opposition to Cobblestone Landing @ Twin Hickory (June 2001  
1294 Plan)? No opposition. Mr. Kennedy.

1295

1296 Mr. Kennedy - Thank you, Commissioners and Mr. Chairman. For the sake of clarity,  
1297 I would like to present the three companion case together. So, it may pay for Mr. Marlles to  
1298 read the captions for those two other cases as well. They are all adjoining subdivisions and  
1299 they are all in Twin Hickory.

1300

1301 Mr. Marlles - That's fine.

1302

1303 Mr. Archer - All right, Mr. Secretary.

1304

1305 **AT THIS TIME MR. MARLLES CALLED THE NEXT TWO COMPANION CASES**  
1306 **WITH THIS CASE.**

1307

1308 Mr. Kennedy - The location map that best describes it in your packet is the one with  
1309 Cobblestone Landing, which you will see that Cobblestone Landing is in the middle (referring  
1310 to rendering on the screen). You have Waters Edge, basically, to the east and to the west you  
1311 have Parsons Walk subdivision. So, all three are companion cases. I do have an overall plan  
1312 for Twin Hickory, which I'll put up on the screen. What you see is Twin Hickory Lake

1313 Drive. Let me see if I can get this pen to work (there is a pause while he tries to get the pen to  
1314 work on the screen). I'm sorry, I can't seem to get it to work today.

1315

1316 Mr. Marlles - Mr. Kennedy, I know that they were having trouble with the pen the  
1317 other night so you might just want to use the indicator with the mouse.

1318

1319 Mr. Kennedy - All right. The mouse doesn't work either. I'll show go over to the  
1320 document table and point it out from there (He's moves over to the document table to point out  
1321 features on the map, away from the mike and some of the following statements will be  
1322 unintelligible).

1323

1324 What we have is Twin Hickory. Nuckols Road is here, Twin Hickory Road going up to Shady  
1325 Grove at this location. And we have Twin Hickory Lake Drive going here. The Commission  
1326 has seen various phases of Twin Hickory and has approved and have approved various phases  
1327 of course or under construction or already built (unintelligible) Twin Hickory Elementary  
1328 School. Belmont Park is under construction. Sadler Ridge is under construction. Park  
1329 Meadows is under construction, single family homes. We have The Gardens, which are  
1330 apartments at Twin Hickory, which are under construction as well. The Lake House which is  
1331 near (unintelligible) which is a community center with a lake. And just beyond that at the end  
1332 of Twin Hickory Road is Holly Glen Condos. Twin Hickory Lake Drive is under  
1333 construction.... The plans are in review now for construction all the way to Pouncey Tract  
1334 Road. Then on Pouncey Tract, which is VDOT (unintelligible). Basically, Hickory Woods  
1335 was previously approved by the Planning Commission a single-family development on the  
1336 north.... This is the south of Twin Hickory Lake Drive and we have these three sections of  
1337 subdivisions. So, we have three subdivisions at this time.

1338

1339 (Mr. Kennedy returns to the mike at this time) The issues that concerns these subdivisions  
1340 basically covers all three of them so we are going to try to cover them together. At this time,  
1341 this was recently rezoned to accommodate these subdivisions. However, the zoning lines don't  
1342 quite conform with the subdivision lines themselves. So, a clean-up rezoning is now scheduled  
1343 to be heard before the Commission. Basically, what it would do is adjust some of the property  
1344 lines to conform to the actual subdivision lines. There are a couple of reasons for adjusting the  
1345 property lines to accommodate what is the purposed development as opposed to what was  
1346 previously considered. As you can see, on the dark outline on the plan for Waters Edge  
1347 subdivision, it kind of encroaches into the, what was previously Cobblestone Landing. There  
1348 is a cul-de-sac that extends into that. Previously, the development for Waters Edge was going  
1349 to go along the interstate. This is purposed as a high-in development with \$500,000.00 homes.  
1350 The developer felt that to give them some more buffering from the interstate it was  
1351 appropriate to arrange this subdivision to provide more buffering for those lots. So, Waters  
1352 Edge, which is adjacent to the lake and farthest to the east, would be a high-end development  
1353 and that's R-2. So they are changing some of the property lines for the R-2.

1354

1355 In the middle would be Cobblestone Landing. Cobblestone Landing is purposed as single-  
1356 family detached homes and they are considered moderate price for this area, \$300,000.00 was  
1357 the range. The alignment for this was changed partially to accommodate Waters Edge and

1358 partially to accommodate some wetlands that were on the site. There are some wetlands that  
1359 trigger between this and the Parsons Walk subdivision. So, in order to accommodate those  
1360 wetlands and not disturb them, they changed the boundary lines. And that's going forward to  
1361 you and will appear at your next zoning hearing and then will follow up with the Board of  
1362 Supervisors. So, this is basically clean-up rezoning. The conditions on the three subdivisions  
1363 cover those issues. Should the Board of Supervisors not approve those rezonings, the  
1364 subdivisions could accommodate it. I'll explain how. Basically, the property which will be  
1365 used for Waters Edge, which is the high-end with larger lots, and of course you always put  
1366 larger lots in lower zoning. So, it's never a conflict there. With lots from Cobblestone  
1367 Landing would encroach into the Waters Edge. Should it not get approve, they will just have  
1368 to build fewer lots and build larger lots. And, correspondingly, the same way between Parsons  
1369 Walk and Cobblestone the same thing works. Should the rezoning not get approved, they will  
1370 just have to build larger lots and lose some lots.

1371

1372 Overall, from the original proposal for the zoning case and the current plan, there is actually a  
1373 decrease in overall development intensity. So, they have actually reduced the overall number  
1374 of lots. The object is to try to save the natural features of the land and work with the trees that  
1375 are there to try to save as many natural features and wetlands as possible. This is a planned  
1376 community. There will be pedestrian walks throughout the community. Sidewalks are  
1377 indicated on all the major roads along Twin Hickory Lake Drive but also within the  
1378 subdivisions. So, any road that has more than a single cul-de-sac off of it will have a sidewalk  
1379 on at least one side so that no one would walk farther than one cul-de-sac to get to a sidewalk.  
1380 There will be pedestrian passage to connect the three subdivisions so that even if you are at  
1381 Parsons Walk, all the way by VDOT, you could walk throughout the development to get to the  
1382 lake house so that you can get to the community center.

1383

1384 The one issue which prevents Public Works from recommending approval, which is not to say  
1385 that they are recommending disapproval, but they cannot recommend approval, is the fact that  
1386 within Cobblestone Landing subdivision and within Waters Edge subdivision there are two  
1387 sections with more than 50 lots with a single point of access. Waters Edge has 56 lots with a  
1388 single point of access and Cobblestone Landing subdivision has one long extended cul-de-sac  
1389 with little cul-de-sacs off of it. It has 52 lots, which exceed our 50-lot policy limit for a  
1390 number of lots off of a single point of access. In lieu of that, the applicant has provided, as a  
1391 part of the construction plans, an emergency access easement between those two sections. So,  
1392 although there isn't actual two physical points of access, for public safety purpose the Planning  
1393 staff feels that they have addressed our concerns by providing emergency access between those  
1394 two sections. There is alternative access for any section that exceeds more than 50 units from  
1395 a single point of access, which is our principal concern. The emergency access will not  
1396 actually show up as an emergency fire lane, it will actually show up as a pedestrian path with a  
1397 grassed over fire lane. So, it wouldn't be obtrusive but at the same time it will enhance the  
1398 community and will provide that pedestrian access and will be actively maintained.

1399

1400 Mr. Marlles - Mr. Kennedy, will that access be constructed so that it can support  
1401 emergency vehicles?

1402

1403 Mr. Kennedy - Yes it will. It will have sufficient gravel to support a fire truck,  
1404 underneath the grass. It will be gated off but the object is that it will be a pedestrian path. So  
1405 cars can't drive across there and upset the neighbors but should there be the need for an  
1406 emergency for access, in the case that there should be some blockage at some point, that it  
1407 could be accommodated in an alternate fashion. It will be clearly identified and will clearly  
1408 maintained because it will be a part of the actually access pass within the community and part  
1409 of the common area. So, staff truly feels that they have accommodated us in this situation, and  
1410 we have supported other cases that are similar to this. The most recent case that comes to  
1411 mind would be CrossRidge where we have all of those senior citizens houses on a single point  
1412 of access and we have emergency access that act as a connection between them and the  
1413 adjoining single-family development. So, this is very similar to that case and we don't feel it  
1414 is a policy deviation in that sense. So, with that, staff does not have any opposition to the  
1415 proposal and feels that they have addressed our concerns.

1416

1417 Mr. Kaechele - Can you point out the location of that emergency access?

1418

1419 Mr. Taylor - Mr. Kaechele, we actually have a depiction of this that has been  
1420 provided by the developer and I'll provide this to Mr. Kennedy and then he can project it on  
1421 the screen.

1422

1423 Mr. Kaechele - That division is only exceeded by two lots, the 50....

1424

1425 Mr. Taylor - Yes, sir. And Mr. Kennedy will be able to show where that emergency  
1426 access is.

1427

1428 Mr. Kennedy - This section, here, is 52 lots (referring to the rendering on the screen)  
1429 and this development right here is 56 lots. And here is the path between the two of them.

1430

1431 Mr. Kaechele - Okay. Thanks. Does that serves, also the pathway between....

1432

1433 Mr. Kennedy - Right. So any one from here (referring to rendering) can go through the  
1434 pedestrian path, the black ones are actually sidewalks, the sidewalk go straight to the lake. So,  
1435 even if you are here, you could walk within the development on sidewalks and get to the lake.  
1436 This is a very well planned community with a well thought out pedestrian access plan and  
1437 cohesive community planned. Mr. Webb Tyler, who is the engineer for the project is here  
1438 should you have any questions.

1439

1440 Mr. Archer - All right. Thank you, Mr. Kennedy. Are there any other questions for  
1441 Mr. Kennedy from the Commission? Mr. Taylor, would you like to hear from Mr. Tyler?

1442

1443 Mr. Taylor - No, Mr. Chairman. As far as I am concerned, I think Mr. Kennedy has  
1444 summed up the case very well. They represent very careful planning of this site, consistent  
1445 with the history of Twin Hickory. And these three parcels really fit together very well in terms  
1446 of zoning, the aesthetic principles associated with the individual sections, and I think the  
1447 circulation between the three zoned parcels. So taking them one by one I think they are

1448 cohesive within the whole of the individual development. Taking as a whole I think they  
1449 extend the fine planning that we have seen with Twin Hickory in the past. And I am satisfied  
1450 that all of the different circulation and aesthetic aspects of the development have been well  
1451 satisfied. So, I have no questions.

1452

1453 Mr. Kaechele - Could we put that previous layout back up on the screen? I was a little  
1454 bit confused about that orange cross hatch. Is that still a part of Waters Edge?

1455

1456 Mr. Kennedy - The orange cross hatch is what is actually being rezoned.

1457

1458 Mr. Kaechele - But that is still a part of....

1459

1460 Mr. Kennedy - It has the same zoning as Cobblestone and that would move into the  
1461 Waters Edge. So, this part would be rezoned (referring to rendering) in exchange for this  
1462 section to be rezoned. The lower-valued homes will be along the interstate, the upper-valued  
1463 homes will have more buffering in order to protect the value. Basically, they are trying to  
1464 stratify their marketing and it just helps to give them a little more buffering for the higher-  
1465 valued homes.

1466

1467 Mr. Kaechele - Okay.

1468

1469 Mr. Taylor - And, Mr. Kaechele, we have had the opportunity to discuss this with  
1470 Mr. Tyler and Mr. Kennedy. I'm fairly satisfied that it will all close together pretty well.

1471

1472 Mr. Archer - All right, Mr. Taylor.

1473

1474 Mr. Taylor - With that, I will start with Cobblestone Landing. I move approval of  
1475 subdivision plan for Cobblestone Landing, the June 2001 Plan, subject to the standard  
1476 conditions for developments of this type, conditions Nos. 12 through 14 and the annotations on  
1477 the plan filed.

1478

1479 Mr. Vanarsdall - Second.

1480

1481 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall.

1482 All in favor say aye...all opposed nay. The motion is granted.

1483

1484 The Planning Commission granted conditional approval to subdivision Cobblestone Landing @  
1485 Twin Hickory (June 2001 Plan) subject to the standard conditions for subdivisions served by  
1486 public utilities attached to these minutes, the annotations on the plan and the following  
1487 additional conditions:

1488

1489 12. The detailed plant list and specifications for the landscaping to be provided within the 35-  
1490 foot-wide planting street easement along I-295 shall be submitted to the Planning Office  
1491 for review and approval prior to recordation of the plat.

1492 13. The proffers approved as part of zoning case **C-19C-01** shall be incorporated in this

1493 approval.  
1494 14. Prior to requesting the final approval, a draft of the covenants and deed restrictions for  
1495 the maintenance of the common area by a homeowners association shall be submitted to  
1496 the Planning Office for review. Such covenants and restrictions shall be in form and  
1497 substance satisfactory to the County Attorney and shall be recorded prior to recordation  
1498 of the subdivision plat.

1499  
1500 Mr. Taylor - Now, Mr. Chairman, moving to the next page, page 20, Parsons Walk  
1501 @ Twin Hickory.

1502  
1503 **SUBDIVISION**

1504 Parsons Walk @ Twin Hickory (June 2001 Plan) **Youngblood, Tyler & Associates, P.C. for HHHunt Corporation:** The 28.66 acre site is located on the southeast side of Twin Hickory Lake Drive approximately 1,300 feet east of Pouncey Tract Road and across from Hickory Woods subdivision on part of parcels 37-A-1, and 37-A-2 and part of parcel 27-A-7. The zoning is R-5AC, General Family Residence District (Conditional) and R-3C, One-Family Residence District (Conditional). County water and sewer **(Three Chopt) 117 Lots**

1505  
1506 Mr. Taylor - Mr. Chairman, I move approval of Parsons Walk @ Twin Hickory (June  
1507 2001 Plan) subject to the standard conditions for developments of this type, conditions Nos. 12  
1508 through 14 and the annotations on the plan.

1509  
1510 Mr. Vanarsdall - Second.

1511  
1512 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall.  
1513 All in favor say aye...all opposed nay. The motion is granted.

1514  
1515 The Planning Commission granted conditional approval to subdivision Parsons Walk @ Twin  
1516 Hickory (June 2001 Plan) subject to the standard conditions for subdivisions served by public  
1517 utilities attached to these minutes, the annotations on the plan and the following additional  
1518 conditions:

1519  
1520 12. The detailed plant list and specifications for the landscaping to be provided within the 35-  
1521 foot-wide planting street easement along I-295 shall be submitted to the Planning Office  
1522 for review and approval prior to recordation of the plat.

1523 13. The proffers approved as part of zoning case **C-19C-01** shall be incorporated in this  
1524 approval.

1525 14. Prior to requesting the final approval, a draft of the covenants and deed restrictions for  
1526 the maintenance of the common area by a homeowners association shall be submitted to  
1527 the Planning Office for review. Such covenants and restrictions shall be in form and  
1528 substance satisfactory to the County Attorney and shall be recorded prior to recordation

1529 of the subdivision plat.

1530

1531 **SUBDIVISION**

1532

Waters Edge @ Twin  
Hickory (June 2001 Plan)

**Youngblood, Tyler & Associates, P.C. for HHHunt Corporation:** The 25.52 acre site is located on the southeast side of Twin Hickory Lake Drive approximately 3,000 feet east of Pouncey Tract Road and across from Hickory Woods subdivision and next to Twin Hickory Lake on part of parcels 27-A-9A, 27-A-10, and part of 37-A-13. The zoning is R-3C, One-Family Residence District (Conditional), R-2AC, One-Family Residence District (Conditional) and C-1, Conservation District. County water and sewer **(Three Chopt) 56 Lots**

1533

1534 Mr. Taylor - Mr. Chairman, now moving for the subdivision for Waters Edge, the  
1535 third parcel at Twin Hickory (June 2001 Plan). I'll move approval of Waters Edge subject to  
1536 the standard conditions for developments of this type, conditions Nos. 12 through 14 and the  
1537 annotations on the plan.

1538

1539 Mr. Vanarsdall - Second.

1540

1541 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr. Vanarsdall.  
1542 All in favor say aye...all opposed nay. The motion is granted.

1543

1544 The Planning Commission granted conditional approval to subdivision Waters Edge @ Twin  
1545 Hickory (June 2001 Plan) subject to the standard conditions for subdivisions served by public  
1546 utilities attached to these minutes, the annotations on the plan and the following additional  
1547 conditions:

1548

1549 12. The detailed plant list and specifications for the landscaping to be provided within the 35-  
1550 foot-wide planting street easement along I-295 shall be submitted to the Planning Office  
1551 for review and approval prior to recordation of the plat.

1552 13. The proffers approved as part of zoning case **C-19C-01** shall be incorporated in this  
1553 approval.

1554 14. Prior to requesting the final approval, a draft of the covenants and deed restrictions for  
1555 the maintenance of the common area by a homeowners association shall be submitted to  
1556 the Planning Office for review. Such covenants and restrictions shall be in form and  
1557 substance satisfactory to the County Attorney and shall be recorded prior to recordation  
1558 of the subdivision plat.

1559

1560 Mr. Vanarsdall - Mr. Chairman, now that is the way to get rid of them. And we didn't  
1561 have to hear from Mr. Tyler at all.

1562

1563 Mr. Archer - And he's so disappointed.

1564

1565 Mr. Tyler - Mr. Kennedy did an excellent job.

1566

1567 Mr. Archer - I like these names, they all fit together very well. The Parson can walk  
1568 over to Cobblestone to the Waters Edge, I suppose.

1569

1570 Mr. Taylor - Or the sailors can get off at the Waters Edge walk across the  
1571 Cobblestones to the Parsons Walk. Good job, Mr. Kennedy.

1572

1573 **LANDSCAPE PLAN**

1574

LP/POD-68-00

O Charley's Restaurant -  
Mayland Drive

**Foster & Miller P.C.:** 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 2.06 acre site is located on the southwest corner of Gaskins Road and Mayland Drive on parcel 48-A-68C. The zoning is M-1C, Light Industrial District (Conditional). **(Three Chopt)**

1575

1576 Mr. Archer - All right. Is there anyone present in opposition to the landscape plan for  
1577 LP/POD-68-00, O Charley's Restaurant? No opposition. Mr. Strauss.

1578

1579 Mr. Strauss - Thank you, Mr. Chairman. Staff recommends approval of the plan as  
1580 annotated. After visiting the site, it was determined that the landscaping has already been  
1581 installed and gravel was used in the parking islands at the rear of the project site. Staff does  
1582 not recommend the use of gravel as the sole landscape element in these parking islands and we  
1583 have annotated the plan to indicate that and that plan is in your addendum this morning. So,  
1584 with that, I guess I will point out that the staff also recognized that there was a need for two  
1585 additional trees at the periphery of the site near the BMP. We stated that on the plan as an  
1586 annotation and we are recommending that evergreen shrubs be planted along the edge of the  
1587 BMP. I have a photograph here. I think we can improve the appearance of the back of the site  
1588 by having an evergreen hedge placed in front of that guardrail and then the two trees, in  
1589 addition, which were required by the ordinance. I understand from this morning that the  
1590 applicant's has some additional information that he wants to make known with respect to the  
1591 use of this gravel. Normally, we do not use gravel in parking lot islands for landscaping. I'll  
1592 be happy to answer any questions you may have.

1593

1594 Mr. Archer - Thank you, Mr. Strauss. Are there any questions of Mr. Strauss by  
1595 Commission members?

1596

1597 Mr. Kaechele - Is there a sprinkler system involved with the islands?

1598

1599 Mr. Strauss - There was an irrigation plan filed but according to what I've heard from  
1600 Mr. Mistr this morning, there is no irrigation in the islands.

1601

1602 Mr. Vanarsdall - Mr. Kaechele, have you eaten out there yet?

1603

1604 Mr. Kaechele - A couple of times, yes. I had to wait in line, but that's all right.  
1605

1606 Mr. Vanarsdall - My wife and I were going out there last Friday, we may go this Friday.  
1607 My wife asked me "where can we go eat that we haven't eaten lately" and I said, "our  
1608 kitchen."  
1609

1610 Mr. Archer - Y'all know Mrs. Vanarsdall is out of town and just wait until she gets  
1611 back.  
1612

1613 Mr. Jernigan - He may be eating at the Holiday Inn, he may be staying there for awhile.  
1614

1615 Mr. Archer - All right. Are there any other questions? Mr. Taylor.  
1616

1617 Mr. Taylor - Mr. Chairman, I would like to, in view of the controversy here on the  
1618 landscape material, is here from the applicant in defense of the rocks in advance of approval.  
1619

1620 Mr. Archer - All right. Would the applicant please come forward. Mr. Mistr, how  
1621 are you, sir?  
1622

1623 Mr. Mistr - I'm Spud Mistr with Foster & Miller. I would point out that the  
1624 irrigation is perimeter irrigation around the site. There is no irrigation on these islands. And  
1625 (Mr. Leslie Noise?) with O'Charley's Inc. is here to talk about what they would like to do in  
1626 the islands.  
1627

1628 Mr. Archer - Thank you, Mr. Mistr.  
1629

1630 Mr. Noise - Good morning, gentlemen. We are excited to be in Richmond. We have  
1631 got a number of projects that we are working on and this was our first one. We kind of got off  
1632 guard with your procedures so we had to go ahead and do some landscaping before we got  
1633 approval through here, since the restaurant was open. Our particular landscaping is around the  
1634 perimeter of our building and then around the main streets, which would be Gaskins Road and  
1635 Mayland Drive. And they brought along the irrigation across the back edge of the retention  
1636 pond because of the landscaping that Circuit City was doing across the rear there. Circuit City  
1637 has, just this week, put in the additional trees and the evergreen. That was their responsibility  
1638 to do. The island, typically, are not irrigated in our installations. They will put in trees but  
1639 the ground cover is not a sod because of the maintenance issues. We have done a number of  
1640 things. We have used gravel, we have used mulch, we have used ground plantings or  
1641 whatever we have to do. But, at this point we just didn't know what was acceptable or what  
1642 was going to be approved so we just put this in but whatever you guys recommend or would  
1643 require is what we will be able to do.  
1644

1645 Mr. Kaechele - On those four corners of the building, those little pods, are they sodded?  
1646 Mr. Noise - Yes. There is one area just outside the receiving door that is graveled  
1647 because it was shown to be sodded on our drawing, and that's going to get over ran by people  
1648 walking through it delivering products, washing sidewalks, going back and forth to the trash

1649 receptacle. That was put in as gravel and they actually would like to concrete that but we told  
1650 them we can't do anything until we hear from you. But there is an area right outside of the  
1651 receiving door that has some gravel on it also.

1652

1653 Mr. Archer - All right. Are there any further questions or comments?

1654

1655 Mr. Taylor - Is there a better drawing of the whole site that we can look at in a larger  
1656 scale that gives us an idea of how many areas are pebbled? Are there four?

1657

1658 Mr. Strauss - Mr. Taylor, if you will look at the annotated plan, the small plan. I put  
1659 a crosshatching on the islands that have the gravel on them.

1660

1661 Mr. Kaechele - Is there any landscaping in those islands?

1662

1663 Mr. Strauss - There are trees.

1664

1665 Mr. Taylor - My thought on the rocks is that it is a little bit hard and I would like to,  
1666 rather than seeing the rocks, which tends to become disorganized at times and shattered around  
1667 the site, and maybe become missile hazards in certain cases, that in those four areas the rocks  
1668 would be replaced with some kind of green, low maintenance shrubs. Your offer I think is to  
1669 do that, should that be our decision.

1670

1671 Mr. Noise - That's correct.

1672

1673 Mr. Taylor - That is my personal feeling is that I would like to see some kind of bush,  
1674 shrub, cactus, whatever will grow in there to relieve the problems that I see with the rocks and  
1675 gain a little aesthetic goodness to it.

1676

1677 Mr. Noise - That's fine.

1678

1679 Mr. Taylor - Would that be acceptable to you?

1680

1681 Mr. Noise - Yes.

1682

1683 Mr. Taylor - Okay, fine. Thank you, sir. We will leave you to do that.

1684

1685 Mr. Noise - Thank you.

1686

1687 Mr. Taylor - And, I will, Mr. Chairman, move approval of LP/POD-68-00, O  
1688 Charley's Restaurant, subject to the standard conditions for developments of this type, and the  
1689 annotations on the plans.

1690

1691 Mr. Archer - Was there an addendum item on this one?

1692

1693 Mr. Strauss - There was no addendum item, but there was a revised annotated plan

1694 handed out.

1695

1696 Mr. Archer - All right. We have a motion, do we have a second?

1697

1698 Mr. Jernigan - Second.

1699

1700 Mr. Archer - The motion was made by Mr. Taylor and seconded by Mr. Jernigan. All  
1701 in favor say aye...all opposed say nay. The motion is granted.

1702

1703 The Planning Commission approved LP/POD-68-00, O Charley's Restaurant, subject to the  
1704 standard conditions attached to these minutes for landscape plans and the annotations on the  
1705 plans.

1706

1707 Mr. Archer - Mr. Chairman, was that the last case?

1708

1709 Mr. Marlles - Mr. Chairman, that was the last case on our agenda. I believe though  
1710 that one of the previous applicants whose case was deferred by Mr. Vanarsdall would like a  
1711 reconsideration of that action. This is POD-55-01 Ingenco, on page 31.

1712

1713 **CONTINUED FROM PAGE 17.**

1714

1715 **PLAN OF DEVELOPMENT**

1716

POD-55-01

Ingenco

(POD-116-86 Revised)

**Draper Aden Associates for Rowin Plant Properties LLC and Ingenco:** Request for approval of a revised plan of development, as required by Chapter 24, Section 24-106 of the Henrico County Code to construct a one-story, 11,250 square foot generating plant and a tank farm with 5, 50,000 gallon fuel oil tanks and 2, 22,000 gallon fuel oil tanks with maximum height of 40 feet. The 5.70 acre site is located at the intersection of Tomlin and Dabney Road on parcel 116-A-5. The zoning is M-2, General Industrial District. **(Brookland)**

1717

1718 Mr. Vanarsdall - Mr. Chairman, I'm going to change the motion, at the applicant's  
1719 request, the applicant refuse to defer the case and so I have no choice but to defer it. It's by no  
1720 means that this case is ready to be heard. So, I will change my motion that POD-55-01, that I  
1721 recommend deferment to July 25 and that's by the Commission. That's the freebie I talked  
1722 about before.

1723

1724 Mr. Taylor - Second.

1725

1726 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Taylor.  
1727 All in favor say aye...all opposed say nay. The motion is granted.

1728

1729 The Planning Commission deferred POD-55-01, Ingenco (POD-116-86 Revised) to the July

1730 25, 2001, meeting.

1731

1732 Mr. Vanarsdall - Mr. Hurte, we will contact you and in addition we will meet with Mr.  
1733 Kennedy, the Supervisor, Mr. Glover, the Deputy County Manager, Mr. Harvey Hinson, and  
1734 maybe the Manager, I don't know who else but we will get together at a convenient time for  
1735 you.

1736

1737 Mr. Archer - All right, Mr. Secretary, I believe we have minutes to approve, do we  
1738 not?

1739

1740 Mr. Marlles - Yes, sir. We have approval of minutes for the April 25, 2001, meeting.

1741

1742 Mr. Archer - I have one correction that I noted on page 1, line 33. I think I said this  
1743 is the April 25, 2001 "edition" not "addition." All right. Do we have a motion for approval?

1744

1745 Mr. Vanarsdall - I move a motion to approve, as changed, the April 25, 2001, minutes.

1746

1747 Mr. Archer - Is there a second?

1748

1749 Mr. Taylor - Actually, I have another correction.

1750

1751 Mr. Archer - All right, go ahead.

1752

1753 Mr. Taylor - First. On page 33, line 1308, the word "aspect" should be spelled  
1754 "expect." On page 52, line 2143, the word "greatly meliorated, should be "ameliorated."

1755

1756 Mr. Archer - How about the motion.

1757

1758 Mr. Vanarsdall - I still move that the minutes of April 25, 2001, be approved with the  
1759 noted changes.

1760

1761 Mr. Taylor - And I'll second that motion.

1762

1763 Mr. Archer - The motion was made by Mr. Vanarsdall and seconded by Mr. Taylor.  
1764 All in favor say aye...all opposed say nay. The motion is granted. There being no further  
1765 business, do we have a motion for adjournment?

1766

1767 Mr. Marlles - Mr. Chairman, I know that all of the Commission members are aware of  
1768 this, but just for the official records of the Commission I did want to note the passing of Judy  
1769 Thomas a long term employee of the Planning Office with over 30 years of service through the  
1770 County. Judy was of great assistance to the Planning Commission and Planning Staff during  
1771 that time. And I just want to note it for the record. And I know I am speaking for the staff  
1772 and the Commission that she will be deeply missed.

1773

1774 Mr. Archer - That is absolutely so, Mr. Secretary.

1775

1776 Mr. Taylor - It is a sad moment and a great loss.

1777

1778 Mr. Vanarsdall - Mr. Chairman, I just thought of something that I would like to make  
1779 mention of. The sad thing about Judy Thomas, who just passed away, we all went to her  
1780 funeral, and I was glad to see all of the Commissioners at the funeral, but I understand that the  
1781 Planning Staff was about the only family she had. And the staff took turns staying all night  
1782 with her and did everything that they could. They made her funeral arrangements, and I just  
1783 think that shows what kind of a department we have. I would like for that to be noted in the  
1784 minute as a tribute to the Planning Staff.

1785

1786 Mr. Archer - Very good, Mr. Vanarsdall. We appreciate that. All right. Are there  
1787 any further comments from the Commission? I would also like to note that Ms. Daphne  
1788 Shiflett was here, and I should have said this while she was here. She, of course, has been the  
1789 person that's been ramrodding most of what was known as the Figgie Properties. I understand  
1790 that her office is closed and she will, I think last Friday was her last day, I believe.

1791

1792 Mr. McGarry - She told me it would be this Friday is the end.

1793

1794 Mr. Archer - I did get a chance to talk to her a little bit up at the Spring Hill Suites  
1795 grand opening. And she has some plans in her future that makes it look like she may not  
1796 work again. I'll let you guess what that is. All right. Is there any further discussion? Is there  
1797 a motion for adjournment?

1798

1799 Mr. Vanarsdall - I move that we adjourn.

1800

1801 Mr. Taylor - Second.

1802

1803 Mr. Archer - The motion was made by Mr. Vanarsdall to adjourn and seconded by  
1804 Mr. Taylor. All in favor say aye...all opposed say nay. This meeting is adjourned.

1805

1806 On a motion by Mr. Vanarsdall and seconded by Mr. Taylor, the Planning Commission  
1807 adjourned its meeting for June 27, 2001, meeting at 10:40 a.m.

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C. W. Archer, C.P.C., Chairman

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John R. Marlles, AICP, Secretary